

Act on Special Measures for the Development of Areas Around Nuclear Power Generation Facilities

(Act No. 148 of December 8, 2000)

(Purpose)

Article 1 Considering that nuclear power generation is indispensable for the stable supply of electricity in Japan, the purpose of this Act is to develop the areas in the vicinity of nuclear power generation facilities by taking special measures and other actions necessary for the comprehensive and broad improvement of the living environment, industrial infrastructure, and other related aspects, while considering regional disaster prevention, to contribute to the sound development of the national economy and the stability of citizens' lives.

(Definitions)

Article 2 The term "nuclear power generation facilities" as used in this Act refers to a nuclear power plant installed by a person specified by Cabinet Order, as well as facilities closely related to nuclear power generation that are specified by Cabinet Order.

(Designation of Areas Around Nuclear Power Generation Facilities)

Article 3 (1) The Prime Minister may designate an area in the vicinity of one or more nuclear power generation facilities (including those that are certain to be installed) that satisfies the requirements specified in the following items as an area around nuclear power generation facilities, based on a report submitted by the prefectural governor and deliberation by the Nuclear Site Planning Council:

- (i) it is found necessary to develop the area as a whole, considering the natural, economic, and social conditions of the neighboring municipalities and other relevant factors;
 - (ii) the total power generated by the relevant nuclear power generation facilities, calculated pursuant to the provisions of Cabinet Order (for facilities other than nuclear power generation facilities, this refers to the total power generated, calculated pursuant to the provisions of Cabinet Order), is greater than or equal to the scale specified by Cabinet Order; and
 - (iii) the area does not belong to a large city or its surrounding area, as specified by Cabinet Order, nor to any other area that meets the requirements concerning the degree of industrialization, as specified by Cabinet Order.
- (2) When the prefectural governor intends to submit the report mentioned in the

preceding paragraph, the governor must first hear the opinions of the mayors of the relevant municipalities.

- (3) When the Prime Minister designates an area around nuclear power generation facilities pursuant to the provisions of paragraph (1), they must give public notice of the designation, including the facilities and the area around them, in the Official Gazette.
- (4) The provisions of the preceding three paragraphs apply mutatis mutandis when revising the designation of an area around nuclear power generation facilities.

(Decision and Revision of Development Plan)

Article 4 (1) When an area around nuclear power generation facilities is designated pursuant to the provisions of paragraph (1) of the preceding Article, the prefectural governor is to prepare a draft of the development plan for that area (referred to as "development plan" below) and submit it to the Prime Minister.

- (2) When the prefectural governor intends to prepare a draft development plan referred to in the preceding paragraph, the governor must hear the opinions of the mayors of the relevant municipalities and the persons who are to conduct business based on the development plan (excluding the national government).
- (3) The Prime Minister decides on the development plan based on the draft development plan stated in paragraph (1), following deliberation by the Nuclear Site Planning Council.
- (4) When the Prime Minister decides on a development plan, they are to notify the prefectural governor who submitted the draft development plan of their decision.
- (5) The provisions of the preceding paragraphs apply mutatis mutandis to cases in which the development plan is revised.

(Contents of the Development Plan)

Article 5 (1) The development plan is to address the matters listed in the following items, which are necessary for the comprehensive improvement and development of the living environment, industrial infrastructure, and other related aspects of the area around nuclear power generation facilities:

- (i) matters concerning the basic policy for developing an area around nuclear power generation facilities;
- (ii) matters concerning the improvement of fundamental transportation facilities such as roads, railways, ports and harbors, and telecommunications facilities;
- (iii) matters concerning the development of agriculture, forestry, and fisheries industries; commerce and manufacturing industries; and other industries;

- (iv) matters concerning the improvement of the living environment;
 - (v) matters concerning the promotion of welfare, including the welfare of elderly persons;
 - (vi) matters concerning the improvement of facilities for disaster prevention and national land conservation;
 - (vii) matters concerning the development of education, and of science and technology; and
 - (viii) beyond what is stated in the preceding items, matters necessary for the development of an area around nuclear power generation facilities.
- (2) The development plan must consider regional disaster prevention and be in harmony with plans for regional development under the provisions of other laws and regulations.

(Business Implementation)

Article 6 Beyond what is prescribed in this Act, business based on a development plan is to be conducted by the national government, local governments, or other entities in accordance with the provisions of laws relevant to that business (including orders issued under these laws).

(Special Provisions on the National Government's Share of Expenses or Subsidies)

Article 7 (1) The share of expenses required for business based on a development plan, as stated in the appended table and specified by Cabinet Order, which is urgently needed to ensure the safety of residents in an area around nuclear power generation facilities (referred to as "specified business" in the following paragraph), and that is to be shared or subsidized by the national government (referred to as "the national government's share of expenses" below), is to be the share specified in that table, notwithstanding the provisions of other laws and regulations concerning that business; provided, however, that this does not apply when the prescribed national government's share of expenses exceeds the share stated in the table, as specified pursuant to the provisions of other laws and regulations.

