

National Land Survey Act

(Act No. 180 of June 1, 1951)

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Chapter I Purpose and Definitions

(Purpose)

Article 1 The purpose of this Act is to conduct scientific and comprehensive surveys of the actual conditions of national land to contribute to its development, conservation, utilization enhancement, as well as to make efforts to clarify the cadaster.

(Definitions)

Article 2 (1) The term "national land survey" as used in this Act means the surveys listed in the following items:

- (i) a fundamental survey, land classification survey or water survey conducted by a national government organ;
- (ii) a fundamental survey conducted by prefectures;
- (iii) a land classification survey or water survey conducted by a local government, land improvement district, or any other person specified by Cabinet Order (referred to below as a "land improvement district, etc."), which has been designated pursuant to the provisions of Article 5, paragraph (4) or Article 6, paragraph (3), and a cadastral survey conducted by a local government or land improvement district, etc., which has been designated pursuant to the provisions of Article 5, paragraph (4) or Article 6, paragraph (3), or that is based on a project plan established pursuant to the provisions of Article 6-3, paragraph (2).

(2) The term "fundamental survey" referred to in items (i) and (ii) of the preceding paragraph means a survey of land and water surface to be conducted as the basis for a land classification survey, water survey, and cadastral survey

(including a measurement of control points necessary therefor), and a survey to establish standards for a land classification survey and water survey, and the preparation of maps and books of those results.

- (3) The term "land classification survey" as used in paragraph (1), items (i) and (iii) means a survey of the land's current usage, soil texture and other physical and chemical properties, erosion conditions, and any other major natural elements, and also an investigation on its productivity, for the purpose of categorizing land by the possibility of land use, and the preparation of maps and books of those results.
- (4) The term "water survey" as used in paragraph (1), items (i) and (iii) means a water use survey of the weather, inland water flow volume, water quality and sediment conditions, as well as water intake, water usage, wastewater volume and water use practices, etc., for the purpose of contributing to flood control and water utilization, and the preparation maps and books of those results.
- (5) The term "cadastral survey" as used in paragraph (1), item (iii) means a survey of the owner, parcel numbers and land categories, as well as the measurement of boundaries and land areas, on each parcel of land, and the preparation of maps and books of those results.
- (6) The forms of the maps and books prescribed in paragraph (2) through the preceding paragraph are specified by Cabinet Order.
- (7) The national government organs that conduct the fundamental surveys, land classification surveys, or water surveys prescribed in paragraph (1), item (i) are specified by Cabinet Order for each of these national land surveys.

Chapter II Planning and Implementation

(Basic Plan and Standards for Operational Rules)

- Article 3 (1) The basic plan for a national land survey to be conducted by a national government organ and a fundamental survey to be conducted by a prefecture is specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism.
- (2) The standards for operational rules on a national land survey are prescribed by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(Plan and Operational Rules Concerning the Implementation of a National Land Survey Conducted by a National Government Organ)

- Article 4 (1) The implementation plan for a national land survey conducted by a national government organ is to be prepared by the national government organ, based on the basic plan referred to in paragraph (1) of the preceding Article.
- (2) The implementation plan referred to in the preceding paragraph must be established in advance with the approval of the Minister of Land,

Infrastructure, Transport and Tourism.

- (3) The operational rules for a national land survey conducted by a national government organ stated in paragraph (1) must be prepared by the national government organ conducting that survey based on the standards for operational rules stated in paragraph (2) of the preceding Article, and notified to the Minister of Land, Infrastructure, Transport and Tourism.
- (4) If a national government organ conducts a national land survey stated in Article 2, paragraph (1), item (i), then it must hear the opinions of the prefecture in which that survey is to be conducted regarding the method of implementing the survey in the prefecture.

(Designation of a National Land Survey Conducted by a Prefecture)

- Article 5 (1) When a prefecture intends to conduct a fundamental survey as a national land survey, the prefecture must prepare a plan and operational rules concerning its implementation based on the basic plan and the standards for operational rules stated in Article 3, paragraphs (1) and (2), and notify the Minister of Land, Infrastructure, Transport and Tourism of that plan and operational rules.
- (2) If a prefecture intends to conduct a survey referred to in Article 2, paragraph (1), item (iii) as a national land survey (excluding a cadastral survey based on a project plan established pursuant to the provisions of Article 6-3, paragraph (2); it also applies in Article 6, paragraph (1)) based on the results of the fundamental survey, the prefecture must prepare a plan for its implementation and notify the Minister of Land, Infrastructure, Transport and Tourism of that plan.
 - (3) Based on the standards for operational rules referred to in Article 3, paragraph (2), the prefecture must prepare operational rules for the survey regarding the notified plan pursuant to the provisions of the preceding paragraph, and notify the Minister of Land, Infrastructure, Transport and Tourism of those operational rules.
 - (4) When a notification under the provisions of the preceding three paragraphs has been filed, the Minister of Land, Infrastructure, Transport and Tourism must examine the plan and operational rules relating to that notification, and must designate the relevant survey as a national land survey based on those examination results, or if the minister makes a recommendation to change the plan or operational rules of the notification or gives necessary advice, and if the relevant prefecture consents to the recommendation or advice, the minister must make a change to the plan or operational rules and designate it as a national land survey.
 - (5) When the Minister of Land, Infrastructure, Transport and Tourism has designated a national land survey pursuant to the provisions of the preceding

paragraph, the Minister must issue public notice without delay pursuant to the provisions of Cabinet Order.

