

Basic Act on Fisheries (Tentative translation)

(Act No. 89 of June 29, 2001)

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Chapter I General Provisions

(Purpose)

Article 1 The purpose of this Act is to comprehensively and systematically promote policies for fisheries by setting forth basic principles and matters fundamental for the realization of those principles, and by clarifying the responsibilities of the national and local governments, thereby stabilizing and improving the lives of the public and promoting the sound development of the national economy.

(Maintaining a Stable Supply of Marine Products)

Article 2 (1) In light of the fact that marine products are an important part of a healthy diet and other healthy and fulfilling lives, a stable supply of quality marine products at reasonable prices must be ensured for the future.

(2) In supplying marine products, in view of the fact that marine resources are a limited component of the ecosystem, and in order to ensure their sustainable use, appropriate conservation and management of marine resources must be conducted based on the appropriate implementation of the United Nations Convention on the Law of the Sea, and the propagation and aquaculture of aquatic animals and plants are to be promoted while giving consideration to harmony with the environment.

(3) The stable supply of marine products to the public is to be secured by increasing Japan's fishery production, and appropriately combined with

importing, while ensuring the sustainable utilization of marine resources, in view of the unstable state of supply and demand of marine products worldwide.

(Development of the Fishing Industry)

- Article 3 (1) The fishing industry, in consideration of its mission to supply marine products to the public, must develop by fostering efficient and stable fishery management, ensuring coordination among fisheries, the fishery processing industry, and the fishery distribution industry; and developing fishing ports, fishing grounds, and other infrastructure so that fishery production, processing, and distribution of marine products can be conducted in line with the increasingly sophisticated and diversified public demand, while utilizing marine resources in a sustainable manner.
- (2) In the development of the fishing industry, and in consideration of the fact that fishing communities play a role as a foundation for the sound development of the fishing industry as a place of life for local residents including fishery managers, the promotion of the fishing industry must be promoted by improving the living environment and through other welfare measures.

(Responsibilities of the National Government)

- Article 4 (1) The State is responsible for comprehensively formulating and implementing policies on fisheries in accordance with the basic principles on policies on fisheries set out in the two preceding articles (hereinafter referred to as the "basic principles").
- (2) The State must endeavor to enhance the public's understanding of the basic principles by providing relevant information, etc. on fisheries.

(Responsibilities of Local Authorities)

- Article 5 Local authorities are responsible, in accordance with the basic principles, for formulating and implementing measures for fisheries in accordance with the natural, economic, and social conditions of their jurisdiction, based on an appropriate division of labour with the State.

(Efforts of Fishery Operators)

- Article 6 (1) Fishery operators and organizations related to the fishing industry are to endeavor to work proactively to realize the basic principles in carrying out fishing industry-related and other related activities.
- (2) Persons other than fishery managers who engage in the catching and gathering of aquatic animals and plants, and related activities must ensure that they cooperate in the implementation of fishery-related measures by the State and local authorities.

(Supporting the Efforts of Fishery Operators)

Article 7 In taking measures related to fisheries, the State and local governments are to make it a principle to support the voluntary efforts made by fishery operators and organizations related to the fishing industry.

(Role of Consumers)

Article 8 Consumers are to be encouraged to gain a better understanding of fisheries to positively improve their consumption of marine products.

(Legislative Measures)

Article 9 The Government is to take necessary legislative, fiscal, and financial measures to implement the policies on fisheries.

(Annual Reports)

Article 10 (1) The Government must annually submit to the Diet a report on trends in and measures implemented in fisheries.

(2) The Government must annually prepare and submit to the Diet a document explaining the policies the Government is going to implement taking into account the trends in fisheries under the report referred to in the preceding paragraph.

(3) The Government must seek the opinion of the Fisheries Policy Council in preparing any document clarifying the measures it intends to take under the preceding paragraph.

Chapter II Basic Policies

Section 1 Basic Plan for Fisheries

Article 11 (1) The Government must establish a basic plan for fisheries (hereinafter referred to as "basic plan") for a comprehensive and systematic promotion of the policies on fisheries.