(2) In the case of the national government issuing a grant specified by Cabinet Order to allocate the expenses required for a specified business, the national government is to calculate the amount of the subsidy by taking into consideration its share of expenses or subsidies, as if the provisions of the preceding paragraph were applied to the expenses, pursuant to the provisions of Cabinet Order.

(Local Government Bonds for Developing Areas Around Nuclear Power Generation Facilities)

Article 8 Pursuant to the provisions of the Local Allocation Tax Act (Act No. 211 of 1950), local government bonds allocated as funds to cover the necessary local government expenses for business, based on a development plan, which are subject to the provisions of the preceding Article (excluding those for which the proceeds from the operation of business concerning facilities established using the local government bonds as funds may be allocated to the redemption of their principal and interest), and which are specified by the Minister for Internal Affairs and Communications, the expenses required for the redemption of the principal and interest are to be included in the Standard Financial Needs used to calculate the amount of local allocation tax to be granted to those local governments.

(Fiscal, Financial, and Tax System Measures)

Article 9 Beyond what is prescribed in the preceding two Articles, if the national government finds it necessary to achieve the development plan, it must endeavor to take fiscal, financial, and tax system measures for a person implementing a business based on the development plan.

(Measures Associated with Imbalanced Taxation with Local Taxes)

Article 10 If, pursuant to the provisions of Article 6, paragraph (2) of the Local Tax Act (Act No. 226 of 1950), a local government imposes imbalanced taxation on a person that has newly established or expanded facilities for use in a manufacturing business or other business specified by Cabinet Order within an area around nuclear power generation facilities—through the business tax imposed on that business, the real estate acquisition tax imposed on the acquisition of a building related to that business or its site, or the property tax imposed on machinery and equipment related to that business or a building related to that business or its site—and these measures are found to fall under the cases specified by Order of the Ministry of Internal Affairs and Communications, the Discounted Standard Revenues of the local government for each fiscal year, under the provisions of Article 14 of the Local Allocation Tax Act, is to be the amount obtained by deducting the amount calculated pursuant to the provisions of the Order of the Ministry of Internal Affairs and Communications from the amount of revenue decrease of that local government in the relevant fiscal year (in the case of the revenue decrease due to these measures concerning the business tax or the property tax, limited to the amount for three fiscal years after the first fiscal year in which these measures were taken) from the amount that is to be the local government's Discounted Standard Revenues for that fiscal year under the provisions of that Article (if these measures are taken on or after the day specified by Order of the Ministry of Internal Affairs and Communications, the amount of that revenue decrease

in the fiscal year following the relevant fiscal year), notwithstanding the provisions of that Article.

(Establishment of the Nuclear Site Planning Council and Its Duties Under Its Jurisdiction)

Article 11 (1) The Nuclear Site Planning Council (referred to as "the Council" below) is to be established in the Cabinet Office.

(2) The Council is responsible for the following affairs:

- (i) dealing with the matters prescribed in Article 3, paragraph (1) on an area around nuclear power generation facilities;
- (ii) dealing with the matters prescribed in Article 4, paragraph (3) on the development plan; and
- (iii) beyond what is stated in the preceding two items, studying and deliberating on important matters concerning the development of an area around nuclear power generation facilities.

(Organization of the Council)

Article 12 (1) The Council is composed of a chairperson and eight members.

(2) The Prime Minister serves as the chairperson.

(3) The following persons serve as members of the Council:

- (i) Minister for Internal Affairs and Communications;
- (ii) Minister of Finance;
- (iii) Minister of Education, Culture, Sports, Science, and Technology;
- (iv) Minister of Health, Labour, and Welfare;
- (v) Minister of Agriculture, Forestry, and Fisheries;
- (vi) Minister of Economy, Trade, and Industry;
- (vii) Minister of Land, Infrastructure, Transport, and Tourism; and
- (viii) Minister of the Environment.

(4) Beyond what is prescribed in the preceding three paragraphs, necessary matters concerning the organization and operation of the Council are specified by Cabinet Order.

(Delegation of Authority to Cabinet Order)

Article 13 Beyond what is prescribed in this Act, necessary matters concerning the enforcement of this Act are specified by Cabinet Order.

Supplementary Provisions [Extract]

(Effective Date)

Article 1 This Act comes into effect on April 1, 2001.

(Application of Provisions on the National Government's Share of Expenses)
Article 2 The provisions of Article 7 (including the appended table; the same applies below) apply to the national government's share of expenses or subsidies for the budget for the 2001 fiscal year (excluding the national government's share of expenses or subsidies that are to be paid in the 2000 fiscal year, or subsequent fiscal year, based on an act of incurring a debt from the national treasury in the 2001 fiscal year or prior fiscal years).

(Expiration of This Act)

Article 3 This Act ceases to be effective on March 31, 2031; provided, however, that the provisions of Article 7 and Article 13 remain in force even after the expiration of this Act regarding the national government's share of expenses, subsidies, or grants for the projects based on development plans that are carried over to the 2031 fiscal year, or subsequent fiscal years.

Supplementary Provisions [Act No. 92 of June 29, 2001] [Extract]

(Effective Date)

Article 1 This Act comes into effect on April 1, 2002.