(Designation of a National Land Survey Conducted by Municipalities or Land Improvement District, etc.)

- Article 6 (1) If a municipality or a land improvement district, etc. intends to conduct a survey referred to in Article 2, paragraph (1), item (iii) as a national land survey based on the results of the fundamental survey, the municipality or the land improvement district, etc. must prepare a plan for its implementation and notify the prefectural governor of that plan.
- (2) Based on the standards for the operational rules referred to in Article 3, paragraph (2), the municipality or land improvement district, etc. must prepare operational rules for the survey regarding the notified plan pursuant to the provisions of the preceding paragraph, and notify the prefectural governor of those operational rules.
- (3) When a notification under the provisions of the preceding two paragraphs has been filed, the prefectural governor must examine the plan and operational rules relating to that notification, and designate the relevant survey as a national land survey based on those examination results, or if the prefectural governor makes a recommendation to change the plan or operational rules of the notification or gives necessary advice and if the relevant municipality or land improvement district, etc. consents to the recommendation or advice, the prefectural governor must make a change to the plan or operational rules and designate it as a national land survey.
- (4) When a prefectural governor intends to designate a national land survey pursuant to the provisions of the preceding paragraph, the governor may seek the opinion of the Minister of Land, Infrastructure, Transport and Tourism, etc. (meaning the Minister of Land, Infrastructure, Transport and Tourism if the relevant survey is conducted by a municipality, or the Minister of Land, Infrastructure, Transport and Tourism along with the ministers with jurisdiction over land improvement district, etc. if the relevant survey is conducted by a land improvement district, etc.; the same applies below) in advance.
- (5) When the prefectural governor has designated a national land survey pursuant to the provisions of paragraph (3), the governor must endeavor to publicize this designation without delay pursuant to the provisions of Cabinet Order.

(Specified Plan Concerning Cadastral Survey)

- Article 6-2 (1) The Minister of Land, Infrastructure, Transport and Tourism, pursuant to the provisions of Cabinet Order, must establish a specified plan for

cadastral surveys for areas where the minister finds it necessary to conduct a cadastral survey particularly promptly to formulate measures for comprehensive national land development or to facilitate its implementation, and must issue public notice and notify the relevant prefectures of this plan without delay.

- (2) When the Minister of Land, Infrastructure, Transport and Tourism intends to establish the specified plan stated in the preceding paragraph, the Minister must consult with the relevant prefectures in advance.

(Prefectural Plans Concerning Cadastral Surveys)

Article 6-3 (1) If a prefecture receives a notice referred to in paragraph (1) of the preceding Article, it must establish a prefectural plan for a cadastral survey pursuant to the provisions of Cabinet Order, based on the specified plan referred to in that paragraph, and report it to the Minister of Land, Infrastructure, Transport and Tourism.

- (2) Based on the prefectural plan referred to in the preceding paragraph, the prefecture must consult with the relevant municipalities or land improvement district, etc. and establish a project plan each fiscal year for the relevant fiscal year pursuant to the provisions of Cabinet Order.
- (3) When a prefecture intends to establish a project plan referred to in the preceding paragraph, the prefecture must consult with and obtain the consent of the Minister of Land, Infrastructure, Transport and Tourism in advance.
- (4) If the Minister of Land, Infrastructure, Transport and Tourism gives the consent stated in the preceding paragraph, then the Minister must do so within a scope in which the total amount of expenses to be borne by the national government pursuant to the provisions of Article 9-2, paragraph (2) does not exceed the amount of budget approved by the Diet.
- (5) When a project plan referred to in paragraph (2) has been established, the prefectural governor must endeavor to publicize the plan pursuant to the provisions of Cabinet Order and notify the relevant municipalities or land improvement districts, etc. of the plan without delay.

(Implementation of Project Plans)

- Article 6-4 (1) A prefecture, municipality, or land improvement district, etc. is to conduct a cadastral survey based on a project plan that has been established pursuant to the provisions of paragraph (2) of the preceding Article.
- (2) In the case referred to in the preceding paragraph, the prefecture, municipality, or land improvement district, etc. must prepare an implementation plan and operational rules based on the standards for the operational rules referred to in Article 3, paragraph (2) in advance, and a prefecture must notify the Minister of Land, Infrastructure, Transport and

Tourism and a municipality or land improvement district, etc. must notify the prefectural governor of those rules.

(Public Notice of Implementation of National Land Survey)

Article 7 A person who conducts a national land survey must issue public notice pursuant to the provisions of Cabinet Order before commencing the national land survey.

