海洋再生可能エネルギー発電設備の整備に関する法律

Act on Development of Marine Renewable Energy Power Generation Facilities

（平成三十年法律第八十九号）

(Act No. 89 of 2018)

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第一章　総則

Chapter I General Provisions

（目的）

(Purpose)

第一条　この法律は、海洋再生可能エネルギー発電事業の長期的、安定的かつ効率的な実施の重要性に鑑み、海洋基本法（平成十九年法律第三十三号）に規定する海洋に関する施策との調和を図りつつ、海洋再生可能エネルギー発電設備の整備に係る海域の利用を促進するため、海洋再生可能エネルギー発電設備整備促進区域の指定、海洋再生可能エネルギー発電設備整備促進区域内の海域の占用等に係る計画の認定制度の創設等の措置を講ずるとともに、海洋法に関する国際連合条約に定める権利を的確に行使し、排他的経済水域における海洋再生可能エネルギー源の適正な利用を図るため、排他的経済水域における海洋再生可能エネルギー発電設備の設置の許可等について定めることにより、我が国の経済社会の健全な発展及び国民生活の安定向上に寄与することを目的とする。

Article 1　In view of the fact that it is important to carry out a marine renewable energy power generation project in a long-term, stable, and efficient manner, the purpose of this Act is to take measures such as designating the promotion zones for the development of marine renewable energy power generation facilities and establishing a certification system for the plan for the exclusive occupancy and use, etc. of the sea areas within the promotion zones for the development of marine renewable energy power generation facilities, by appropriately exercising the rights specified by the United Nations Convention on the Law of the Sea, and in order to promote the utilization of the sea areas for the development of marine renewable

energy power generation facilities, while maintaining harmony with the measures concerning the oceans prescribed in the Basic Act on Ocean Policy (Act No. 33 of 2007), and to prescribe the permission, etc. for the installation of marine renewable energy power generation facilities in the exclusive economic zones in order to ensure the proper use of marine renewable energy sources in the exclusive economic zones, thereby contributing to the sound development of the economy and society of Japan and to the stabilization and improvement of the lives of the citizenry.

（定義）

(Definitions)

第二条　この法律において「海洋再生可能エネルギー電気」とは、海洋再生可能エネルギー発電設備を用いて海洋再生可能エネルギー源を変換して得られる電気をいう。

Article 2 (1) As used in this Act, "marine renewable energy electricity" means the electricity obtained by converting marine renewable energy sources using marine renewable energy power generation facilities.

２　この法律において「海洋再生可能エネルギー発電設備」とは、海域において海洋再生可能エネルギー源を電気に変換する設備及びその附属設備であって、船舶を係留するための係留施設を備えるものをいう。

(2) As used in this Act, "marine renewable energy power generation facilities" means the facilities to convert marine renewable energy sources to electricity in the sea areas and their attached facilities that are equipped with mooring facilities for vessels.

３　この法律において「海洋再生可能エネルギー源」とは、再生可能エネルギー電気の利用の促進に関する特別措置法（平成二十三年法律第百八号。以下「再生可能エネルギー電気特別措置法」という。）第二条第三項に規定する再生可能エネルギー源のうち、海域における風力その他の海域において電気のエネルギー源として利用することができるものとして政令で定めるものをいう。

(3) The term "marine renewable energy sources" as used in this Act means the renewable energy sources prescribed in Article 2, paragraph (3) of the Act on Special Measures Concerning the Promotion of Use of Electricity from Renewable Energy Sources (Act No. 108 of 2011; referred to below as the "Act on Special Measures Concerning Electricity from Renewable Energy Sources") that are specified by Cabinet Order as those that can be used as energy sources for electricity in sea areas, such as wind power in sea areas.

４　この法律において「海洋再生可能エネルギー発電事業」とは、自らが維持し、及び運用する海洋再生可能エネルギー発電設備を用いて発電した海洋再生可能エネルギー電気を再生可能エネルギー電気特別措置法第二条の二第一項に規定する市場取引等により供給し、又は再生可能エネルギー電気特別措置法第二条第五項に規定する特定契約により電気事業者（電気事業法（昭和三十九年法律第百七十号）第二条第一項第九号に規定する一般送配電事業者、同項第十一号の三に規定する配電事業者及び同項第十三号に規定する特定送配電事業者をいう。以下同じ。）に対し供給する事業をいう。

(4) The term "marine renewable energy power generation business" as used in this Act means the business of supplying marine renewable energy electricity generated by using the marine renewable energy power generation facilities maintained and operated by the business operator themselves through market transactions, etc. prescribed in Article 2-2, paragraph (1) of the Renewable Energy Electricity Special Measures Act, or supplying to the electricity utility (meaning the general electricity transmission and distribution utility prescribed in Article 2, paragraph (1), item (ix) of the Electricity Business Act (Act No. 170 of 1964), the electricity distribution utility prescribed in item (xi)-3 of the paragraph, and the specified electricity transmission and distribution utility prescribed in item (xiii) of the paragraph; the same applies below) under the specified contract prescribed in Article 2, paragraph (5) of the Renewable Energy Electricity Special Measures Act.

５　この法律において「海洋再生可能エネルギー発電設備整備促進区域」とは、我が国の領海及び内水の海域において海洋再生可能エネルギー発電設備の整備を促進する区域として第十条第一項の規定により指定された区域をいう。

(5) The term "promotion zones for the development of marine renewable energy power generation facilities" as used in this Act means zones designated pursuant to the provisions of Article 10, paragraph (1) as zones for promoting the development of marine renewable energy power generation facilities in the sea areas within territorial waters and inland waters of Japan.

６　この法律において「排他的経済水域」とは、排他的経済水域及び大陸棚に関する法律（平成八年法律第七十四号）第一条第一項の排他的経済水域をいう。

(6) The term "exclusive economic zone" as used in this Act means the exclusive economic zone stated in Article 1, paragraph (1) of the Act on the Exclusive Economic Zone and the Continental Shelf (Act No. 74 of 1996).

７　この法律において「海洋再生可能エネルギー発電設備設置募集区域」とは、排他的経済水域において海洋再生可能エネルギー発電設備を設置する者を募集する区域として第三十二条第一項の規定により指定された区域をいう。

(7) The term "solicitation zone for the installation of marine renewable energy power generation facilities" as used in this Act means an area designated pursuant to the provisions of Article 32, paragraph (1) as an area for inviting applicants to install marine renewable energy power generation facilities in the exclusive economic zone.

（基本理念）

(Basic Principles)

第三条　海洋再生可能エネルギー発電設備の整備は、海洋環境の保全、海洋の安全の確保その他の海洋に関する施策との調和を図りつつ、海洋の持続可能な開発及び利用を実現することを旨として、国、海洋再生可能エネルギー発電事業を行う者その他の関係する者の密接な連携の下に行われなければならない。

Article 3 The development of marine renewable energy power generation facilities must be carried out under the close cooperation of the national government, persons

operating the marine renewable energy power generation business, and other relevant persons, with the aim of realizing the sustainable development and use of the oceans, while maintaining harmony with the conservation of the marine environment, the security of the oceans, and other measures with regard to the oceans.

（国の責務）

(Responsibilities of the National Government)

第四条　国は、前条に定める基本理念（以下「基本理念」という。）にのっとり、海洋再生可能エネルギー発電設備の整備に関する施策を総合的に策定し、及び実施する責務を有する。

Article 4 (1) The national government is responsible for comprehensively formulating and implementing measures for the development of marine renewable energy power generation facilities in accordance with the basic principles prescribed in the preceding Article (referred to below as the "basic principles").

２　国は、海洋再生可能エネルギー発電事業を行う者に対し、海洋再生可能エネルギー発電設備の整備に関し必要となる情報の収集及び提供その他の支援を行うよう努めなければならない。

(2) The national government must endeavor to collect and provide information necessary for the development of the marine renewable energy power generation facilities and provide other support to persons operating the marine renewable energy power generation business.

３　国は、教育活動、広報活動その他の活動を通じて、海洋再生可能エネルギー発電設備の整備に関し、国民の理解を深めるよう努めなければならない。

(3) The national government must endeavor to deepen public understanding of the development of marine renewable energy power generation facilities through education, publicity, and other activities.

（海洋再生可能エネルギー発電事業を行う者の責務）

(Responsibilities of Persons Operating the Marine Renewable Energy Power Generation Business)

第五条　海洋再生可能エネルギー発電事業を行う者は、基本理念にのっとり、その事業活動を行うに当たり、漁業その他の海洋の多様な開発及び利用、海洋環境の保全並びに海洋の安全の確保との調和に配慮するとともに、国が実施する海洋再生可能エネルギー発電設備の整備に関する施策に協力するよう努めなければならない。

Article 5 In accordance with the Basic Principles, in the course of their business activities, a person operating the marine renewable energy power generation business must give consideration to harmony with fisheries and other diversified development and use of the oceans, conservation of the marine environment, and securing the safety of the oceans, and endeavor to cooperate with the measures implemented by the national government for the development of marine renewable energy power generation facilities.

第二章　基本方針

Chapter II Basic Policy

第六条　政府は、基本理念にのっとり、海洋再生可能エネルギー発電設備の整備に関する施策の総合的かつ計画的な推進を図るための基本的な方針（以下「基本方針」という。）を定めなければならない。

Article 6 (1) In accordance with the basic principles, the government must establish the basic policy for the comprehensive and systematic promotion of measures for the development of marine renewable energy power generation facilities (referred to below as the "basic policy").

２　基本方針には、次に掲げる事項を定めるものとする。

(2) The following matters are to be provided for in the basic policy:

一　海洋再生可能エネルギー発電設備の整備の意義及び目標に関する事項

(i) matters concerning the significance and goals of the development of marine renewable energy power generation facilities;

二　海洋再生可能エネルギー発電設備の整備に関する施策に関する基本的な事項

(ii) basic matters concerning measures for the development of marine renewable energy power generation facilities;

三　海洋再生可能エネルギー発電設備整備促進区域及び海洋再生可能エネルギー発電設備設置募集区域の指定に関する基本的な事項

(iii) basic matters concerning the designation of the promotion zones for the installation of marine renewable energy power generation facilities and the solicitation zone for the installation of marine renewable energy power generation facilities;

四　海洋再生可能エネルギー発電設備整備促進区域及び海洋再生可能エネルギー発電設備設置募集区域における海洋再生可能エネルギー発電事業と漁業その他の海洋の多様な開発及び利用、海洋環境の保全並びに海洋の安全の確保との調和に関する基本的な事項

(iv) basic matters concerning the harmonization of the marine renewable energy power generation business in the promotion zones for the development of marine renewable energy power generation facilities and the solicitation zones for the installation of marine renewable energy power generation facilities with the fisheries and other diversified development and use of the oceans, the conservation of the marine environment and the ensuring of the safety of the oceans;

五　海洋再生可能エネルギー発電設備の設置及び維持管理に必要な人員及び物資の輸送に利用される港湾に関する基本的な事項

(v) basic matters concerning the ports to be used for transportation of personnel and materials necessary for the installation, maintenance, and management of marine renewable energy power generation facilities; and

六　前各号に掲げるもののほか、海洋再生可能エネルギー発電設備の整備を図るために必要な事項

(vi) in addition to what is stated in the preceding items, matters necessary for the development of the marine renewable energy power generation facilities.

３　基本方針は、海洋基本法第十六条第一項に規定する海洋基本計画との調和が保たれたものでなければならない。

(3) The basic policy must be harmonized with the basic plan on ocean policy provided for in Article 16, paragraph (1) of the Basic Act on Ocean Policy.

４　内閣総理大臣は、基本方針の案を作成し、閣議の決定を求めなければならない。

(4) The Prime Minister must prepare a draft basic policy and seek a cabinet decision.

５　内閣総理大臣は、前項の規定による閣議の決定があったときは、遅滞なく、これを公表しなければならない。

(5) When the cabinet decision under the preceding paragraph is made, the Prime Minister must publicize it without delay.

６　前二項の規定は、基本方針の変更について準用する。

(6) The provisions of the preceding two paragraphs apply mutatis mutandis to changes of the basic policy.

第三章　領海及び内水における海洋再生可能エネルギー発電設備の設置

Chapter III Installation of Marine Renewable Energy Power Generation Facilities in Territorial Waters and Inland Waters

第一節　総則

Section 1 General Provisions

（関係地方公共団体の責務）

(Responsibilities of the Relevant Local Governments)

第七条　関係地方公共団体は、基本理念にのっとり、第四条に規定する国の施策に協力して、海洋再生可能エネルギー発電設備の整備に係る我が国の領海及び内水の海域の利用の促進に関する施策を推進するよう努めなければならない。

Article 7 In accordance with the basic principles, a relevant local government must endeavor to cooperate with the measures of the national government prescribed in Article 4 and promote measures concerning the promotion of the utilization of the territorial waters and inland waters of Japan for the development of marine renewable energy power generation facilities.

（海洋再生可能エネルギー発電事業を行う者の責務）

(Responsibilities of Persons Operating Marine Renewable Energy Power Generation Businesses)

第八条　海洋再生可能エネルギー発電事業を行う者は、第五条に定めるもののほか、関係地方公共団体が実施する海洋再生可能エネルギー発電設備の整備に係る我が国の領海及び内水の海域の利用の促進に関する施策に協力するよう努めなければならない。

Article 8 In addition to what is provided for in Article 5, a person operating a marine renewable energy power generation business must endeavor to cooperate with the measures concerning the promotion of the utilization of the territorial waters and inland waters of Japan relating to the development of marine renewable energy power generation facilities implemented by the relevant local governments.

（関係者の協力）

(Cooperation of Relevant Persons)

第九条　国、関係地方公共団体、海洋再生可能エネルギー発電事業を行う者その他の関係する者は、海洋再生可能エネルギー発電設備の整備に係る我が国の領海及び内水の海域の利用が促進されるよう、相互に連携を図りながら協力するよう努めなければならない。

Article 9 The national government, relevant local governments, a person operating the marine renewable energy power generation business, and other relevant persons must endeavor to coordinate and cooperate with each other so that the utilization of the territorial waters and inland waters of Japan relating to the development of marine renewable energy power generation facilities is promoted.

第二節　海洋再生可能エネルギー発電設備整備促進区域の指定等

Section 2 Designation of the Promotion Zones for the Development of Marine Renewable Energy Power Generation Facilities

（海洋再生可能エネルギー発電設備整備促進区域の指定）

(Designation of the Promotion Zones for the Development of Marine Renewable Energy Power Generation Facilities)

第十条　経済産業大臣及び国土交通大臣は、基本方針に基づき、我が国の領海及び内水の海域のうち一定の区域であって次に掲げる基準に適合するものを、海洋再生可能エネルギー発電設備整備促進区域として指定することができる。

Article 10 (1) Based on the basic policy, the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism may designate certain zones of the territorial and inland waters of Japan that conform to the following criteria as the promotion zones for the development of marine renewable energy power generation facilities.

一　海洋再生可能エネルギー発電事業の実施について気象、海象その他の自然的条件が適当であり、海洋再生可能エネルギー発電設備を設置すればその出力の量が相当程度に達すると見込まれること。

(i) that meteorological, oceanic, and other natural conditions are suitable to operate a marine renewable energy power generation business and it is expected that their power output will reach a considerable level once the marine renewable energy power generation facilities are installed;

二　当該区域の規模及び状況からみて、当該区域及びその周辺における航路及び港湾の利用、保全及び管理に支障を及ぼすことなく、海洋再生可能エネルギー発電設備を適切に配置することが可能であると認められること。

(ii) given the scale and condition of the relevant zones, that it is found that the proper placement of marine renewable energy power generation facilities is possible without hindering the use, preservation, and management of waterways and ports within the relevant zones and neighboring areas;

三　海洋再生可能エネルギー発電設備の設置及び維持管理に必要な人員及び物資の輸送に関し当該区域と当該区域外の港湾とを一体的に利用することが可能であると認められること。

(iii) that it is found that the integrated use of the ports within and outside of the relevant zones is possible in connection with the transportation of personnel and materials necessary for installation, maintenance, and management of the marine renewable energy power generation facilities;

四　海洋再生可能エネルギー発電設備と電気事業者が維持し、及び運用する電線路との電気的な接続が適切に確保されることが見込まれること。

(iv) that it is expected that electric connection between the marine renewable energy power generation facilities and the electric lines maintained and operated by electricity utilities will be properly secured;

五　海洋再生可能エネルギー発電事業の実施により、漁業に支障を及ぼさないことが見込まれること。

(v) that it is expected that the operation of the marine renewable energy power generation business will not hinder fisheries;

六　当該区域の海洋並びにその周辺の海岸及びその近傍の土地の環境（以下この号及び第四項において「海洋環境等」という。）の状況からみて、海洋再生可能エネルギー発電事業の実施が当該区域の海洋環境等の保全に支障を及ぼすおそれがないと見込まれること。

(vi) that the implementation of a marine renewable energy power generation business is expected to pose no risk of hindering the conservation of the marine environment, etc. in the relevant area, in view of the state of the environment of the oceans in the relevant area, the surrounding coasts, and the land in the vicinity (referred to below as the "marine environment, etc." in this item and paragraph (4)); and

七　漁港及び漁場の整備等に関する法律（昭和二十五年法律第百三十七号）第六条第一項から第四項までの規定により市町村長、都道府県知事若しくは農林水産大臣が指定した漁港の区域、港湾法（昭和二十五年法律第二百十八号）第二条第三項に規定する港湾区域、同法第五十六条第一項の規定により都道府県知事が公告した水域、海岸法（昭和三十一年法律第百一号）第三条の規定により指定された海岸保全区域、排他的経済水域及び大陸棚の保全及び利用の促進のための低潮線の保全及び拠点施設の整備等に関する法律（平成二十二年法律第四十一号）第二条第五項に規定する低潮線保全区域又は同法第九条第一項の規定により国土交通大臣が公告した水域と重複しないこと。

(vii) that the zones do not overlap with the area of a fishing port designated by the mayor of a municipality, the prefectural governor, or the Minister of Agriculture, Forestry and Fisheries pursuant to the provisions of Article 6, paragraph (1) through paragraph (4) of the Act on Development of Fishing Ports and Fishing Grounds (Act No. 137 of 1950), the port limits prescribed in Article 2, paragraph (3) of the Port and Harbour Act (Act No. 218 of 1950), the water area publicly notified by the prefectural governor pursuant to the provisions of Article 56, paragraph (1) of the Act, the coastal preservation zone designated pursuant to the provisions of Article 3 of the Coast Act (Act No. 101 of 1956), the low-tide line preservation zone prescribed in Article 2, paragraph (5) of the Act on Preservation

of the Low-Tide Line and Development of Base Facilities for Promoting the Preservation and Use of the Exclusive Economic Zones and the Continental Shelf (Act No. 41 of 2010), or the water area publicly notified by the Minister of Land, Infrastructure, Transport and Tourism pursuant to the provisions of Article 9, paragraph 1 of the Act.

