

National Spatial Planning Act

(Act No. 205 of May 26, 1950)

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Chapter I General Provisions

(Purpose)

Article 1 The purpose of this Act is to promote the use, development and maintenance of the national land, from a comprehensive perspective of policies on the economy, society, culture, etc., taking into account the natural conditions of national land, by formulating the national spatial strategy and taking other measures, in combination with measures taken under the National Land Use Planning Act (Act No. 92 of 1974), and thereby to contribute to the realization of the economy and society where present and future generations living in Japan can lead a safe and fulfilling life.

(National Spatial Strategy)

Article 2 (1) The term the "national spatial strategy" as used in this Act means the comprehensive and basic plan to promote the use, development and maintenance of the national land (hereinafter referred to as "spatial planning"), which is related to the following particulars:

- (i) particulars concerning the utilization and conservation of national land resources including land and water;
- (ii) particulars concerning the utilization and preservation of the sea areas (including conduct in which a person engages prescribed in Article 3, paragraph 1, items 1 through 3 of the Act on the Exclusive Economic Zone and the Continental Shelf (Act No.74 of 1996), in the exclusive economic zone referred to in Article 1, paragraph 1 of that Act, or conduct in which a person engages on the continental shelf referred to in Article 2 of that Act);

- (iii) particulars concerning the prevention and mitigation of disasters including earthquake disaster, flood damage and wind damage;
 - (iv) particulars concerning the adjustment of the size and locations of and the development of cities as well as farming villages, mountainous villages and fishing villages;
 - (v) particulars concerning the proper industrial locations;
 - (vi) particulars concerning the use, improvement and maintenance of important public facilities including transport facilities, information and telecommunications facilities and research facilities for science and technology;
 - (vii) particulars concerning the preservation of resources regarding culture, welfare and tourism, and the use and improvement of the relevant facilities;
 - (viii) particulars concerning the preservation of the environments including the creation of successful environments on the national land and the planning of harmonious landscapes.
- (2) The national spatial strategy referred to in the preceding paragraph is the national plan prescribed in Article 6, paragraph 2, and the greater regional plans prescribed in Article 9, paragraph 2.

(Basic Principles of the National Spatial Strategy)

- Article 3 (1) The national spatial Strategy is to prescribe the appropriate measures for the spatial planning to maintain and improve the natural, economic, social and cultural conditions in Japan, by paying attention to ensuring domestic and international coordination between the relevant measures, in order to respond to the changes in social and economic structures in an appropriate manner including the population and industry of Japan and the world, and to realize the national land that serves as the foundation of: local communities that develop as a self-reliant community depending on their specific characteristics; a vital economy and society achieved by enhanced international competitiveness and promotion of science and technology, etc.; ensured safety of the lives of citizenry; and a rich natural environment that also contributes to the preservation of the global environment.
- (2) The national spatial strategy is to be established so that the national government may fulfill its obligation to implement the measures for the comprehensive spatial planning, while respecting spontaneous efforts made by local governments and at the same time taking into account the basic roles that the national government must play, including the implementation of measures that must be carried out on a nationwide scale or from a nationwide perspective.

Chapter II Studies and Deliberations by the National Land Council

(Studies and Deliberations by the National Land Council)

- Article 4 (1) The National Land Council performs studies and deliberates on particulars necessary for the national spatial strategy and the implementation thereof, and reports the results, or provides recommendations to the Minister of Land, Infrastructure, Transport and Tourism.
- (2) The National Land Council may, when it finds it necessary for the national spatial strategy, offer its opinion to the head of the relevant administrative organ through the Minister of Land, Infrastructure, Transport and Tourism.
- (3) The head of the relevant administrative organ may hear opinions from the National Land Council about a basic plan for the affairs under its jurisdiction that are closely related to the national spatial strategy.

(Publication of Abstracts of the Results)

- Article 5 The National Land Council is to, when it finds it necessary, publish the abstracts of the results of the studies and deliberations carried out pursuant to the provisions of this Act.

Chapter III Formulation of the National Spatial Strategy

(The National Plan)

- Article 6 (1) The national government is to establish the national spatial strategy for all areas in Japan as a guideline for the comprehensive spatial planning.
- (2) The national spatial strategy referred to in the preceding paragraph (hereinafter referred to as the "national plan") is to provide for the following particulars:
- (i) basic policy concerning the national spatial planning;
 - (ii) objectives for the national spatial planning;
 - (iii) particulars concerning basic measures that are obviously necessary from a nationwide perspective to achieve the objectives referred to in the preceding item.
- (3) The national plan must be the one that is harmonized with the national basic plan for preserving the environment.
- (4) The Minister of Land, Infrastructure, Transport and Tourism must prepare a draft national plan and seek a decision on the draft plan at a cabinet meeting.
- (5) When the Minister of Land, Infrastructure, Transport and Tourism intends to make a draft national plan pursuant to the provision of the preceding paragraph, the minister must take necessary measures to incorporate the public opinions into the plan pursuant to the provision of Order of the Ministry of Land, Infrastructure, Transport and Tourism in advance, and consult with

the Minister of Environment and the heads of other relevant administrative organs, hear the opinions of the relevant prefectures and designated cities (meaning the designated cities referred to in Article 252-19, paragraph 1 of the Local Autonomy Act (Act No. 67 of 1947); the same applies hereinafter), and must undergo the studies and deliberations by the National Land Council.