(Recommendation to Conduct National Land Survey)

- Article 8 (1) If a prefecture conducts a land improvement project or any other project specified by Cabinet Order, or if that project extends over Hokkaido or two or more prefectural areas, the minister with jurisdiction over the project (referred to below as the "competent minister for the project") may recommend that the person conducting the project also conduct a national land survey.
- (2) The provisions of Article 5 apply mutatis mutandis to the case in which the person who conducts the project stated in the preceding paragraph also conducts a national land survey based on the recommendation stated in that paragraph. In this case, the terms "prefecture" and "Minister of Land, Infrastructure, Transport and Tourism" in that Article are deemed to be replaced, respectively, with "a person conducting a land improvement project or any other project specified by Cabinet Order" and "competent minister for the project".
- (3) If the competent minister for the project makes a designation, or makes a recommendation, or gives advice under Article 5, paragraph (4) as applied mutatis mutandis pursuant to the preceding paragraph, the minister must obtain the approval of the Minister of Land, Infrastructure, Transport and Tourism in advance.
- (4) If a person other than a national government organ or a prefecture conducts a project referred to in paragraph (1) within the area of that prefecture, the prefectural governor may recommend that the person conducting the project also conduct a national land survey.
- (5) The provisions of Article 6 apply mutatis mutandis to the case in which the person who conducts the project stated in the preceding paragraph also conducts a national land survey based on the recommendation stated in that paragraph. In this case, the term "the Minister of Land, Infrastructure, Transport and Tourism, etc. (meaning the Minister of Land, Infrastructure, Transport and Tourism if the relevant survey is conducted by a municipality, or the Minister of Land, Infrastructure, Transport and Tourism along with the ministers with jurisdiction over land improvement district, etc. if the relevant survey is conducted by a land improvement district, etc.; the same applies below)" in paragraph (4) of that Article is deemed to be replaced with "the

Minister of Land, Infrastructure, Transport and Tourism and the competent minister for the project".

(Granting of Subsidies)

Article 9 In cases that fall under any of the following items, the national government may, pursuant to the provisions of Cabinet Order, grant a subsidy, within the scope of the budget, to the person who conducts the survey or to the prefecture that grants a subsidy to the person who conducts the survey:

- (i) if a designation has been made for a national land survey in which changes have been made to the plan and operational rules of the notification by the relevant prefecture pursuant to the provisions of Article 5, paragraph (4);
- (ii) if a request under the provisions of Article 6, paragraph (4) is made to the plan and operational rules of the notification by the municipality or land improvement district, etc., and a national land survey is designated with changes based on recommendations or advice given by the Minister of Land, Infrastructure, Transport and Tourism, etc. pursuant to the provisions of paragraph (3) of that Article;
- (iii) for the case in which a person prescribed in paragraph (1) of the preceding Article conducts a national land survey concurrently with its project based on the recommendation stated in that paragraph and the designation under Article 5, paragraph (4), as applied *mutatis mutandis* pursuant to paragraph (2) of the preceding Article;
- (iv) for the case in which a person prescribed in paragraph (4) of the preceding Article conducts a national land survey concurrently with its project based on the recommendation under the provisions of that paragraph and a request under Article 6, paragraph (4), as applied *mutatis mutandis* pursuant to paragraph (5) of the preceding Article, in accordance with the designation based on the recommendation or advice given by the Minister of Land, Infrastructure, Transport and Tourism and the competent minister for the project.

(Burden of Expense)

Article 9-2 (1) A prefecture, pursuant to the provisions of Cabinet Order, bears three fourths of the expenses required for a cadastral survey conducted by the municipality pursuant to the provisions of Article 6-4 or five sixths of the expenses required for a cadastral survey conducted by a land improvement district, etc.

- (2) The national government, pursuant to the provisions of Cabinet Order, bears one half of the expenses required for a cadastral survey conducted by the prefecture pursuant to the provisions of Article 6-4, two thirds of the expenses borne by the prefecture for a cadastral survey conducted by the municipality

pursuant to the provisions of the preceding paragraph, or eight tenths of the expenses borne by the prefecture for a cadastral survey conducted by a land improvement district, etc.

- (3) The expenses to be borne by the national government pursuant to the provisions of the preceding paragraph are to be limited to the amount contingent to the consent stated in Article 6-3, paragraph (3).

(Entrustment of National Land Survey Implementation)

Article 10 (1) When a national government organ, a prefecture or a municipality intends to conduct a national land survey, the national government organ may entrust the implementation of the national land survey to a prefecture or a person who conducts a survey similar to a fundamental survey, a land classification survey or a water survey covering an area of Hokkaido or two or more prefectures; the prefecture may entrust it to a municipality or a land improvement district, etc.; and the municipality may entrust it to a land improvement district, etc., respectively.

- (2) Beyond what is provided for in the preceding paragraph, the prefecture or municipality may entrust the implementation of a national land survey (including the one entrusted pursuant to the provisions of that paragraph) to a corporation, that falls under the requirements specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism, found to be capable of conducting a national land survey properly and reliably.

Chapter III Study and Deliberation by the National Land Council

Article 11 Deleted

(Study and Deliberation by the National Land Council)

Article 12 (1) The National Land Council studies and deliberates on important matters concerning national land surveys in response to consultations by the Minister of Land, Infrastructure, Transport and Tourism.