２　経済産業大臣及び国土交通大臣は、前項の規定による指定をしようとするときは、当該区域の状況を調査するものとする。

(2) If the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism intend to make a designation under the preceding paragraph, they are to survey the conditions of the relevant area.

３　経済産業大臣及び国土交通大臣は、前項の規定による調査を行ったときは、当該調査に係る区域の位置及び区域並びに海洋再生可能エネルギー源を環境大臣に通知するものとする。

(3) The Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism are to notify the Minister of the Environment of the location and area of the area relating to the survey and the marine renewable energy sources when they have conducted a survey pursuant to the provisions of the preceding paragraph.

４　環境大臣は、前項の規定による通知を受けたときは、当該通知に係る区域の海洋環境等に関する情報を収集するため、次条第一項の海洋環境等調査方法書に記載された海洋環境等調査（海洋環境等に関する調査をいう。以下この項及び同条において同じ。）の項目ごとに、当該海洋環境等調査方法書に記載された海洋環境等調査の手法に基づいて、海洋環境等調査を行い、その結果を経済産業大臣及び国土交通大臣に通知するとともに、公表するものとする。

(4) When the Minister of the Environment receives the notification under the preceding paragraph, the Minister is to conduct a survey on the marine environment, etc. for each item of the survey on the marine environment, etc. (meaning the survey on the marine environment, etc.; the same applies below in this paragraph and the Article) stated in the method statement of a survey on the marine environment, etc. in paragraph (1) of the following Article, based on the technique of the survey on the marine environment, etc. stated in the relevant method statement of a survey on the marine environment, etc., in order to collect data on the marine environment, etc. in the area relating to the relevant notification, and is to notify the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism of the results of the survey and publicize them.

５　経済産業大臣及び国土交通大臣は、前項の規定による通知に係る区域について、第一項の規定による指定をしようとするときは、経済産業省令・国土交通省令で定めるところにより、当該指定をしようとする海洋再生可能エネルギー発電設備整備促進区域の位置及び区域を公告し、当該指定の案を、当該指定をしようとする理由を記載した書面を添えて、当該公告の日から二週間公衆の縦覧に供しなければならない。

(5) When the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism intend to make the designation under paragraph (1) with regard to the zones relating to the notification under the preceding paragraph, they must give public notice of the location and areas of the promotion zones for the development of marine renewable energy power generation facilities to be designated, and make a draft of the designation available for public inspection for two weeks from the date of the public notice, by attaching a document stating the reasons for the designation, pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry and Order of the Ministry of Land, Infrastructure, Transport and Tourism.

６　前項の規定による公告があったときは、利害関係者は、同項の縦覧期間満了の日までに、縦覧に供された指定の案について、経済産業大臣及び国土交通大臣に対し、意見書を提出することができる。

(6) If a public notice under the preceding paragraph has been given, an interested party may submit a written opinion on the draft of the designation made available for public inspection to the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism by the day on which the public inspection period expires.

７　経済産業大臣及び国土交通大臣は、第一項の規定による指定をしようとするときは、前項の規定により提出された意見書の写しを添えて、農林水産大臣、環境大臣その他の関係行政機関の長に協議し、かつ、関係都道府県知事の意見を聴くとともに、当該指定をしようとする区域について第十二条第一項に規定する協議会が組織されているときは、当該協議会の意見を聴かなければならない。

(7) When the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism intend to make a designation under paragraph (1), they must consult with the Minister of Agriculture, Forestry and Fisheries, the Minister of the Environment, and other heads of the relevant administrative bodies, and hear the opinions of the relevant prefectural governors, with copies of written opinions submitted pursuant to the provisions of the preceding paragraph attached, and must hear the opinions of the council prescribed in Article 12, paragraph (1), if the council has been organized for the area for which the Ministers intend to make the designation.

８　経済産業大臣及び国土交通大臣は、第一項の規定による指定をしたときは、遅滞なく、経済産業省令・国土交通省令で定めるところにより、当該指定をした海洋再生可能エネルギー発電設備整備促進区域の位置及び区域を公告しなければならない。

(8) When the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism have made the designation under paragraph (1), they must give public notice of the location and area of the promotion zones for the development of marine renewable energy power generation facilities for which they have made that designation, without delay, as provided for by Order of the

Ministry of Economy, Trade and Industry and Order of the Ministry of Land, Infrastructure, Transport and Tourism.

９　経済産業大臣及び国土交通大臣は、海洋再生可能エネルギー発電設備整備促進区域の指定を受けた区域の全部又は一部が第一項の規定による指定の必要がなくなったと認めるとき又は同項各号のいずれかに適合しなくなったと認めるときは、当該海洋再生可能エネルギー発電設備整備促進区域の指定を解除し、又はその区域を縮小することができる。

(9) When the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism find that all or part of the zones designated as the promotion zones for the development of marine renewable energy power generation facilities are no longer necessary to be designated under paragraph (1) or no longer conform to any of the items of the paragraph, they may cancel the designation of the promotion zones for the development of marine renewable energy power generation facilities or reduce the size of the zones.

１０　経済産業大臣及び国土交通大臣は、前項の規定による指定の解除又は区域の縮小をしたときは、遅滞なく、経済産業省令・国土交通省令で定めるところにより、当該指定の解除をした旨又は当該区域の縮小をした海洋再生可能エネルギー発電設備整備促進区域の位置及び区域を公告しなければならない。

(10) When the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism have cancelled the designation or reduced the area pursuant to the provisions of the preceding paragraph, they must give public notice, without delay, of the fact that the designation has been cancelled or public notice of the location and area of the promotion zones for the development of marine renewable energy power generation facilities whose area has been reduced, as provided for by Order of the Ministry of Economy, Trade and Industry or Order of the Ministry of Land, Infrastructure, Transport and Tourism.

（海洋環境等調査方法書の作成等）

(Preparation of Method Statements of Surveys on the Marine Environment)

第十一条　環境大臣は、海洋環境等調査を行おうとするときは、次に掲げる事項を記載した海洋環境等調査方法書を作成するものとする。

Article 11 (1) When the Minister of the Environment intends to conduct a survey on the marine environment, etc., the Minister is to prepare a method statement of a survey on the marine environment, etc., describing the following matters:

一　海洋環境等調査に係る区域の位置及び区域並びにその周囲の概況

(i) general conditions of the location and area of the zone relating to a survey on the marine environment, etc. and its surroundings;

二　海洋環境等調査に係る海洋再生可能エネルギー源

(ii) marine renewable energy sources relating to a survey on the marine environment, etc.;

三　海洋環境等調査の項目及び手法並びに当該項目及び手法を選定した理由

(iii) the item and technique of a survey on the marine environment, etc. and the reason for selecting the relevant item and technique; and

四　その他環境省令で定める事項

(iv) other matters specified by Order of the Ministry of the Environment.

２　環境大臣は、海洋環境等調査方法書の案を作成したときは、当該海洋環境等調査の項目及び手法について、当該海洋環境等調査に係る区域の環境の保全の見地からの意見（以下この条において「環境保全意見」という。）を求めるため、環境省令で定めるところにより、海洋環境等調査方法書の案を作成した旨その他環境省令で定める事項を公告するとともに、当該海洋環境等調査方法書の案を、当該公告の日から一月間（次項及び第四項において「縦覧等期間」という。）、公衆の縦覧に供し、かつ、環境省令で定めるところにより、インターネットの利用その他の方法により公表しなければならない。

(2) When the Minister of the Environment has prepared a draft of a method statement of a survey on the marine environment, etc., as provided for by Order of the Ministry of the Environment, the Minister must give public notice to the effect that a draft of a method statement of a survey of the marine environment, etc. has been prepared and other matters specified by Order of the Ministry of the Environment, and make the draft of the method statement of the survey of the marine environment, etc. available for public inspection for one month from the date of the public notice (referred to as "period of public inspection, etc." in the following paragraph and paragraph (4)), and make the draft of the method statement of the survey of the marine environment, etc. available for public inspection via the Internet or by other means, as provided for by Order of the Ministry of the Environment, in order to obtain opinions on the items and methods of the survey of the marine environment, etc., from the standpoint of environmental conservation in the area relating to the survey of the marine environment, etc. (referred to below as "opinions on environmental conservation" in this Article).

３　環境大臣は、環境省令で定めるところにより、縦覧等期間満了の日までに、海洋環境等調査方法書の案の記載事項を周知させるための説明会を開催しなければならない。

(3) The Minister of the Environment must hold an explanatory meeting to make public the matters stated in the draft of a method statement of a survey on the marine environment, etc. by the expiration date of the period for public inspection, etc., pursuant to the provisions of Order of the Ministry of the Environment.

４　海洋環境等調査方法書の案についての環境保全意見の表明は、第二項の規定による公告の日から縦覧等期間満了の日の翌日から起算して二週間を経過する日までの間に、環境省令で定めるところにより、環境大臣に対し、意見書を提出することによりしなければならない。

(4) An expression of an opinion on environmental conservation on a draft of a method statement of a survey on the marine environment, etc. must be made by submitting a written opinion to the Minister of the Environment during the period

from the date of the public notice under paragraph (2) to the day on which two weeks have elapsed from the day following the expiration date of the period for public inspection, etc., as provided for by Order of the Ministry of the Environment.

5　環境大臣は、前項の規定による環境保全意見の表明があったときは、これに配意しなければならない。

(5) When an opinion on environmental conservation is expressed pursuant to the provisions of the preceding paragraph, the Minister of the Environment must pay consideration to it.

6　環境大臣は、海洋環境等調査方法書の案を作成したときは、環境省令で定めるところにより、当該海洋再生可能エネルギー発電事業の実施による影響を受ける範囲であると認められる地域を管轄する都道府県知事及び市町村長（特別区の区長を含む。）に対し、環境保全意見を求めるものとする。この場合において、第四項の規定による環境保全意見の表明があったときは、同項の期間満了後、当該都道府県知事及び市町村長に対し、その意見書の写しを送付するものとする。

(6) When the Minister of the Environment has prepared a draft of a method statement of a survey on the marine environment, etc., the Minister is to seek opinions on environmental conservation from the prefectural governor and the mayor of a municipality (including the mayor of a special ward) who has jurisdiction over the area that is found to be within the range affected by the implementation of the marine renewable energy power generation project, pursuant to the provisions of Order of the Ministry of the Environment. In this case, when an opinion on environmental conservation has been expressed pursuant to the provisions of paragraph (4), a copy of the written opinion is to be sent to the prefectural governor and the mayor of a municipality after the period stated in the paragraph expires.

7　環境大臣は、前項前段の規定による環境保全意見の表明があったときは、これを勘案しなければならない。

(7) When an opinion on environmental conservation　is expressed under the first sentence of the preceding paragraph, the Minister of the Environment must take it into consideration.

8　環境大臣は、海洋環境等調査方法書の案を作成したときは、電気工作物の工事、維持及び運用の規制の観点からする経済産業大臣の意見を聴くものとする。

(8) When having prepared a draft of a method statement of a survey on the marine environment, etc., the Minister of the Environment is to hear the opinion of the Minister of Economy, Trade and Industry from the viewpoint of regulating the construction, maintenance, and operation of electric facilities.

9　環境大臣は、海洋環境等調査方法書を作成したときは、当該海洋環境等調査方法書並びに第四項又は第七項の規定による環境保全意見の表明があった場合にあっては、当該環境保全意見及びこれについての環境大臣の見解をインターネットの利用その他の方法により公表しなければならない。

(9) When the Minister of the Environment has prepared a method statement of a survey on the marine environment, etc., the Minister must publicize the relevant method statement of a survey on the marine environment, etc., and if an opinion on environmental conservation has been expressed pursuant to the provisions of paragraph (4) or (7), the relevant opinion on environmental conservation and the Minister of the Environment's view concerning the matter, via the Internet or by other means.

１０　環境大臣は、第一項第四号、第二項から第四項まで及び第六項の環境省令を制定し、又は改廃しようとするときは、経済産業大臣及び国土交通大臣に協議するものとする。

(10) If the Minister of the Environment intends to enact, amend, or repeal the Order of the Ministry of the Environment referred to in paragraph (1), item (iv), paragraph (2) through paragraph (4), and paragraph (6), the Minister is to consult with the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism.

（協議会）

(Council)

第十二条　経済産業大臣、国土交通大臣及び関係都道府県知事は、海洋再生可能エネルギー発電設備整備促進区域の指定及び海洋再生可能エネルギー発電設備整備促進区域における海洋再生可能エネルギー発電事業の実施に関し必要な協議を行うための協議会（以下この条において「協議会」という。）を組織することができる。

Article 12 (1) The Minister of Economy, Trade and Industry, the Minister of Land, Infrastructure, Transport and Tourism and the relevant prefectural governors may establish a council to make the discussions necessary for the designation of the promotion zones for the development of marine renewable energy power generation facilities and the operation of the marine renewable energy power generation business in the promotion zones for the development of marine renewable energy power generation facilities (in this Article referred to below as the "council").

２　協議会は、次に掲げる者をもって構成する。

(2) The council is to consist of the following persons:

一　経済産業大臣、国土交通大臣及び関係都道府県知事

(i) the Minister of Economy, Trade and Industry, the Minister of Land, Infrastructure, Transport and Tourism, and the relevant prefectural governors;

二　農林水産大臣及び関係市町村長

(ii) the Minister of Agriculture, Forestry and Fisheries and the mayors of the relevant municipalities; and

三　関係漁業者の組織する団体その他の利害関係者、学識経験者その他の経済産業大臣、国土交通大臣及び関係都道府県知事が必要と認める者

(iii) groups established by the related fishery managers and other interested parties, academic experts, and other persons as found necessary by the Minister of

Economy, Trade and Industry, the Minister of Land, Infrastructure, Transport and Tourism, and the relevant prefectural governors.

３　関係都道府県知事は、協議会が組織されていないときは、経済産業大臣及び国土交通大臣に対して、協議会を組織するよう要請することができる。

(3) If the council is not established, a relevant prefectural governor may request the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism to establish the council.

４　前項の規定による要請を受けた経済産業大臣及び国土交通大臣は、正当な理由がある場合を除き、当該要請に応じなければならない。

(4) Upon receiving the request under the preceding paragraph, the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism must respond to that request, except when there are justifiable grounds not to do so.

５　関係行政機関の長は、海洋再生可能エネルギー発電設備整備促進区域の指定及び海洋再生可能エネルギー発電設備整備促進区域における海洋再生可能エネルギー発電事業の実施に関し、協議会の構成員の求めに応じて、協議会に対し、必要な助言、資料の提供その他の協力を行うことができる。

(5) At a request of a member of the council, the head of a relevant administrative body may provide the council with a necessary advice, materials, and other forms of cooperation with regard to the designation of a promotion zone for the development of marine renewable energy power generation facilities and the operation of a marine renewable energy power generation business in a promotion zone for the development of marine renewable energy power generation facilities.

６　協議会において協議が調った事項については、協議会の構成員は、その協議の結果を尊重しなければならない。

(6) Members of the council must respect results of deliberations with regard to the matters on which they have reached a consensus at the council.

７　前各項に定めるもののほか、協議会の運営に関し必要な事項は、協議会が定める。

(7) In addition to what is provided for in each of the preceding items, matters necessary for the management of the council are to be specified by the council.

（促進区域内海域の占用等に係る許可）

(License for Exclusive Occupancy and Use of Sea Areas Within the Promotion Zones)

第十三条　海洋再生可能エネルギー発電設備整備促進区域内の海域（政令で定めるその上空及び海底の区域を含む。以下「促進区域内海域」という。）において、次の各号のいずれかに該当する行為をしようとする者は、国土交通省令で定めるところにより、国土交通大臣の許可を受けなければならない。ただし、促進区域内海域の利用又は保全に支障を及ぼすおそれがないものとして政令で定める行為については、この限りでない。

Article 13 A person that intends to engage in any act that falls under any of the following items in a sea area within a promotion zone for the development of marine renewable energy power generation facilities (including the area of space above the zone and seabed level under the zone as prescribed by Cabinet Order; referred to below as the "sea area within a promotion zone") must obtain license of the Minister of Land, Infrastructure, Transport and Tourism pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism; provided, however, that this does not apply to the acts prescribed by Cabinet Order as unlikely to hinder the utilization or conservation of the sea areas within the promotion zones:

一　促進区域内海域の占用

(i) the exclusive occupancy and use of a sea area within a promotion zone;

二　土砂の採取

(ii) the collection of earth and sand;

三　施設又は工作物の新設又は改築（第一号の占用を伴うものを除く。）

(iii) the installation of new facilities or structures or reconstruction of the existing facilities or structures (excluding those involving the exclusive occupancy and use under item (i)); or

四　前三号に掲げるもののほか、促進区域内海域の利用又は保全に支障を与えるおそれのある政令で定める行為

(iv) in addition to those stated in the preceding three items, any act prescribed by Cabinet Order as likely to hinder the utilization or conservation of a sea area within a promotion zone.

