

Nature Conservation Act

(Act No. 85 of June 22, 1972)

Chapter I General Provisions (Article 1 to 11)

Chapter II Basic Policy on Nature Conservation (Article 12 and 13)

Chapter III Wilderness Areas

Section 1 Designation (Article 14 to 16)

Section 2 Conservation (Article 17 to 21)

Chapter IV Nature Conservation Areas

Section 1 Designation (Article 22 to 24)

Section 2 Conservation (Article 25 to 30)

Section 3 (Ecosystem Preservation and Restoration Project) (Article 30-2 to 30-5)

Section 4 Miscellaneous Provisions (Article 31 to 35)

Chapter IV-2 Offshore Seabed Nature Conservation Areas

Section 1 Designation (Article 35-2 and 35-3)

Section 2 Conservation (Article 35-4 to 35-7)

Section 3 Miscellaneous Provisions (Article 35-8 to 35-12)

Chapter V Miscellaneous Provisions (Article 36 to 44)

Chapter VI Prefectural Nature Conservation Areas and Prefectural Nature Conservation Councils Including Similar Council-Like Bodies (Article 45 to 51)

Chapter VII Auxiliary Provisions (Article 52)

Chapter VIII Penal Provisions (Article 53 to 59)

Chapter IX Release of Foreign Vessels Subject to Payment of Security Deposit (Article 61 to 64)

Supplementary Provisions

Chapter I General Provisions

(Purpose)

Article 1 The purpose of this Act is, in conjunction with the Natural Parks Act (Act No. 161 of 1957) and other acts with the purpose of conserving the natural environment, to make it possible for citizens in general to enjoy the benefits of the natural environment, and for future citizens to inherit those benefits, by comprehensively promoting appropriate conservation of the natural environment, including ensuring biodiversity in areas where this is particularly necessary, thus contributing to securing a healthy and civilized lifestyle for current and future citizens.

(Responsibility of the State)

Article 2 In accordance with the basic principles of environmental conservation prescribed in Articles 3 through 5 of the Basic Environment Act (Act No. 91 of 1993), the State, local public bodies, corporations, and citizens must make efforts in their respective positions to promote appropriate conservation of the natural environment.

(Balancing Respect for Property Rights and Other Public Interests)

Article 3 While conserving the natural environment, the ownership and other property rights of relevant persons must be respected, and national land conservation and other public interests must also be taken into consideration.

(Basic Research Implementation)

Article 4 The State is to strive to implement basic research required for formulating measures to be taken for nature conservation, including research on topography, geology, vegetation and wildlife, approximately every five years.

(Consideration of Regional Development Measures)

Article 5 The State must take appropriate conservation of the natural environment into consideration when formulating and implementing measures recognized as having an impact on the natural environment, including regional development and improvement.

Articles 6 through 11 Deleted

Chapter II Basic Policy on Nature Conservation

(Basic Policy on Nature Conservation)

Article 12 (1) The State must establish a basic policy to conserve the natural environment (hereinafter referred to as the "Basic Policy on Nature Conservation").

(2) The Basic Policy on Nature Conservation is to prescribe the following matters:

- (i) basic concepts concerning nature conservation;
- (ii) basic matters concerning nature conservation measures, including the designation of wilderness areas, nature conservation areas, and offshore seabed nature conservation areas, as well as securing biodiversity in connection with those areas;
- (iii) basic matters concerning the standards for nature conservation measures, including standards for the designation of prefectural nature conservation

areas, and standards for securing biodiversity in connection with those areas;
and

- (iv) beyond what is set forth in the preceding three items, basic policy on coordination between areas set forth in the preceding two items and areas under the Natural Parks Act or other acts with the purpose of nature conservation, as well as other important matters concerning nature conservation.
- (3) The Minister of the Environment must prepare a draft Basic Policy on Nature Conservation and seek Cabinet approval.
- (4) The Minister must request the opinion of the Central Environment Council in advance when drafting a draft Basic Policy on Nature Conservation.
- (5) When the Cabinet approval under paragraph (3) is given, the Minister of the Environment must publish the Basic Policy on Nature Conservation without delay.
- (6) The preceding three items apply mutatis mutandis to changes to the Basic Policy on Nature Conservation.

Article 13 Deleted

Chapter III Wilderness Areas

Section 1 Designation

(Designation)

- Article 14 (1) The Minister of the Environment may designate an area of land as a wilderness area if the conservation of the natural environment of that area, which has been left untouched by the influence of human activity, are considered particularly necessary, while also being an area of land with a larger square measure than that specified in Cabinet Order, and that is owned by the State or a local public body (except for areas within an area designated as a protected forest (except for protected forests designated pursuant to the provisions of Article 25, paragraph (2) of the same Act which applies mutatis mutandis to the second sentence of paragraph (1) or the second sentence of paragraph (2) of the same Article) pursuant to the provisions of Article 25, paragraph (1) or Article 25-2, paragraph (1) or (2) in the Forests Act (Act No. 249 of 1951)).
- (2) The Minister of the Environment must hear the opinions of the relevant prefectural governor and the Central Environment Council in advance when intending to designate a wilderness area.
 - (3) When the Minister of the Environment intends to designate a piece of land as a wilderness area, they must obtain the consent from the head of the administrative organ that has jurisdiction over the land if the State owns the

land, or by the applicable local public body if a local public body owns the land, in advance.

- (4) When the Minister of the Environment designates a wilderness area, the Minister must publicly notify of that effect and that area in an official gazette.
- (5) The designation of a wilderness area will become effective by public notice referred to in the preceding paragraph.
- (6) The provisions of paragraphs (2), (4) and the preceding paragraph apply mutatis mutandis to the cancellation of the designation of a wilderness area or to changes to the boundaries of a wilderness area; and the provisions of paragraph (3) apply mutatis mutandis to the extension of areas of a wilderness area.

(Determination of a Wilderness Area Conservation Plan)

Article 15 (1) A wilderness area conservation plan (meaning a plan concerning the regulation of, or facilities for, nature conservation in a wilderness area; the same applies hereinafter) is to be determined after the Minister of the Environment hears the opinions of the relevant prefectural governors and the Central Environment Council.

- (2) When the Minister of the Environment establishes a wilderness area conservation plan, the Minister must publicly notify an outline of the plan in the official gazette and make the wilderness area conservation plan available for public inspection.
- (3) The provisions of the preceding two paragraphs apply mutatis mutandis to the discontinuation of, or changes to, a wilderness area conservation plan.

(Execution of Wilderness Area Conservation Projects)

Article 16 (1) The wilderness area conservation project (meaning a project implemented under the wilderness area conservation plan concerning natural environment conservation facilities specified by Cabinet Order; the same applies hereinafter) will be implemented by the State.

- (2) Local public bodies may implement a part of the wilderness area conservation project after consulting the Minister of the Environment.

Section 2 Conservation

(Restriction on Acts)

Article 17 (1) A person must not carry out the acts set forth in the following items within a wilderness area; provided, however, that this does not apply when the Minister of the Environment finds that it is particularly necessary due to academic research or other public interest, and grants permission; or when it is carried out as an emergency measure required for extraordinary

disasters.

- (i) constructing, reconstructing, or extending a building or other structure
 - (ii) engaging in the development of residential land, cultivation of land, or other changes to the land;
 - (iii) mining minerals or quarrying soil and stone;
 - (iv) reclaiming land from a water area by landfill or drainage;
 - (v) raising or lowering the water level or water volume of a river, lake, pond, etc.;
 - (vi) felling or damaging trees or bamboo;
 - (vii) collecting or damaging plants other than trees and bamboo, or collecting fallen leaves or fallen branches;
 - (viii) planting trees or bamboo;
 - (ix) planting or sowing seeds of plants other than trees or bamboo;
 - (x) capturing, killing, or wounding animals; collecting or damaging their eggs;
 - (xi) releasing animals (including grazing livestock);
 - (xii) engaging in controlled burning or making a bonfire;
 - (xiii) dumping or leaving garbage;
 - (xiv) accumulating or storing items outdoors;
 - (xv) using a horse, vehicle or motorboat; landing an aircraft;
 - (xvi) an act other than those set forth in the preceding items that might affect the conservation of natural environment in wilderness areas and is specified by Cabinet Order.
- (2) Conditions may be attached to the permission under the proviso to the preceding item to the extent necessary for the conservation of natural environment in the wilderness area.
- (3) A person that has carried out an act set forth in the items of paragraph (1) within a wilderness area as a necessary emergency measure for an extraordinary disaster must give notice that effect to the Minister of the Environment within 14 days from the day on which the person carried out that act.
- (4) When a wilderness area is designated or that area is expanded, a person that has been engaging in any of the acts set forth in the items of paragraph (1) within the wilderness area may continue to carry out those acts notwithstanding the provisions of the same paragraph, for three months from the date of that designation or the expansion of that area (when the person applied for the permission under the proviso to the same paragraph within that period, until the time when there has been a disposition of permission or non-permission with regard to the application).
- (5) The provisions of paragraphs (1) and (3) do not apply to the acts set forth in the following items:
- (i) acts carried out as the implementation of a wilderness area conservation project;

- (ii) routine administrative activities or minor activities which have a low risk of hindering the conservation of nature in wilderness areas and are specified by Order of the Ministry of the Environment.

(Discontinuance Orders)

Article 18 (1) If the Minister of the Environment finds that the conservation of natural environment in a wilderness area is necessary, the Minister may order a person that has violated the provisions of paragraph (1) of the preceding Article, or a person that has violated the conditions attached to the permission pursuant to paragraph (2) of the same Article to discontinue that act or to restore that zone to its original state or take necessary alternative measures within a reasonable period if restoration to its original state is extremely difficult.

- (2) The Minister of the Environment may appoint a nature conservation investigator from the staff, pursuant to the Cabinet Order, and may have the appointed officer exercise a part of the authority prescribed in the preceding paragraph.
- (3) The staff in the preceding paragraph must carry identification and present it at the request of a relevant person.