- (2) The National Land Council may, as necessary, make recommendations to the Minister of Land, Infrastructure, Transport and Tourism and offer its opinions on a national land survey to the head of a relevant administrative organ through the Minister of Land, Infrastructure, Transport and Tourism.

Articles 13 and 14 Deleted

(Study and Deliberation by Councils)

Article 15 When a national land survey is conducted within the jurisdictional district, the prefectural governor may request the council, etc. prescribed in

Article 38, paragraph (1) of the National Land Use Planning Act (Act No. 92 of 1974) to study and deliberate on important matters concerning the national land survey.

Article 16 Deleted

Chapter IV Handling of National Land Survey Results

(Inspection of Maps and Books)

- Article 17 (1) When a person who has conducted a national land survey has prepared a map and book based on the survey and measurements results prescribed in Article 2, paragraph (2) or (5) or the survey prescribed in paragraph (3) or (4) of that Article, the person must issue a public notice to that effect without delay and make the map and book available for public inspection at the office of the person who has conducted the national land survey (in the case of a cadastral survey, the office of the municipality where the cadastral survey was conducted) for 20 days from the date of the public notice.
- (2) A person who finds that there are errors in measurements or survey or errors exceeding the limit specified by Cabinet Order in the map and the book made available for public inspection pursuant to the provisions of the preceding paragraph may report that fact to the person who conducted the national land survey within the period stated in that paragraph.
- (3) For the case in which a report has been made pursuant to the provisions of the preceding paragraph, the person who has conducted the national land survey must, when it is found that the facts from the report are valid, correct the map and book without delay.

(Sending of Maps and Books)

Article 18 Regarding maps and books made available for inspection pursuant to the provisions of paragraph (1) of the preceding Article, when no report is made pursuant to the provisions of paragraph (2) of that Article within the inspection period stated in paragraph (1), when a report is made pursuant to the provisions of paragraph (2), and it is found that the facts from the report are invalid or when a revision is made pursuant to the provisions of paragraph (3) of that Article, the person who has conducted a national land survey of the relevant maps and books must send the relevant maps and books without delay to the Minister of Land, Infrastructure, Transport and Tourism in the case of a national government organ and a prefecture that has conducted a national land survey with a designation pursuant to the provisions of Article 5, paragraph (4) or based on a project plan established pursuant to the provisions of Article 6-3,

paragraph (2); to the competent minister for the project in the case of a person who conducts a national land survey based on a recommendation stated in Article 8, paragraph (1); and to the prefectural governor in the case of any other person, respectively.

(Certification of National Land Surveys Results)

- Article 19 (1) A person who has conducted a national land survey may request certification of the map and book (referred to below as the "national land survey results") sent pursuant to the provisions of the preceding Article, through the procedures specified by Cabinet Order from the Minister of Land, Infrastructure, Transport and Tourism in the case of a national government organ and a prefecture that has conducted a national land survey with a designation pursuant to the provisions of Article 5, paragraph (4) or based on a project plan established pursuant to the provisions of Article 6-3, paragraph (2); from the competent minister for the project in the case of a person who conducts a national land survey based on a recommendation stated in Article 8, paragraph (1); or from the prefectural governor in the case of any other person, respectively.
- (2) For the case in which the Minister of Land, Infrastructure, Transport and Tourism, the competent minister for the project, or the prefectural governor receives a request for certification pursuant to the provisions of the preceding paragraph, they must certify those national land survey results based on its examination, unless the results contain measurement or survey errors, or errors exceeding the limits specified by Cabinet Order.
- (3) In the case of certifying national land survey results pursuant to the provisions of the preceding paragraph, the competent ministers for the project or prefectural governors must obtain the approval of the Minister of Land, Infrastructure, Transport and Tourism or the Minister of Land, Infrastructure, Transport and Tourism, etc. in advance, respectively, through the procedures specified by Cabinet Order.
- (4) Having certified the national land survey results pursuant to the provisions of paragraph (2), the Minister of Land, Infrastructure, Transport and Tourism, the competent minister for the project, or the prefectural governor must issue public notice to that effect without delay.
- (5) If a person has conducted measurements or surveys other than the national land survey and applies for national land survey certification for those results through the procedures specified by Cabinet Order regarding the map and book prepared as a result of those measurements or surveys, and the Minister of Land, Infrastructure, Transport and Tourism or the competent minister for the project finds that the map and book have the same or more accuracy or precision than the national land survey results, certified pursuant to the

provisions of paragraph (2), they may designate them as effectively being the same as the national land survey results certified pursuant to the provisions of that paragraph.

- (6) When a person who conducts a national land survey finds it necessary for contributing to the efficient implementation of the national land survey, that person may file an application pursuant to the provisions of the preceding paragraph on behalf of the person who conducted the measurements and survey. In this case, the person must obtain the consent of the person who conducted the measurements and survey in advance.
- (7) If the competent minister for the project makes a designation under paragraph (5), the minister must obtain the approval of the Minister of Land, Infrastructure, Transport and Tourism in advance.
- (8) Having made a designation under paragraph (5), the Minister of Land, Infrastructure, Transport and Tourism or the competent minister for the project must issue public notice of this and notify the relevant prefectural governors of this without delay.