２　国土交通大臣は、前項の行為が促進区域内海域の利用若しくは保全又は周辺港湾の機能の維持に著しく支障を与えるものであるときは、許可をしてはならない。

(2) If the acts under the preceding paragraph seriously obstruct the utilization or conservation of the sea area within the promotion zone or the maintenance of the functions of the surrounding ports, the Minister of Land, Infrastructure, Transport and Tourism must not grant license.

３　国又は地方公共団体が第一項の行為をしようとする場合には、同項中「国土交通大臣の許可を受けなければ」とあるのは「国土交通大臣と協議しなければ」と、前項中「許可をしては」とあるのは「協議に応じては」とする。

(3) When the national government or a local government intends to engage in any of the acts under paragraph (1), "obtain license of the Minister of Land, Infrastructure, Transport and Tourism" in that paragraph is replaced with "consult with the Minister of Land, Infrastructure, Transport and Tourism"; and "grant license" in the preceding paragraph is replaced with "participate in the consultation."

４　第一項の許可に係る同項第一号の促進区域内海域の占用の期間は、三十年を超えない範囲内において政令で定める期間を超えることができない。これを更新するときの期間についても、同様とする。

(4) The exclusive occupancy and use period of a sea area within the promotion zone under item (i) of the paragraph to which the license under paragraph (1) relates may not exceed the period prescribed by Cabinet Order up to the extent not exceeding thirty years. The same applies to the renewal of that period.

５　国土交通大臣は、第一項の許可には、促進区域内海域の利用若しくは保全又は周辺港湾の機能の維持に必要な限度において、条件を付することができる。この場合において、その条件は、許可を受けた者に対し、不当な義務を課することとなるものであってはならない。

(5) The Minister of Land, Infrastructure, Transport and Tourism may attach conditions to the license in paragraph (1) to the extent necessary for the utilization or conservation of the sea area of the promotion zone or the maintenance of the functions of the surrounding ports. In this case, those conditions must not impose undue obligations on a recipient of the license.

６　国土交通大臣は、国土交通省令で定めるところにより、第一項第一号又は第二号の行為に係る同項の許可を受けた者から占用料又は土砂採取料を徴収することができる。

(6) The Minister of Land, Infrastructure, Transport and Tourism may collect the occupancy fee or earth and sand collection fee from the recipient of the license referred to in paragraph (1) for the acts under item (i) or item (ii) of that paragraph pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism.

７　国土交通大臣は、国土交通省令で定めるところにより、偽りその他不正の行為により前項の占用料又は土砂採取料の徴収を免れた者から、その徴収を免れた金額の五倍に相当する金額以下の過怠金を徴収することができる。

(7) Pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism, the Minister of Land, Infrastructure, Transport and Tourism may impose an administrative surcharge on a person that has evaded payment of the occupancy fee or earth and sand collection fee under the preceding paragraph by deception or other wrongful act, not exceeding the amount equivalent to five times the amount evaded.

（経過措置）

(Transitional Measures)

第十四条　海洋再生可能エネルギー発電設備整備促進区域の指定の際現に権原に基づき、前条第一項の許可を要する行為を行っている者又は同項の規定によりその設置について許可を要する施設若しくは工作物を設置している者は、従前と同様の条件により、当該行為又は施設若しくは工作物の設置について同項の許可を受けたものとみなす。同項ただし書若しくは第四号の政令又はこれを改廃する政令の施行の際現に権原に基づき、当該政令の施行に伴い新たに許可を要することとなる行為を行い、又は施設若しくは工作物を設置している者についても、同様とする。

Article 14 By virtue of the respective title at the time of the designation of a promotion zone for the development of marine renewable energy power generation

facilities, if a person that has already engaged in an act for which the license under paragraph (1) of the preceding Article is required, or has already installed the facilities or structures for which the license for installation is required pursuant to the provisions of the paragraph, the person is deemed to have obtained the license under that paragraph for that act or installation of those facilities or structures under the same conditions as in the past. By virtue of the respective title upon the enforcement of the Cabinet Order under the proviso to that paragraph or item (iv) or the Cabinet Order amending or abolishing that Cabinet Order, the same applies to a person that has already engaged in the act for which a new license is required, or has already installed the facilities or structures for which the license for installation is required.

（促進区域内海域における禁止行為）

(Prohibited Acts in the Sea Areas Within the Promotion Zones)

第十五条　何人も、促進区域内海域において、みだりに、船舶、土石その他の物件で国土交通省令で定めるものを捨て、又は放置してはならない。

Article 15 It is prohibited for any person to dump or leave vessels, earth and rocks, or other property provided for by Order of the Ministry of Land, Infrastructure, Transport and Tourism in the sea areas within the promotion zones without due cause.

第三節　公募占用計画の認定等

Section 3 Certification of Exclusive Occupancy and Use Plan over Public Bidding

（海洋再生可能エネルギー発電設備の公募占用指針等）

(Guidelines for Public Tender of Exclusive Occupancy and Use of Marine Renewable Energy Power Generation Facilities)

第十六条　経済産業大臣及び国土交通大臣は、海洋再生可能エネルギー発電設備整備促進区域を指定したときは、促進区域内海域において海洋再生可能エネルギー発電設備の整備を行うことにより海洋再生可能エネルギー発電事業を行うべき者を公募により選定するために、基本方針に即して、公募の実施及び海洋再生可能エネルギー発電設備の整備のための促進区域内海域の占用に関する指針（以下「公募占用指針」という。）を定めなければならない。

Article 16 (1) When the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism designate the promotion zones for the development of marine renewable energy power generation facilities, the Ministers must establish the guidelines for implementation of public tender process and exclusive occupancy and use of sea areas within the promotion zones for the development of marine renewable energy power generation facilities (referred to below as the "guidelines for public tender of exclusive occupancy and use") based on the basic policy in order to select a person by public tender to operate the marine renewable energy power generation business by developing marine

renewable energy power generation facilities in the sea areas within the promotion zones.

２　公募占用指針には、次に掲げる事項を定めなければならない。

(2) The following matters must be provided for in the guidelines for public tender of exclusive occupancy and use:

一　公募の対象とする海洋再生可能エネルギー発電設備に係る再生可能エネルギー電気特別措置法第二条の二第一項に規定する交付対象区分等（第九号において「交付対象区分等」という。）又は再生可能エネルギー電気特別措置法第三条第一項に規定する特定調達対象区分等（同号において「特定調達対象区分等」という。）

(i) the classification, etc. subject to delivery prescribed in Article 2-2, paragraph (1) of the Act on Special Measures Concerning Electricity from Renewable Energy Sources relating to the marine renewable energy power generation facilities subject to public tender (referred to as the "classification, etc. subject to delivery" in item (ix)) or the specified procurement classification, etc. prescribed in Article 3, paragraph (1) of the Act on Special Measures Concerning Electricity from Renewable Energy Sources (referred to as the "specified procurement classification, etc." in the item);

二　当該海洋再生可能エネルギー発電設備のための促進区域内海域の占用の区域

(ii) the exclusive occupancy and use zones of the sea areas within the promotion zones for the relevant marine renewable energy power generation facilities;

三　当該海洋再生可能エネルギー発電設備のための促進区域内海域の占用の開始の時期

(iii) the timing to start exclusive occupancy and use of the sea areas within the promotion zones for the relevant marine renewable energy power generation facilities;

四　当該海洋再生可能エネルギー発電設備の出力の量の基準

(iv) the criteria for power output of the relevant marine renewable energy power generation facilities;

五　公募の参加者の資格に関する基準

(v) the criteria for qualifications of public tender participants;

六　公募の参加者が提供すべき保証金の額並びにその提供の方法及び期限その他保証金に関する事項

(vi) the amount of security deposit to be provided by public tender participants, and method and time limit of the provision, and other matters concerning the security deposit;

七　供給価格（当該海洋再生可能エネルギー発電設備を用いて供給することができる海洋再生可能エネルギー電気の一キロワット時当たりの価格をいう。以下同じ。）の額の上限額（以下「供給価格上限額」という。）

(vii) the upper limit of the supply price (meaning the price per kilowatt-hour of the marine renewable energy electricity that can be supplied by using the relevant

marine renewable energy power generation facilities; the same applies below) (referred to below as the "upper limit of the supply price");

八　公募に基づく再生可能エネルギー電気特別措置法第二条の三第一項に規定する基準価格（第十九条において「基準価格」という。）又は再生可能エネルギー電気特別措置法第三条第二項に規定する調達価格（第十九条において「調達価格」という。）の額の決定の方法

(viii) the method of determining the amount of the standard price prescribed in Article 2-3, paragraph (1) of the Act on Special Measures Concerning Electricity from Renewable Energy Sources (referred to as the "standard price" in Article 19) or the procurement price prescribed in Article 3, paragraph (2) of the Act on Special Measures Concerning Electricity from Renewable Energy Sources (referred to as the "procurement price" in Article 19) based on public tender;

九　公募の対象とする交付対象区分等又は特定調達対象区分等に係る再生可能エネルギー電気特別措置法第二条の三第一項に規定する交付期間（第十九条において「交付期間」という。）又は再生可能エネルギー電気特別措置法第三条第二項に規定する調達期間（第十九条において「調達期間」という。）

(ix) the delivery period prescribed in Article 2-3, paragraph (1) of the Act on Special Measures Concerning Electricity from Renewable Energy Sources (referred to as the "delivery period" in Article 19) or the procurement period prescribed in Article 3, paragraph (2) of the Act on Special Measures Concerning Electricity from Renewable Energy Sources (referred to as the "procurement period" in Article 19) for the target categories, etc. for delivery or the specified target procurement categories, etc. subject to public tender;

十　選定事業者（促進区域内海域において海洋再生可能エネルギー発電設備の整備を行うことにより海洋再生可能エネルギー発電事業を行うべき者として公募により選定された者をいう。以下同じ。）における再生可能エネルギー電気特別措置法第九条第一項の規定による認定の申請の期限

(x) the time limit of an application for certification under Article 9, paragraph (1) of the Renewable Energy Electricity Special Measures Act for an appointed business operator (which means the person selected by public tender to operate the marine renewable energy power generation business by developing the marine renewable energy power generation facilities in the sea areas within the promotion zones; the same applies below);

十一　当該海洋再生可能エネルギー発電設備の設置及び維持管理に必要な人員及び物資の輸送に関し第二号に掲げる区域と一体的に利用される港湾に関する事項

(xi) matters concerning the ports to be used integrally with the zones stated in item (ii) in connection with transportation of personnel and materials necessary for installation, maintenance, and management of the relevant marine renewable energy power generation facilities;

十二　促進区域内海域の占用の期間が満了した場合その他の事由により促進区域内海域の占用をしないこととなった場合における当該海洋再生可能エネルギー発電設備の撤去に関する事項

(xii) matters concerning removal of the relevant marine renewable energy power generation facilities if the exclusive occupancy and use period of the sea areas within the promotion zones expires or if the sea areas within the promotion zones are no longer exclusively occupied and used for any other reason;

十三　第二十条第一項の認定の有効期間

(xiii) the validity period of the certification under Article 20, paragraph (1);

十四　海洋再生可能エネルギー発電事業を行う者と関係行政機関の長、関係都道府県知事及び関係市町村長との調整に関する事項

(xiv) matters concerning coordination between a person operating the marine renewable energy power generation business, and the heads of the relevant administrative bodies, the relevant prefectural governors, and the mayors of the relevant municipalities;

十五　選定事業者を選定するための評価の基準

(xv) the assessment criteria for selecting appointed business operators; and

十六　前各号に掲げるもののほか、公募の実施に関する事項その他必要な事項

(xvi) in addition to those stated in each of the preceding items, matters concerning the implementation of the public tender procedure and other necessary matters.

３　前項第十三号の有効期間は、三十年を超えないものとする。

(3) The validity period under item (xiii) of the preceding paragraph is not to exceed thirty years.

４　経済産業大臣は、第二項第一号又は第四号から第十号までに掲げる事項を定めようとするときは、調達価格等算定委員会の意見を聴かなければならない。この場合において、経済産業大臣は、調達価格等算定委員会の意見を尊重するものとする。

(4) When the Minister of Economy, Trade and Industry intends to specify the matters stated in paragraph (2), item (i) or item (iv) through item (x), the Minister of Economy, Trade and Industry must hear the opinions of the Procurement Price Calculation Committee. In this case, the Prime Minister is to respect the opinions of the Committee.

５　経済産業大臣及び国土交通大臣は、第二項第十五号の評価の基準を定めようとするときは、経済産業省令・国土交通省令で定めるところにより、関係都道府県知事及び学識経験者の意見を聴かなければならない。

(5) When the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism intend to establish the evaluation criteria stated in paragraph (2), item (xv), they must hear the opinions of the relevant prefectural governors and persons with relevant expertise, as provided for by Order of the Ministry of Economy, Trade and Industry and Order of the Ministry of Land, Infrastructure, Transport and Tourism.

６　経済産業大臣及び国土交通大臣は、公募占用指針を定めたときは、遅滞なく、これを公示しなければならない。ただし、公募占用指針のうち供給価格上限額については、公募の効果的な実施のため必要があると認めるときは、公示しないことができる。

(6) When the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism have established the guidelines for public tender of exclusive occupancy and use, the Ministers must give public notice to that effect without delay; provided, however, that the Ministers may refrain from giving public notice of the maximum amount of supply price in the guidelines for public tender of exclusive occupancy and use when the Ministers find it necessary to do so for effective implementation of the public tender process.

７　前三項の規定は、公募占用指針の変更について準用する。

(7) The provisions of the preceding three paragraphs apply mutatis mutandis to changes to the guidelines for public tender of exclusive occupancy and use.

８　第一項の場合における再生可能エネルギー電気特別措置法の規定の適用については、再生可能エネルギー電気特別措置法第二条の三第一項中「したもの」とあるのは「したもの及び海洋再生可能エネルギー発電設備の整備に関する法律（平成三十年法律第八十九号。以下「整備法」という。）第十六条第一項に規定する公募占用指針において定められたもの」と、再生可能エネルギー電気特別措置法第三条第二項中「したもの」とあるのは「したもの及び整備法第十六条第一項に規定する公募占用指針において定められたもの」と、再生可能エネルギー電気特別措置法第九条第四項第五号中「又は特定調達対象区分等」とあるのは「若しくは特定調達対象区分等又は整備法第十六条第一項に規定する公募占用指針において定められた交付対象区分等若しくは特定調達対象区分等」と、同号イ中「又は同条第四項第八号」とあるのは「若しくは同条第四項第八号又は整備法第十六条第二項第十号」と、同号ロ中「こと」とあるのは「こと又は申請に係る再生可能エネルギー発電事業計画が整備法第十七条第一項に規定する公募占用計画と整合的であること」と、同号ハ中「第七条第七項」とあるのは「第七条第七項又は整備法第十八条第六項」と、再生可能エネルギー電気特別措置法第四十三条第二項中「この法律」とあるのは「この法律又は整備法」とするほか、必要な技術的読替えは、政令で定める。

(8) With regard to the application of the provisions of the Act on Special Measures Concerning Electricity from Renewable Energy Sources when referred to in paragraph (1), the phrase "specified by the Minister of Economy, Trade and Industry" in Article 2-3, paragraph (1) of the Act on Special Measures Concerning Electricity from Renewable Energy Sources is deemed to be replaced with "specified by the Minister of Economy, Trade and Industry and specified in the guidelines for public tender of exclusive occupancy and use prescribed in Article 16, paragraph (1) of the Act on Development of Marine Renewable Energy Power Generation Facilities (Act No. 89 of 2018; referred to below as the" Development Act ")"; the phrase "specified by the Minister of Economy, Trade and Industry" in Article 3, paragraph (2) of the Act on Special Measures Concerning Electricity from Renewable Energy Sources is deemed to be replaced with "specified by the Minister

of Economy, Trade and Industry and specified in the guidelines for public tender of exclusive occupancy and use prescribed in Article 16, paragraph (1) of the Development Act"; the phrase "or specified procurement target category, etc." in Article 9, paragraph (4), item (v) of the Act on Special Measures Concerning Electricity from Renewable Energy Sources is deemed to be replaced with "or specified procurement target category, etc., or delivery target category, etc. or specified procurement target category, etc. specified in the guidelines for public tender of exclusive occupancy and use prescribed in Article 16, paragraph (1) of the Development Act"; the phrase "or paragraph (4), item (viii) of the Article" in (a) of the item is deemed to be replaced with "or paragraph (4), item (viii) of the Article or Article 16, paragraph (2), item (x) of the Development Act.

（公募占用計画の提出）

(Submission of an Exclusive Occupancy and Use Plan over Public Bidding)

第十七条　公募に応じて選定事業者となろうとする者は、経済産業省令・国土交通省令で定めるところにより、その設置しようとする海洋再生可能エネルギー発電設備のための促進区域内海域の占用に関する計画（以下「公募占用計画」という。）を作成し、経済産業大臣及び国土交通大臣に提出しなければならない。

Article 17 (1) A person that intends to apply for public tender to become an appointed business operator must prepare a plan for exclusive occupancy and use of the sea areas within the promotion zones for the development of marine renewable energy power generation facilities that the person intends to install (referred to below as an "exclusive occupancy and use plan over public bidding") pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry and Order of the Ministry of Land, Infrastructure, Transport and Tourism and submit that plan over public bidding to the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism.