(Restricted Zones)

Article 19 (1) The Minister of the Environment may designate a restricted zone under a wilderness area conservation plan, within the boundaries of the relevant wilderness area, based on a wilderness area Conservation Plan, if the Minister finds it is particularly necessary to conserve the natural environment in the area.

- (2) The provisions of Article 14, paragraph (3) apply mutatis mutandis to the designation of a restricted zone and the expansion of that zone, and the provisions of the same Article, paragraphs (4) and (5) apply mutatis mutandis to the designation of a restricted zone, the cancellation of that designation, or changes to the area within that zone.
- (3) No person must enter a restricted zone; provided, however, that this does not apply to any case set forth in the following items:
 - (i) entry in order to carry out an act permitted under the proviso to Article 17, paragraph (1) (including an act related to consultation under the provisions of the second sentence of Article 21, paragraph (1));
 - (ii) entry in order to carry out emergency measures made necessary because of an extraordinary disaster;
 - (iii) entry in order to implement a wilderness area conservation project;
 - (iv) entry in order to carry out routine administrative activities or minor activities that have a low risk of hindering the conservation of nature in the

wilderness area and are specified by Order of the Ministry of the Environment

(v) in cases other than those set forth in the preceding items when the Minister of the Environment has found that there are unavoidable circumstances and granted permission.

(Report)

Article 20 When the Minister of the Environment finds that it is necessary to conserve the natural environment in a wilderness area, the Minister may request the person who received the permission under the proviso to Article 17, paragraph (1), to report on the implementation status of the act for which the relevant permission has been obtained.

(Special Provisions Concerning the State)

Article 21 (1) Permission under the proviso to Article 17, paragraph (1) or permission of Article 19, paragraph (3), item (v) is not required with respect to acts to be carried out by a national government organ or local public body. In this case, if the national government organ or local public body intends to carry out the act in question, it must consult the Minister of the Environment in advance.

(2) If a national government organ or a local public body has carried out an act for which a notification is required pursuant to the provisions of Article 17, paragraph (3), it must inform the Minister of the Environment to that effect pursuant to the procedures for notification set out in the provisions of that paragraph.

Chapter IV Nature Conservation Areas

Section 1 Designation

(Designation)

Article 22 (1) The Minister of the Environment may designate an area of land that is not a wilderness area and that falls under any of the following items as a Nature Conservation Area, if the conservation of the natural environment of that area are considered particularly necessary in terms of natural and social conditions.

- (i) areas of forest or grassland where alpine or sub-alpine vegetation occupies a considerable part (including the area of the land forming a natural environment integrally with this), whose area is larger than that specified by Cabinet Order (for the area specified by Cabinet Order, limited to areas of the land whose altitude is greater than that specified by Cabinet Order);
- (ii) areas of forest where a prominent natural forest occupies a considerable

- part (including the area of the land forming a natural environment integrally with this), whose area is larger than that specified by Cabinet Order;
- (iii) areas of land whose topography or geology is peculiar, or where a peculiar natural phenomenon has occurred, or a natural environment is formed integrally within it, whose area is larger than that specified by Cabinet Order;
 - (iv) areas of coast, lake, pond, or wetland or river where a natural environment including animals and plants inhabiting within that area maintains an excellent state, whose area is larger than that specified by Cabinet Order;
 - (v) areas within a marine area, of which natural environment, including those inhabited by tropical fish, coral, seaweed, or other animals and plants, are maintained in excellent state, whose area is larger than that specified by Cabinet Order;
 - (vi) Natural plant habitats, wildlife habitats, or other areas of land specified by Cabinet Order, whose area is larger than that specified by Cabinet Order, where the natural environment in those areas maintains a standard equivalent to that of natural environment in the areas set forth in the preceding items.
- (2) The areas of natural parks prescribed in Article 2, item (i) of the Natural Parks Act are not to be included in the areas of nature conservation areas.
- (3) When the Minister of the Environment intends to designate a nature conservation area, the Minister must hear the opinions of the head of the relevant local public body and the Central Environment Council in advance. In this case, the Minister must concurrently hear the opinions about the draft conservation plan for the nature conservation area prescribed in the following Article, paragraph (1).
- (4) When the Minister of the Environment intends to designate a nature conservation area, the Minister must give public notice to that effect in advance and make the draft of that designation available for public inspection for two weeks from the date of the public notice pursuant to Order of the Ministry of the Environment.
- (5) When the public notice referred to in the preceding paragraph is given, the residents and stakeholders related to the area may submit a written opinion about the draft of the designation provided in public inspection on or before the date of expiration of the public inspection period under the same paragraph.
- (6) The Minister of the Environment will hold a public hearing if a written opinion objecting to the designation plan that was made available for public inspection is submitted pursuant to the provisions of the preceding paragraph, or if the Minister considers it is necessary to widely solicit opinions on the designation of the nature conservation area.
- (7) The provisions of Article 14, paragraphs (4) and (5) apply mutatis mutandis to

the designation of a nature conservation area, the cancellation of a designation, and changes to its boundaries; the provisions of the first sentence of paragraph (3) apply mutatis mutandis to the cancellation of the designation of a Nature Conservation Area and changes to its boundaries; and the provisions of the second sentence of the same paragraph and preceding three paragraphs apply mutatis mutandis to the expansion of the areas of a nature conservation area.

(Determination of a Conservation Plan for the Nature Conservation Area)

Article 23 (1) The conservation plan for the nature conservation area (meaning a plan for the regulations or projects for nature conservation in the nature conservation area, the same applies hereinafter) is established by the Minister of the Environment.

- (2) The conservation plan for the nature conservation area will prescribe the matters set forth in the following items.
- (i) the characteristics of the natural environment that should be conserved and other basic matters on nature conservation in the areas;
 - (ii) matters concerning the designation of an area of land (hereinafter referred to as a "special zone") or a sea area (hereinafter referred to as a "marine special zone") that need particular conservation in light of the characteristics of the natural environment in those areas
 - (iii) matters relevant to the regulations for nature conservation in the area;
 - (iv) matters relevant to the projects for nature conservation in the area.
- (3) The provisions of Article 15, paragraph (2) apply mutatis mutandis to the determination, discontinuation, or changes to a conservation plan for the nature conservation area, and the provisions of the first sentence of the preceding Article, paragraph (3) apply mutatis mutandis to the discontinuation or changes to a conservation plan for the nature conservation area, and the provisions of the same Article, paragraphs (4) through (6) apply mutatis mutandis to the determination and change (only limited to the change related to matters set forth in the preceding paragraph, items (i) and (iii)) of a conservation plan for the nature conservation area.

(Execution of Nature Conservation Area Conservation Projects)

Article 24 (1) A nature conservation area conservation project (meaning a project implemented under a plan for the nature conservation area, and concerning what is specified by Cabinet Order at facilities for nature conservation in the areas, the same applies hereinafter) will be implemented by the State.

- (2) Local public bodies may implement the part of a conservation area conservation project related to nature conservation areas after consultation with the Minister of the Environment.

Section 2 Conservation

(Special Zones)

- Article 25 (1) The Minister of the Environment may designate a special zone within the boundaries of the area based on the conservation plan for the nature conservation area.
- (2) The provisions of Article 14, paragraphs (4) and (5) apply mutatis mutandis to designations of a special zone, the cancellation of the designation, and changes to areas within that zone.
- (3) When the Minister of the Environment designates a special zone or the expansion of that zone, the Minister is to designate the method and limit for the felling of trees or bamboo which may be carried out without the permission pursuant to the following paragraph within that area based on the conservation plan for the nature conservation area (excluding those acts falling under the acts prescribed in paragraph (10)) through consultation with the Minister of Agriculture, Forestry and Fisheries. The same applies to changes to a conservation plan concerning a nature conservation area relating to a special zone (excluding changes other than those relating to the matters set forth in Article 23, paragraph (2), item (iii)).
- (4) The acts set forth in the following items must not be carried out within a special zone without the permission of the Minister of the Environment; provided, however, that this does not apply to acts to be carried out as emergency measures made necessary because of an extraordinary disaster and acts set out in item (i) or (vi) related to the permission which the person that has received the permission of Article 34, paragraph (2) in the Forests Act (including the case which applies mutatis mutandis to in Article 44 of the same Act) within areas of a protected forest pursuant to the provisions of Article 25, paragraph (1) or (2), or Article 25-2, paragraph (1) or (2), or within a protection facility district designated pursuant to the provisions of Article 41 of the same Act (referred to as "areas of protected forests" in Article 28, paragraph (1)) implements, and for acts set forth in item (ii) and implemented within the limit in a way specified by the Minister of the Environment pursuant to the provisions of the preceding paragraph or acts set forth in item (iii) implemented for maintenance and conservation of forests:
- (i) acts set forth in Article 17, paragraph (1), items (i) through (v);
 - (ii) felling trees or bamboo;
 - (iii) damaging trees or bamboo within a zone designated by the Minister of the Environment;
 - (iv) planting or sowing seeds of plants within a zone designated by the Minister of the Environment that are not indigenous to it, plants which the Minister designates as a potential risk to the conservation of natural environment of