(Sending Copy of National Land Survey Results)

Article 20 (1) When the Minister of Land, Infrastructure, Transport and Tourism, the competent minister for the project, or the prefectural governors have certified the national land survey results pursuant to the provisions of paragraph (2) of the preceding Article or have made a designation pursuant to the provisions of paragraph (5) of that Article, they must send a copy of the national land survey results to the registry office in charge of the registration of the land of the relevant survey in the case of a cadastral survey, or to the person who maintains the registry specified by Cabinet Order in the case of any other national land survey, respectively.

- (2) A registry office or a person who maintains the registry stated in the preceding paragraph must, pursuant to the provisions of Cabinet Order, based on the copy of the national land survey results that has been sent pursuant to the provisions of that paragraph, make a registration of the description of land and a registration of change or registration of correction regarding the name or address of the registered holder of ownership, or make a revision to the description of the registry stated in that paragraph.
- (3) In the case referred to in the preceding paragraph, when a cadastral survey has been conducted pursuant to the provisions of Article 32, a registry office must make a registration of parcel subdivision or parcel consolidation based on a copy of the national land survey results.

(Keeping of National Land Surveys Results)

Article 21 (1) When the Minister of Land, Infrastructure, Transport and Tourism,

the competent minister for the project, or the prefectural governor certifies the national land survey results pursuant to the provisions of Article 19, paragraph (2), they must send a copy of those national land survey results to the prefectural governor or the mayor of a municipality, respectively.

- (2) The prefectural governor or the mayor of a municipality must keep a copy of the national land survey results that has been sent pursuant to the provisions of the preceding paragraph and make them available for public inspection.

(Special Provisions on Block Boundary Survey Results)

Article 21-2 (1) When a local government or land improvement district, etc. that has obtained a designation under Article 5, paragraph (4) or Article 6, paragraph (3) or conducts a cadastral survey based on a project plan established under Article 6-3, paragraph (2) finds it necessary for conducting the cadastral survey efficiently, it may, regarding a parcel of land or two or more parcels of land (limited to land adjacent to land located entirely outside the relevant block (referred to below as "land outside the block" in this paragraph)), all or part of which is located within a single block (meaning a city block prescribed in Article 2, item (i) of the Act on Indication of Residential Address (Act No. 119 of 1962); the same applies below in this paragraph), only a survey of the owner and parcel number and also measurements of the boundary between the relevant parcel of land or two or more parcels of land and the land outside the block will be conducted in advance, and a map and book will be prepared based on those results.

- (2) The forms of the map and book referred to in the preceding paragraph are specified by Cabinet Order.
- (3) When a local government or land improvement district, etc. has prepared a map and book pursuant to the provisions of paragraph (1), they must issue a public notice to that effect without delay, and make the map and book available for public inspection at the office of the municipality where the survey and measurements stated in that paragraph were conducted, for 20 days from the date of the public notice has been issued.
- (4) The provisions of Article 17, paragraphs (2) and (3) and Article 18 apply mutatis mutandis to the map and book made available for inspection pursuant to the provisions of the preceding paragraph.
- (5) A local government or land improvement district, etc. may request the certification of maps and books sent pursuant to the provisions of Article 18 as applied mutatis mutandis pursuant to the preceding paragraph (referred to below as the "block boundary survey results") by the procedures specified by Cabinet Order, from the Minister of Land, Infrastructure, Transport and Tourism in the case of a prefecture, or from the prefectural governor in the case of any other person.

- (6) The provisions of Article 19, paragraphs (2) through (4) apply mutatis mutandis to cases where a request for the certification stated in the preceding paragraph has been made. In this case, the phrase "the national land survey results" in these provisions is deemed to be replaced with "the block boundary survey results".
- (7) When the Minister of Land, Infrastructure, Transport and Tourism or prefectural governor certifies the block boundary survey results pursuant to the provisions of Article 19, paragraph (2), as applied mutatis mutandis pursuant to the preceding paragraph, the minister or governor must send a copy of the block boundary survey results to the registry office in charge of the registration of the land of the relevant block boundary survey results.
- (8) A registry office must, pursuant to the provisions of Cabinet Order, based on the copy of the block boundary survey results that has been sent pursuant to the provisions of the preceding paragraph, make a registration of change or registration of correction regarding the name or address of the heading-section owner (meaning the heading-section owner prescribed in Article 2, item (x) of the Real Property Registration Act (Act No. 123 of 2004)) or registered holder of ownership.
- (9) The provisions of the preceding Article apply mutatis mutandis to cases where the block boundary survey results have been certified pursuant to the provisions of Article 19, paragraph (2), as applied mutatis mutandis pursuant to paragraph (6). In this case, the phrase "the national land survey results" in the preceding Article is deemed to be replaced with "the block boundary survey results".
- (10) If the prefectural governor or the mayor of a municipality receives a copy of the block boundary survey results pursuant to the provisions of paragraph (1) of the preceding Article as applied mutatis mutandis pursuant to the preceding paragraph, then the prefectural governor or the mayor of a municipality is to endeavor to publicize the information of the block boundary survey results by using the Internet or by other appropriate methods, or to take other necessary measures so that the information can be utilized for measurements and surveys other than cadastral surveys.