- (6) When a decision on the national plan is made at a cabinet meeting referred to in paragraph 4 is made, the Minister of Land, Infrastructure, Transport and Tourism is to announce the national plan to the public without delay.
- (7) The national plan must be established as an integral part of the national land use plan for all areas in Japan referred to in Article 4 of the National Land Use Planning Act.
- (8) The provisions of paragraphs 4 through the preceding paragraph apply *mutatis mutandis* to changes to the national plan.

(Policy Evaluation of the National Plan)

Article 7 (1) When establishing the basic plan referred to in Article 6, paragraph 1 of the Act on Policy Evaluation by Administrative Organs (Act No. 86 of 2001), the Minister of Land, Infrastructure, Transport and Tourism must establish the national plan as a policy referred to in paragraph 2, item 6 of that Article.

- (2) When the Minister of Land, Infrastructure, Transport and Tourism establishes the implementation plan referred to in Article 7, paragraph 1 of the Act on Policy Evaluation by Administrative Organs on or after the date on which two years have passed since the public announcement under the provisions of paragraph 6 of the preceding Article (including as applied *mutatis mutandis* pursuant to the provisions of paragraph 8 of that Article), the minister must establish the national plan as a policy referred to in paragraph 2, item 1 of that Article.

(Proposals for the National Plan)

Article 8 (1) A prefectural government or designated city may, alone or jointly, propose that the Minister of Land, Infrastructure, Transport and Tourism prepares a proposed national plan necessary to further increase the effects of measures taken for the matters prescribed in items of Article 2, paragraph 1, within the areas of the relevant prefectures or designated cities (including proposed changes to the national plan; hereinafter the same applies in this Article). In this case, a draft of the proposed national plan pertaining to the proposal must be attached to it.

- (2) When the proposal under the provision of the preceding paragraph (hereinafter referred to as "proposal for the plan" in this Article) is made, the Minister of Land, Infrastructure, Transport and Tourism must, without delay,

make a decision whether it is necessary to prepare a draft of the national plan based on the proposal for the plan (meaning a draft of the national plan that will help realize the whole or part of the concepts of the draft of the proposed national plan pertaining to the proposal for the plan; the same applies in paragraph 4), and if the minister finds it necessary to prepare a draft of the national plan, must prepare the relevant plan.

- (3) When the Minister of Land, Infrastructure, Transport and Tourism intends to prepare a draft of the national plan based on the proposal for the plan (meaning a draft of the national plan that will help realize part of the concepts of the draft of the proposed national plan pertaining to the proposal for the plan), and intends to undergo the studies and deliberations by the National Land Council pursuant to the provisions of Article 6, paragraph 5 (including as applied *mutatis mutandis* pursuant to the provisions of paragraph 8 of that Article), the minister must submit the draft of the proposed national plan pertaining to the proposal for the plan.
- (4) If the Minister of Land, Infrastructure, Transport and Tourism makes a decision that it is not necessary to prepare a draft of the national plan based on the proposal for the plan, the minister must, without delay, notify the relevant prefectural government or designated city which made the proposal for the plan of the minister's decision and the grounds for it.
- (5) When the Minister of Land, Infrastructure, Transport and Tourism intends to issue a notice under the provisions of the preceding paragraph, the minister must, in advance, submit the draft of the proposed national plan pertaining to the proposal for the plan to the National Land Council and hear its opinion.

(Greater Regional Plans)

Article 9 (1) The Minister of Land, Infrastructure, Transport and Tourism establishes the national spatial strategy for the respective areas specified below (hereinafter referred to as "areas included in the greater regional plan"):

- (i) the Tokyo metropolitan area (meaning the areas as a whole encompassing Saitama Prefecture, Tokyo Metropolis, Kanagawa Prefecture, and the areas in other prefectures designated by Cabinet Order);
- (ii) the Kinki Region (meaning the areas as a whole encompassing Kyoto Prefecture, Osaka Prefecture, Hyogo Prefecture, and the areas in other prefectures designated by Cabinet Order);
- (iii) the Chubu Region (meaning the areas as a whole encompassing Aichi Prefecture, Mie Prefecture, and other areas in other prefectures designated by Cabinet Order);
- (iv) other areas encompassing two or more prefectures that are obviously closely related in terms of nature, economy, society, culture and so forth to a considerable degree, and are designated by Cabinet Order as the areas as a