- that zone;
- (v) releasing an animal within a zone designated by the Minister of the Environment that is not indigenous to it which the Minister designates as posing a potential risk to the conservation of the natural environment of the zone in question (including the grazing of animals designated as livestock);
 - (vi) discharging sewage or waste water into a lake, pond, or wetland designated by the Minister of the Environment, or into a water area or waterway that flows into the designated lake, pond, or wetland, and that is within one kilometer of a designated lake, pond, or wetland, by establishing a drainage facility;
 - (vii) using a horse, vehicle or motorboat, or landing an aircraft in an area other than on a road, open space for public use, rice field, field, pasture, or residential land, within a zone designated by the Minister of the Environment;
 - (viii) an act other than those set forth in the preceding items that might affect the conservation of natural environment in a special zone and is specified by Cabinet Order.
- (5) The provisions of Article 17, paragraph (2) apply mutatis mutandis to the permission referred to in the preceding paragraph.
- (6) If any act set forth in the following items of paragraph (4) fails to conform to the standards specified by Order of the Ministry of the Environment, the Minister must not grant the permission under the same paragraph.
- (7) A person that has committed any acts set forth in the following items of paragraph (4) within a special zone as emergency measures required because of an extraordinary disaster must give notice that effect to the Minister of the Environment within 14 days from the day on which the act was carried out.
- (8) Notwithstanding the provisions of paragraph (3), a person that has already commenced a specified act by the time specified acts become subject to regulation pursuant to the provisions of paragraph (3) may continue to carry out that specified act for a period of six months after the day on which it becomes subject to that regulation.
- (9) when the person prescribed in the preceding paragraph has given notice about their activities within the period stated in the same paragraph to the Minister of the Environment, it is deemed that the person has received the permission of paragraph (4).
- (10) The provisions of paragraphs (4) and (7) do not apply to the acts set forth in the following items:
- (i) acts carried out as the implementation of a project for the nature conservation area;
 - (ii) acts carried out as a certified ecosystem preservation and restoration program, etc. (meaning an ecosystem preservation and restoration program

to be carried out pursuant to the provisions of Article 30-3, paragraph (1) and an ecosystem preservation and restoration program that has obtained confirmation under the same Article, paragraph (2) or that has received certification under the same Article, paragraph (3); the same applies hereinafter);

- (iii) acts specified by Order of the Ministry of the Environment implemented by the State or a local public body based on the laws and regulations that have a low risk of hindering the conservation of nature in nature conservation areas;
- (iv) routine administrative activities or minor activities that have a low risk of hindering the conservation of nature in nature conservation areas and are specified by Order of the Ministry of the Environment.

(Wildlife Protection Zones)

- Article 26 (1) The Minister of the Environment may designate a wildlife protection zone for each type of wildlife in a special zone, based on a conservation plan for a nature conservation area, if the Minister finds that the protection of certain wildlife in that area is particularly necessary.
- (2) The provisions of Article 14, paragraphs (4) and (5) apply mutatis mutandis to the designation and the cancellation of a wildlife protection zone, and changes to the areas.
 - (3) A person must not capture, kill, wound, collect, or injure wildlife (including the eggs of the animals) related to the wildlife protection zone; provided, however, that this does not apply to any case set forth in the following items:
 - (i) when carried out to implement acts (including the acts related to the consultation under the provisions of the second sentence of Article 21, paragraph (1) which applies mutatis mutandis to in Article 30) for which permission has been received under paragraph (4) of the preceding Article ;
 - (ii) when carried out to carry out an emergency measure made necessary because of an extraordinary disaster;
 - (iii) when carried out order to implement a conservation project for the nature conservation area;
 - (iv) when carried out in order to execute a certified ecosystem preservation and restoration program, etc.;
 - (v) when carrying out acts specified by Order of the Ministry of the Environment implemented by the State or a local public body based on laws and regulations that have a low risk of hindering the conservation of nature in nature conservation areas ;
 - (vi) when carried out to implement routine administrative activities or minor activities specified by Order of the Ministry of the Environment that have a low risk of hindering the conservation of nature in nature conservation

areas;

(vii) cases other than those set forth in the preceding items when the Minister of the Environment finds that it is particularly necessary and grants permission.

(4) The provisions of Article 17, paragraph (2) apply mutatis mutandis to the permission of the preceding paragraph, item (vii).

(Marine Special Zones)

Article 27 (1) The Minister of the Environment may designate a marine special zone within the boundaries of an area based on the conservation plan for the nature conservation area.

(2) The provisions of Article 14 paragraphs (4) and (5) apply mutatis mutandis to designations of a marine special zone, the cancellation of that designation, and changes to the areas within that zone.

(3) The acts set forth in the following items must not be carried out within the marine special zones without the permission of the Minister of the Environment; provided, however, that this does not apply to acts to be carried out as emergency measures made necessary because of an extraordinary disaster, or acts set forth in item (i) through item (iii), and item (vi) and item (vii), necessary for fishery operations including setting up fishing gear.

(i) constructing, reconstructing, or extending structures;

(ii) changing the characteristics of a seabed;

(iii) mining minerals or quarrying soil and stones;

(iv) reclaiming land from a marine area by land filling or drainage;

(v) capturing, killing, wounding, collecting, or injuring tropical fish, coral, seaweed, or other plants or animals designated for each relevant zone by the Minister of the Environment with the consent of the Minister of the Agriculture, Forestry, and Fisheries within the zone designated by the Minister of the Environment;

(vi) mooring items;

(vii) using a motorboat within zones designated by the Minister of the Environment during the period designated for each zone;

(viii) an act other than those set forth in the preceding items that might affect the conservation of natural environment in marine special zones and is specified by Cabinet Order

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

(5) The Minister of the Environment: if any act set forth in the following items of paragraph (3) fails to conform to the standards specified by Order of the Ministry of the Environment, must not grant the permission under the same paragraph.

- (6) A person that has carried out an act set forth in the items of paragraph (3) within a marine special zone as a necessary emergency measure for an extraordinary disaster must give notice that effect to the Minister of the Environment within 14 days from the day on which it carried out that act.
- (7) Notwithstanding the provisions of paragraph (3), a person that has already commenced an act by the time the acts set forth in items of the paragraph (3) become subject to regulation pursuant to the provisions of paragraph (3) may continue to carry out that specified act for a period of six months after the day on which it becomes subject to that regulation.
- (8) When the person prescribed in the preceding paragraph has given notice about their activities within the period stated in the same paragraph to the Minister of the Environment, it is deemed that the person has received the permission under paragraph (3).
- (9) The provisions of paragraphs (3) and (6) do not apply to the acts set forth in the following items:
- (i) acts carried out as the implementation of a project for the nature conservation areas;
 - (ii) acts carried out as a certified ecosystem preservation and restoration program, etc.;
 - (iii) acts specified by Order of the Ministry of the Environment implemented by the State or a local public body based on the laws and regulations that have a low risk of hindering the conservation of nature in nature conservation areas;
 - (iv) routine administrative activities or minor activities that have a low risk of hindering the conservation of nature in nature conservation areas and specified by Order of the Ministry of the Environment.

(Ordinary Zones)

Article 28 (1) A person who intends to undertake the following acts in an area within a nature conservation area that is not a special zone or a marine special zone (hereinafter referred to as "ordinary area") must notify the Minister of the Environment in advance including the type of acts, place, implementation method and scheduled date of commencement and other matters specified by Order of the Ministry of the Environment, pursuant to Order of the Ministry of the Environment; provided, however, that this does not apply to a person who intends to carry out acts set forth in items (i) through (iii) which fall under the main clause of Article 34, paragraph (2) of the Forests Act within the area of protected forests, etc.; and a person who intends to carry out the acts set forth in items (i) through (iii) that are necessary for engaging in fishing including setting up fishing gear in a marine area:

- (i) constructing, reconstructing or extending a building or other structure for

- which the size exceeds the standards specified by Order of the Ministry of the Environment (including cases in which the size of the relevant structure will exceed the standards specified by Order of the Ministry of the Environment after reconstruction or extension);
- (ii) engaging in the development of residential land, cultivation of land, or other changes to the land (including seabed);
 - (iii) mining minerals or quarrying soil and stones;
 - (iv) reclaiming land from a water area by landfill or drainage;
 - (v) raising or lowering the water level or water volume of a river, lake, pond, etc. within a special zone.
- (2) The Minister of the Environment may, where there has been a notification under the provisions of the preceding paragraph, and when the Minister finds it necessary to conserve the natural environment in a nature conservation area, make an order of prohibition, restriction, or direction to take necessary measures regarding the act related to which the notification related, to the extent necessary for the conservation of the natural environment, limited to within thirty days of the date of the notification.
- (3) If a notification is submitted under the provisions of paragraph (1) and an on-site inspection is required, or there are any other reasonable grounds that make an issuance of a disposition impossible under the preceding paragraph within the period referred to in the same paragraph, the Minister of the Environment may extend the period prescribed in the preceding paragraph during the time those grounds exist. In this case, the person that has submitted the notification under paragraph (1) must be notified of that extension and the grounds for that extension within the period prescribed in the paragraph.
- (4) A person who has submitted a notification under paragraph (1) must not carry out an act related to that notification unless a period of thirty days has passed after the date of the relevant notification.
- (5) The Minister of the Environment may shorten the period referred to in the preceding paragraph if the Minister finds that there is no risk that shortening the duration will hinder the conservation of natural environment of the relevant nature conservation area.
- (6) The provisions of paragraphs (1) through (3) do not apply to the acts set forth in the following items:
- (i) acts to carry out emergency measure made necessary because of an extraordinary disaster;
 - (ii) acts carried out in order to execute a conservation project for the nature conservation area;
 - (iii) acts carried out as a certified ecosystem preservation and restoration project, etc.;

- (iv) acts specified by Order of the Ministry of the Environment implemented by the State or a local public body based on the laws and regulations that have a low risk of hindering the conservation of nature in nature conservation areas ;
- (v) routine administrative activities or minor activities that have a low risk of hindering the conservation of nature in nature conservation areas and specified by Order of the Ministry of the Environment;
- (vi) acts that have already been commenced at the time when a nature conservation area is designated or that area was expanded.