(2) The basic plan is to set forth the following matters:

(i) Basic direction of the policies on fisheries

(ii) Targets for self-sufficiency in marine products

(iii) Comprehensive and systematic measures to be taken by the Government in relation to fisheries

(iv) In addition to what is listed in the preceding three items, matters necessary for the comprehensive and systematic promotion of fisheries policies.

(3) The target for self-sufficiency in marine products listed in item (ii) of the preceding paragraph is to be established, aiming at improving it, as a guideline for the domestic fishery production and consumption of marine products to

identify the issues that fishery managers and other relevant person should address.

- (4) The target for self-sufficiency in marine products listed in the second item of paragraph (2) of this Article must be in harmony with the target for food self-sufficiency listed in the second item of Article 17, paragraph (2), item (iii) of the Basic Act on Food, Agriculture and Rural Areas (Act No. 106 of 1999) and other matters concerning ensuring food security.
- (5) The part of the basic plan that relates to measures concerning fishing communities must be harmonized with the national plan for the comprehensive use, development, and conservation of the national land.
- (6) When the Government intends to establish a basic plan under paragraph (1), it must obtain the opinion of the Fisheries Policy Council.
- (7) When the Government establishes the basic plan pursuant to paragraph (1), it must report it to the Diet and make it public without delay.
- (8) The Government is to amend the basic plan approximately every five years, taking into account changes in the circumstances surrounding fisheries and based on an assessment of the effectiveness of the measures taken in relation to fisheries.
- (9) Provisions of paragraph (6) and paragraph (7) apply mutatis mutandis to the changes of the basic plan.

Section 2 Measures to Ensure a Stable Supply of Marine Products

(Ensuring a Stable Supply of Marine Products as Food)

Article 12 Measures to ensure a stable supply of marine products as food are to be as set out in the Basic Law on Food, Agriculture and Rural Areas and in this Section.

(Appropriate Conservation and Management of Marine Resources in Exclusive Economic Zones)

Article 13 (1) The State is to take measures such as the management of catches and fishing efforts and other measures necessary for the appropriate conservation and management of marine resources in Exclusive Economic Zones, etc. (the term "Exclusive Economic Zone" as used in this Act means the Japanese exclusive economic zones, territorial seas, inland water, and continental shelf as provided in Article 2 of Act Concerning Exclusive Economic Zones and the Continental Shelf (Act No. 74 of 1996). The same applies hereinafter.), aiming at the maintenance or recovery of marine resources to the level that enables maximum sustainable yield.

(2) If the State considers it necessary in cases where the measures provided for in the preceding paragraph have a significant impact on the management of

fisheries, it is to take necessary measures to alleviate this impact.

(Appropriate Conservation and Management of Marine Resources in Waters Other Than Exclusive Economic Zones)

Article 14 In view of the fact that Japan occupies an important position in the world's fishery yield and consumption of marine products, the State is to take necessary measures such as cooperating with international organizations and other international frameworks concerning the sustainable use of marine resources, guidance and supervision of Japan's fisheries, in order to promote appropriate conservation and management of marine resources in waters other than Exclusive Economic Zones, etc.

(Surveys and Research on Marine Resources)

Article 15 The State is to conduct surveys and research on marine resources and take other necessary measures to contribute to the appropriate conservation and management of marine resources.

(Promotion of Propagation and Aquaculture of Aquatic Animals and Plants)

Article 16 The State is to take measures such as promotion of production and release of seedlings of aquatic animals, improvement of aquafarms and others measures necessary to promote the propagation and aquaculture of aquatic animals and plants in harmony with environment.

(Conservation and Improvement of Growing Environment for Aquatic Animals and Plants)

Article 17 The State is to take measures such as conserving the quality of water, protecting and improving breeding grounds for aquatic animals and plants, conserving and developing forests and taking other necessary measures to conserve and improve the growing environments for aquatic animals and plants.