Supplementary Provisions [Act No. 18 of March 31, 2006] [Extract]

(Effective Date)

Article 1 This Act comes into effect on April 1, 2006.

(Transitional Measure Accompanying the Partial Amendment of the Act on the National Treasury's Contribution to the Expenses for Facilities of Compulsory Education Schools)

Article 3 The provisions of the following Acts, as amended by the provisions of Articles 3 through 14 and Articles 5 through 7 of the Supplementary Provisions, apply to the national government's share of expenses or subsidies (excluding the national government's share of expenses or subsidies (including those based on the provisions of Article 2, paragraph (1) and Article 3, paragraph (1) of the Act on Special Measures for the Improvement of Public Special Needs Education Schools, before the repeal under Article 15, item (i), and Article 3, paragraph (1) of the Act on Temporary Measures for Promoting the Reconstruction of Hazardous Public High School Buildings, before the repeal under paragraph (4) and Article 15, item (ii) of the Supplementary Provisions; this also applies in the Article below), to be expended in the 2006 fiscal year or subsequent fiscal years, depending on affairs or business implemented in the 2005 fiscal year or prior fiscal years, and the national government's share of

expenses or subsidies to be expended in the 2006 fiscal year or subsequent fiscal years, based on acts by which the national treasury incurs debt in the 2005 fiscal year or prior fiscal years) or the issuing of grants for the budget in the 2006 fiscal year or subsequent fiscal years. Prior laws continue to govern the national government's share of expenses or subsidies to be expended in the 2006 fiscal year or subsequent fiscal years, depending on affairs or business implemented in the 2005 fiscal year or prior fiscal years, and the national government's share of expenses or subsidies to be expended in the 2006 fiscal year or subsequent fiscal years, based on acts by which the national treasury incurs debt in the 2005 fiscal year or prior fiscal years, and any carry-over amount to the 2006 fiscal year or subsequent fiscal years from the annual expenditure budgets for the 2005 fiscal year or prior fiscal years concerning the national government's share of expenses or subsidies:

(i) through (xi) omitted;

(xii) Act on Special Measures for the Development of Areas Around Nuclear Power Generation Facilities.

Supplementary Provisions [Act No. 32 of April 26, 2006] [Extract]

(Effective Date)

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

Supplementary Provisions [Act No. 70 of December 10, 2010] [Extract]

(Effective Date)

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

Supplementary Provisions [Act No. 9 of March 31, 2011] [Extract]

(Effective Date)

Article 1 This Act comes into effect on April 1, 2011.

Supplementary Provisions [Act No. 46 of June 24, 2015] [Extract]

(Effective Date)

Article 1 This Act comes into effect on April 1, 2016.

Supplementary Provisions [Act No. 16 of March 31, 2021] [Extract]

(Effective Date)

(1) This Act comes into effect on the date of promulgation.

Supplementary Provisions [Act No. 34 of May 26, 2023] [Extract]

(Effective Date)

Article 1 This Act comes into effect on the day specified by Cabinet Order within a period not exceeding one year from the date of promulgation.

Appended Table (Re: Article 7)

Classification of Business and the National Government's Share of Expenses

Roads: New construction or reconstruction of roads prescribed in Article 2, paragraph (1) of the Road Act (Act No. 180 of 1952): 55 percent

Ports Construction or improvement work of harbor facilities, protective facilities for harbor, mooring facilities, and port transportation facilities (referred to as "harbor facilities and related infrastructure" below), among the port and harbor facilities prescribed in Article 2, paragraph (5) of the Port and Harbor Act (Act No. 218 of 1950), in a strategic international hub port, international hub port, or major port prescribed in paragraph (2) of the same Article: 55 percent (or 45 percent in the case of small-scale construction or improvement works prescribed in Article 42, paragraph (1) of the Port and Harbor Act and specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism)

Construction or improvement work of harbor facilities and related infrastructure in a regional port prescribed in Article 2, paragraph (2) of the Port and Harbor Act: 45 percent

Projects to restore transportation facilities among the basic facilities prescribed in Article 3, item (i) of the Act on Development of Fishing Ports and Grounds (Act No. 137 of 1950) and the functional facilities prescribed in item (ii) of the same Article: 55 percent

Enhancement of fire-fighting and fire defense facilities prescribed in Article 3 of the Act for the Promotion of Fire-Fighting and Fire Defense Facility Enhancement (Act No. 87 of 1953), radio equipment for disaster management administration, and other facilities and equipment used for fire defense as specified by Cabinet Order: 55 percent

Compulsory education facilities: The new construction, extension, or reconstruction of a building as prescribed in Article 2, paragraph (2) of the Act on the National Treasury's Contribution to the Expenses of Facilities for Compulsory Education Schools (Act No. 81 of 1958) for a public elementary school, junior high school, compulsory education school, or first-semester course of a secondary education school (referred to as "public elementary schools and other compulsory education institutions" below) among the compulsory education schools prescribed in Article 2, paragraph (1) of the same

Act: 55 percent

Reinforcement of school buildings other than wooden buildings of public elementary schools and other compulsory education institutions: 50 percent