

Basic Land Act

(Act No. 84 of December 22, 1989)

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Chapter I General Provisions

(Purpose)

Article 1 Through providing the basic principles concerning land, and clarifying the responsibilities of owners or titleholders of land, the national government, local governments, businesses, and residents of Japan regarding the basic principles concerning land, and providing the basic matters concerning land measures, this Act aims to advance the measures in a comprehensive manner concerning the following: supporting adequate utilization of the benefits of land; ensuring a good local environment now and in the future; using and managing land in a proper manner and thus contributing to disaster prevention, emergency disaster control measures, disaster recovery efforts, and reconstruction from disaster; and facilitating land transactions and forming reasonable land prices in order to promote the abovementioned measures, thereby revitalizing local communities and building a safe and sustainable society and contributing to the improved stability of the daily lives of residents of Japan and the sound development of the national economy.

(Precedence of Public Welfare with Regard to Land)

Article 2 Considering that land has the characteristic of being related to public interest, in that it is a finite, precious resource for residents of Japan both now and in the future, that it is an indispensable basis for their activities, that the use and management of a certain piece of land is closely linked with the use and management of other pieces of land, and that the value of land fluctuates mainly based on the trends in population and industry, trends of land use and management, the state of development of social infrastructure, and other social and economic conditions, precedence will be given to public welfare with regard to land.

(Proper Use and Management)

- Article 3 (1) Land is to be properly used or managed according to the natural, social, economic and cultural conditions of its region.
- (2) Land is to be properly used or managed from the viewpoint of seeking to create a good environment for its surrounding regions and preventing adverse effects on the regions.
- (3) Land is to be used or managed in accordance with the land use and management plan which has been formulated to achieve proper and reasonable land use and management.

(Smooth Transactions)

- Article 4 (1) Land is to be smoothly transacted from the viewpoint of promoting proper use and management by landowners or persons who have titles to land use or income from land (hereinafter referred to as "owners or titleholders of land").
- (2) Land must not be made subject to speculative transactions.

(Reasonable Burden Borne by Owners or Titleholders of Land)

- Article 5 (1) When the value of land increases due to changes in the social and economic conditions of its region as prescribed in Article 2, owners or titleholders of the land are to be required to bear reasonable burden based on the profits related to the increase in value.
- (2) When the value of land is maintained or increases through the promotion of community development and other activities for promoting local public interest by local residents and other similar persons except for owners or titleholders of the land, the owners and titleholders are to be required to bear reasonable burden based on the necessary expenses incurred in maintaining or increasing the value.

(Responsibilities of Owners or Titleholders of Land)

- Article 6 (1) Owners or titleholders of land are to be responsible for using and managing land and conducting land transactions in conformity with the basic principles concerning land prescribed in Article 2 through the preceding Article (hereinafter referred to as the "basic principles concerning land").
- (2) When fulfilling their responsibilities referred to in the preceding paragraph, landowners must endeavor to implement the appropriate measures for registration procedures or other clarification of rights to the land in their possession and measures for demarcation of ownership of the relevant land.
- (3) Owners or titleholders of land must cooperate with the measures on land implemented by the national and local governments.

(Responsibilities of the National and Local Governments)

- Article 7 (1) The national and local governments are responsible for comprehensively formulating and implementing measures on land in conformity with the basic principles concerning land.
- (2) When fulfilling their responsibilities referred to in the preceding paragraph, the national and local governments are to endeavor to implement the necessary measures to ensure proper land use and management by owners or titleholders of land, and to implement the necessary measures to promote efforts to supplement the relevant use and management by local residents and other similar persons except for owners or titleholders of land.
- (3) The national and local governments must take appropriate measures to deepen peoples' understanding of the basic principles concerning land through public relations and other activities.

(Responsibilities of Businesses)

- Article 8 (1) Businesses must comply with the basic principles concerning land when using and managing land, and conducting land transactions (including acts that support these acts).
- (2) Businesses must cooperate with the measures on land implemented by the national and local governments.

(Responsibilities of Residents of Japan)

- Article 9 (1) Residents of Japan must respect the basic principles concerning land when using and managing land and conducting land transactions.
- (2) Residents of Japan must endeavor to cooperate with the measures concerning land implemented by the national and local governments.

(Legislative, Fiscal and Financial Arrangements)

- Article 10 The government must take necessary legislative, fiscal and financial arrangements for implementing measures concerning land.