２　公募占用計画には、次に掲げる事項を記載しなければならない。

(2) The following matters must be stated in the exclusive occupancy and use plan over public bidding:

一　促進区域内海域の占用の区域

(i) the exclusive occupancy and use zones of the sea areas within the promotion zones;

二　促進区域内海域の占用の期間

(ii) the exclusive occupancy and use period of the sea areas within the promotion zones;

三　海洋再生可能エネルギー発電事業の内容及び実施時期

(iii) the content and operation period of the marine renewable energy power generation business;

四　設置しようとする海洋再生可能エネルギー発電設備に係る再生可能エネルギー電気特別措置法第二条の二第一項に規定する再生可能エネルギー発電設備の区分等（第三

十二条第八項第一号及び第三十三条第三項第四号において「再生可能エネルギー発電設備の区分等」という。）

(iv) the classification, etc. of the renewable energy power generation facilities prescribed in Article 2-2, paragraph (1) of the Act on Special Measures Concerning Electricity from Renewable Energy Sources relating to the marine renewable energy power generation facilities to be installed (referred to as the "classification, etc. of the renewable energy power generation facilities" in Article 32, paragraph (8), item (i) and Article 33, paragraph (3), item (iv));

五　当該海洋再生可能エネルギー発電設備の構造

(v) the structures of the relevant marine renewable energy power generation facilities;

六　工事実施の方法

(vi) the methods of implementation of construction work;

七　工事の時期

(vii) the timing of construction work;

八　当該海洋再生可能エネルギー発電設備の出力

(viii) the power output of the relevant marine renewable energy power generation facilities;

九　供給価格

(ix) the supply price;

十　当該海洋再生可能エネルギー発電設備の維持管理の方法

(x) the methods of maintenance and management of the relevant marine renewable energy power generation facilities;

十一　当該海洋再生可能エネルギー発電設備の設置及び維持管理に必要な人員及び物資の輸送に関し第一号に掲げる区域と一体的に利用する港湾に関する事項

(xi) matters concerning the ports to be used integrally with the zones stated in item (i) in connection with transportation of personnel and materials necessary for installation, maintenance, and management of the relevant marine renewable energy power generation facilities;

十二　促進区域内海域の占用の期間が満了した場合その他の事由により促進区域内海域の占用をしないこととなった場合における当該海洋再生可能エネルギー発電設備の撤去の方法

(xii) the methods of removal of the relevant marine renewable energy power generation facilities if the exclusive occupancy and use period of the sea areas within the promotion zones expires or if the sea areas within the promotion zones are no longer exclusively occupied and used for any other reason;

十三　前条第二項第十四号に規定する調整を行うための体制及び能力に関する事項

(xiii) matters concerning the framework and capacities to make the coordination specified in paragraph (2), item (xiv) of the preceding Article;

十四　気象、海象、海底の地形その他の当該海洋再生可能エネルギー発電設備を設置する海域（政令で定めるその上空及び海底の区域を含む。）に関する情報であって、当

該海洋再生可能エネルギー発電設備を設置し、及び維持管理する過程で取得するものの管理に関する事項

(xiv) matters concerning the management of information on meteorological phenomena, hydrological phenomena, submarine topography, and other information concerning the sea areas where the relevant marine renewable energy power generation facilities are to be installed (including the areas above those areas and on the seabed as specified by Cabinet Order), which is acquired in the process of installing, maintaining, and managing the relevant marine renewable energy power generation facilities;

十五　資金計画及び収支計画

(xv) financial plan and income and expenditure plan;

十六　その他経済産業省令・国土交通省令で定める事項

(xvi) other matters prescribed by Order of the Ministry Economy, Trade and Industry and Order of the Ministry of Land, Infrastructure, Transport and Tourism.

３　公募占用計画には、前項各号に掲げる事項のほか、海洋再生可能エネルギー発電事業の実施に係る次に掲げる事項を記載することができる。

(3) In addition to the matters stated in the items of the preceding paragraph, the following matters relating to the operation of the marine renewable energy power generation business can be stated in the exclusive occupancy and use plan over public bidding:

一　港湾法第三十七条第一項の許可を要する行為に関する事項

(i) matters concerning the acts for which the permission under Article 37, paragraph (1) of the Port and Harbour Act is required;

二　港湾法第三十八条の二第一項の規定による届出を要する行為に関する事項

(ii) matters concerning acts for which a notification under Article 38-2, paragraph (1) of the Port and Harbour Act is required to be made.

４　公募占用計画の提出は、経済産業大臣及び国土交通大臣が公示する一月を下らない期間内に行わなければならない。

(4) Submission of the exclusive occupancy and use plan over public bidding must be made within a period of not less than one month publicly notified by the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism.

（選定事業者の選定）

(Selection of Appointed Business Operators)

第十八条　経済産業大臣及び国土交通大臣は、前条第一項の規定により公募に応じて選定事業者となろうとする者から公募占用計画が提出されたときは、当該公募占用計画が次に掲げる基準に適合しているかどうかを審査しなければならない。

Article 18 (1) When an exclusive occupancy and use plan over public bidding is submitted by a person that intends to apply for the public tender pursuant to the provisions of paragraph (1) of the preceding Article to become an appointed business operator, the Minister of Economy, Trade and Industry and the Minister of Land,

Infrastructure, Transport and Tourism must examine whether or not the relevant exclusive occupancy and use plan over public bidding conforms to the following criteria:

一　供給価格が供給価格上限額以下であることその他当該公募占用計画が公募占用指針に照らし適切なものであること。

(i) that the supply price is not more than the maximum amount of the supply price and the relevant exclusive occupancy and use plan over public bidding is otherwise appropriate in light of the guidelines for public tender of exclusive occupancy and use;

二　当該公募占用計画に係る促進区域内海域の占用が第十三条第二項の許可をしてはならない場合に該当しないものであること。

(ii) that the exclusive occupancy and use of the sea areas within the promotion zones covered by the relevant exclusive occupancy and use plan over public bidding does not fall under the cases where the license must not be granted as referred to in Article 13, paragraph (2);

三　当該公募占用計画に係る海洋再生可能エネルギー発電設備及びその維持管理の方法が経済産業省令・国土交通省令で定める基準に適合すること。

(iii) that the marine renewable energy power generation facilities covered by the relevant exclusive occupancy and use plan over public bidding and the methods of maintenance and management of those facilities conform to the criteria specified by Order of the Ministry of Economy, Trade and Industry and Order of the Ministry of Land, Infrastructure, Transport and Tourism;

四　当該公募占用計画を提出した者が不正又は不誠実な行為をするおそれが明らかな者でないこと。

(iv) that the person that has submitted the relevant exclusive occupancy and use plan over public bidding is not obviously considered to be likely to commit a wrongful or dishonest act.

２　経済産業大臣及び国土交通大臣は、前項の規定により審査した結果、公募占用計画が同項各号に掲げる基準に適合していると認められるときは、第十六条第二項第十五号の評価の基準に従って、その適合していると認められた全ての公募占用計画について評価を行うものとする。

(2) When the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism find as a result of the examination pursuant to the provisions of the preceding paragraph that the exclusive occupancy and use plan over public bidding conforms to the criteria stated in the items of the paragraph, the Ministers are to assess all exclusive occupancy and use plans over public bidding that are found to conform to those criteria according to the assessment criteria referred to in Article 16, paragraph (2), item (xv).

３　経済産業大臣及び国土交通大臣は、前項の評価に従い、海洋再生可能エネルギー発電事業の長期的、安定的かつ効率的な実施を可能とするために最も適切であると認められる公募占用計画を提出した者を選定事業者として選定するものとする。

(3) The Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism are to select, based on the assessment under the preceding paragraph, the person that has submitted the exclusive occupancy and use plan over public bidding that is found most appropriate to enable the long-term, stable and efficient operation of the marine renewable energy power generation business as an appointed business operator.

４　経済産業大臣及び国土交通大臣は、前項の規定により選定事業者を選定しようとするときは、経済産業省令・国土交通省令で定めるところにより、学識経験者の意見を聴かなければならない。

(4) If the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism intend to select an appointed business operator pursuant to the provisions of the preceding paragraph, the Ministers must hear opinions of persons with relevant expertise as provided for by Order of the Ministry of Economy, Trade and Industry and Order of the Ministry of Land, Infrastructure, Transport and Tourism.

５　国土交通大臣は、第三項の規定により選定事業者を選定しようとする場合において、選定しようとする者から提出された公募占用計画に前条第三項各号に掲げる事項が記載されているときは、当該事項について港湾管理者（港湾法第二条第一項に規定する港湾管理者をいう。第三十六条第五項において同じ。）に協議し、その同意を得なければならない。

(5) If the Minister of Land, Infrastructure, Transport and Tourism intends to select an appointed business operator pursuant to the provisions of paragraph (3) and the matters stated in the items of paragraph (3) of the preceding Article are stated in the exclusive occupancy and use plan over public bidding submitted by the person that the Minister intends to select, the Minister must consult with and obtain the consent of the port management body (meaning the port management body provided for in Article 2, paragraph (1) of the Port and Harbour Act; the same applies in Article 36, paragraph (5)) with regard to the matters.

６　経済産業大臣及び国土交通大臣は、第三項の規定により選定事業者を選定したときは、その者にその旨を通知しなければならない。

(6) When the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism have selected an appointed business operator pursuant to the provisions of paragraph (3), the Ministers must notify that business operator to that effect.

（選定事業者における基準価格及び交付期間又は調達価格及び調達期間）

(Standard Price and Delivery Period or Procurement Price and Procurement Period for Appointed Business Operators)

第十九条　経済産業大臣は、公募占用指針に従い、公募の結果を踏まえ、選定事業者における海洋再生可能エネルギー発電設備に係る基準価格及び交付期間又は調達価格及び調達期間を定め、これを告示しなければならない。この場合においては、再生可能エネルギー電気特別措置法第八条第二項及び第三項の規定を準用する。

Article 19 In accordance with the guidelines for public tender of exclusive occupancy and use, the Minister of Economy, Trade and Industry must determine the standard price and issuance period or procurement price and procurement period for the marine renewable energy power generation facilities for the appointed business operator based on the results of the public tender, and give public notice of them. In this case, the provisions of Article 8, paragraph (2) and paragraph (3) of the Act on Special Measures Concerning Electricity from Renewable Energy Sources apply mutatis mutandis.

（公募占用計画の認定）

(Certifying the Exclusive Occupancy and Use Plan over Public Bidding)

第二十条　経済産業大臣及び国土交通大臣は、選定事業者が提出した公募占用計画について、促進区域内海域の占用の区域及び占用の期間を指定して、当該公募占用計画が適当である旨の認定をするものとする。

Article 20 (1) With respect to the exclusive occupancy and use plan over public bidding submitted by an appointed business operator, the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism are to certify that the exclusive occupancy and use plan over public bidding is appropriate, by designating the areas and period of exclusive occupancy and use of the sea areas within the promotion zones.

２　経済産業大臣及び国土交通大臣は、前項の認定をしたときは、経済産業省令・国土交通省令で定めるところにより、当該認定を受けた公募占用計画の概要、当該認定をした日及び当該認定の有効期間並びに同項の規定により指定した促進区域内海域の占用の区域及び占用の期間を公示しなければならない。

(2) When the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism have made the certification under the preceding paragraph, pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry and Order of the Ministry of Land, Infrastructure, Transport and Tourism, the Ministers must make public notice of the outline of the exclusive occupancy and use plan over public bidding so certified, and the date and validity period of that certification, as well as the areas of exclusive occupancy and use and period of exclusive occupancy and use of the sea areas within the promotion zones designated pursuant to the provisions of the paragraph.

（公募占用計画の変更等）

(Changes to the Exclusive Occupancy and Use Plan over Public Bidding)

第二十一条　前条第一項の認定を受けた選定事業者は、当該認定を受けた公募占用計画を変更しようとする場合においては、経済産業大臣及び国土交通大臣の認定を受けなければならない。ただし、経済産業省令・国土交通省令で定める軽微な変更については、この限りでない。

Article 21 (1) When the appointed business operator that has received the certification under paragraph (1) of the immediately preceding Article intends to make changes to the certified exclusive occupancy and use plan over public bidding,

that business operator must have those changes certified by the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism, except for minor changes prescribed by Order of the Ministry of Economy, Trade and Industry and Order of the Ministry of Land, Infrastructure, Transport and Tourism.

２　経済産業大臣及び国土交通大臣は、前項の規定による変更の認定の申請があったときは、次に掲げる基準に適合すると認める場合に限り、その認定をするものとする。

(2) When the application for certification of the changes pursuant to the provisions of the preceding paragraph is made, the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism are to certify those changes only if the Ministers find that those changes conform to the following criteria:

一　変更後の公募占用計画が第十八条第一項第一号から第三号までに掲げる基準を満たしていること。

(i) that the exclusive occupancy and use plan over public bidding after the changes satisfies the criteria stated in Article 18, paragraph (1), item (i) through item (iii);

二　当該公募占用計画の変更をすることについて、公共の利益の一層の増進に寄与するものであると見込まれること又はやむを得ない事情があること。

(ii) that it is expected that the changes to the relevant exclusive occupancy and use plan over public bidding will contribute to further increasing the public interest; or that there are any inevitable grounds for those changes.

３　第十八条第五項及び前条第二項の規定は、第一項の規定による変更の認定について準用する。

(3) The provisions of Article 18, paragraph (5) and paragraph (2) of the preceding Article apply mutatis mutandis to the certification of the changes pursuant to the provisions of paragraph (1).

４　前条第一項の認定を受けた選定事業者は、第一項ただし書の経済産業省令・国土交通省令で定める軽微な変更をしたときは、遅滞なく、当該変更の内容を経済産業大臣及び国土交通大臣に届け出なければならない。

(4) If an appointed business operator who has received the certification stated in paragraph (1) of the preceding Article makes a minor change specified by Order of the Ministry of Economy, Trade and Industry and Order of the Ministry of Land, Infrastructure, Transport and Tourism as stated in the proviso to paragraph (1), the appointed business operator must notify the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism of the content of the change without delay.

（促進区域内海域における海洋再生可能エネルギー発電設備に係る占用の許可等）

(License for the Exclusive Occupancy and Use of the Marine Renewable Energy Power Generation Facilities in the Sea Areas Within the Promotion Zones)

第二十二条　選定事業者は、第二十条第一項の認定（前条第一項の規定による変更の認定を含む。以下「公募占用計画の認定」という。）を受けたときは、公募占用計画の認定を受けた公募占用計画（変更があったときは、その変更後のもの。以下「認定公募占用計画」という。）に従って海洋再生可能エネルギー発電設備の設置及び維持管理をしなければならない。

Article 22 (1) When an appointed business operator has obtained the certification referred to in Article 20, paragraph (1) (including the certification of the changes pursuant to the provisions of paragraph (1) of the preceding Article; referred to below as the "certification of the exclusive occupancy and use plan over public bidding"), that business operator must install, maintain and manage the marine renewable energy power generation facilities in accordance with the exclusive occupancy and use plan over public bidding as certified (or, in case of changes in that plan, the plan after the changes; referred to below as the "certified exclusive occupancy and use plan over public bidding").

２　国土交通大臣は、選定事業者から認定公募占用計画に基づき第十三条第一項の許可（同項第一号に係るものに限る。次項及び第二十四条第三項において同じ。）の申請があった場合においては、当該許可を与えなければならない。

(2) When the application for the license referred to in Article 13, paragraph (1) under the certified exclusive occupancy and use plan over public bidding (limited to that under item (i) of that paragraph; the same applies below in the following paragraph and Article 24, paragraph (3)) was made by an appointed business operator, the Minister of Land, Infrastructure, Transport and Tourism must grant permission.

３　公募占用計画の認定がされた場合においては、選定事業者以外の者は、第二十条第二項（前条第三項において準用する場合を含む。以下この項において同じ。）の占用の期間内は、第二十条第二項の促進区域内海域の占用の区域については、第十三条第一項の許可の申請をすることができない。

(3) If the certification of the exclusive occupancy and use plan over public bidding has been given, no person other than the appointed business operator may apply for the license referred to in Article 13, paragraph (1) during the period of exclusive occupancy and use referred to in Article 20, paragraph (2) (including as applied mutatis mutandis pursuant to paragraph (3) of the preceding Article; the same applies below in this paragraph) with respect to the areas of exclusive occupancy and use of the sea areas within the promotion zones referred to in Article 20, paragraph (2).

（地位の承継）

(Succession to the Status)

第二十三条　次に掲げる者は、経済産業大臣及び国土交通大臣の承認を受けて、選定事業者が有していた公募占用計画の認定に基づく地位を承継することができる。

Article 23 (1) The following persons may succeed to the status under the certification of the exclusive occupancy and use plan over public bidding owned by

an appointed business operator by obtaining the approval of the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism:

一　選定事業者の一般承継人

(i) the general successor of an appointed business operator;

二　選定事業者から、認定公募占用計画に基づき設置及び維持管理が行われ、又は行われた海洋再生可能エネルギー発電設備の所有権その他当該海洋再生可能エネルギー発電設備の設置及び維持管理に必要な権原を取得した者

(ii) the person that has obtained the ownership of the marine renewable energy power generation facilities to be installed, maintained, and managed, or already installed, maintained, and managed under the certified exclusive occupancy and use plan over public bidding, and the title necessary for installation, maintenance, and management of the relevant marine renewable energy power generation facilities from an appointed business operator.

（公募占用計画の認定の取消し）

(Revocation of Certification of the Exclusive Occupancy and Use Plan over Public Bidding)

第二十四条　経済産業大臣及び国土交通大臣は、次に掲げる場合には、公募占用計画の認定を取り消すことができる。

Article 24 (1) In either of the following cases, the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism may revoke the certification of the exclusive occupancy and use plan over public bidding:

一　選定事業者が偽りその他不正な手段により公募占用計画の認定を受けたことが判明したとき。

(i) when it is discovered that the appointed business operator has obtained the certification of the exclusive occupancy and use plan over public bidding by deception or other wrongful act.

二　選定事業者が第二十二条第一項の規定に違反したとき。

(ii) when the appointed business operator has violated the provisions of Article 22, paragraph (1).