- whole where the comprehensive spatial planning need to be promoted.
- (2) The national spatial strategy referred to in the preceding paragraph (hereinafter referred to as the "greater regional plans") is to provide the following particulars, based on the national plan:
 - (i) guidelines for the national spatial planning in the areas included in the relevant greater regional plan ;
 - (ii) objectives for the national spatial planning in the areas included in the relevant greater regional plan;
 - (iii) particulars concerning primary measures that are deemed necessary from the broad perspective beyond the borders of a prefectural area to achieve the objectives referred to in the preceding item in the areas included in the greater regional plan (including measures encompassing the areas beyond the borders of those included in the greater regional plan that are deemed particularly necessary to promote the comprehensive spatial planning in the areas included in the greater regional plan).
 - (3) When the Minister of Land, Infrastructure, Transport and Tourism intends to establish a greater regional plan pursuant to the provisions of paragraph 1, the minister must, in advance, take necessary measures to incorporate the public opinions in the greater regional plan pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism, and undergo the deliberation by the Council for the Greater Regional Plans referred to in paragraph 1 of the following Article, and consult with the head of the relevant administrative organ.
 - (4) When the Minister of Land, Infrastructure, Transport and Tourism establishes a greater regional plan, the minister must announce this plan to the public without delay.
 - (5) The provisions of the preceding three paragraphs apply mutatis mutandis to changes to greater regional plans.

(Council for the Greater Regional Plans)

- Article 10 (1) In order to deliberate on the matters necessary for the greater regional plans and the implementation thereof, for each area included in the greater regional plan, the relevant national administrative organs in the regions, relevant prefectures and relevant designated cities (hereinafter referred to as "national regional administrative organs, etc." in this Article) organize a Council for the Greater Regional Plan (hereinafter referred to as a "Council") pursuant to the provisions of Cabinet Order.
- (2) The Council may, when it finds it necessary after deliberations, add municipal governments (except designated cities) within the areas included in the greater regional plans, local governments bordering on the areas included in the greater regional plan, and other entities that are closely related to the

implementation of the greater regional plan.

- (3) A meeting to deliberate referred to in paragraph 1 (referred to as "meeting" in paragraph 6) consists of the following members:
 - (i) the head of national regional administrative organ or an employee designated by the head;
 - (ii) the head of local government that joined the Council pursuant to the provisions of the preceding paragraph or an employee designated by the head;
 - (iii) the representative of the entities (except local governments) that joined the Council pursuant to the provisions of the preceding paragraph or a person designated by the representative.
- (4) The Council, when it finds it necessary, may ask the relevant administrative organs to provide cooperation including submitting materials, expressing opinions and giving explanations.
- (5) When the Council deliberates pursuant to the provisions of paragraph 3 of the preceding Article (including as applied mutatis mutandis pursuant to the provisions of paragraph 5 of that Article), it is to hear the opinions of persons with relevant expertise.
- (6) With regard to particulars deliberated and agreed upon at a meeting, the members of the Council must respect the result of the deliberation.
- (7) The general affairs of the Council are handled by the Ministry of Land, Infrastructure, Transport and Tourism.
- (8) In addition to what is set forth in the preceding paragraphs, matters necessary for the operation of the Council are decided by the Council.

(Proposals for the Greater Regional Plans)

- Article 11 (1) Municipal governments (except those which are the members of the Council) within the areas included the greater regional plan may, alone or jointly, make proposals to the Minister of Land, Infrastructure, Transport and Tourism, pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism, via the relevant prefectural government, to formulate or make changes to the greater regional plan as necessary to further increase the effects of the measures for the matters prescribed in the items of Article 2, paragraph 1 within the areas of the municipalities. In this case, a draft of the regional plan pertaining to the proposal must be attached to it.
- (2) When the proposal under the provisions of the preceding paragraph (hereinafter referred to as "proposal for the plan" in this Article) is made, the Minister of Land, Infrastructure, Transport and Tourism must, without delay, make a decision whether it is necessary to formulate or make changes to the greater regional plan based on the relevant proposal for the plan (meaning

formulation of or making changes to the greater regional plan that will help realize the whole or part of the concepts of the draft of the greater regional plan pertaining to the proposal for the plan; the same applies in paragraph 4), and if the minister finds it necessary to formulate or make changes to the greater regional plan, then the minister must prepare its draft.