(Annual Report)

- Article 11 (1) Every year, the government must submit to the Diet a report on the trends concerning land, including real estate markets, land uses and management, and the basic measures concerning land implemented by the government.
- (2) Every year, the government must create a document clarifying the basic measures it intends to implement in consideration of land trends related to the report referred to in the preceding paragraph, and submit this document to the Diet.
- (3) When creating the document clarifying the basic measures it intends to

implement as referred to in the preceding paragraph, the government must hear the opinions of the National Land Council.

Chapter II Basic Measures Concerning Land

(Formulation of Land Use and Management Plan)

Article 12 (1) In order to achieve proper and reasonable land use and management, the national and local governments are to formulate the necessary land use and management plan by taking into consideration natural, social, economic and cultural conditions including the future outlook of population and industry and trends in land use and management.

(2) In the case referred to in the preceding paragraph, the national and local governments are to formulate a detailed land use and management plan referred to in that paragraph if they find it particularly necessary for the formation or preservation of a favorable environment, disaster prevention, intensive use of land which shows consideration for a favorable environment, or proper conversion of land use, in consideration of the characteristics of the region, and they are to formulate the plan referred to in that paragraph by taking a wide area into view if they find it particularly necessary in consideration of development of the social and economic activities in the region over a wide area.

(3) In the case referred to in paragraph (1), the national and local governments are to incorporate the opinions of the residents and other relevant persons.

(4) If they find it necessary in consideration of changes in the conditions prescribed in paragraph (1), the national and local governments are to change the plan referred to in that paragraph.

(Measures for Ensuring Proper Land Use and Management)

Article 13 (1) In order to ensure proper land use and management, including the formation or preservation of a favorable environment, disaster prevention, intensive use of land which shows consideration for a favorable environment, or proper conversion of land use, in accordance with the plan referred to in paragraph (1) of the preceding article, the national and local governments are to implement appropriate measures for regulation or guidance regarding land use or management and implement projects related to the plan referred to in that paragraph and demarcation of land used for the relevant projects and other necessary measures.

(2) When implementing the measures referred to in the preceding paragraph, the national and local governments are to endeavor to implement the measures to acquire the ownership of land used for public projects and other land or the necessary title for the use or management of the relevant land.

- (3) When implementing the measures referred to in paragraph (1), the national and local governments are to endeavor to provide a managed supply of residential land in response to demand.
- (4) When implementing the measures referred to in paragraph (1), the national and local governments are to endeavor to provide information on underused or unused land (meaning land not used for residential, business, or other purposes, or land whose level of use is considered significantly inferior compared to that of land used for the same or similar purpose in its surrounding region; hereinafter the same applies in this paragraph), support the acquisition of underused or unused land, and otherwise promote the proper use and management of underused or unused land.
- (5) When implementing the measures referred to in paragraph (1), the national and local governments are to endeavor to control and eliminate the occurrence of land for which the owner is unknown (meaning land for which all or a part of owners are unknown even after considerable efforts to find the owners) and ensure its smooth use and management.

(Measures for Land Transactions)

Article 14 (1) In order to contribute to smooth land transactions, the national and local governments are to implement measures for the development of the real estate market and other necessary measures.

- (2) In order to eliminate the adverse effects that speculative land transactions and steep rises in land prices have on the daily lives of the residents of Japan and to contribute to the formation of reasonable land prices, the national and local governments are to take measures to control land transactions and other necessary measures.

(Reasonable Burden Based on the Profits Associated with Development of Social Infrastructure)

Article 15 If owners or titleholders of land will gain extremely large profits in association with development of social infrastructure, and the national and local governments find it appropriate to do so in consideration of the characteristics of the region and other factors, the national and local governments are to take necessary measures to impose a reasonable burden on those persons with regard to the development of the social infrastructure, based on the profits.

(Taxation Measures)

Article 16 In conformity to the basic principles concerning land and based on the measures on land, the national and local governments are to take reasonable taxation measures with regard to land while ensuring fair tax burden.

(Achieving Reasonableness in Public Land Appraisals)

Article 17 In order to contribute to the formation of reasonable land prices and the achievement of fairness in taxation, the national government is to issue a public notice on the normal prices of land and endeavor to achieve balance and reasonableness in public land appraisals.

(Conduct of Investigations)

Article 18 (1) In order to achieve comprehensive and efficient implementation of measures on land, the national and local governments are to take necessary measures such as conducting investigations and collecting data on cadastral data, land use and management status, trends in the real estate market, and other matters.

(2) In order to contribute to the smooth implementation of measures on land, the national and local governments are to endeavor to provide citizens with information on land, such as cadastral data, land use and management status, and trends in the real estate market, while giving consideration to the protection of rights and the interests of individuals.