２　経済産業大臣及び国土交通大臣は、前項の規定により公募占用計画の認定を取り消したときは、その旨を公示しなければならない。

(2) When the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism revoke the certification of the exclusive occupancy and use plan over public bidding pursuant to the provisions of the preceding paragraph, the Ministers must give public notice to that effect.

３　第一項の規定により公募占用計画の認定が取り消されたときは、当該公募占用計画の認定に係る認定公募占用計画に基づき与えられた第十三条第一項の許可は、その効力を失う。

(3) When the certification of the exclusive occupancy and use plan over public bidding is revoked pursuant to the provisions of paragraph (1), the license referred

to in Article 13, paragraph (1) granted under the certified exclusive occupancy and use plan over public bidding in connection with the certification of that exclusive occupancy and use plan over public bidding ceases to be effective.

（環境影響評価法の特例）

(Special Provisions for the Environmental Impact Assessment Act)

第二十五条　選定事業者がその認定公募占用計画に係る海洋再生可能エネルギー発電事業を行う場合における当該選定事業者については、環境影響評価法（平成九年法律第八十一号）第二章第一節及び第三章の規定は、適用しない。

Article 25 (1) If an appointed business operator conducts the marine renewable energy power generation business relating to its certified exclusive occupancy and use plan over public bidding, the provisions of Chapter II, Section 1 and Chapter III of the Environmental Impact Assessment Act (Act No. 81 of 1997) do not apply to the appointed business operator.

２　前項に規定する場合における選定事業者に関する環境影響評価法の規定の適用については、次の表の上欄に掲げる同法の規定中同表の中欄に掲げる字句は、それぞれ同表の下欄に掲げる字句とする。

(2) With regard to the application of the provisions of the Environmental Impact Assessment Act to the appointed business operator in the case prescribed in the preceding paragraph, the terms and phrases listed in the middle column of the following table in the provisions of the Act listed in the left-hand column of the table are deemed to be replaced with the terms and phrases listed in the right-hand column of the table.

■表■　第二十五条第二項の表

（港湾法の特例）

(Special Provisions on the Port and Harbour Act)

第二十六条　第十七条第三項第一号に掲げる事項が定められた公募占用計画が第二十条第一項又は第二十一条第一項の規定により認定されたときは、当該認定の日に当該事項に係る選定事業者に対する港湾法第三十七条第一項の許可があったものとみなす。

Article 26 (1) If the exclusive occupancy and use plan over public bidding in which the matters stated in Article 17, paragraph (3), item (i) are provided is certified pursuant to the provisions of Article 20, paragraph (1) or Article 21, paragraph (1), it is deemed that the permission referred to in Article 37, paragraph (1) of the Port and Harbour Act has been granted to the appointed business operator related to the matters on the date of the certification.

２　港湾法第三十八条の二第一項の規定は、選定事業者が第十七条第三項第二号に掲げる事項が定められた認定公募占用計画に従って同号に規定する行為をする場合については、適用しない。

(2) The provisions of Article 38-2, paragraph (1) of the Port and Harbour Act do not apply if the appointed business operator carries out the act prescribed in Article 17, paragraph (3), item (ii) in accordance with the approved exclusive occupancy

and use plan over public bidding in which the matters stated in that item are provided.

第四節　監督等

Section 4 Supervision

（非常災害時における緊急措置等）

(Emergency Measures in Case of Extraordinary Disasters)

第二十七条　国土交通大臣は、非常災害が発生し、船舶の交通に支障が生じている場合において、緊急輸送の用に供する船舶の交通を確保するためやむを得ない必要があるときは、促進区域内海域において、海洋再生可能エネルギー発電設備又は船舶、船舶用品その他の物件を使用し、収用し、又は処分することができる。

Article 27 (1) The Minister of Land, Infrastructure, Transport and Tourism may use, expropriate, or dispose of the marine renewable energy power generation facilities or vessels, marine equipment, or other property in the sea areas within the promotion zones when an extraordinary disaster takes place that causes an obstruction to vessel transit, and it is essential to do so in order to secure the transit of vessels used for emergency transportation.

２　国土交通大臣は、前項の規定による行為により損失を受けた者に対し、その損失を補償しなければならない。

(2) The Minister of Land, Infrastructure, Transport and Tourism must compensate a person that incurs a loss as a result of the act under the preceding paragraph.

３　第一項の規定による行為によって生じた損失に対しては、国土交通大臣は、当該海洋再生可能エネルギー発電設備又は船舶、船舶用品その他の物件の所有者又は占有者に対し、その行為がなかったならば通常生じなかった損失及び通常得られる利益が得られなかったことによる損失を補償しなければならない。

(3) With respect to the loss incurred as a result of the act under paragraph (1), the Minister of Land, Infrastructure, Transport and Tourism must compensate the owner or occupier of the relevant marine renewable energy power generation facilities or vessels, marine equipment, or other property for the loss that could not have been incurred but for that act and the loss resulting from the failure to earn the profit that would normally have been earned.

４　前項の規定により補償を受けることのできる者が金額の決定について不服があるときは、その金額の決定の通知を受けた日から六月以内に、国土交通大臣を被告として、訴えをもって金額の増加を請求することができる。

(4) If the person that is eligible to be compensated pursuant to the provisions of the preceding paragraph is dissatisfied with the determination of the amount, that person may seek an increase in the compensation amount by bringing a suit against the Minister of Land, Infrastructure, Transport and Tourism within six months from the day when that person receives the notification of the determination of the amount.

（監督処分）

(Supervisory Disposition)

第二十八条　国土交通大臣は、次に掲げる者に対し、工事その他の行為の中止、工作物若しくは船舶その他の物件（以下この条において「工作物等」という。）の撤去、移転若しくは改築、工事その他の行為若しくは工作物等により生じた若しくは生ずべき障害を除去し、若しくは予防するため必要な施設の設置その他の措置をとること又は原状の回復（第三項及び第九項において「工作物等の撤去等」という。）を命ずることができる。

Article 28 (1) The Minister of Land, Infrastructure, Transport and Tourism may order the following persons to suspend construction works and other acts, as well as remove, relocate, or alter structures or vessels or other property (in this Article referred to below as "structures, etc."), install facilities or take other measures necessary to eliminate or prevent obstructions which have resulted or should result from the works and other acts or structures, etc., or restore them to their original conditions (in paragraph (3) and paragraph (9) referred to below as "removal, etc., of structures, etc."):

一　偽りその他不正な手段により第十三条第一項の許可を受けた者

(i) a person who has obtained the license stated in Article 13, paragraph (1) by deception or other wrongful means;

二　第十三条第一項の規定に違反して、同項各号に掲げる行為をした者

(ii) a person who has committed any of the acts stated in the items of Article 13, paragraph (1) in violation of the provisions of that paragraph;

三　第十三条第五項の規定により許可に付された条件（次項の規定により変更され、又は新たに付されたものを含む。）に違反した者

(iii) a person who has violated the conditions attached to license pursuant to the provisions of Article 13, paragraph (5) (including those changed or newly attached pursuant to the provisions of the following paragraph); and

四　第十五条の規定に違反した者

(iv) a person who has violated the provisions of Article 15.

２　国土交通大臣は、前項第一号又は第三号に該当する者に対し、第十三条第一項の許可を取り消し、その効力を停止し、その条件を変更し、又は新たな条件を付することができる。

(2) The Minister of Land, Infrastructure, Transport and Tourism may revoke the license granted under Article 13, paragraph (1) to a person who falls under item (i) or item (iii) of the preceding paragraph, suspend the validity of the permission, change the conditions attached to the permission, or attach new conditions to the permission.

３　第一項の規定により工作物等の撤去等を命じようとする場合において、過失がなくて当該工作物等の撤去等を命ずべき者を確知することができないときは、国土交通大臣は、当該工作物等の撤去等を自ら行い、又はその命じた者若しくは委任した者にこれを行わせることができる。この場合においては、相当の期限を定めて、当該工作物等の撤去等を行うべき旨及びその期限までに当該工作物等の撤去等を行わないときは、国土

交通大臣又はその命じた者若しくは委任した者が当該工作物等の撤去等を行う旨を、あらかじめ、公告しなければならない。

(3) When the Minister of Land, Infrastructure, Transport and Tourism intends to order removal, etc., of structures, etc. pursuant to the provisions of paragraph (1), and is without fault in being unable to ascertain the person that should be ordered to carry out the removal, etc. of structures, etc., the Minister may carry out the removal, etc., of structures, etc., or have a person ordered or delegated by the Minister carry out the removal, etc. of structures, etc. In this case, the Minister of Land, Infrastructure, Transport and Tourism must give prior public notice that the person should carry out the removal, etc. of structures, etc. within a specified reasonable period, and that if the person does not carry out removal, etc. of the structures, etc. within the specified period, the Minister of Land, Infrastructure, Transport and Tourism or the person ordered or delegated by the Minister will carry out the removal, etc. of the structures, etc.

４　国土交通大臣は、前項の規定により工作物等を撤去し、又は撤去させたときは、当該工作物等を保管しなければならない。

(4) When the Minister of Land, Infrastructure, Transport and Tourism removes structures, etc., or has structures, etc., removed pursuant to the provisions of the preceding paragraph, the Minister must store the relevant structures, etc.

５　国土交通大臣は、前項の規定により工作物等を保管したときは、当該工作物等の所有者、占有者その他当該工作物等について権原を有する者（第九項において「所有者等」という。）に対し当該工作物等を返還するため、国土交通省令で定めるところにより、国土交通省令で定める事項を公示しなければならない。

(5) When the Minister of Land, Infrastructure, Transport and Tourism stores the structures, etc. pursuant to the provisions of the preceding paragraph, the Minister must give public notice of the matters prescribed by Order of the Ministry of Land, Infrastructure, Transport and Tourism pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism in order to return the relevant structures, etc. to the owner or occupier of the relevant structures, etc., or other person that owns the titles to the relevant structures (in paragraph (9) referred to below as the "owner, etc.").

６　国土交通大臣は、第四項の規定により保管した工作物等が滅失し、若しくは破損するおそれがあるとき、又は前項の規定による公示の日から起算して三月を経過してもなお当該工作物等を返還することができない場合において、国土交通省令で定めるところにより評価した当該工作物等の価額に比し、その保管に不相当な費用又は手数を要するときは、国土交通省令で定めるところにより、当該工作物等を売却し、その売却した代金を保管することができる。

(6) When the structures, etc., stored pursuant to the provisions of paragraph (4) are lost or are likely to be damaged, or when the relevant structures, etc., cannot be returned even after the elapse of three months from the date of public notice under the preceding paragraph, and unreasonable costs or problems are encountered for

storing them in comparison with the value of the relevant structures, etc. evaluated pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism, the Minister of Land, Infrastructure, Transport and Tourism may sell the relevant structures, etc., and keep the proceeds from the sale pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism.

７　国土交通大臣は、前項の規定による工作物等の売却につき買受人がない場合において、同項の価額が著しく低いときは、当該工作物等を廃棄することができる。

(7) If there is no purchaser upon the sale of the structures, etc. under the preceding paragraph, and the price referred to in that paragraph is remarkably low, the Minister of Land, Infrastructure, Transport and Tourism may dispose of the relevant structures, etc.

８　第六項の規定により売却した代金は、売却に要した費用に充てることができる。

(8) The proceeds from the sale under paragraph (6) may be appropriated for the expenses required for the sale.

９　第三項から第六項までに規定する撤去、保管、売却、公示その他の措置に要した費用は、当該工作物等の返還を受けるべき所有者等その他当該工作物等の撤去等を命ずべき者の負担とする。

(9) Expenses required for the removal, storage, sale, public notice, and other measures specified in paragraph (3) through paragraph (6) are to be borne by the owner, etc. to whom the relevant structures, etc. should be returned or another person that should order the removal of the relevant structures, etc.

１０　第五項の規定による公示の日から起算して六月を経過してもなお第四項の規定により保管した工作物等（第六項の規定により売却した代金を含む。以下この項において同じ。）を返還することができないときは、当該工作物等の所有権は、国に帰属する。

(10) If the Minister of Land, Infrastructure, Transport and Tourism cannot return the structures, etc. (including the amount of proceeds from the sale under paragraph (6); the same applies below in this paragraph) stored by the Minister pursuant to the provisions of paragraph (4) even after the elapse of six months from the date of public notice under paragraph (5), the ownership of the relevant structures, etc. vests in the national government.

（報告徴収及び立入検査）

(Collection of Reports and On-Site Inspections)

第二十九条　国土交通大臣は、この章の規定の施行に必要な限度において、国土交通省令で定めるところにより、第十三条第一項の許可を受けた者（選定事業者を除く。）に対し必要な報告を求め、又はその職員に、当該許可に係る行為に係る場所若しくは当該許可を受けた者の事務所若しくは事業所に立ち入り、当該許可に係る行為の状況若しくは工作物、帳簿、書類その他必要な物件を検査させることができる。

Article 29 (1) To the extent necessary for the enforcement of the provisions of this Chapter, the Minister of Land, Infrastructure, Transport and Tourism may request

a person who has obtained the license stated in Article 13, paragraph (1) (excluding the appointed business operator) to make necessary reports, or have their employees enter the place relating to the acts relating to the permission or the office or place of business of the person who has obtained the permission, and inspect the conditions of the acts relating to the permission, or structures, books, documents, and other necessary articles, pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism.

２　経済産業大臣及び国土交通大臣は、この章の規定の施行に必要な限度において、経済産業省令・国土交通省令で定めるところにより、選定事業者に対し必要な報告を求め、又はその職員に、海洋再生可能エネルギー発電設備を整備する場所若しくは当該選定事業者の事務所若しくは事業所に立ち入り、海洋再生可能エネルギー発電設備、帳簿、書類その他必要な物件を検査させることができる。

(2) As provided for by Order of the Ministry of Economy, Trade and Industry and Order of the Ministry of Land, Infrastructure, Transport and Tourism, the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism may request an appointed business operator to submit necessary reports, or have their employees enter the place where the marine renewable energy power generation facilities are to be installed or the office or place of activity of the appointed business operator and inspect the marine renewable energy power generation facilities, books, documents, and other necessary items.

３　前二項の規定により立入検査をする職員は、その身分を示す証明書を携帯し、関係人にこれを提示しなければならない。

(3) An employee who conducts an on-site inspection pursuant to the provisions of the preceding two paragraphs must carry an identification card and present it to the persons concerned.

４　第一項及び第二項の規定による立入検査の権限は、犯罪捜査のために認められたものと解してはならない。

(4) The authority to conduct the on-site inspection under paragraph (1) and paragraph (2) must not be construed as being granted for criminal investigation purposes.

（強制徴収）

(Compulsory Collection)

第三十条　第十三条第六項の規定に基づく占用料若しくは土砂採取料又は第二十八条第九項の規定に基づく負担金（第三項及び第四項において「負担金等」と総称する。）をその納期限までに納付しない者がある場合においては、国土交通大臣は、督促状によって納付すべき期限を指定して督促しなければならない。この場合において、督促状により指定すべき期限は、督促状を発する日から起算して二十日以上経過した日でなければならない。

Article 30 (1) If a person does not pay the occupancy fee or earth and sand collection fee based on the provisions of Article 13, paragraph (6) or the dues based

on the provisions of Article 28, paragraph (9) (collectively referred to as the "dues, etc." in paragraph (3) and paragraph (4)) by the due date for payment, the Minister of Land, Infrastructure, Transport and Tourism must make a demand by designating the due date for payment in a written demand. In this case, the due date to be designated in the written demand must be a day on which twenty days or more have elapsed from the day on which the written demand is issued.

２　国土交通大臣は、前項の規定による督促をした場合においては、国土交通省令で定めるところにより、延滞金を徴収することができる。この場合において、延滞金は、年十四・五パーセントの割合で計算した額を超えない範囲内で定めなければならない。

(2) When the Minister of Land, Infrastructure, Transport and Tourism has demanded the payment under the preceding paragraph, the Minister may collect a delinquency charge pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism. In this case, the delinquency charge must not exceed the amount calculated at a rate of 14.5% per annum.

３　第一項の規定による督促を受けた者がその指定の期限までにその納付すべき金額を納付しないときは、国土交通大臣は、国税滞納処分の例により負担金等及び前項の延滞金を徴収することができる。この場合における負担金等及び延滞金の先取特権は、国税及び地方税に次ぐものとする。

(3) When the person that has been demanded to make the payment pursuant to the provisions of paragraph (1) fails to pay the amount payable by that person by the designated time limit, the Minister of Land, Infrastructure, Transport and Tourism may collect the charges, fines, and fees and the delinquency charge under the preceding paragraph by the same procedures as used in the disposition of national tax delinquency. In this case, the statutory lien for the charges, fines, and fees and the delinquency charge has priority subordinate to the national tax and local tax.

４　延滞金は、負担金等に先立つものとする。

(4) The delinquency charge is to be collected before the charges, fines, and fees.

第四章　排他的経済水域における海洋再生可能エネルギー発電設備の設置

Chapter IV Installation of Marine Renewable Energy Power Generation Facilities in the Exclusive Economic Zone

第一節　排他的経済水域における禁止行為

Section 1 Prohibited Acts in the Exclusive Economic Zone

第三十一条　何人も、第三十八条第四項に定めるところによるほか、排他的経済水域に海洋再生可能エネルギー源を電気に変換する設備（その規模、設置の形態その他の事由を勘案してその設置により排他的経済水域における海洋再生可能エネルギー源の適正な利用が損なわれるおそれがないものとして政令で定めるものを除く。）及びその附属設備（海洋法に関する国際連合条約第五十八条１に規定する海底電線を除く。）を設置してはならない。ただし、国又は国からその設置に係る委託を受けた者が行う場合は、この限りでない。

Article 31 In addition to what is provided for in Article 38, paragraph (4), any person must not install facilities for converting marine renewable energy sources into electricity in the exclusive economic zones (excluding those specified by Cabinet Order as those having no risk of impairing the proper utilization of marine renewable energy sources in the exclusive economic zones, in consideration of their scale, the form of installation, and other reasons) and their auxiliary facilities (excluding submarine cables provided for in Article 58, paragraph (1) of United Nations Convention on the Law of the Sea); provided, however, that this does not apply when the national government or a person entrusted by the national government with the installation of the facilities does it.