(Report and Inspection)

Article 29 (1) the Minister of the Environment, to the extent necessary for the conservation of natural environment in a nature conservation area, may request a person that has obtained the permission under the provisions of Article 25, paragraph (4), Article 26, paragraph (3), item (vii) or Article 27, paragraph (3) or a person whose activities have been restricted or that has been ordered to take necessary measures pursuant to the preceding Article, paragraph (2) to report on the implementation status of those activities and other necessary matters, or the Minister may have a staff of that ministry enter land or a building within the boundaries of the nature conservation area and inspect the implementation status of the acts set forth in the following items of Article 25, paragraph (4), the main clause of Article 26, paragraph (3), the following items of Article 27, paragraph (3), or the following items of the preceding Article, paragraph (1), or investigate the impact of those acts on the natural environment of the nature conservation area.

- (2) The staff referred to in the preceding paragraph must carry identification and present it at the request of a relevant person.
- (3) The authority under the provisions of paragraph (1) must not be construed as extending to criminal investigations.

(Application Mutatis Mutandis)

Article 30 The provisions of Article 18 are to apply mutatis mutandis to orders related to an act within the boundaries of a nature conservation area, and the provisions of Article 21 are to apply mutatis mutandis to an act carried out by a national government organ or a local public body within the areas. In this case, "a person who has violated the provisions of paragraph (1) of the preceding Article, or the conditions attached to a permission pursuant to the provisions of paragraph (2) of the same Article" in Article 18, paragraph (1) is replaced with "a person who has violated the provisions of Article 25, paragraph (4), Article 26, paragraph (3) or Article 27, paragraph (3), or a person who has violated the conditions attached to a permission pursuant to

the preceding Article, paragraph (2) which applies mutatis mutandis to in Article 25, paragraph (5), Article 26, paragraph (4) or Article 27, paragraph (4), a person who has failed to submit notification under the provisions of Article 28, paragraph (1) and implemented the acts set forth in the following items of the same paragraph or the disposition under the provisions of the same Article, paragraph (2)", and "a proviso to Article 17, paragraph (1) or permission of Article 19, paragraph (3), item (v)" in Article 21, paragraph (1) is replaced with "Article 25, paragraph (4), Article 26, paragraph (3), item (vii) or Article 27, paragraph (3)", and "Article 17, paragraph (3)" in the same Article, paragraph (2) is replaced with "Article 25, paragraph (7), Article 27, paragraph (6) or Article 28, paragraph (1)", and "when ... implements" is replaced with "when ... implements, or attempts to implement", and "the same paragraph" is replaced with "these clauses".

Section 3 (Ecosystem Preservation and Restoration Project)

(Ecosystem Preservation and Restoration Project Plan)

- Article 30-2 (1) The Minister of the Environment and the head of the national government organ that is to implement an ecosystem preservation and restoration project (a project implemented based on a conservation plan for a nature conservation area to preserve or restore an ecosystem in the nature conservation area; hereinafter the same applies; hereinafter referred to as the "Minister of the Environment, etc.") are to prescribe a plan concerning the ecosystem preservation and restoration project (hereinafter referred to as an "ecosystem preservation and restoration project plan") in the nature conservation area, based on the conservation plan for the nature conservation area, after hearing the opinion of the Central Environment Council, for the purpose of contributing to the proper and effective implementation of the ecosystem preservation and restoration project in that nature conservation area.
- (2) An ecosystem preservation and restoration program plan must prescribe the following information:
- (i) the goal of the ecosystem preservation and restoration project;
 - (ii) the area in which the ecosystem preservation and restoration project is to be implemented;
 - (iii) the contents of the ecosystem preservation and restoration project; and
 - (iv) beyond what is set forth in the preceding three items, any information necessary for the proper and effective implementation of the ecosystem preservation and restoration project.
- (3) After formulating an ecosystem preservation and restoration project plan, the Minister of the Environment, etc. must give a public notice of an outline of that

plan.

- (4) If the Minister of the Environment, etc. intends to abolish or change an ecosystem preservation and restoration project plan, the opinion of the Central Environment Council must be heard.
- (5) The provisions of paragraph (3) apply mutatis mutandis to the abolishment of or change to an ecosystem preservation and restoration project plan.

(Implementation of Ecosystem Preservation and Restoration Project)

- Article 30-3 (1) If it is found necessary to preserve or restore an ecosystem in order to conserve the natural environment within a nature conservation area, the State is to implement an ecosystem preservation and restoration project in accordance with an ecosystem preservation and restoration project plan.
- (2) A local public body may, pursuant to Order of the Ministry of the Environment, implement an ecosystem preservation and restoration project in accordance with an ecosystem preservation and restoration project plan after obtaining confirmation from the Minister of the Environment to the effect that the relevant ecosystem preservation and restoration project complies with that ecosystem preservation and restoration project plan.
 - (3) A person other than the State or a local public body may, pursuant to Order of the Ministry of the Environment, implement an ecosystem preservation and restoration project in accordance with an ecosystem preservation and restoration project plan after obtaining certification from the Minister of the Environment to the effect that the person is able to properly and reliably implement that project, and that the project complies with the relevant ecosystem preservation and restoration project plan.
 - (4) A person intending to obtain confirmation under paragraph (2) or the certification referred to in the preceding paragraph must submit a written application stating the following matters to the Minister of the Environment, pursuant to Order of the Ministry of the Environment:
 - (i) the person's name and address, and in the case of a corporation, the name of the representative of that corporation;
 - (ii) the area in which the ecosystem preservation and restoration project is to be implemented;
 - (iii) the details of the ecosystem preservation and restoration project, and;
 - (iv) any matters specified by Order of the Ministry of the Environment beyond what is set forth in the preceding three items.
 - (5) A drawing showing the areas to be covered by the ecosystem preservation and restoration project and other documents specified by Order of the Ministry of the Environment, must be attached to a written application referred to in the preceding paragraph
 - (6) If a person who has obtained confirmation referred to in paragraph (2) or

certification under paragraph (3) wishes to change any matters set forth in the items of paragraph (4), the person must obtain confirmation from the Minister of the Environment if it is a local public body, or obtain a certification from the Minister of the Environment if it is a person other than the State or a local public body; provided, however, that this does not apply to minor changes specified by Order of the Ministry of the Environment.

- (7) A person intending to obtain a confirmation or certification referred to in the preceding paragraph must submit a written application to the Minister of the Environment, stating the matters related to the change, pursuant to Order of the Ministry of the Environment.
- (8) The provisions of paragraph (5) apply mutatis mutandis to a written application referred to in the preceding paragraph.
- (9) If a person who has obtained a confirmation under paragraph (2) or certification under paragraph (3) has made a minor change specified by Order of the Ministry of the Environment under the proviso to paragraph (6), that person must notify the Minister of the Environment of the change without delay.

(Rescission of Approval)

Article 30-4 If a person that has obtained certification under paragraph (3) of the preceding Article falls under any of the following items, the Minister of the Environment may revoke the certification under that paragraph:

- (i) if it is found that the relevant person is not implementing the ecosystem preservation and restoration project in accordance with the ecosystem preservation and restoration project plan;
- (ii) if it is found that the relevant person is no longer able to implement the ecosystem preservation and restoration project properly and reliably;
- (iii) if that person violates the provisions of paragraph (6) or (9) of the preceding Article;
- (iv) if that person fails to give a report pursuant to the provisions of the following Article or gives a false report, or;
- (v) if that person obtains approval under paragraph (3) or (6) of the preceding Article by deception or other wrongful means.

(Collection of Reports)

Article 30-5 The Minister of the Environment may request a person that has obtained certification under Article 30-3, paragraph (3) to report on the implementation status of the ecosystem preservation and restoration project and other necessary matters.

Section 4 Miscellaneous Provisions

(On-site investigation)

- Article 31 (1) If an on-site investigation is necessary regarding the designation of a nature conservation area or the extension of that area; the setting or changes to a conservation plan for the nature conservation area; or the implementation of a conservation project for the nature conservation area; the Minister of the Environment and either a national government organ other than the Minister of the Environment or the head of a local body, regarding the implementation of a conservation project for the nature conservation area, may have their relevant officials enter the land of another person, install signs, survey the land and fell or remove trees or bamboo, hedges or fences, etc. that pose an impediment to the on-site investigation; provided, however, that if there are provisions concerning an on-site investigation in another law, that on-site investigation must be conducted in accordance with those provisions.
- (2) If a national government organ or the head of a local body intends to have their relevant official carry out acts pursuant to the provisions of the preceding paragraph, that person must give notice in advance to that effect to the owner (if the address of the owner is unknown, the possessor of the land; hereinafter the same applies in this Article), the possessor of the land, and the owner of the trees, bamboo, hedges, fences, etc., and also give the owner or possessor an opportunity to submit a written opinion.
- (3) The official referred to in paragraph (1) must not enter residential land or land enclosed with hedges, fences, etc. before sunrise or after sunset.
- (4) The official referred to in paragraph (1) must carry identification and present it at the request of a relevant person.
- (5) An owner or possessor of land or an owner of trees and bamboo or hedges or fences must not deny or interfere with the entry or other acts carried out under the provisions of paragraph (1) without reasonable justification.

(Rulings by the Environmental Disputes Coordination Commission)

- Article 32 (1) A person that is dissatisfied with a disposition by the Minister of the Environment pursuant to the provisions of Article 25, paragraph (4), Article 27, paragraph (3) or Article 28, paragraph (2) may apply to the Environmental Dispute Coordination Committee for a ruling if the reason for that person's complaint concerns adjustment in relation to mining, stone quarrying, or gravel quarrying. In this case, the person may not make a request for administrative review.
- (2) The provisions of Article 22 of the Administrative Complaint Review Act (Act No. 68 of 2014) apply mutatis mutandis to cases when an administrative authority that has made a disposition as referred to in the preceding paragraph erroneously instructs that the person may make a request for

administrative review or re-investigation with respect to that disposition.