(Maintenance and Development of Fishing Grounds in Waters Other Than in Exclusive Economic Zones)

Article 18 The State is to take necessary measures such as consultations with foreign countries on the operation of fisheries, exploration of marine resources and other measures to maintain and develop fishing grounds in relation to Japanese fisheries in waters other than those in Exclusive Economic Zones, etc.

(Measures for the Importing and Exporting of Marine Products)

Article 19 (1) The State is to take necessary measures to secure imports of marine products for which demand cannot be met by production by the fishing

industry in Japan, and take measures such as import restrictions, tariff rate adjustments, and other necessary measures when particularly necessary in cases where imports of marine products cause or are likely to cause serious hindrance to the appropriate conservation and management of marine resources or production of marine products in competition with such products.

(2) In order to promote the export of marine products, the State is to take measures such as strengthening the competitiveness of the domestic marine products, improving market research, providing information, encouraging dissemination, and publicity activities and other necessary measures to promote exports.

(Promotion of International Cooperation)

Article 20 The State is to endeavor to promote international cooperating such as technical and financial cooperation for the promotion of fisheries in the developing regions to contribute to the long-term stability of the world's supply and demand of marine products.

Section 3 Measures for the Healthy Development of the Fishing Industry

(Fostering the Stable and Efficient Management of Fisheries)

Article 21 The State is to, in view of the importance of enabling motivated fishery managers to develop creative fishery management and in accordance with the type of fishery and regional characteristics, take necessary measures to promote the development of conditions that contribute to rationalization of business management, promote the improvement of fishing boats and other facilities, promote the joint operation of business, and otherwise strengthen the fishery management infrastructure.

(Promotion of Rationalization of the Utilization of Fishing Grounds)

Article 22 The State is to take measures such as promotion of rationalization of utilization of fishing grounds and others necessary for the development of efficient and sustainable fishery management.

(Development and Retention of Human Resources)

Article 23 (1) The State is to take necessary measures such as improving the technical and management skills of fisheries and promoting the acquisition of technical and management skills for those who newly enter fisheries in order to develop and maintain human resources who will be responsible for efficient and stable fishery management.

(2) The State is to take necessary measures to ensure the safety of fishing, improve working conditions, and otherwise improve the working environment

for those engaged in fishing.

- (3) The State is to promote education on fisheries and take other necessary measures to increase the public's understanding and interest in fisheries.

(Compensation for Fishing Industry-Related Disasters)

Article 24 (1) The State is to take necessary measures, such as reasonable compensation for losses caused by disasters, to prevent impediment to re-starting fishery production due to disasters and to ensure the stability of the management of fisheries.

- (2) The State is to take necessary measures to mitigate significant fluctuations in the price of marine products in order to contribute to the stability of the management of fisheries.

(Healthy Development of the Fishery Processing Industry and the Fish Distribution Industry)

Article 25 In order to promote the healthy development of the fishery processing and distribution industry, the State is to take necessary measures such as strengthening the business infrastructure, promoting linkages with the fishing industry, rationalizing the distribution of marine products and other necessary measures, while giving consideration to reducing the environmental impact of business activities and ensuring the effective use of resources.

(Improvement of Fishing Industry Infrastructure)

Article 26 In order to promote the improvement of productivity in the fishing industry and to contribute to the promotion of the propagation and cultivation of aquatic animals and plants, the State is to take measures necessary for the improvement of fishing ports, the improvement and development of fishing grounds and other fisheries infrastructure in accordance with regional characteristics and in harmony with the environment, with the aim of efficient implementation of projects.

(Development and Dissemination of Technology)

Article 27 In order to effectively promote research, development, and dissemination of technologies related to fisheries, the State is to take necessary measures such as clarifying the goals of research and development of these technologies, strengthening cooperation among the State, independent administrative agencies, prefectural and local independent administrative agencies' testing and research institutions, universities, and private sectors, and promoting dissemination projects of technologies related to fisheries according to regional characteristics.

(Promotion of Women's Participation in Fisheries)

Article 28 In view of the importance of ensuring that men and women have opportunities to participate in all activities as equal members of society, the State is to properly assess the role of women in the fishing industry and promote the development of an environment that ensures women have opportunities to participate in the fishing industry and related activities on their own initiative.