第二節　海洋再生可能エネルギー発電設備設置募集区域の指定

Section 2 Designation of Solicitation Zones for the Installation of Marine Renewable Energy Power Generation Facilities

第三十二条　経済産業大臣は、基本方針に基づき、排他的経済水域のうち次に掲げる基準に適合する相当の面積の区域を、海洋再生可能エネルギー発電設備設置募集区域として指定することができる。

Article 32 Based on the basic policies, the Minister of Economy, Trade and Industry may designate an area of a considerable size that conforms to the following standards among the exclusive economic zones, as a solicitation zone for the installation of marine renewable energy power generation facilities.

一　海洋再生可能エネルギー発電事業の実施について気象、海象その他の自然的条件が適当であり、海洋再生可能エネルギー発電設備を設置すればその出力の量が相当程度に達すると見込まれること。

(i) that meteorological, oceanic, and other natural conditions are suitable to operate the marine renewable energy power generation business and it is expected that their power output will reach a considerable level once the marine renewable energy power generation facilities are installed;

二　海洋再生可能エネルギー発電事業の実施により、漁業に明白な支障が及ぶとは認められないこと。

(ii) it is not found that the implementation of the marine renewable energy power generation business will cause any clear hindrance to fishing operations; and

三　当該区域の海洋環境の状況からみて、海洋再生可能エネルギー発電事業の実施が海洋環境の保全に支障を及ぼすおそれが少ないと見込まれること。

(iii) in view of the state of the marine environment in the relevant area, it is expected that the implementation of the marine renewable energy power generation business is unlikely to hinder the conservation of the marine environment.

２　経済産業大臣は、前項の規定による指定をしようとするときは、当該区域の状況を調査するものとする。

(2) If the Minister of Economy, Trade and Industry intends to make a designation under the preceding paragraph, the Minister is to survey the conditions of the relevant area.

３　経済産業大臣は、前項の規定による調査を行ったときは、当該調査に係る区域の位置及び区域並びに海洋再生可能エネルギー源を環境大臣に通知するものとする。

(3) When the Minister of Economy, Trade and Industry has conducted the survey under the preceding paragraph, the Minister is to notify the Minister of the Environment of the location and area of the area relating to the survey and the marine renewable energy sources.

４　環境大臣は、前項の規定による通知を受けたときは、当該通知に係る区域の海洋環境に関する情報を収集するための調査を行い、その結果を経済産業大臣に通知するとともに、公表するものとする。

(4) If the Minister of the Environment receives a notice under the preceding paragraph, the Minister is to conduct a survey to collect data on the marine environments in the area relating to the notice, and notify the Minister of Economy, Trade and Industry of the results of the survey and publicize them.

５　経済産業大臣は、前項の規定による通知に係る区域について、第一項の規定による指定をしようとするときは、経済産業省令で定めるところにより、当該指定をしようとする海洋再生可能エネルギー発電設備設置募集区域の位置及び区域を公告し、当該指定の案を、当該指定をしようとする理由を記載した書面を添えて、当該公告の日から二週間公衆の縦覧に供しなければならない。

(5) When the Minister of Economy, Trade and Industry intends to make the designation under paragraph (1) with regard to the area relating to the notification under the preceding paragraph, pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry, the Minister must give public notice of the location and the area of the solicitation zone for the installation of marine renewable energy power generation facilities for which the Minister intends to make the designation, and make the draft of the designation available for public inspection for two weeks from the day of the public notice, with a document stating the reasons for the designation.

６　前項の規定による公告があったときは、利害関係者は、同項の縦覧期間満了の日までに、縦覧に供された指定の案について、経済産業大臣に対し、意見書を提出することができる。

(6) If a public notice under the preceding paragraph has been given, the interested parties may submit a written opinion on the draft of the designation made available for public inspection to the Minister of Economy, Trade and Industry by the day on which the public inspection period expires.

７　経済産業大臣は、第一項の規定による指定をしようとするときは、前項の規定により提出された意見書の写しを添えて、農林水産大臣、国土交通大臣、環境大臣その他の関係行政機関の長に協議しなければならない。

(7) When the Minister of Economy, Trade and Industry intends to make a designation under paragraph (1), the Minister must consult with the Minister of Agriculture, Forestry and Fisheries, the Minister of Land, Infrastructure, Transport and Tourism, the Minister of the Environment, and other heads of the relevant

administrative bodies, attaching copies of written opinions submitted pursuant to the provisions of the preceding paragraph.

８　経済産業大臣は、第一項の規定による指定をするに当たっては、当該指定をする海洋再生可能エネルギー発電設備設置募集区域に関し次に掲げる事項を併せて定めなければならない。

(8) When the Minister of Economy, Trade and Industry makes the designation under paragraph (1), the Minister must also specify the following matters with regard to the solicitation zone for the installation of marine renewable energy power generation facilities to be designated:

一　募集の対象とする海洋再生可能エネルギー発電設備に係る再生可能エネルギー発電設備の区分等

(i) the classification, etc. of the renewable energy power generation facilities relating to the marine renewable energy power generation facilities subject to the solicitation;

二　募集の対象とする海洋再生可能エネルギー発電設備の出力の量の基準

(ii) the criteria for the power output of the marine renewable energy power generation facilities subject to solicitation;

三　供給価格上限額

(iii) the maximum amount of supply price;

四　その他募集の対象とする海洋再生可能エネルギー発電設備に係る海洋再生可能エネルギー発電事業を長期的、安定的かつ効率的に実施するために必要な事項

(iv) other matters necessary for implementing the marine renewable energy power generation business relating to the marine renewable energy power generation facilities subject to the solicitation in a long-term, stable, and efficient manner; and

五　次条第一項の規定による申請を募集する期間

(v) the period for soliciting applications under　paragraph (1) of the following Article.

９　経済産業大臣は、前項各号（第四号を除く。）に掲げる事項を定めようとするときは、調達価格等算定委員会の意見を聴かなければならない。この場合において、経済産業大臣は、調達価格等算定委員会の意見を尊重するものとする。

(9) When the Minister of Economy, Trade and Industry intends to specify the matters stated in the items of the preceding paragraph (excluding item (iv)), the Minister of Economy, Trade and Industry must hear the opinions of the Procurement Price Calculation Committee. In this case, the Prime Minister is to respect the opinions of the Committee.

１０　経済産業大臣は、第八項第四号に掲げる事項を定めようとするときは、経済産業省令で定めるところにより、学識経験者の意見を聴かなければならない。

(10) If the Minister of Economy, Trade and Industry seeks to establish the matters stated in paragraph (8), item (iv), the Minister must hear opinions of

persons with relevant expertise pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry.

１１　経済産業大臣は、第一項の規定による指定をしたときは、遅滞なく、経済産業省令で定めるところにより、当該指定をした海洋再生可能エネルギー発電設備設置募集区域の位置及び区域並びに当該指定をした海洋再生可能エネルギー発電設備設置募集区域に関し定められた第八項各号（第三号を除く。）に掲げる事項を公告しなければならない。

(11) When the Minister of Economy, Trade and Industry has made the designation under paragraph (1), without delay and pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry, the Minister must give public notice of the location and the area of the solicitation zone for the installation of marine renewable energy power generation facilities for which the Minister has made the designation and the matters stated in the items of paragraph (8) (excluding item (iii)) that are provided for the solicitation zone for the installation of marine renewable energy power generation facilities for which the Minister has made the designation.

１２　経済産業大臣は、海洋再生可能エネルギー発電設備設置募集区域の指定を受けた区域の全部又は一部が第一項の規定による指定の必要がなくなったと認めるとき又は同項各号のいずれかに適合しなくなったと認めるときは、当該海洋再生可能エネルギー発電設備設置募集区域の指定を解除し、又はその区域を縮小することができる。

(12) When the Minister of Economy, Trade and Industry finds that the whole or a part of the area that has been designated as the solicitation zone for the installation of marine renewable energy power generation facilities no longer needs to be designated under paragraph (1) or no longer conforms to any of the items of the paragraph, the Minister may cancel the designation of the solicitation zone for the installation of marine renewable energy power generation facilities or reduce the size of the area.

１３　経済産業大臣は、前項の規定による指定の解除又は区域の縮小をしたときは、遅滞なく、経済産業省令で定めるところにより、当該指定の解除をした旨又は当該区域の縮小をした海洋再生可能エネルギー発電設備設置募集区域の位置及び区域を公告しなければならない。

(13) When the Minister of Economy, Trade and Industry has cancelled the designation or reduced the area pursuant to the provisions of the preceding paragraph, the Minister must give public notice, without delay, of the fact that the designation has been cancelled or of the location and area of the solicitation zone for the installation of marine renewable energy power generation facilities whose area has been reduced, as provided for by Order of the Ministry of Economy, Trade and Industry.

１４　経済産業大臣は、第八項第五号に掲げる期間の満了後、海洋再生可能エネルギー発電設備設置募集区域内に第三十四条第三項に規定する仮許可区域又は第三十八条第三項に規定する許可区域でない区域（次条第一項の規定による申請が現にされている区

域を除く。以下この項において「未利用区域」という。）がある場合は、当該未利用区域に関し定められた第八項各号に掲げる事項を変更することができる。

(14) After the period stated in paragraph (8), item (v) expires, if there is an area that is not a provisionally licensed zone as prescribed in Article 34, paragraph (3) or a licensed zone as prescribed in Article 38, paragraph (3) (excluding an area for which an application under paragraph (1) of the following Article has actually been filed; referred to below as an "unused area" in this paragraph) within the solicitation zone for the installation of marine renewable energy power generation facilities, the Minister of Economy, Trade and Industry may change the matters stated in the items of paragraph (8) that are provided for the unused area.

１５　第九項から第十一項までの規定は、前項の場合について準用する。この場合において、第十一項中「第一項の規定による指定」とあるのは「第十四項の規定による変更」と、「当該指定をした海洋再生可能エネルギー発電設備設置募集区域」とあるのは「同項の当該未利用区域」と読み替えるものとする。

(15) The provisions of paragraph (9) through paragraph (11) apply mutatis mutandis to the case referred to in the preceding paragraph. In this case, the phrase "the designation under paragraph (1)" in paragraph (11) is deemed to be replaced with "the change under paragraph (14)", and the phrase "the designated solicitation zone for the installation of marine renewable energy power generation facilities" in the paragraph is deemed to be replaced with "the unused area in the paragraph".

第三節　排他的経済水域における海洋再生可能エネルギー発電設備の設置に係る仮の地位を付与する処分等

Section 3 Disposition to Grant Provisional Status for the Installation of Marine Renewable Energy Power Generation Facilities in Exclusive Economic Zone

（排他的経済水域における海洋再生可能エネルギー発電設備の設置に係る仮の地位を付与する処分）

(Disposition to Grant Provisional Status for the Installation of Marine Renewable Energy Power Generation Facilities in the Exclusive Economic Zone)

第三十三条　海洋再生可能エネルギー発電設備設置募集区域において海洋再生可能エネルギー発電設備を設置しようとする者は、経済産業大臣及び国土交通大臣に申請して、その設置に係る仮の地位を付与する処分を受けることができる。

Article 33 (1) A person who intends to install a marine renewable energy power generation facility in a solicitation zone for the installation of marine renewable energy power generation facilities may obtain a disposition to grant a provisional status for the installation by filing an application with the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism.

２　前項の規定による申請をしようとする者は、当該申請に係る海洋再生可能エネルギー発電設備設置募集区域について定められた前条第八項第五号に掲げる期間（その期

間につき同条第十四項の規定による変更がされたときは、その変更後の期間）内に、経済産業省令・国土交通省令で定めるところにより、その申請書に、海洋再生可能エネルギー発電設備の設置に関する計画（以下「海洋再生可能エネルギー発電設備設置計画」という。）の案及び区域図の案を添えて、経済産業大臣及び国土交通大臣に提出しなければならない。

(2) Within the period stated in paragraph (8), item (v) of the preceding Article (if the period has been changed pursuant to the provisions of paragraph (14) of the Article, the period after the change) with regard to the solicitation zone for the installation of marine renewable energy power generation facilities relating to an application, a person who intends to make an application under the preceding paragraph must submit to the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism an application form with a draft of the plan concerning the installation of marine renewable energy power generation facilities (referred to below as the "plan for the installation of marine renewable energy power generation facilities") and a draft of the map of the area, as provided for by Order of the Ministry of Economy, Trade and Industry and Order of the Ministry of Land, Infrastructure, Transport and Tourism.

３　前項の海洋再生可能エネルギー発電設備設置計画の案には、次に掲げる事項を記載しなければならない。

(3) The draft of the plan for the installation of marine renewable energy power generation facilities stated in the preceding paragraph must state the following matters:

一　海洋再生可能エネルギー発電設備設置募集区域のうち、当該申請に係る海洋再生可能エネルギー発電設備を設置する区域

(i) the area in which the marine renewable energy power generation facilities relating to the application are to be installed, out of the solicitation zone for the installation of marine renewable energy power generation facilities;

二　海洋再生可能エネルギー発電設備設置募集区域以外の海域のうち、当該海洋再生可能エネルギー発電設備に係る附属設備であって電気事業者が維持し、及び運用する電線路と電気的に接続するためのものを設置する区域

(ii) among the sea areas other than the solicitation zone for the installation of marine renewable energy power generation facilities, the area where the attached facilities relating to the relevant marine renewable energy power generation facilities which are to be electrically connected with electric lines maintained and operated by an electricity utility are to be installed;

三　海洋再生可能エネルギー発電事業の内容及び実施時期

(iii) content and operation period of the marine renewable energy power generation business;

四　当該海洋再生可能エネルギー発電設備に係る再生可能エネルギー発電設備の区分等

(iv) the classification, etc. of the renewable energy power generation facilities relating to the relevant marine renewable energy power generation facilities;

五　当該海洋再生可能エネルギー発電設備の構造

(v) the structures of the relevant marine renewable energy power generation facilities;

六　工事の実施方法

(vi) the method of implementation of the construction work;

七　工事の時期

(vii) the timing of construction work;

八　当該海洋再生可能エネルギー発電設備の出力

(viii) the power output of the relevant marine renewable energy power generation facilities;

九　供給価格

(ix) the supply price;

十　当該海洋再生可能エネルギー発電設備の維持管理の方法（当該海洋再生可能エネルギー発電設備の付近を航行する船舶及び航空機に対し注意を喚起するための措置を含む。）

(x) the method of maintaining and managing the relevant marine renewable energy power generation facilities (including measures to call attention to vessels and aircraft that navigate in the vicinity of the relevant marine renewable energy power generation facilities);

十一　当該海洋再生可能エネルギー発電設備の設置及び維持管理に必要な人員及び物資の輸送に利用する港湾に関する事項

(xi) matters concerning the ports to be used for the transportation of personnel and materials necessary for the installation, maintenance, and management of the relevant marine renewable energy power generation facilities;

十二　海洋再生可能エネルギー発電事業をしないこととなった場合における当該海洋再生可能エネルギー発電設備の撤去の方法

(xii) the method of removal of the relevant marine renewable energy power generation facilities if the marine renewable energy power generation business has been decided not to conduct;

十三　関係漁業者その他の利害関係者との調整を行うための体制及び能力に関する事項

(xiii) matters concerning the system and capacity for coordination with related fishery managers and other stakeholders;

十四　気象、海象、海底の地形その他の当該海洋再生可能エネルギー発電設備を設置する海域（政令で定めるその上空及び海底の区域を含む。）に関する情報であって、当該海洋再生可能エネルギー発電設備を設置し、及び維持管理する過程で取得するものの管理に関する事項

(xiv) matters concerning the management of information on meteorological phenomena, hydrological phenomena, submarine topography, and other information

on the sea areas where the relevant marine renewable energy power generation facilities are to be installed (including the areas above those areas and on the seabed as specified by Cabinet Order), which is acquired in the process of installing, maintaining, and managing the relevant marine renewable energy power generation facilities;

十五　資金計画及び収支計画

(xv) financial plan and income and expenditure plan; and

十六　その他経済産業省令・国土交通省令で定める事項

(xvi) other matters specified by Order of the Ministry of Economy, Trade and Industry and Order of the Ministry of Land, Infrastructure, Transport and Tourism.