Chapter V Miscellaneous Provisions

(Requests for Reports and Recommendations Made by the Minister of Land, Infrastructure, Transport and Tourism, the Ministers with Jurisdiction over Land Improvement Districts, the Competent Ministers for the Project, and Prefectural Governors)

Article 22 (1) The Minister of Land, Infrastructure, Transport and Tourism, the ministers with jurisdiction over land improvement districts, etc. or the

competent ministers for the project may, at any time, request reports from those who conduct national land surveys or make necessary recommendations concerning the conduct of national land surveys.

- (2) Prefectural governors may, at any time, request reports from those who conduct national land surveys other than national government organs and prefectures who conduct a national land survey or make necessary recommendations concerning the conduct of the national land survey.

Article 22-2 (1) The Minister of Land, Infrastructure, Transport and Tourism, the ministers with jurisdiction over land improvement districts, etc. or the competent ministers for the project may, when they find it necessary to ensure the proper implementation of a national land survey, request necessary reports on the implementation status of the relevant national land survey from a survey company engaged in that national land survey.

- (2) The prefectural governors may, when they find it necessary to ensure the proper implementation of a national land survey, request necessary reports on the implementation status of the relevant national land survey from a survey company engaged in that national land survey conducted by other than the national government organ or the prefecture.

(Request for Reports and Submission of Materials Concerning Measurements or Surveys Related to a National Land Survey)

Article 23 (1) The Minister of Land, Infrastructure, Transport and Tourism, the ministers with jurisdiction over land improvement districts, etc. or the competent ministers for the project may, when they find it necessary for the exercise of their authority prescribed in this Act, request those who conduct a measurement or survey related to a national land survey to make a report and submit materials.

- (2) When a prefectural governor finds it necessary for conducting the affairs prescribed in Article 15, the governor may request a municipality or any other person within the area of the relevant prefecture who conducts a measurement or survey related to a national land survey to make a report and submit materials.

- (3) A person who conducts a national land survey (if a corporation entrusted to conduct a national land survey pursuant to the provisions of Article 10, paragraph (2) conducts a national land survey, then the prefecture or municipality which has entrusted to implement the national land survey; this also applies below except in Article 26, paragraph (1)) may request the person or corporation who conducts a measurement or survey related to a national land survey to make a report and submit materials regarding the matters to be examined, if it is necessary for conducting the national land survey.

(Recommendations for Surveys)

Article 23-2 If a national government organ or other equivalent person specified by Cabinet Order conducts a survey or measurements similar to a cadastral survey of the land that they own or manage, and the Minister of Land, Infrastructure, Transport and Tourism finds it necessary to ensure the accuracy of the survey or measurements or finds it necessary to eliminate duplication, the Minister may make recommendations regarding that survey or measurements.

(Advice from the Minister of Land, Infrastructure, Transport and Tourism, the Ministers with Jurisdiction over Land Improvement Districts, etc., or the Competent Ministers for the Project)

Article 23-3 When it is necessary for the implementation of a national land survey, a survey company engaged in that national land survey may seek necessary advice from the Minister of Land, Infrastructure, Transport and Tourism, the ministers with jurisdiction over land improvement districts, etc., or the competent ministers for the project.

(Assistance from the Minister of Land, Infrastructure, Transport and Tourism)

Article 23-4 The Minister of Land, Infrastructure, Transport and Tourism may, in response to a request from a person who conducts a national land survey (including a person who has been entrusted to conduct a national land survey pursuant to the provisions of Article 10), provide necessary information and materials, dispatch or arrange a person who gives advice on the implementation of a national land survey, or provide other necessary assistance.

(Collection of Reports)

Article 23-5 If it is necessary for the implementation of a national land survey, a person who conducts it may request the owners of the land relevant to that national land survey or other interested person to submit reports or materials on matters necessary for the implementation of the national land survey.

(Entry)

Article 24 (1) A person who conducts a national land survey may, when it is necessary for conducting that national land survey, have a person engaged in the national land survey enter another person's land.

(2) In cases of having a person enter residential land or land enclosed with hedges, fences, or other similar objects pursuant to the provisions of the preceding paragraph, the person who conducts a national land survey must

notify the possessor of that land in advance; provided, however, this does not apply when it is difficult to notify the possessor in advance.

- (3) In the case referred to in paragraph (1), a person engaged in a national land survey must carry a statement to that effect and an identification card, and present it when requested by any person concerned.

(Attendance or Appearance)

Article 25 (1) When it is necessary for the implementation of a national land survey, a person who conducts the national land survey may have the owner of the land relevant to that national land survey or other interested person, or their agents attend on site.

- (2) If it is necessary for the implementation of a national land survey, a national government organ or a local government implementing the national land survey may request the owner of the land relevant to that national land survey or other interested person, or their agents to appear at their office in the municipality where the land for the national land survey is located.