(Compensation for Loss)

Article 33 (1) The State is to compensate a person that suffers losses that would ordinarily be incurred due to an inability to obtain the permission under Article 25, paragraph (4), Article 26, paragraph (3), item (vii), or Article 27, paragraph (3); due to the inclusion of conditions attached to the permission pursuant to the provisions of Article 17, paragraph (2) which apply mutatis mutandis to Article 25, paragraph (5), Article 26, paragraph (4) or Article 27, paragraph (4); or due to a disposition pursuant to the provisions of Article 28, paragraph (2).

- (2) A person that intends to claim for compensation as referred to in the preceding paragraph must make a request for that compensation to the Minister of the Environment.
- (3) If the Minister of the Environment receives a request pursuant to the provisions of the preceding paragraph, the Minister must determine the amount of compensation and notify the requestor of that amount.
- (4) The State, concerning the nature conservation area designation or the extension of the area, the setting or change to a conservation plan for the nature conservation area, or the implementation of a conservation project for the nature conservation area by the State; or the relevant local public body, concerning the implementation of a conservation project for the nature conservation areas by the local public body, is to compensate a person that suffers losses that would ordinarily be incurred due to an act by the responsible official under the provisions of Article 31 paragraph (1).
- (5) The provisions of paragraphs (2) and (3) apply mutatis mutandis to the compensation of losses under the provisions of the preceding paragraph. In this case, the term "Minister of the Environment" in paragraphs (2) and (3) is to be replaced with "Minister or the head of a local public body with jurisdiction over affairs concerning on-site inspections provided for in Article 31 paragraph (1)".

(Filing of an Action)

Article 34 (1) A person that is dissatisfied with a decision under the provisions of paragraph (3) of the preceding Article (including if it applies mutatis mutandis under paragraph (5) of that Article) may request an increase of the amount of compensation by filing an action within six months from the date on which that notice is received.

- (2) The State or the local government body is to be the defendant in any filled action referred to in the preceding paragraph.

(Consideration)

Article 35 In the application of the provisions concerning nature conservation areas, consideration must be given to the stabilization of the agricultural forestry and fisheries industries, and the improvement of the welfare of the residents related to the area.

Chapter IV-2 Offshore Seabed Nature Conservation Areas

Section 1 Designation

(Designation)

- Article 35-2 (1) The Minister of the Environment may designate offshore areas that are not nature conservation areas as offshore seabed nature conservation areas, from among offshore areas that include a natural environment with a unique ecosystem reliant on the topography, geology or natural phenomena occurring in the seabed of the area which is recognized as being in an excellent condition, those for which the conservation of the natural environment is considered particularly necessary in terms of natural and social conditions (offshore areas meaning sea areas of Japan related to inland waters, the territorial sea (limited to the marine areas at water depth exceeding 200 meters), exclusive economic zone and continental shelf (meaning the continental shelf prescribed in Article 2 of Act on the Exclusive Economic Zone and Continental Shelf (Act No. 74 of 1996); the same applies in Article 35-8 and Article 35-9)).
- (2) The areas of the natural park prescribed in Article 2, item (i) of the Natural Parks Act are not to be included in the areas of offshore seabed nature conservation areas.
- (3) When the Minister of the Environment attempts to designate an offshore seabed nature conservation area, the Minister must hear the opinions of the head of the relevant local public body and the central environment council in advance. In this case, the Minister must concurrently hear the opinions on the draft of the conservation plan for offshore seabed nature conservation areas prescribed in the following Article paragraph (1).
- (4) When the Minister of the Environment intends to designate an offshore seabed nature conservation area, the Minister must give a public notice to that effect and make the draft of that designation available for public inspection for two weeks from the date of the public notice pursuant to Order of the Ministry of the Environment.
- (5) When a public notice under the preceding paragraph is given, the stakeholders related to the area may submit a written opinion about the draft made available for public inspection on or before the date of expiration of the public inspection under the same paragraph.
- (6) The Minister of the Environment is to hold a public hearing if a written

opinion objecting to the designation plan that was made available for public inspection is submitted pursuant to the provisions of the preceding paragraph, or if the Minister considers it is necessary to widely solicit opinions on the designation of the offshore seabed nature conservation area.

- (7) The provisions of Article 14 paragraphs (4) and (5) apply mutatis mutandis to the designation of an offshore seabed nature conservation area, the cancellation of that designation, and changes to its boundaries, and the provisions of the first sentence of paragraph (3) apply mutatis mutandis to the cancellation of the designation of an offshore seabed nature conservation area and changes to the boundaries of an offshore seabed nature conservation area, and the provisions of the second sentence of the same paragraph and the preceding three paragraphs apply mutatis mutandis to the expansion of the areas of an offshore seabed nature conservation area.

(Determination of Conservation Plan for Offshore Seabed Nature Conservation Area)

- Article 35-3 (1) A conservation plan for an offshore seabed nature conservation area (meaning a plan for the regulation of, or projects for nature conservation in, an offshore seabed nature conservation area, the same applies hereinafter) is to be determined by the Minister of the Environment.
- (2) The conservation plan for the offshore seabed nature conservation area is to prescribe the following matters;
- (i) the characteristics of the natural environment that should be conserved and other basic matters on nature conservation in the area;
 - (ii) matters relevant to the designation of the area (hereinafter referred as to "offshore seabed special zone") to be especially conserved in line with the characteristics of the natural environment in the area;
 - (iii) matters relevant to the regulation of nature conservation in the area;
 - (iv) beyond what is set forth in the preceding three items, any matters relevant to surveys for nature conservation in the area and other matters necessary for nature conservation in the area.
- (3) The provisions of Article 15 paragraph 2 apply mutatis mutandis to the determination or discontinuation of, or changes to, a conservation plan for the offshore seabed nature conservation area, the provisions of the first sentence of the preceding Article paragraph (3) apply mutatis mutandis to the discontinuation of, or changes to a conservation plan for the offshore seabed nature conservation area, and the provisions of the same Article paragraphs (4) through (6) apply mutatis mutandis to the determination of and changes to (limited to changes related to the matters set forth in the preceding paragraph, item (ii) or (iii)) of a conservation plan for the offshore seabed nature conservation area.

Section 2 Conservation

(Offshore Seabed Special Zones)

- Article 35-4 (1) The Minister of the Environment may designate an offshore seabed special zone within the boundaries of the area based on the conservation plan for the offshore seabed nature conservation area.
- (2) The provisions of Article 14 paragraphs (4) and (5) apply mutatis mutandis to the designation of an offshore seabed special zone, the cancellation of that designation, and changes to the areas within that zone.
- (3) The acts set forth (hereinafter referred to as "specified acts" in this Chapter and Article 56 item (vi)) in the following items must not be carried out within the offshore seabed special zone without the permission of the Minister of the Environment:
- (i) mining minerals;
 - (ii) exploration of minerals based on the methods which the Minister of the Environment prescribes with the consent of the Minister of Economy, Trade and Industry;
 - (iii) capturing or collecting animals and plants inhabiting or growing on the seabed based on the methods which the Minister of the Environment prescribes with the consent of the Minister of Agriculture, Forestry and Fisheries;
 - (iv) acts other than those set forth in the preceding three items that might affect nature conservation in offshore seabed nature conservation areas and are specified by Cabinet Order.
- (4) The provisions of Article 17 paragraph (2) apply mutatis mutandis to the permission referred to in the preceding paragraph.
- (5) The Minister of the Environment, if a specified act fails to conform to the standard that changes to the characteristics of the seabed associated with the specified act be unlikely to hinder the conservation of nature in offshore seabed special zone and other standards specified by Order of the Ministry of the Environment, must not provide grant permission under paragraph (3).
- (6) Notwithstanding the provisions of paragraph (3), a person that has already commenced a specified act by the time specified acts become subject to regulation pursuant to the provisions of paragraph (3) may continue to carry out that specified act for a period of six months after the day on which it becomes subject to that regulation.
- (7) when the person prescribed in the preceding paragraph has given notice about their activities within the period stated in the same paragraph to the Minister of the Environment, it is deemed that the person has received the permission of paragraph (3).

(8) The provisions of paragraph (3) do not apply to the specified acts that have a low risk of hindering the conservation of nature in offshore seabed special zones and are specified by Order of the Ministry of the Environment.

(Areas Not Including Offshore Seabed Special Zones)

Article 35-5 (1) A person who intends to undertake specified acts in an area within an offshore seabed nature conservation area that is not an offshore seabed special zone, pursuant to the Order of the Ministry of the Environment, must notify the Minister of the Environment of matters in advance including the type of acts, place, implementation method and scheduled date of commencement and other matters specified by the Order of the Ministry of the Environment.

(2) When there is a notification under the provisions of the preceding paragraph, if the Minister of Environment finds it necessary to conserve a natural environment in an offshore seabed nature conservation area, the Minister may give an order to a person that has submitted a notification concerning a prohibition, restriction, or implementation to take the necessary measures for the acts related to the notification for the conservation of the natural environment to the extent necessary, within thirty days from the date of the notification.

(3) A person who has submitted a notification under the provisions of paragraph (1) must not carry out a specified act related to that notification unless a period of thirty days has passed after the date of the relevant notification.

(4) The provisions of Article 28, paragraphs (3) and (5) apply mutatis mutandis to the notification under the provisions of paragraph (1). In this case, the term "preceding paragraph" in the same Article, paragraph (3) is replaced with "Article 35-5, paragraph (2)", and the "preceding paragraph" in the same Article, paragraph (5) is replaced with "Article 35-5, paragraph (3)".

(5) The provisions of paragraphs (1) and (2), and the provisions of Article 28, paragraph (3) which apply mutatis mutandis to the preceding paragraph do not apply to the following acts:

(i) specified acts that have a low risk of hindering the conservation of nature in offshore seabed nature conservation areas and specified by Order of the Ministry of the Environment;

(ii) specified acts that have already been commenced at the time when an offshore seabed nature conservation area is designated or that area was expanded.