（仮の地位を付与する処分の基準等）

(Criteria for Dispositions Granting Provisional Status)

第三十四条　経済産業大臣及び国土交通大臣は、前条第一項の規定による申請があったときは、次の各号に掲げる場合の区分に応じ、当該各号に定める基準に適合すると認める場合に限り、当該申請をした者（以下この項及び第三項において「申請者」という。）に仮の地位を付与する処分（以下「仮許可」という。）をすることができる。

Article 34 (1) When an application under paragraph (1) of the preceding Article has been filed, the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism may render a disposition to grant a provisional status (referred to below as a "provisional license") to the person who has filed the application (referred to below as the "applicant" in this paragraph and paragraph (3)), only if they find that the person conforms to the criteria specified in the following items according to the category of cases stated in the respective items:

一　当該申請に係る前条第三項第一号及び第二号に掲げる区域が他の申請に係るこれらの区域と重複していない場合　次に掲げる基準

(i) if the areas stated in paragraph (3), item (i) and item (ii) of the preceding Article relating to the application do not overlap with these areas relating to other applications: the following criteria:

イ　供給価格が供給価格上限額以下であることその他当該海洋再生可能エネルギー発電設備設置計画の案が当該海洋再生可能エネルギー発電設備設置募集区域について定められた第三十二条第八項第一号から第四号までに掲げる事項に照らし適切なものであること。

(a) the supply price is not more than the maximum supply price, and the draft of the plan for the installation of marine renewable energy power generation facilities is appropriate in light of the matters stated in Article 32, paragraph (8), item (i) through item (iv) with regard to the solicitation zone for the establishment of the marine renewable energy power generation facilities;

ロ　当該海洋再生可能エネルギー発電設備及びその維持管理の方法が経済産業省令・国土交通省令で定める基準に適合すること。

(b) the relevant marine renewable energy power generation facilities and the method of maintaining and managing them conform to the standards specified by

Order of the Ministry of Economy, Trade and Industry and Order of the Ministry of Land, Infrastructure, Transport and Tourism;

ハ　申請者に当該海洋再生可能エネルギー発電設備を設置するために必要な技術的能力及び経理的基礎があること。

(c) the applicant has the technical capability and financial basis necessary for installing the relevant marine renewable energy power generation facilities;

ニ　申請者が次のいずれにも該当しないこと。

(d) the applicant does not fall under any of the following:

（１）　この法律若しくはこの法律に基づく命令又はこれらに基づく処分に違反し、罰金以上の刑に処せられ、その執行を終わり、又は執行を受けることがなくなった日から五年を経過しない者

1. a person who has been sentenced to a fine or severer punishment for violation of this Act or any order issued under this Act or any disposition made under these , and for whom five years have not elapsed from the day on which the enforcement of the sentence has been completed or the person has ceased to be subject to the enforcement of the sentence;

（２）　第四十五条第一項又は第二項の規定により仮許可又は許可を取り消され、その取消しの日から五年を経過しない者

2. a person whose provisional license or license has been revoked pursuant to the provisions of Article 45, paragraph (1) or paragraph (2), and for whom five years have not elapsed from the date of the revocation;

（３）　海洋再生可能エネルギー発電事業に関し不正又は不誠実な行為をするおそれが明らかな者

3. a person who is clearly likely to commit a wrongful or dishonest act in relation to the marine renewable energy power generation business;

（４）　法人であって、その業務を行う役員のうちに（１）から（３）までのいずれかに該当する者があるもの

4. a corporation, any of whose officers in charge of its business fall under any of 1. through 3;

二　当該申請に係る前条第三項第一号又は第二号に掲げる区域が他の申請に係るこれらの区域と重複している場合　次に掲げる基準

(ii) if the zone stated in paragraph (3), item (i) or item (ii) of the preceding Article relating to the application overlaps with these zones relating to other applications: the following criteria:

イ　供給価格が供給価格上限額以下であることその他当該海洋再生可能エネルギー発電設備設置計画の案が当該海洋再生可能エネルギー発電設備設置募集区域について定められた第三十二条第八項第一号から第四号までに掲げる事項に照らし海洋再生可能エネルギー発電事業の長期的、安定的かつ効率的な実施の観点から最も適切なものであること。

(a) the supply price is not more than the maximum supply price, and the draft of the plan for the installation of the marine renewable energy power generation

facilities is the most appropriate from the viewpoint of implementing the marine renewable energy power generation business in a long-term, stable, and efficient manner in light of the matters stated in Article 32, paragraph (8), item (i) through item (iv) that are specified for the solicitation zone for the establishment of the marine renewable energy power generation facilities;

ロ　前号ロからニまでに掲げる基準

(b) the criteria stated in (b) through (d) of the preceding item.

２　経済産業大臣及び国土交通大臣は、仮許可には、排他的経済水域における海洋再生可能エネルギー源の適正な利用を図る観点から、五年を超えない範囲内においてその有効期間を定めるものとするとともに、必要な条件（有効期間を除く。以下この章において同じ。）を付することができる。

(2) From the viewpoint of promoting the proper utilization of marine renewable energy sources in the exclusive economic zones, the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism are to establish the validity period of the provisional license within a scope not exceeding five years, and may attach necessary conditions (excluding the validity period; the same applies below in this Chapter) to the provisional license.

３　経済産業大臣及び国土交通大臣は、仮許可をしたときは、速やかに、申請者にその旨を通知するとともに、当該仮許可を受けた者（以下「仮許可事業者」という。）の氏名又は名称、当該仮許可に係る前条第三項第一号に掲げる区域及び同項第二号に掲げる区域（我が国の領海及び内水の海域に係るものを除く。）（以下「仮許可区域」という。）の位置及び区域、当該仮許可の有効期間その他経済産業省令・国土交通省令で定める事項を公表しなければならない。

(3) When the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism have granted a provisional license, they must promptly notify the applicant to that effect, and publicize the name of the person who has been granted the provisional license (referred to below as the "provisionally licensed business operator"), the location and area of the zone stated in paragraph (3), item (i) of the preceding Article and the area stated in item (ii) of the paragraph (excluding areas relating to territorial and inland waters of Japan) (referred to below as the "provisionally licensed zone") relating to the provisional license, the validity period of the provisional license, and other matters specified by Order of the Ministry of Economy, Trade and Industry and Order of the Ministry of Land, Infrastructure, Transport and Tourism.

（環境影響評価法の特例）

(Special Provisions for the Environmental Impact Assessment Act)

第三十五条　仮許可事業者（当該仮許可事業者が当該仮許可に係る海洋再生可能エネルギー発電設備について第三十八条第一項の許可を受けた場合にあっては、当該許可を受けた者。この条及び次条第二項第三号において同じ。）が当該仮許可（当該仮許可事業者が当該仮許可に係る海洋再生可能エネルギー発電設備について第三十八条第一項の許可を受けた場合にあっては、当該許可）に係る海洋再生可能エネルギー発電事業を行

う場合における当該仮許可事業者については、環境影響評価法第二章第一節の規定は、適用しない。

Article 35 The provisions of Chapter II, Section 1 of the Environmental Impact Assessment Act do not apply to the provisionally licensed business operator (if the provisionally licensed business operator has obtained the license stated in Article 38, paragraph (1) for the marine renewable energy power generation facilities relating to the provisional license, the person who has obtained the license; the same applies in this Article and paragraph (2), item (iii) of the following Article) when the provisionally licensed business operator conducts the marine renewable energy power generation business relating to the provisional license (if the provisionally licensed business operator has obtained the license stated in Article 38, paragraph (1) for the marine renewable energy power generation facilities relating to the provisional license, the license).

第四節　協議会

Section 4 Council

第三十六条　経済産業大臣及び国土交通大臣は、仮許可をしたときは、当該仮許可区域を含む海洋再生可能エネルギー発電設備設置募集区域ごとに、当該海洋再生可能エネルギー発電設備設置募集区域における海洋再生可能エネルギー発電事業の実施に関し必要な協議を行うための協議会（以下「協議会」という。）を組織するものとする。

Article 36 (1) When the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism have granted a provisional license, they are to organize a council for holding consultations necessary for the implementation of the marine renewable energy power generation project in the relevant solicitation zone for the installation of marine renewable energy power generation facilities (referred to below as the "council") for each of the solicitation zones for the installation of marine renewable energy power generation facilities that include the relevant provisionally licensed zone:

２　協議会は、次に掲げる者をもって構成する。

(2) The council is to consist of the following persons:

一　経済産業大臣及び国土交通大臣

(i) the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism;

二　農林水産大臣

(ii) the Minister of Agriculture, Forestry and Fisheries;

三　当該海洋再生可能エネルギー発電設備設置募集区域に係る仮許可事業者

(iii) the provisionally licensed business operator relating to the relevant solicitation zone for the installation of marine renewable energy power generation facilities;

四　関係漁業者の組織する団体その他の利害関係者、学識経験者その他の経済産業大臣及び国土交通大臣が必要と認める者

(iv) groups organized by related fishery managers and other interested parties, and persons with relevant expertise and other persons found necessary by the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism.

３　経済産業大臣及び国土交通大臣は、協議会において協議を行うときは、あらかじめ、前項第三号及び第四号に掲げる者に、当該協議を行う事項を通知しなければならない。

(3) When the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism hold deliberations at the council, in advance they must notify the persons stated in item (iii) and item (iv) of the preceding paragraph of the matters on which the deliberations will be held.

４　前項の規定による通知を受けた者は、正当な理由がある場合を除き、当該通知に係る事項の協議に応じなければならない。

(4) A person that has been notified as under the preceding paragraph must agree to hold deliberations concerning the matters of which the person has been notified, unless the person has a legitimate reason not to do so.

５　協議会は、必要があると認めるときは、その構成員以外の港湾管理者その他の関係行政機関に対し、資料の提供、意見の表明、説明その他必要な協力を求めることができる。

(5) The council may ask a port management body or other relevant administrative body that is not a member of the council to provide materials, present opinions, give explanations, and offer other necessary cooperation when it finds it necessary to do so.

６　協議会において協議が調った事項については、協議会の構成員は、その協議の結果を尊重しなければならない。この場合において、当該結果と仮許可に係る海洋再生可能エネルギー発電設備設置計画の案又は区域図の案との間に相違があるときは、仮許可事業者は、当該海洋再生可能エネルギー発電設備設置計画の案又は当該区域図の案について当該結果と整合的なものとなるよう必要な措置を講じなければならない。

(6) With regard to the matters for which an agreement is reached at the council, the members of the council must respect the result of the discussion. In this case, if there is any difference between the result and the draft of the plan for the installation of the marine renewable energy power generation facilities or the draft of the map of the area relating to the provisional license, the provisionally licensed business operator must take necessary measures so that the draft of the plan for the installation of the marine renewable energy power generation facilities or the draft of the map of the area is consistent with the result.

７　前各項に定めるもののほか、協議会の運営に関し必要な事項は、協議会が定める。

(7) In addition to what is provided for in each of the preceding paragraphs, matters necessary for the management of the council are to be specified by the council.

第五節　排他的経済水域における海洋再生可能エネルギー発電設備の設置の許可等

Section 5 License for Installation of Marine Renewable Energy Power Generation Facilities in the Exclusive Economic Zone

（排他的経済水域における海洋再生可能エネルギー発電設備の設置の許可）

(License to Install Marine Renewable Energy Power Generation Facilities in the Exclusive Economic Zone)

第三十七条　仮許可事業者は、当該仮許可区域において海洋再生可能エネルギー発電設備を設置しようとするときは、経済産業大臣及び国土交通大臣に申請して、その許可を受けることができる。

Article 37 (1) When a provisionally licensed business operator intends to install a marine renewable energy power generation facility in the provisionally licensed zone, it may obtain a license by filing an application with the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism.

２　前項の規定による申請をしようとする仮許可事業者は、経済産業省令・国土交通省令で定めるところにより、その申請書に、海洋再生可能エネルギー発電設備設置計画及び区域図を添えて、経済産業大臣及び国土交通大臣に提出しなければならない。

(2) A provisionally licensed business operator that intends to file an application under the preceding paragraph must submit a written application for it to the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism, as provided for by Order of the Ministry of Economy, Trade and Industry and Order of the Ministry of Land, Infrastructure, Transport and Tourism, by attaching a plan for the installation of marine renewable energy power generation facilities and a map of the area.

３　第三十三条第三項の規定は、前項の海洋再生可能エネルギー発電設備設置計画について準用する。

(3) The provisions of Article 33, paragraph (3) apply mutatis mutandis to the plan for the installation of marine renewable energy power generation facilities stated in the preceding paragraph.

（許可の基準等）

(Criteria for License)

第三十八条　経済産業大臣及び国土交通大臣は、前条第一項の規定による申請があったときは、次に掲げる基準に適合すると認める場合に限り、当該申請に係る許可をすることができる。

Article 38 (1) When an application under paragraph (1) of the preceding Article has been filed, the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism may grant a license relating to the application only if they find that the application conforms to the following standards:

一　当該海洋再生可能エネルギー発電設備の設置及び維持管理に必要な人員及び物資の輸送に関し港湾法第二条の四第一項に規定する海洋再生可能エネルギー発電設備等拠点港湾又はこれと同等の機能を有する港湾として国土交通省令で定めるものを利用することが可能であること。

(i) it is possible to use a hub port for marine renewable energy power generation facilities, etc. as prescribed in Article 2-4, paragraph (1) of the Port and Harbour Act or a port or harbour specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism as having equivalent functions with regard to the transportation of personnel and goods necessary for the installation, maintenance, and management of the relevant marine renewable energy power generation facilities;

二　当該海洋再生可能エネルギー発電設備と電気事業者が維持し、及び運用する電線路との電気的な接続が適切に確保されること。

(ii) that the electric connection between the relevant marine renewable energy power generation facilities and the electric lines maintained and operated by the electricity utility is properly secured;

三　当該海洋再生可能エネルギー発電設備設置計画及び当該区域図が協議会において協議が調った事項と整合的であること。

(iii) the plan for the installation of marine renewable energy power generation facilities and the map of the area are consistent with the matters agreed upon at the council;

四　当該海洋再生可能エネルギー発電設備を設置する区域及びその周辺における航路の利用に支障を及ぼすおそれがないこと。

(iv) that there is no risk of hindering the utilization of waterways in and around the area where the relevant marine renewable energy power generation facilities are to be installed;

五　海洋再生可能エネルギー発電事業の実施により、漁業に支障を及ぼすおそれがないこと。

(v) the implementation of the marine renewable energy power generation business is not likely to hinder fishing operations;

六　海洋再生可能エネルギー発電事業が円滑かつ確実に実施されると見込まれるものであること。

(vi) the marine renewable energy power generation business is expected to be implemented smoothly and reliably.

２　経済産業大臣及び国土交通大臣は、前項の許可には、排他的経済水域における海洋再生可能エネルギー源の適正な利用を図る観点から、その有効期間を定めるものとするとともに、必要な条件を付することができる。

(2) The Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism are to determine the validity period of the license stated in the preceding paragraph, and may attach necessary conditions to

the license from the viewpoint of promoting the proper utilization of marine renewable energy sources in the exclusive economic zones.

３　経済産業大臣及び国土交通大臣は、第一項の許可をしたときは、速やかに、前条第一項の規定による申請をした者にその旨を通知するとともに、当該許可を受けた者（以下「許可事業者」という。）の氏名又は名称、当該許可に係る同条第三項において準用する第三十三条第三項第一号及び第二号に掲げる区域（次項及び第四十四条第五項において「許可区域」という。）の位置及び区域、当該許可の有効期間その他経済産業省令・国土交通省令で定める事項を公表しなければならない。

(3) When the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism have granted the license stated in paragraph (1), they must promptly notify the person who has filed an application under paragraph (1) of the preceding Article to that effect, and publicize the name of the person who has obtained the license (referred to below as the "licensed business operator"), the location and area of the zone stated in Article 33, paragraph (3), items (i) and (ii) as applied mutatis mutandis pursuant to paragraph (3) of the preceding Article relating to the license (referred to as the "licensed zone" in the following paragraph and Article 44, paragraph (5)), the validity period of the license, and other matters specified by Order of the Ministry of Economy, Trade and Industry and Order of the Ministry of Land, Infrastructure, Transport and Tourism.

４　許可事業者は、当該許可区域（我が国の領海及び内水の海域に係るものを除く。）において当該許可に係る海洋再生可能エネルギー発電設備を設置することができる。

(4) The licensed business operator may install the marine renewable energy power generation facilities relating to the relevant license in the relevant licensed zone (excluding areas relating to the territorial waters and inland waters of Japan).

（変更の許可等）

(Permission for Changes)

第三十九条　許可事業者は、当該許可に係る海洋再生可能エネルギー発電設備設置計画又は区域図を変更しようとするときは、経済産業大臣及び国土交通大臣に申請して、変更の許可を受けなければならない。ただし、経済産業省令・国土交通省令で定める軽微な変更については、この限りでない。

Article 39 (1) When a licensed business operator intends to change the plan for the installation of marine renewable energy power generation facilities or the map of the area to which the license relates, the licensed business operator must apply to the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism to obtain permission for the change; provided, however, that this does not apply to minor changes specified by Order of the Ministry of Economy, Trade and Industry and Order of the Ministry of Land, Infrastructure, Transport and Tourism.

２　前項の規定による申請をしようとする許可事業者は、経済産業省令・国土交通省令で定めるところにより、その申請書に、海洋再生可能エネルギー発電設備設置計画又は区域図を添えて、経済産業大臣及び国土交通大臣に提出しなければならない。

(2) A licensed business operator that intends to file an application under the preceding paragraph must submit a written application for it to the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism, as provided for by Order of the Ministry of Economy, Trade and Industry and Order of the Ministry of Land, Infrastructure, Transport and Tourism, together with a plan for the installation of marine renewable energy power generation facilities or a map of the area.

３　経済産業大臣及び国土交通大臣は、第一項の規定による変更の許可の申請があったときは、次に掲げる基準に適合すると認める場合に限り、当該申請に係る変更の許可をすることができる。

(3) When an application for permission for change under paragraph (1) is filed, the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism may grant permission for change relating to the relevant application only if they find that the relevant application conforms to the following standards:

一　第三十四条第一項第一号に定める基準

(i) the criteria specified in Article 34, paragraph (1), item (i);

二　前条第一項各号に掲げる基準

(ii) the criteria stated in the items of paragraph (1) of the preceding Article.

４　前条第二項及び第三項の規定は、前項の変更の許可について準用する。

(4) The provisions of paragraph (2) and paragraph (3) of the preceding Article apply mutatis mutandis to the permission for change referred to in the preceding paragraph.

５　許可事業者は、第一項ただし書の経済産業省令・国土交通省令で定める軽微な変更をしたときは、遅滞なく、当該変更の内容を経済産業大臣及び国土交通大臣に届け出なければならない。

(5) If a licensed business operator makes a minor change specified by Order of the Ministry of Economy, Trade and Industry and Order of the Ministry of Land, Infrastructure, Transport and Tourism as referred to in the proviso to paragraph (1), the licensed business operator must notify the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism of the content of the change without delay.