(Removal of Obstacles)

Article 26 (1) A person who conducts a national land survey may, when there is an unavoidable necessity for conducting the national land survey, obtain the consent of the owner or possessor in advance, and have the person engaged in the national land survey clear or remove plants, hedges, fences or other similar objects that would cause interference.

- (2) If a person who conducts a national land survey conducts it in a forest, wilderness area or similar land, and if it is difficult to obtain the consent of the owner or possessor in advance and if the land survey does not significantly damage the existing state of plants, hedges, fences or other similar barriers, then the person may, regardless of the provisions of the preceding paragraph, have persons engaged in the national land survey clear or remove those items without obtaining the consent of the owner or possessor. In this case, the person must notify the owner or possessor to that effect without delay.

(Temporary Restrictions on the Use of Land or Temporary Use of Land)

Article 27 A person who conducts a national land survey may, when it is necessary for the collection of test materials under Article 28 and the installation of signs, etc. under Article 30, temporarily restrict the use of land (excluding residential land) or temporarily use land (excluding residential land), structures, or trees, by notifying the possessor in advance.

(Collection of Test Materials)

Article 28 A person who conducts a national land survey may, when it is

necessary for conducting the national land survey, collect samples of soil, gravel, water or vegetation as test materials from the land on which the national land survey is to be conducted by notifying the possessor in advance.

(Compensation for Loss)

Article 29 (1) If any loss is caused by the clearance or removal of plants, hedges, fences or other similar objects pursuant to the provisions of Article 26, paragraph (1) or (2), by the temporary restriction of use of land pursuant to the provisions of Article 27, or by the temporary use of land, etc., the person who caused the clearance or removal, temporarily restricted, or temporarily used the land, etc. pursuant to these provisions must compensate the person who suffered the loss at a reasonable value.

(2) The provisions of Article 20, paragraph (2) of the Survey Act (Act No. 188 of 1949) apply *mutatis mutandis* to the case referred to in the preceding paragraph.

(Installation and Relocation of Signs)

Article 30 (1) A person who conducts a national land survey may install signs or survey equipment (referred to below as "signs, etc.") necessary for conducting the survey.

(2) When a person who conducts a national land survey has installed the signs, etc. pursuant to the provisions of the preceding paragraph, the person must notify the mayor of the municipality where the relevant signs, etc. are located without delay.

(3) A person who intends to engage in an act that is likely to damage signs, etc. or otherwise impair the utility of the signs, etc. at or near the site of the signs, etc. may ask the person who installed the signs, etc. to relocate them by submitting a document stating the reasons for the request.

(4) If the request referred to in the preceding paragraph is found to have reasonable grounds, the person who installed the signs, etc. must relocate the signs, etc. In this case, the person who requested the relocation must bear the costs required for the relocation.

(Preservation of Signs)

Article 31 (1) It is prohibited for any person to impair the utility of the signs, etc. by relocating, damaging, or committing any other act.

(2) If the mayor of a municipality who has received a notice under paragraph (2) of the preceding Article finds any loss, damage, or other irregularity regarding the signs, etc. relating to the notice, the mayor must endeavor to notify the person who installed the signs, etc. to that effect without delay.

(Use and Provisions of Owner Related Information)

Article 31-2 (1) The prefectural governor or the mayor of a municipality may, to the extent necessary for conducting a national land survey, internally use the information held by them concerning the names, addresses and other related information of the owners and other interested person of the land for the national land survey (referred to as "owner related information" in the following paragraph and paragraph (3)) for purposes other than the intended use as specified in its retention.

- (2) A person who conducts a national land survey may request the head of a relevant local government or any other person to provide owner related information for the national land survey, if it is necessary for the implementation of that national land survey.
- (3) When a person who has been requested under the preceding paragraph intends to provide owner related information to a person other than a national government organ or a local government, the person must obtain the consent of the owner and any other interested person prescribed in paragraph (1) in advance, regarding the provisions of the owner related information.
- (4) It is sufficient to request the consent referred to in the preceding paragraph, from a person whose whereabouts are known.

(Cadastral Survey Conducted as If There Was a Subdivision or Consolidation)

Article 32 If it is necessary to conduct a cadastral survey designated pursuant to the provisions of Article 5, paragraph (4) or Article 6, paragraph (3) or based on a project plan established pursuant to the provisions of Article 6-3, paragraph (2) as if there had been a subdivision or consolidation of land, and the owner of that land gives their consent, then a local government (if a corporation entrusted with the implementation of a cadastral survey pursuant to the provisions of Article 10, paragraph (2) conducts the cadastral survey, then that corporation) or a land improvement district, etc. may conduct a survey as if there had been a subdivision or consolidation of that land.

(Subrogation Registration)

Article 32-2 (1) When a local government or land improvement district, etc. conducts a survey as if there had been a consolidation of land pursuant to the provisions of the preceding Article, if necessary, they may apply for registration on behalf of either the person recorded as the owner in the heading section or the registered holder of ownership of the land registry, or their heirs to change or correct the name or address of the heading section or the registered holder of ownership, or for the preservation or transfer of ownership by inheritance.