(Report and Inspection)

Article 35-6 (1) The Minister of the Environment may, to the extent necessary for nature conservation in an offshore seabed nature conservation area, may

request a captain of a vessel or other person that is recognized to have a relationship with the specified acts to report on the implementation state of a specified act and other necessary matters or the Minister may have staff enter the vessel or other necessary places and inspect the implementation state of the specified acts, or examine influence on natural environment made by the specified acts.

(2) The provisions of Article 29, paragraphs (2) and (3) apply mutatis mutandis to on-site inspection or on-site investigation under the provisions of the preceding paragraph.

(Application Mutatis Mutandis)

Article 35-7 The provisions of Article 18 apply mutatis mutandis to orders regarding the specified acts within the boundaries of an offshore seabed nature conservation area, and the provisions of Article 21 apply mutatis mutandis to the specified acts carried out within the areas by the national government organs or a local public body. In this case, "a person who has violated the provisions of paragraph (1) of the preceding Article, or the conditions attached to a permission pursuant to the provisions of paragraph (2) of the same" in Article 18, paragraph (1) is replaced with "a person who has violated the provisions of Article 35-4, paragraph (3) or the conditions attached to a permission pursuant to the provisions of the preceding Article, paragraph (2) which apply mutatis mutandis to the same Article, paragraph (4), or a person who has failed to give notice under the provisions of Article 35-5, paragraph (1) and implemented the specified acts prescribed in Article 35-4, paragraph (3) or the disposition under the provisions of Article 35-5, paragraph (2)", and "a proviso to Article 17, paragraph (1) or Article 19, paragraph (3), item (v)" in Article 20, paragraph (1) is replaced with "Article 35-4, paragraph (3)", and "Article 17, paragraph (3)" in the same Article, paragraph (3)" is replaced with "Article 35-5, paragraph (1)", and "when ... implements" is replaced with "when ... intends to implement".

Section 3 Miscellaneous Provisions

(Measures for the Enrichment of Scientific Knowledge)

Article 35-8 The State must endeavor to collect, arrange and analyze information, promote research, and take other necessary measures to enrich the scientific knowledge related to securing the biodiversity of offshore areas and other nature conservation efforts.

(Relevant Administrative Organs Cooperation)

Article 35-9 The Minister of the Environment may make requests for the

provision of materials or information, explanation of the opinions and other necessary cooperation to the head of the relevant administrative organ, the head of the relevant local public body, the head of the relevant incorporated administrative agency (meaning the incorporated administrative agency prescribed in Article 2, paragraph (1) of the Act on General Rules for Incorporated Administrative Agency (Act No. 103 of 1999), or other persons concerned, if the Minister finds that it is necessary to achieve the purpose of this Act.

(Communication and Cooperation)

Article 35-10 In enforcing this Act, the Minister of Agriculture, Forestry, and Fisheries, and the Minister of Economy, Trade and Industry must communicate closely and cooperate with one another about matters concerning nature conservation in offshore seabed nature conservation area.

(Application Mutatis Mutandis)

Article 35-11 The provisions of Article 32 apply mutatis mutandis to the disposition by the Minister of the Environment under the provisions of Article 35-4, paragraph (3) or Article 35-5, paragraph (2), and the provisions of Article 33, paragraphs (1) through (3) and the provisions of Article 34 apply mutatis mutandis to a person that suffers losses to due to an inability to obtain the permission under Article 35-4, paragraph (3), due to conditions attached to the permission pursuant to the provisions of Article 17, paragraph (2) which apply mutatis mutandis to in the same Article, paragraph (4), or due to disposition pursuant to the provisions of Article 35-5, paragraph (2). In this case, the term "preceding Article, paragraph (3) (including the case when applying mutatis mutandis to the same Article, paragraph (5))" in Article 34, paragraph (1) is replaced with the "preceding Article, paragraph (3) which applies mutatis mutandis to the provisions of Article 35-11".

(Considerations)

Article 35-12 In the application of the provisions concerning offshore seabed nature conservation areas, consideration must be given to the stabilization of the fishing carried out in the areas and other occupations.

Chapter V Miscellaneous Provisions

(Expenses Required for the Execution of Conservation Project)

Article 36 The expenses necessary for the implementation of a conservation project (meaning conservation projects relevant to wilderness areas or nature conservation areas. The same applies hereinafter) are to be borne by the person

that implements the conservation project.

(Expenses Borne by the Party at Fault)

Article 37 If the implementation of a conservation project becomes necessary due to construction or an act unrelated to the conservation project, the State or a local public body may have the person responsible for bearing the cost of the aforementioned construction or act bear all or a part of the expenses of the implementation of the conservation project to the extent to which the implementation of the relevant conservation project has become necessary.

(Expenses to be Borne by Beneficiaries)

Article 38 If there is a person who significantly benefits from the implementation of a conservation project, the State or a local public body may have that person bear part of the expenses required for the implementation of the conservation project, to the extent of the benefit.

(Method of Collection of Expenses)

Article 39 The method of collecting the expenses under the provisions of the preceding two Articles and other necessary matters concerning expenses will be specified by Cabinet Order or Prefectural Ordinance.

(Compulsory Collection of Expenses)

Article 40 (1) If a person has not paid the expenses pursuant to the provisions of Article 37 or Article 38, the Minister of the Environment or the head of the local public body must issue a written demand that specifies the deadline by which the person must make the payment.

(2) In the case referred to in the preceding paragraph, the Minister of the Environment may collect a delinquency charge pursuant to Order of the Ministry of the Environment, and the head of the local public body may collect it pursuant to Prefectural Ordinance; provided, however, that the delinquency charge must not be more than an amount calculated at an annual rate of 14.5%.

(3) When the person who has received a payment demand under the provisions of paragraph (1) does not pay the amount until the specified due date, the Minister of the Environment or the head of the local public body may charge the expenses to be borne and delinquency charge prescribed in the preceding two paragraphs in accordance with the cases of disposition of delinquency of either the national tax if the expenses in question become the revenue for the State, or local tax if the expenses in question become the revenue for the local public body. In this case, the order of the statutory lien on the expenses to be borne and the delinquency charge are to come after national taxes and local taxes.

(4) The delinquency charge is to be collected prior to the expenses to be borne.

(Government Subsidies)

Article 41 The State may subsidize, within the budgetary limits and pursuant to the provisions of a Cabinet Order, a part of the expenses required for the execution of a conservation project by a prefecture that executes the conservation project.

(Exclusion from Application)

Article 42 The provisions of Article 36 through the preceding Article do not apply to projects with separately prescribed provisions in other laws with regard to the expenses required for the implementation of the conservation project.

(Consultation)

Article 43 (1) If the Minister of the Environment wishes to designate or expand the boundaries of a wilderness area, a nature conservation area, an offshore seabed nature conservation area, a restricted zone, a special zone, a wildlife protection zone, a marine special zone, or an offshore seabed special zone, or wishes to determine or change a wilderness area conservation plan, the conservation plan for a nature conservation area, or an offshore seabed nature conservation area conservation plan, or wishes to prescribe an Order of the Ministry of the Environment in Article 25, paragraph (6), Article 27, paragraph (5), or Article 35-4, paragraph (5), the Minister must consult with the head of the relevant administrative organs.

(2) When a national government organ other than the Minister of the Environment intends to implement a conservation project, they must consult the Minister of the Environment.

(Delegation of Authority)

Article 44 The authority of the Minister of the Environment prescribed in this Act may be delegated to the director of a Regional Environmental Office, pursuant to Order of the Ministry of the Environment.

Chapter VI Prefectural Nature Conservation Areas and Councils and Other Bodies with a Council System on Prefectural Nature Conservation

(Designation of Prefectural Nature Conservation Areas)

Article 45 (1) Concerning a natural environment which is equivalent to a nature conservation area, a prefecture, pursuant to Prefectural Ordinance, may designate the part that is particularly necessary to conserve the natural

environment in terms of the natural and social conditions of the surrounding area as a prefecture nature conservation area.

- (2) The areas of the natural parks prescribed in Article 2, item (i) of the Natural Parks Act are not to be included in the areas of prefectural nature conservation areas.

(Conservation)

Article 46 (1) In order to conserve the natural environment in prefectural nature conservation areas, a prefecture may designate, pursuant to Prefectural Ordinance, a special zone (including wildlife protection zones) within those areas, and establish the necessary regulations for acts in special zones (including wildlife protection zones) and zones within a prefectural nature conservation area outside of the special zone, within the scope of the regulations under the provisions of Chapter 4, Section 2 concerning acts in special (including wildlife protection zones) and ordinary zones within the nature conservation areas. In this case, consideration must be given to the stabilization of agricultural forestry industries and fisheries occupations and the improvement of the welfare of the residents related to the area.

- (2) When a prefecture establishes, by Prefectural Ordinance under the provisions of the preceding paragraph, a gubernatorial authority equivalent to that of Article 18, paragraph (1), the prefecture may establish in that Prefectural Ordinance that the prefectural governor may have their staff exercise part of the authority in question, in accordance with the provisions of the same Article paragraphs (2) and (3).

- (3) The provisions of Article 32 apply mutatis mutandis to an objection to a disposition under the provisions of Prefectural Ordinance based on the provisions of paragraph (1).

(On-site investigation)

Article 47 When the on-site investigation is considered necessary for the prefectural nature conservation area concerned, prefectures may stipulate in the Prefectural Ordinance that the prefectural governor concerned may have their staff enter the land owned by others, in accordance with the provisions of Article 31, set up land marks or take other actions referred to in the provisions of paragraph (1) of the same article.

(Compensation for Losses)

Article 48 Prefectures must compensate a person that suffers losses that would ordinarily be incurred due to the disposition under the Prefectural Ordinance pursuant to Article 46, paragraph (1) or due to an act by the official in question pursuant to the provisions of the Prefectural Ordinance pursuant to the

preceding article.

(Report, Advice or Recommendations)

Article 49 (1) The Minister of the Environment may request necessary reports from the prefectures on the prefectural nature conservation area.