(Promotion of Activities by the Elderly)

Article 29 The State is to promote the development of an environment in which the elderly can engage in activities related to the fishing industry with a sense of fulfilment in accordance with the division of labour in the fishing industry and the skills and abilities they possess, and is to improve the welfare of the elderly engaged in the fishing industry.

(Comprehensive Promotion of Fishing Communities)

Article 30 (1) The State is to systematically promote measures related to the promotion of the fishing industry and other comprehensive development of fishing communities.

(2) The State is to take necessary measures to comprehensively promote the development of the fishing industry infrastructure in accordance with regional characteristics and the improvement of the living environment, including disaster prevention, transport, information and communication, sanitation, education, culture and other welfare, in order to promote the healthy development of local fishing industries and to develop fishing communities with an excellent landscape and a rich and pleasant living environment.

(Exchanges Between Urban Areas and Fishing Communities)

Article 31 The State is to take measures to promote exchanges between cities and fishing communities, optimize the recreational fishing boat industry and take other necessary measures to deepen the public's interest in and understanding of the fishing industry and fishing communities, and to contribute to a healthy and comfortable lifestyle.

(Enhancement of Multifunctional Measures)

Article 32 The State is to take necessary measures to deepen public understanding and interest in the role of the fishing industry and fishing communities in the stabilizing people's lives and the national economy, and to ensure that the multifaceted functions of the fishing industry and fishing communities, other than the function of supplying marine products, are properly and sufficiently fulfilled in the future.

Chapter III Administrative Bodies and Organizations

(Improvement of Administrative Organizations)

Article 33 The State and local governments are to cooperate with each other in taking measures related to the fishing industry and are to endeavor to improve the administrative organization and the efficiency and transparency of administrative management.

(Restructuring and Development of Organizations)

Article 34 The State is to take necessary measures for the efficient restructuring and development of organizations related to the fishing industry so that they can contribute to the realization of the basic principles.

Chapter IV Fishery Policy Council

(Establishment)

Article 35 The Fishery Policy Council (hereinafter referred to as "Council") is hereby established in the Ministry of Agriculture, Forestry and Fisheries.

(Authority)

Article 36 (1) In addition to dealing with matters that fall within its competence under the provisions of this Act, the Council, in consultation with the Minister of Agriculture, Forestry and Fisheries or the ministers concerned, is to study and deliberate on important matters relating to the implementation of this Act.

(2) The Council may express its opinion to the Minister of Agriculture, Forestry and Fisheries or the ministers concerned on matters provided for in the preceding paragraph.

(3) In addition to what is provided for in the preceding two paragraphs, the Council may, pursuant to the provisions of the Fishery Act (Act No. 267 of 1949), the Act on Development of Fishing Ports and Fishing Grounds (Act No. 137 of 1950), the Fishing Boat Act (Act No. 178 of 1950), Act on the Protection of Marine Resources (Act No. 313 of 1951), the Marine Resources Development Promotion Act (Act No. 60 of 1971), the coastal fishing ground Development and Improvement Act (Act No. 49 of 1974), the Act on Special Measures Concerning Improvement and Restructuring of Fishery Management (Act No. 43 of 1976), Sustainable Aquaculture Production Assurance Act (Act No. 51 of 1999), the Act on Promotion of Business Activities through Collaboration between Small and Medium-sized Enterprises and Operators of Agriculture, Forestry and Fisheries (Act No. 38 of 2008), Act on the Promotion of Inland Fisheries (Act No. 103 of 2014), and Act on Ensuring the Proper Domestic

Distribution and Importation of Specified Aquatic Animals and Plants (Act No. 79 of 2020).)

(Organization)

Article 37 (1) The Council is to consist of not more than 30 members.

(2) The Council members are appointed by the Minister of Agriculture, Forestry and Fisheries from persons with relevant knowledge and experience with regard to the matters provided for in the first paragraph of the preceding article.

(3) The Council members are to serve on part-time basis.