- (3) When the Minister of Land, Infrastructure, Transport and Tourism intends to formulate or make changes to the greater regional plan based on the proposal for the plan (meaning formulation of or making changes to the greater regional plan that will help realize part of the concepts of the draft of the greater regional plan pertaining to the proposal for the plan), and intends to undergo deliberations by the Council pursuant to the provisions of Article 9, paragraph 3 (including as applied *mutatis mutandis* pursuant to the provisions of paragraph 5 of that Article), the minister must submit the draft of the regional plan pertaining to the proposal for the plan.
- (4) If the Minister of Land, Infrastructure, Transport and Tourism makes a decision that it is not necessary to formulate or make changes to the greater regional plan based on the proposal for the plan, the minister must, without delay, notify the relevant municipal governments of the minister's decision and the grounds for it.
- (5) When the Minister of Land, Infrastructure, Transport and Tourism intends to issue a notice under the provisions of the preceding paragraph, the minister must, in advance, submit a draft of the greater regional plan pertaining to the proposal for the plan to the Council and hear its opinion.

(Coordination between Studies)

- Article 12 (1) The Minister of Land, Infrastructure, Transport and Tourism may coordinate between studies on the national spatial strategy performed by the heads of relevant administrative organs as needed and request the heads of the relevant organs to make a report on the result of their studies.
- (2) When the Minister of Land, Infrastructure, Transport and Tourism finds it necessary and if the minister coordinates studies pursuant to the provisions of the preceding paragraph, the minister may hear the opinions of the heads of relevant administrative organs and designate the areas that need to be studied among others.

Chapter IV Implementation of the National Spatial Strategy

(Coordination between the Greater Regional Plans)

- Article 13 (1) If prefectural or municipal governments within the areas included in the greater regional plan for which the greater regional plan has been established may, when they find it necessary for the implementation of the

greater regional plan, alone or jointly request the Minister of Land, Infrastructure, Transport and Tourism to coordinate the affairs of the relevant administrative organs.

- (2) When a request under the provisions of the preceding paragraph is made, the Minister of Land, Infrastructure, Transport and Tourism, and if the minister finds it necessary, is to hear the opinion of the National Land Council and coordinate the affairs as needed.

(Recommendations on the Implementation of the National Spatial Strategy)
Article 14 When the Minister of Land, Infrastructure, Transport and Tourism finds it necessary to coordinate the implementation of the National Spatial Strategy, the minister may offer necessary recommendations to the heads of the relevant administrative organs.

Chapter V Auxiliary Provisions

(Coordination between the National Spatial Strategy and the Okinawa Promotion Plan)

Article 15 The Minister of Land, Infrastructure, Transport and Tourism is to coordinate between the Okinawa Promotion Plan and the National Spatial Strategy after the minister hears the opinions of the Prime Minister and the National Land Council.

(Provisions Governed by Cabinet Order)

Article 16 Procedures for implementing this Act and other matters necessary for its enforcement are prescribed by Cabinet Order.

Supplementary Provisions [Extract]

- (1) This Act comes into effect on June 1, 1950.

Supplementary Provisions [Act No. 89 of 2005 Extract] [Extract]

(Effective Date)

Article 1 (1) This Act comes into effect on the date (hereinafter referred to as "effective date") specified by Cabinet Order within a period not exceeding six months from the day of its promulgation; provided, however, that the provisions of the following paragraph and Article 27 of the Supplementary Provisions come into effect on the day of its promulgation.

- (2) The National Land Council may study and deliberate on the preparation of a draft of the national plan under the provisions of Article 6, paragraph 4 of the

National Spatial Planning Act amended by this Act under the provisions of Article 1 (hereinafter simply referred to as the "National Spatial Planning Act") even prior to the enforcement of this Act.

- (3) Until the national spatial strategy is established pursuant to the provisions of the National Spatial Planning Act pursuant to the provisions of Article 6, paragraph 1 of the National Spatial Planning Act, the provisions of Articles 9 through Article 11 and Article 13 of the National Spatial Planning Act do not apply.

(Transitional Measures for the Partial Amendment to the National Spatial Planning Act)

Article 2 (1) During the period from the date on which this Act becomes effect to the date on which the national spatial strategy is established pursuant to the provisions of Article 6, paragraph 1 of the National Spatial Planning Act, the Comprehensive National Development Plan that is already prepared pursuant to the provisions of Article 7, paragraph 1 of the Comprehensive National Land Development Act prior to amendment by this Act under the provision of Article 1 on the date when this Act comes into effect is deemed to be the national spatial strategy established pursuant to the provisions of Article 6, paragraph 1 of the National Spatial Planning Act.

- (2) The provisions of Articles 7 and 8 of the National Spatial Planning Act do not apply to the Comprehensive National Land Development Plan that is deemed to be the National Spatial Strategy established pursuant to the provisions of Article 6, paragraph 1 of the National Spatial Planning Act, pursuant to the provisions of the preceding paragraph.

(Provisions Governed by Cabinet Order)

Article 27 In addition to what is provided for in these Supplementary Provisions, the transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.