(2) The Minister of the Environment may provide the prefectures with the necessary advice or recommendations concerning the administration or technical operation of the prefectural nature conservation area.

(Special Provisions Concerning the State)

Article 50 Regarding special provisions concerning the act carried out by the national government organs or a local public body, when a prefecture establishes a regulation for an act within the area of the prefectural nature conservation area in question under the Prefectural Ordinance pursuant to Article 46, paragraph (1), is governed by the provisions of Article 21 which apply mutatis mutandis to Article 30.

(Councils and Other Bodies with a Council System on Prefectural Nature Conservation)

Article 51 (1) A council or other body with a council system concerning prefectural nature is to be established in prefectures.

(2) The council or other body with a council system referred to in the preceding paragraph is to study and deliberate any matters within the scope of its authority pursuant to the provisions of the Hot Springs Act (Act No. 125 of 1948) and the Wildlife Protection, Control, and Hunting Management Act (Act No. 88 of 2002) and other important matters on nature conservation in the prefecture in response to a consultation by a prefectural governor.

(3) Necessary matters related to the organization and operation of the council or other body with a council system referred to in paragraph (1) will be specified by Prefectural Ordinance.

Chapter VII Auxiliary Provisions

(Consideration on Local Government Bond)

Article 52 Proper consideration is to be given in relation to local government bonds issued by a prefecture to cover the expenses needed to implement a project for nature conservation, within the scope of laws and regulations, to the extent that the funding circumstances and the state of the prefectural finances permit.

Chapter VIII Penal Provisions

Article 53 A person who falls under any of the following items is to be punished by imprisonment for not more than one year or a fine of not more than 1,000,000 yen:

- (i) a person who has violated the provisions of Article 17, paragraph (1);
- (ii) a person (excluding a person specified by the following Article) who has violated an order under the provisions of Article 18, paragraph (1) or (2) (including where those provisions are applied mutatis mutandis under Article 30 or Article 35-7).

Article 53-2 a person who has violated an order under the provisions of Article 18, paragraph (1) or (2) which apply mutatis mutandis to Article 30 or Article 35-7 in foreign vessels (refers to any vessels other than Japanese vessels specified in Article 1 of the Ship Act (Act No. 46 of 1899); if it applies mutatis mutandis to Article 30, it is to be limited to orders against any acts in the sea area) is to be punished by a fine of not more than 10,000,000 yen.

Article 54 A person who falls under any of the following items is to be punished by imprisonment for not more than six months or a fine of not more than 500,000 yen:

- (i) a person who has violated the conditions attached to permission pursuant to the provisions Article 17, paragraph (2) (including where that is applied mutatis mutandis under Article 25, paragraph (5), Article 26, paragraph (4), Article 27, paragraph (4), and Article 35-4, paragraph (4)) (excluding a person who falls under the provisions of the following Article item (ii));
- (ii) a person who has violated the provisions under Article 19, paragraph (3), Article 25, paragraph (4), Article 26, paragraph (3), Article 27, paragraph (3), or Article 35-4, paragraph (3) (excluding a person who falls under the provisions of the following Article item (i));

Article 54-2 A person who falls under any of the following items is to be punished by a fine of not more than 5,000,000 yen:

- (i) a person who has violated the provisions of Article 27, paragraph (3) or Article 35-4, paragraph (3) in a foreign vessel;
- (ii) a person who has violated the conditions attached to permission pursuant to the provisions Article 17, paragraph (2) which apply mutatis mutandis to Article 27, paragraph (4) or Article 35-4, paragraph (4) in foreign vessels.

Article 55 A person who has violated a disposition under the provisions of Article 28, paragraph (2) or Article 35-5, paragraph (2) is to be punished by a fine of not more than 500,000 yen.

Article 56 A person who falls under any of the following item is to be punished by a fine of not more than 300,000 yen:

- (i) a person who has failed to make a report or has made a false report under the provisions of Article 20, Article 29, paragraph (1), or Article 35-6, paragraph (1);
- (ii) a person who has failed to give a notification or has given a false notification under the provisions of Article 28, paragraph (1) and has made an act set forth in the following items of that paragraph;
- (iii) a person who has violated the provisions of Article 28, paragraph (4) or Article 35-5, paragraph (3);
- (iv) a person who has refused, obstructed or evaded an on-site inspection or on-site investigation under the provisions of Article 29, paragraph (1) or Article 35-6, paragraph (1);
- (v) a person who has refused or obstructed an entry or another act under the provisions of Article 31, paragraph (1) in violation of the provisions of paragraph (5) of that Article;
- (vi) a person who has failed to give a notification or has given a false notification under the provisions of Article 35-5, paragraph (1) and has made a specified act.

Article 57 If a representative of a corporation or an agent, employee, or other worker of a corporation or an individual commits a violation set forth in Article 53 through the preceding Article with regard to the business of that corporation or individual, not only the offender, but also that corporation or individual is to be punished by the fine in the corresponding Article.

Article 58 A Prefectural Ordinance under the provisions of Article 46, paragraph (1), or Article 47 may establish provisions imposing penalties on persons who violate that Prefectural Ordinance, not exceeding the level of the penalties prescribed in Articles 53 through the preceding Article respectively, and commensurate with the nature of the violation.

(Special Provisions for Jurisdiction of First Instance)

Article 59 The jurisdiction of first instance for a suit related to the crimes set forth in Articles 53-2 and 54-2 also resides with a district court.

Chapter IX Release of Foreign Vessels Subject to Security Deposit

(Release of Foreign Vessels Subject to Security Deposit)

Article 60 (1) A person specified by Cabinet Order (hereinafter referred to as

"regulating officer") who is a judicial police officer must announce without delay the matters set forth in the following paragraph to the captain of the relevant vessel (including any person who carries out duties in lieu of the captain) and the offender (limited to the crew of the relevant vessel; the same applies hereinafter) in any of the following cases:

- (i) when the captain of a vessel or any other crew members have been arrested in an incident involving a foreign vessel (hereinafter referred to as "incident") on account of a crime set forth in Article 53-2, Article 54-2, Article 55, Article 56, items (i) through (iv) or (vi), or Article 57 in the sea area (limited to the portion related to that violation set forth in Article 53-2, Article 54-2, Article 55 and Article 56, items (i) through (iv) and (vi)), or
 - (ii) beyond the case set forth in the preceding item, when a vessel or any document verifying the nationality of a vessel, or any other document necessary for navigation of a vessel (referred to as "certificate of nationality of vessel, etc." in item (i) of the following paragraph) has been seized in connection with an incident, and it is considered that there are reasonable grounds to believe that the captain of the vessel or any other crew members have committed a crime as provided for in that item.
- (2) The matters that must be announced pursuant to the preceding paragraph are to include the following:
- (i) that, on paying a security deposit or a document certifying the payment of a security deposit to the competent minister pursuant to Cabinet Order referred to in paragraph (1) of the following Article, the offender is to be released, and the vessel, the certificate of the nationality of the vessel, etc. and any other seized article (hereinafter referred to as "seized articles") are to be returned without delay; and
 - (ii) amount of security deposit that should be provided.
- (3) The amount of security deposit set forth in item (ii) of the preceding paragraph is to be determined by the regulating officer, in accordance with the classification, manner and other conditions of the incident and in compliance with the standards specified by the competent minister, pursuant to the provisions of Cabinet Order.

Article 61 (1) When the security deposit of the amount announced pursuant to the provisions of paragraph (1) of the preceding Article or a document certifying the payment in question has been provided to the competent minister pursuant to the provisions of the Cabinet Order, the competent minister is to notify the regulating officer or public prosecutor without delay.

(2) When the regulating officer has received notice pursuant to the provisions set forth in the preceding paragraph, the regulating officer must release the offender and return the seized articles without delay.

- (3) When the public prosecutor has received notice pursuant to the provisions of paragraph (1), the public prosecutor must take the necessary measures related to the release of the offender and the return of seized articles without delay.

Article 62 (1) The security deposit is retained by the competent minister.

- (2) If, in any proceedings connected to an incident, any offender fails to appear at the specified location on the specified date, or if any seized article that was returned and that was requested to be resubmitted is not submitted at the specified location on the specified date, the security deposit is to belong to the national treasury on the day on which one month has elapsed from the day following the specified date; provided, however, that this is not to apply to cases where an offer was made before the day on which one month has elapsed from the day following the specified date for the appearance of the offender or the submission of those seized articles on a given day within three months from the day following the specified date.
- (3) If, in the case of the proviso to the preceding paragraph, the offender fails to appear or the seized articles are not submitted on the specified date related to the offer, the security deposit is to belong to the national treasury on the day following the specified date.
- (4) The security deposit is to be returned on the conclusion of the proceedings connected to the incident, or when any other event that makes its retention unnecessary arises.

(Delegation to Order of Competent Ministry)

Article 63 The proceedings and any other matters necessary for implementing the provisions of the three preceding Articles are referred to in the order of the competent ministry.

(Competent Minister)

Article 64 The competent minister in Articles 60 through 62 and the order of the competent ministry in the preceding Article is to be specified by Cabinet Order.

Supplementary Provisions [Extract]

(Effective Date)

Article 1 This Act will come into effect as of the date specified by Cabinet Order within a period not exceeding one year from the promulgation date.

(Nature Conservation Required to Secure a Decent Urban Environment)

Article 2 The Government is to promptly promote systems for nature conservation required to secure a decent urban environment.

Supplementary Provisions [Act No. 73, September 1, 1973] [Extract]

- (1) This Act comes into effect as of the day on which thirty days have elapsed from promulgation date.
- (4) Prior laws continue to govern the applicability of penal provisions for the activities that have been already carried out before the enforcement of this Act.