- (2) Cabinet Order provides for the necessary matters in connection with the

registration process referred to in the preceding paragraph.

(Special Provisions for a Request to Inspect an Annexed Document from a Register by a Local Government That Conducts a Cadastral Survey)

Article 32-3 (1) A local government or land improvement district, etc. conducting a cadastral survey designated pursuant to the provisions of Article 5, paragraph (4) or Article 6, paragraph (3) or based on a project plan established pursuant to the provisions of Article 6-3, paragraph (2) may, regardless of the provisions of the Article 121, paragraph (3) of the Real Property Registration Act, pay fees and request a registrar to allow the inspection of an annexed document from the registry stated in the same paragraph concerning the land for that cadastral survey.

(2) Regardless of the provisions of the proviso to Article 149, paragraph (2) of the Real Property Registration Act, the local government or land improvement district, etc. prescribed in the preceding paragraph may ask for inspection of the parcel boundary demarcation procedure record set forth in the paragraph concerning the land for the cadastral survey conducted by the local government or land improvement district, etc.

(Provisions on Special Local Governments)

Article 33 (1) The provisions of this Act concerning municipalities or mayors of municipalities apply to special wards or special ward mayors.

(2) The provisions of this Act concerning a town or village, or the mayor of a town or village, if there is a partial-affairs association established by the town or village that jointly administers affairs concerning national land surveys, apply to the relevant partial-affairs association or its manager.

(Relationship with the Survey Act)

Article 34 The provisions of the Survey Act are to apply to measurements conducted for a national land survey, except as otherwise provided for in this Chapter.

(Delegation of Authority)

Article 34-2 The authority of the Minister of Land, Infrastructure, Transport and Tourism prescribed in this Act may be partially delegated to the Directors of the Regional Development Bureaus or the Director of the Hokkaido Regional Development Bureau, pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(Classification of Administrative Functions)

Article 34-3 The administrative functions to be handled by a prefecture

pursuant to the provisions of Article 19, paragraphs (2) through (4) (including as applied mutatis mutandis pursuant to Article 21-2, paragraph (6)), Article 20, paragraph (1), and Article 21-2, paragraph (7) are type 1 statutory entrusted function prescribed in Article 2, paragraph (9), item (i) of the Local Autonomy Act (Act No. 67 of 1947).

Chapter VI Penal Provisions

Article 35 A person who has violated the provisions of Article 31, paragraph (1) is subject to imprisonment for not more than two years or a fine of not more than 1,000,000 yen.

Article 36 A person who falls under any of the following items is subject to imprisonment for not more than one year or a fine of not more than 500,000 yen:

- (i) a person who has engaged in the act of falsifying national land survey results;
- (ii) a person who was or is engaged in a national land survey and has divulged to another person or misappropriated another person's confidential information that they came to know over the course of conducting the national land survey.

Article 37 A person who falls under any of the following items is subject to a fine of not more than 300,000 yen:

- (i) a person who has obstructed the implementation of a national land survey;
- (ii) a person who has failed to submit reports or materials or has submitted false reports or materials when requested to submit reports or materials pursuant to the provisions of Article 22-2, Article 23, or Article 23-5;
- (iii) a person who has refused or obstructed an entry under Article 24;
- (iv) a person that has refused attendance pursuant to the provisions of Article 25, paragraph (1) or appearance pursuant to the provisions of paragraph (2) of that Article;
- (v) a person who has violated the temporary restriction on the use of land under Article 27 or has refused or obstructed the temporary use of land, structures, or trees;
- (vi) a person who has refused or obstructed the collection of test materials under Article 28.

Article 38 If the representative of a corporation, or an agent, employee or other worker of a corporation or individual commits a violation referred to in one of the preceding three Articles in connection with the business of the corporation

or individual, in addition to the offender being subject to punishment, the corporation or individual is subject to the fine referred to in the relevant Article. However, this does not apply to a corporation or individual if it has been proven that reasonable care and supervision were exercised in connection with the business to prevent the violation by the agent, employee, or other worker of the corporation or individual.

Supplementary Provisions [Extract]

- (1) This Act comes into effect on the date of promulgation.
- (2) To apply the provisions of Article 9-2 in fiscal year 1985 to the bearing of expenses required for a cadastral survey conducted by a prefecture or municipality, the term "five sixths" in paragraph (1) of that Article is deemed to be replaced with "eight tenths"; the terms "two thirds" and "eight tenths" in paragraph (2) of that Article are deemed to be replaced with "six tenths" and "three quarters".
- (3) To apply the provisions of Article 9-2 to the bearing of expenses required for a cadastral survey conducted by a prefecture or municipality in each fiscal year from fiscal year 1986 to fiscal year 1992, the term "five sixths" in paragraph (1) of that Article is deemed to be replaced with "thirty-one fortieths"; the terms "two thirds" and "eight tenths" in paragraph (2) of that Article are deemed to be replaced with "eleven twentieths" and "twenty-two thirty-firsts".