(4) In addition to what is provided in paragraph 2, the Council staff provided by Cabinet Order, are to be appointed by the Minister of Agriculture, Forestry and Fisheries.

(Requests for the Submission of Documents)

Article 38 The Council may, if it deems it necessary to carry out affairs under its jurisdiction, request the heads of the relevant administrative bodies to submit materials, express their opinions, give explanations and provide other necessary cooperation.

(Delegation Provisions)

Article 39 In addition to what is provided for in this Act, the necessary matters relating to the organization, affairs under its jurisdiction, and operation of the Council are to be specified by Cabinet Order.

Supplementary Provisions [Extract]

(Effective Date)

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

(Repeal of the Act on Promotion of Coastal Fisheries)

Article 2 The Act on the Promotion of Coastal Fisheries (Act No. 165 of 1963) is to be repealed.

(transitional measure)

Article 3 (1) When the Act on the Promotion of Coastal Fisheries comes into force, if a report as provided for in the preceding paragraph on Article 7 of the Act on the Promotion of Coastal Fisheries before it is repealed (hereinafter referred to as "former Act") has not been submitted to the Diet in 2001, the provisions then in force are to remain applicable to the submission of the report on Article 7 to the Diet.

- (2) If, prior to the entry into force of this Act, a report under Article 7 of the former Act was submitted to the Diet pursuant to Article 7 of the former Act, or if a report under Article 7 of the former Act was submitted to the Diet pursuant to the provisions of the preceding paragraph, which is to remain in force, these reports are deemed to have been submitted to the Diet as reports under Article 10, paragraph (1).
- (3) If the documents referred to in Article 7 of the former Act have not been submitted to The Diet in 2001 at the time of the coming into force of this Act, the previous provisions still apply to the submission to the Diet of the documents referred to in Article 7 of the former Act.
- (4) If, prior to the entry into force of this Act, a document under Article 7 of the former Act was submitted to the Diet pursuant to Article 7 of the former Act, or if a document under Article 7 of the former Act was submitted to the Diet pursuant to the provisions of the preceding paragraph, which is to remain in force, these documents are deemed to have been submitted to the Diet as documents under Article 10, paragraph (2) of this Act.

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

(Effective Date)

Article 1 This Act is to come into force as of April 1, 2002.

Supplementary Provisions [Act No. 73 of June 19, 2002 Extract] [Extract]

(Effective Date)

Article 1 This Act is to come into force as of the date specified by Cabinet Order within a period not exceeding 3 months from the day of promulgation.

**Supplementary Provisions [Act No. 119 of July 16, 2003 Extract]
[Extract]**

(Effective Date)

Article 1 This Act comes into effect as of the date on which the local incorporated administrative agency and Harbour Act (Act No. 118 of 2003) comes into effect.

(Delegation of Other Transitional Measures to Cabinet Order)

Article 6 In addition to what is provided for in these Supplementary Provisions, the transitional measures necessary for the implementation of this Act are to be specified by Cabinet Order.

Supplementary Provisions [Act No. 89 of July 29, 2005 Extract] [Extract]

(Effective Date)

Article 1 This Act comes into force as of the date specified by a Cabinet Order (hereinafter referred to as "effective date") within a period not exceeding 6 months from the day of promulgation.

Supplementary Provisions [Act No. 38 of May 23, 2008 Extract] [Extract]

(Effective Date)

Article 1 This Act comes into force as of the date specified by a Cabinet Order within a period not exceeding 6 months from the day of promulgation.

**Supplementary Provisions [Act No. 103 of June 27, 2014 Extract]
[Extract]**

(Effective Date)

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

**Supplementary Provisions [Act No. 95 of December 14, 2018 Extract]
[Extract]**

(Effective Date)

Article 1 This Act is to come into force as of the date specified by Cabinet Order within a period not exceeding 2 years from the day of promulgation.

**Supplementary Provisions [Act No. 79 of December 11, 2020 Extract]
[Extract]**

(Effective Date)

Article 1 This Act is to come into force as of the date specified by Cabinet Order within a period not exceeding 2 years from the day of promulgation.

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

(Effective Date)

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