(Ensuring Consistency in Measures and Development of the Administrative Organizations)

Article 19 (1) The national and local governments are to cooperate with each other in taking measures on land and endeavor to ensure consistency in the measures.

(2) The national and local governments are to endeavor to develop administrative organizations and improve the administrative management from a comprehensive viewpoint in taking measures on land.

(Support for Local Governments)

Article 20 In order to support local governments in implementing their measures on land, the national government is to endeavor to provide information and implement other necessary measures.

Chapter III Basic Policy Concerning Land

Article 21 (1) In conformity with the basic principles concerning land, the government must establish the basic policy concerning land (hereinafter referred to as the "Basic Land Policy") in order to comprehensively promote the basic measures concerning land use and management, land transactions, land investigations, the provision of information concerning land, and other measures concerning land as prescribed in the preceding Chapter.

- (2) The Basic Land Policy is to provide for the following matters:
 - (i) basic matters concerning the formulation and other actions on the plan referred to in Article 12, paragraph (1);
 - (ii) basic matters concerning measures for ensuring proper land use and management;
 - (iii) basic matters concerning measures for land transactions;
 - (iv) basic matters concerning measures for conducting investigations and collecting data concerning land and the provision of information concerning land as prescribed in Article 18, paragraph (2); and
 - (v) in addition to those listed in the preceding items, other matters necessary to comprehensively promote measures on land.
- (3) The Minister of Land, Infrastructure, Transport and Tourism must prepare a draft of the Basic Land Policy and seek a cabinet decision.
- (4) When intending to prepare a draft of the Basic Land Policy under the preceding paragraph, in advance, the Minister of Land, Infrastructure, Transport and Tourism must implement the necessary measures to reflect the opinions of the residents of Japan and hear the opinions of the National Land Council.
- (5) When a cabinet decision referred to in paragraph (3) is made, the Minister of Land, Infrastructure, Transport and Tourism must immediately issue a public notice on the Basic Land Policy.
- (6) The provisions of the preceding three paragraphs apply mutatis mutandis to any change to the Basic Land Policy.

Chapter IV Study and Deliberation by the National Land Council

- Article 22 (1) The National Land Council is to study and deliberate matters concerning comprehensive and basic measures concerning land and basic matters concerning use of national land upon being consulted by the Minister of Land, Infrastructure, Transport and Tourism.
- (2) The National Land Council may offer opinions on the matters prescribed in the preceding paragraph to the Minister of Land, Infrastructure, Transport and Tourism and to the head of any relevant administrative organ through the Minister of Land, Infrastructure, Transport and Tourism.
 - (3) The head of a relevant administrative organ may seek the opinions of the National Land Council with regard to matters concerning comprehensive and basic measures concerning land that are under their jurisdiction and basic matters concerning use of national land that are under their jurisdiction.

Supplementary Provisions [Extract]

(Effective Date)

(1) This Act comes into effect as of the day of promulgation.

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

(Effective Date)

Article 1 This Act comes into effect as of the day on which the Act Partially Amending the Cabinet Act (Act No. 88 of 1999) comes into effect; provided, however, that the provisions listed in the following items come into effect as of the date specified in the relevant item:

(i) Omitted;

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

(Transitional Measures Concerning the Term of Members)

Article 28 The term of office of persons who are chairpersons, members, and other officials of any of the following existing councils and other organizations (except those whose term of office is not provided for) on the day preceding the effective day of this Act expires on that effective day, notwithstanding the provisions of the relevant Act providing for the term of office for the chairpersons, members, and other officials.

(i) to (lvi) Omitted

(lvii) Land Policy Council

(Transitional Measures Prescribed Separately)

Article 30 Beyond what is prescribed in Article 2 through the preceding Article, transitional measures necessary in connection with the enforcement of this Act are separately prescribed by law.

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

(Effective date)

Article 1 This Act (excluding Articles 2 and 3) comes into effect as of January 6, 2001; provided, however, that the provisions listed in the following items come into effect as of the date specified in the relevant item:

(i) the provisions of Article 995 (limited to the amending provisions of Supplementary Provisions of the Act Partially Amending the Act on the Regulation of Nuclear Source Material, Nuclear Fuel Material and Reactors);

Article 1305; Article 1306; Article 1324, paragraph (2); Article 1326, paragraph (2); and Article 1344: the day of promulgation.

**Supplementary Provisions [Act No. 12 of March 31, 2020 Extract]
[Extract]**

(Effective date)

- (1) This Act comes into effect as from April 1, 2020; provided, however, that the provisions listed in the following items come into effect as of the date specified in the relevant item:
 - (i) the provisions of Article 1: the day of promulgation.