Supplementary Provisions [Act No. 87, July 5, 1978] [Extract]

(Effective Date)

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

Supplementary Provisions [Act No. 58, June 2, 1987] [Extract]

(Effective Date)

- (1) This Act comes into force as from the date specified by a Cabinet Order within a period not exceeding six months from the promulgation date; provided, however, that the provisions of Article 2, the following paragraph, and paragraph (3) of the supplementary provisions come into effect as of the promulgation.

Supplementary Provisions [Act No. 26, June 5, 1990] [Extract]

(Effective Date)

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

Supplementary Provisions [Act No. 79, May 21, 1991] [Extract]

(Effective Date)

- Article 1 This Act comes into effect as from the promulgation date; provided, however, that the provisions set forth in the following items come into effect as of the day specified respectively in those items.
- (i) through (iv) Omitted
 - (v) provisions of Articles 6 through 21, Article 25 and Article 34, and Articles 8 through 13 of the Supplementary Provisions: Date specified by Cabinet Order within a period not exceeding one year from the promulgation date.

Supplementary Provisions [Act No. 75, June 5, 1992] [Extract]

(Effective Date)

Article 1 This Act will come into effect as from April 1, 1993; provided, however, that the provisions of Chapter 1, and Articles 9 and 12 of the supplementary provisions are entered into effect as from the promulgation.

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

This Act will come into force as from the promulgation date.

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

(Effective Date)

Article 1 This Act will come into force as from April 1, 2000; provided, however, that the provisions set forth in the following items will come into effect as of the day specified respectively in those items:

- (i) The revised provisions of Article 1 of the Local Autonomy Act under which five Articles, a section title, and two subsections and subsection titles are added after Article 250 of the same Act (limited to the portions regarding paragraph (1) of Article 250-9 of the same Act (limited to the portion regarding obtaining consent from both the Lower and Upper Houses)), the revised provisions of paragraphs (9) and (10) of Article 40 of the Supplementary Provisions of the Natural Parks Act (limited to the portions regarding paragraph (10) of the Supplementary Provisions of the same Act), the provisions of Article 244 (excluding the portions regarding the revised provisions of Article 14-3 of the Agricultural Extension Promotion Act), and the provisions of Article 472 (excluding the portions regarding the revised provisions of Article 6, Article 8, and Article 17 of the Act on Special Measures for the Mergers of Municipalities), and the provisions of Article 7, Article 10, and Article 12, the proviso to Article 59, paragraphs (4) and (5) of Article 60, Article 73, Article 77, paragraphs (4) through (6) of Article 157, Article 160, Article 163, Article 164, and Article 202 of the Supplementary Provisions: The promulgation date.

(Transitional Measures on Partial Revision of the Nature Conservation Act)

Article 25 An approval made by the provisions of Article 16, paragraph (2) or Article 24, paragraph (2) of the Nature Conservation Act prior to the amendment by the provisions of Article 46 before the date of enforcement or an application of approval actually made by these provisions as of the enforcement of this Act is to be deemed as a consent or deliberation made by the provisions of Article 16, paragraph (2) or Article 24, paragraph (2) of the Nature Conservation Act after the amendment by the provisions of Article 46,

respectively.

(Affairs of the National Government)

Article 159 The affairs provided for in the relevant Acts not yet revised by this Act, and the affairs of the State, local public body other than the relevant local public body, and other public organizations which are managed by the relevant local public body in conformity with the relevant Acts or Cabinet Orders based on those Acts prior to the enforcement of this Act (referred to as "the affairs of the State, etc." in Article 161 of the Supplementary Provisions), are to be dealt with by the local public body concerned as the affairs of that local public body in conformity with those Acts or with the Cabinet Orders based on those Acts after the enforcement of this Act.

(Transitional Measures Concerning Appeals)

Article 161 (1) With regard to appeals provided for in the Administrative Appeals Act, against dispositions concerning affairs of the State, etc. that were made prior to the date of enforcement and for which a higher administrative agency provided for in the Administrative Appeals Act (hereinafter referred to in this Article as "higher administrative agency") existed above the administrative agency that made the disposition (hereinafter referred to in this Article as "disposing agency") prior to the date of enforcement, the higher administrative agency is deemed to have also existed above the disposing agency on and after the date of enforcement, and the provisions of the Administrative Complaint Review Act will apply. In this case, the administrative agency that is deemed to be the higher administrative agency above the disposing agency is to be the administrative agency that was the higher administrative agency above the disposing agency prior to the date of enforcement.

(2) In the case set forth in the preceding paragraph, when the administrative agencies that are deemed to be higher administrative agencies are organs of local public bodies, the affairs to be handled by the organs pursuant to the provisions of the Administrative Complaint Review Act are Type I statutory entrusted functions prescribed in Article 2, paragraph (9), item (i) of the new Local Autonomy Act.

(Transitional Measures Concerning Penal Provisions)

Article 163 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions then in force remain applicable.

(Delegation of Other Transitional Measures to Cabinet Order)

Article 164 Beyond what is provided for in these Supplementary Provisions, the transitional measures necessary for the enforcement of this Act (including the transitional measures concerning the penal provisions) are provided by Cabinet Order.

(Reviews)

Article 250 In addition to reviews being made of Type I statutory entrusted functions provided for in Article 2, paragraph (9), item (i) of the new Local Autonomy Act from the perspective of ensuring: to the greatest possible extent, that no new functions are created, reviews are also made of the functions set forth in Appended Table 1 of the new Local Autonomy Act and functions provided for by Cabinet Order under the new Local Autonomy Act from the perspective of promoting decentralization, and these are to be revised as appropriate.

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

Supplementary Provisions [Act No. 102, July 16, 1999] [Extract]

(Effective Date)

Article 1 This Act comes into effect as from the effective date of the Act for Partial Revision of the Cabinet Act (Act No. 88 of 1999); provided, however, that the provisions set forth in the following items come into force as of the day specified respectively in those items:

(i) omitted;

(ii) provisions of Article 10, paragraphs (1) and (5), Article 14, paragraph (3), Article 23, Article 28 and Article 30 of the Supplementary Provisions: promulgation date.

(Transitional Measures Specified Separately)

Article 30 Beyond the provisions of Article 2 through the preceding Article, transitional measures necessary for the enforcement of this Act are separately stipulated by law.

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

(Effective Date)

Article 1 This Act (except for Article 2 and Article 3) comes into effect on January 6, 2001; provided, however, that the provisions set forth in the following items come into force as of the day specified respectively in those items:

Supplementary Provisions [Act No. 47, June 3, 2009] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding one year from the promulgation date; provided, however, that the provisions set forth in the following items come into effect as of the day specified respectively in those items:

- (i) the provisions of Article 8 of the Supplementary Provisions: the promulgation date.

(Transitional Measures on Partial Revision of the Nature Conservation Act)

Article 5 A marine special zone currently specified by the provisions of Article 27, paragraph (1) of the Nature Conservation Act before the amendment of the provisions of Article 2 as of the enforcement of this Act (hereinafter referred to as "old Nature Conservation Act") is to be deemed as a marine special zone specified by the provisions of Article 27, paragraph (1) of the Nature Conservation Act after the amendment by the provisions of Article 2 (hereinafter referred to as "new Nature Conservation Act").

Article 6 With regard to the notification of the acts which have been implemented or started for a person who is applicable to the person under the provisions of Article 27, paragraph (6) or (7) of the old Nature Conservation Act as of the enforcement of the Act and for the person who has failed to provide a notification under the provisions of the same Article, paragraph (6) or (8), the provisions then in force remain applicable.

(Transitional Measures Concerning Penal Provisions)

Article 7 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions then in force remain applicable.

(Delegation to Cabinet Orders)

Article 8 Beyond what is prescribed in the provisions from Article 2 of the supplementary provisions to the preceding Article, necessary transitional measures connected with the coming into effect of this Act are provided for by

Cabinet Order.

(Reviews)

Article 9 When five years have elapsed since the enforcement of this Act, the Government is to review the provisions of the new Natural Parks Act and new Nature Conservation Act and take any necessary measures based on the review where necessary, while taking into account the status of enforcement of the new Natural Parks Act and new Nature Conservation Act.

Supplementary Provisions [Act No. 20, April 26, 2019] [Extract]

(Effective Date)

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

(Preparatory Actions)

Article 2 (1) The Minister of the Environment may establish a basic policy on Nature Conservation of the same Article, paragraph (1) in accordance with the cases of the provisions of Article 12 of the Nature Conservation Act (hereinafter referred to as the "new Act") after the amendment by this Act, even if it is prior to the date of enforcement of this Act (hereinafter referred to as the "date of enforcement").

(2) The basic policy on nature conservation in Article 12, paragraph (1) of the new Act prescribed by the provisions of the preceding paragraph is to be deemed to be prescribed by the provisions of the same Article on the date of enforcement.

(3) The Minister of the Environment may hear the opinions from the head of the relevant local public bodies and the Central Environmental Council and carry out any other necessary preparatory acts even prior to the date of enforcement for the designation under the provisions of Article 35-2, paragraph (1) of the new Act and the determination under the provisions of Article 35-3, paragraph (1) of the new Act.

(4) Establishment, change, procedures necessary for them, or other acts of Order of the Ministry of the Environment in Article 35-4, paragraph (4) of the new Act may be carried out in accordance with the provisions of Article 43, paragraph (1) of the new Act.

(Transitional Measures Concerning Penal Provisions)

Article 3 With regard to the application of penal provisions to acts committed

prior to the enforcement of this Act, the provisions then in force remains applicable.

(Delegation to Cabinet Orders)

Article 4 Beyond what is prescribed in the provisions of the preceding two Articles, necessary transitional measures related to the coming into effect of this Act are provided for by Cabinet Order.

(Reviews)

Article 5 When five years have elapsed since the enforcement of this Act, if the Government considers it necessary, it is to examine the provisions of the new Act and take the necessary measures based on the results of the Act, while taking its state of enforcement into account.