第六節　許可事業者の義務等

Section 6 Obligations of Licensed Business Operators

（許可事業者の義務）

(Obligations of Licensed Business Operators)

第四十条　許可事業者は、当該許可に係る海洋再生可能エネルギー発電設備設置計画（前条第三項又は第五項の規定による変更の許可又は届出があったときは、その変更後

のもの。第四十六条第二項及び第五項において同じ。）に従って、海洋再生可能エネルギー発電設備の設置、維持管理及び撤去をしなければならない。

Article 40 A licensed business operator must install, maintain, manage, and remove the marine renewable energy power generation facilities in accordance with the plan for the installation of marine renewable energy power generation facilities relating to the license (if permission or notification of change has been given pursuant to the provisions of paragraph (3) or paragraph (5) of the preceding Article, the plan after the change; the same applies in Article 46, paragraph (2) and paragraph (5)).

（設置に関する工事の届出等）

(Notification of Construction Concerning Installation)

第四十一条　許可事業者は、海洋再生可能エネルギー発電設備の設置に関する工事をするときは、当該工事に着手する日の三十日前までに、経済産業省令・国土交通省令で定めるところにより、当該工事が行われる海域の位置及び区域並びに当該工事の内容及び工期を経済産業大臣及び国土交通大臣に届け出なければならない。

Article 41 (1) When a licensed business operator carries out construction work related to the installation of marine renewable energy power generation facilities, the licensed business operator must notify the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism of the location and area of the sea area where the construction work is to be carried out, as well as the content and period of the construction work, as provided for by Order of the Ministry of Economy, Trade and Industry and Order of the Ministry of Land, Infrastructure, Transport and Tourism, no later than 30 days before the day of starting the construction work.

２　経済産業大臣及び国土交通大臣は、前項の規定による届出を受理したときは、速やかに、経済産業省令・国土交通省令で定めるところにより、許可事業者の氏名又は名称、海洋再生可能エネルギー発電設備の設置に関する工事が行われる海域の位置及び区域その他経済産業省令・国土交通省令で定める事項を公表しなければならない。

(2) When the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism have received the notification under the preceding paragraph, they must promptly make public the name of the licensed business operator, the location and area of the sea area in which the construction work relating to the installation of marine renewable energy power generation facilities is to be conducted, and other matters specified by Order of the Ministry of Economy, Trade and Industry and Order of the Ministry of Land, Infrastructure, Transport and Tourism, as provided for by Order of the Ministry of Economy, Trade and Industry and Order of the Ministry of Land, Infrastructure, Transport and Tourism.

（監督命令）

(Supervision Order)

第四十二条　経済産業大臣及び国土交通大臣は、許可事業者が次の各号のいずれかに該当するときは、工事その他の行為の中止、工作物若しくは船舶その他の物件（以下この項において「工作物等」という。）の撤去、移転若しくは改築、工事その他の行為若しくは工作物等により生じた若しくは生ずべき障害を除去し、若しくは予防するため必要な施設の設置その他の措置をとること又は原状の回復（次条第三項において「工作物等の撤去等」という。）を命ずることができる。

Article 42 (1) When a licensed business operator falls under any of the following items, The Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism may order the suspension of construction or other acts, the removal, relocation or reconstruction of structures, vessels or other objects (referred to below as "structures, etc." in this paragraph), the installation of facilities necessary for removing or preventing obstructions caused or to be caused by construction or other acts, or structures, etc., or take other measures, or restore the original state (referred to as "removal, etc. of structures, etc." in paragraph (3) of the following Article):

一　偽りその他不正な手段により第三十八条第一項の許可を受けたとき。

(i) when a person has obtained the license referred to in Article 38, paragraph (1) by deception or other wrongful means;

二　第三十八条第二項（第三十九条第四項において準用する場合を含む。）の規定により許可に付された条件（第四十四条第四項又は第四十五条第二項の規定により変更され、又は新たに付されたものを含む。）に違反したとき。

(ii) when a person has violated the conditions (including those changed or newly attached pursuant to the provisions of Article 44, paragraph (4) or Article 45, paragraph (2)) attached to the license pursuant to the provisions of Article 38, paragraph (2) (including as applied mutatis mutandis pursuant to Article 39, paragraph (4));

三　第三十九条第一項若しくは第五項、第四十条（海洋再生可能エネルギー発電設備の撤去に係る部分を除く。）、前条第一項又は次条第一項の規定に違反したとき。

(iii) when a person has violated the provisions of Article 39, paragraph (1) or paragraph (5), Article 40 (excluding the part relating to the removal of the marine renewable energy power generation facilities), paragraph (1) of the preceding Article, or paragraph (1) of the following Article.

２　第二十八条第三項から第十項までの規定は、前項の規定による命令について準用する。この場合において、同条第三項から第七項までの規定中「国土交通大臣」とあるのは「経済産業大臣及び国土交通大臣」と、同条第五項及び第六項中「国土交通省令」とあるのは「経済産業省令・国土交通省令」と読み替えるものとする。

(2) The provisions of Article 28, paragraph (3) through paragraph (10) apply mutatis mutandis to an order under the preceding paragraph. In this case, the term "the Minister of Land, Infrastructure, Transport and Tourism" in the provisions of paragraph (3) through paragraph (7) of the Article is deemed to be replaced with "the Minister of Economy, Trade and Industry and the Minister of Land,

Infrastructure, Transport and Tourism", and the term "Order of the Ministry of Land, Infrastructure, Transport and Tourism" in paragraph (5) and paragraph (6) of the Article is deemed to be replaced with "Order of the Ministry of Economy, Trade and Industry and Order of the Ministry of Land, Infrastructure, Transport and Tourism".

（海洋再生可能エネルギー発電事業の廃止の届出及び海洋再生可能エネルギー発電設備の撤去の確認等）

(Notifying Discontinuation of Marine Renewable Energy Power Generation Business and Confirmation of Removal of Marine Renewable Energy Power Generation Facilities)

第四十三条　許可事業者は、海洋再生可能エネルギー発電事業を廃止しようとするときは、経済産業省令・国土交通省令で定めるところにより、次の各号に掲げる場合の区分に応じ、当該各号に定める事項を経済産業大臣及び国土交通大臣に届け出なければならない。

Article 43 (1) When a licensed operator intends to discontinue the marine renewable energy power generation, they must notify the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism of the matters stated in the following items in accordance with the categories of cases stated in those items, pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry and Order of the Ministry of Land, Infrastructure, Transport and Tourism:

一　海洋再生可能エネルギー発電設備が設置（工事中の場合を含む。）されている場合　当該海洋再生可能エネルギー発電設備の撤去に関する工事が行われる海域の位置及び区域並びに当該工事の内容及び工期

(i) if a marine renewable energy power generation facility is installed (including when it is under construction): the location and area of the sea area where the construction work concerning the removal of the marine renewable energy power generation facility is to be carried out, and the content and period of the construction work;

二　前号に掲げる場合以外の場合　当該海洋再生可能エネルギー発電事業を廃止する旨

(ii) in cases other than the case stated in the preceding item: a statement to the effect that the relevant marine renewable energy power generation business is discontinued.

２　許可事業者は、前項第一号に掲げる場合において、海洋再生可能エネルギー発電設備の撤去に関する工事が終了したときは、その結果が経済産業省令・国土交通省令で定める基準に適合していることについて、経済産業大臣及び国土交通大臣の確認を受けなければならない。

(2) In the case stated in item (i) of the preceding paragraph, when the work related to the removal of the marine renewable energy power generation facilities has been completed, a licensed business operator must obtain confirmation from the

Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism that the results of the work conform to the standards specified by Order of the Ministry of Economy, Trade and Industry and Order of the Ministry of Land, Infrastructure, Transport and Tourism.

３　経済産業大臣及び国土交通大臣は、第四十条の規定に違反して海洋再生可能エネルギー発電設備の撤去に関する工事を行った許可事業者（同条の定めるところにより当該工事を行う必要があるにもかかわらず当該工事をしない者を含む。）に対し、工作物等の撤去等を命ずることができる。

(3) The Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism may order a licensed business operator that has carried out construction work related to the removal of the marine renewable energy power generation facilities in violation of the provisions of Article 40 (including a person that has failed to carry out the construction work despite the fact that it is necessary to carry out the construction work pursuant to the provisions of that Article) to carry out the removal, etc. of the structures, etc.

４　許可事業者が第二項の確認を受けたとき（第一項第二号に掲げる場合にあっては、同項の届出があったとき）は、当該許可事業者に係る第三十八条第一項の許可は、その効力を失う。

(4) If a licensed business operator has received the confirmation stated in paragraph (2) (or, in the case stated in paragraph (1), item (ii), if the notification stated in the paragraph has been made), the license stated in Article 38, paragraph (1) relating to the licensed business operator ceases to be effective.

５　経済産業大臣及び国土交通大臣は、第二項の確認をしたときは、速やかに、経済産業省令・国土交通省令で定めるところにより、許可事業者の氏名又は名称、海洋再生可能エネルギー発電設備が撤去された海域の位置及び区域その他経済産業省令・国土交通省令で定める事項を公表しなければならない。

(5) When the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism have made the confirmation stated in paragraph (2), they must promptly make public the name of the licensed business operator, the location and area of the sea area from which the marine renewable energy power generation facilities were removed, and other matters specified by Order of the Ministry of Economy, Trade and Industry and Order of the Ministry of Land, Infrastructure, Transport and Tourism, as provided for by Order of the Ministry of Economy, Trade and Industry and Order of the Ministry of Land, Infrastructure, Transport and Tourism.

６　第二十八条第三項から第十項までの規定は、第三項の規定による命令について準用する。この場合において、同条第三項から第七項までの規定中「国土交通大臣」とあるのは「経済産業大臣及び国土交通大臣」と、同条第五項及び第六項中「国土交通省令」とあるのは「経済産業省令・国土交通省令」と読み替えるものとする。

(6) The provisions of Article 28, paragraph (3) through paragraph (10) apply mutatis mutandis to an order under paragraph (3). In this case, the term "the

Minister of Land, Infrastructure, Transport and Tourism" in the provisions of paragraph (3) through paragraph (7) of the Article is deemed to be replaced with "the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism", and the term "Order of the Ministry of Land, Infrastructure, Transport and Tourism" in paragraph (5) and paragraph (6) of the Article is deemed to be replaced with "Order of the Ministry of Economy, Trade and Industry and Order of the Ministry of Land, Infrastructure, Transport and Tourism".

第七節　雑則

Section 7 Miscellaneous Provisions

（地位の承継）

(Succession to the Status)

第四十四条　次に掲げる者であって、仮許可事業者又は許可事業者が有していた地位を承継しようとする者は、経済産業大臣及び国土交通大臣に申請して、その地位の承継の認可を受けることができる。

Article 44 (1) Any of the following persons that intends to succeed to the status held by a provisionally licensed business operator or a licensed business operator may obtain approval for the succession to the status by filing an application with the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism:

一　仮許可事業者又は許可事業者の一般承継人

(i) a general successor of a provisionally licensed business operator or a licensed business operator;

二　許可事業者から海洋再生可能エネルギー発電設備（当該許可事業者が第三十八条第一項の許可を受けたものに限る。第三項第二号において同じ。）に関する所有権その他の権利を取得した者

(ii) a person that has acquired ownership or any other rights relating to the marine renewable energy power generation facilities (limited to those for which the licensed business operator has obtained the license referred to in Article 38, paragraph (1); the same applies in paragraph (3), item (ii)) from the licensed business operator.

２　前項の規定による申請をしようとする者は、経済産業省令・国土交通省令で定めるところにより、その申請書に、海洋再生可能エネルギー発電設備設置計画（仮許可事業者の一般承継人にあっては、その案）を添えて、経済産業大臣及び国土交通大臣に提出しなければならない。

(2) A person that intends to file an application under the preceding paragraph, as provided for by Order of the Ministry of Economy, Trade and Industry and Order of the Ministry of Land, Infrastructure, Transport and Tourism, must submit a written application to the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism, together with the plan for the installation of marine renewable energy power generation facilities (in the case

of a general successor of a provisionally licensed business operator, a draft of the plan).

３　経済産業大臣及び国土交通大臣は、第一項の規定による認可の申請があったときは、次の各号に掲げる場合の区分に応じ、当該各号に定める基準に適合すると認める場合に限り、当該申請に係る認可をすることができる。

(3) When an application for approval under paragraph (1) is filed, the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism may grant the approval related to the application only if they find that the application conforms to the criteria prescribed in the following items according to the category of cases stated in the respective items:

一　当該申請をした者（次号及び第五項において「申請者」という。）が仮許可事業者の一般承継人である場合　第三十四条第一項第一号に定める基準

(i) if the person that filed the application (referred to as the "person applying" in the following item and paragraph (5)) is a general successor of a provisionally licensed business operator: the criteria provided for in Article 34, paragraph (1), item (i);

二　申請者が許可事業者の一般承継人又は許可事業者から海洋再生可能エネルギー発電設備に関する所有権その他の権利を取得した者である場合　前号に定める基準及び第三十八条第一項各号に掲げる基準

(ii) if the applicant is a person who has acquired the property right or other rights concerning the marine renewable energy power generation facilities from the general successor of the licensed business operator or from the licensed business operator: the standards specified in the preceding item and the standards stated in the items of Article 38, paragraph (1).

４　経済産業大臣及び国土交通大臣は、前項の認可をするに際しては、当該認可をしようとする承継に係る仮許可又は第三十八条第一項の許可について、第三十四条第二項若しくは第三十八条第二項（第三十九条第四項において準用する場合を含む。以下この項において同じ。）の規定により定めた有効期間（この項の規定により変更されたもの又は次条第一項若しくは第二項の規定により短縮されたものを含む。）を変更し、又は第三十四条第二項若しくは第三十八条第二項の規定により付した条件（この項又は次条第一項若しくは第二項の規定により変更し、又は新たに付したものを含む。）を取り消し、若しくは変更し、若しくは新たに条件を付することができる。

(4) In granting the approval referred to in the preceding paragraph, the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism may change the valid period (including a valid period that has been changed pursuant to the provisions of this paragraph or that has been shortened pursuant to the provisions of paragraph (1) or paragraph (2) of the following Article) established pursuant to the provisions of Article 34, paragraph (2) or Article 38, paragraph (2) (including as applied mutatis mutandis pursuant to Article 39, paragraph (4); the same applies below in this paragraph), and may revoke, change, or newly attach conditions (including conditions that have been

changed or newly attached pursuant to the provisions of this paragraph or paragraph (1) or paragraph (2) of the following Article) that have been attached pursuant to the provisions of Article 34, paragraph (2) or Article 38, paragraph (2), with regard to the provisional license or the license referred to in Article 38, paragraph (1) for which the Ministers seek to grant the approval.

５　経済産業大臣及び国土交通大臣は、第三項の認可をしたときは、速やかに、申請者にその旨を通知するとともに、当該認可を受けた者の氏名又は名称、当該認可をした承継に係る仮許可区域又は許可区域の位置及び区域、当該認可をした承継に係る仮許可又は第三十八条第一項の許可の有効期間（前項の規定により有効期間を変更した場合にあっては、その変更後のもの）その他経済産業省令・国土交通省令で定める事項を公表しなければならない。

(5) When the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism have granted approval referred to in paragraph (3), they must promptly notify the applicant to that effect and make public the name of the person that has obtained the approval, the location and area of the provisionally licensed zone or licensed zone relating to the succession for which the approval has been given, the validity period of the provisional license or the license under Article 38, paragraph (1) relating to the succession for which the approval has been given (if the validity period has been changed pursuant to the provisions of the preceding paragraph, the changed validity period), and other matters specified by Order of the Ministry of Economy, Trade and Industry and Order of the Ministry of Land, Infrastructure, Transport and Tourism.

６　第一項各号に掲げる者は、第三項の認可をされたときに限り、当該認可に係る仮許可事業者又は許可事業者が有していた地位を承継する。

(6) The persons listed in the items of paragraph (1) succeed to the status held by the provisionally licensed business operator or the licensed business operator relating to the approval only when the approval stated in paragraph (3) is granted.

（仮許可又は許可の取消し等）

(Revocation of Provisional License or License)

第四十五条　経済産業大臣及び国土交通大臣は、仮許可事業者が次の各号のいずれかに該当するときは、仮許可を取り消し、その効力を停止し、その有効期間を短縮し、その条件を変更し、又は新たな条件を付することができる。

Article 45 (1) If a provisionally licensed business operator falls under any of the following items, the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism may revoke the provisional license, suspend its validity, shorten its validity period, change its conditions, or attach new conditions:

一　偽りその他不正な手段により仮許可を受けたとき。

(i) when the person has obtained a provisional license by deception or other wrongful means;

二　第三十四条第一項第一号ハ又はニ（（２）を除く。）に掲げる基準に適合しなくなったとき。

(ii) when it no longer conforms to the criteria stated in Article 34, paragraph (1), item (i), (c) or (d) (excluding 2.);

三　第三十四条第二項の規定により仮許可に付された条件（前条第四項又はこの項の規定により変更され、又は新たに付されたものを含む。）に違反したとき。

(iii) when a person has violated the conditions attached to the provisional license pursuant to the provisions of Article 34, paragraph (2) (including those changed or newly attached pursuant to the provisions of paragraph (4) of the preceding Article or this paragraph);

四　第三十六条第四項の規定に違反したとき。

(iv) when the person has violated the provisions of Article 36, paragraph (4).

２　経済産業大臣及び国土交通大臣は、許可事業者が次の各号のいずれかに該当するときは、第三十八条第一項の許可を取り消し、その効力を停止し、その有効期間を短縮し、その条件を変更し、又は新たな条件を付することができる。

(2) If a licensed business operator falls under any of the following items, the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism may revoke the license granted under Article 38, paragraph (1), suspend its validity, shorten its validity period, change its conditions, or attach new conditions:

一　第三十四条第一項第一号ハ又はニ（（２）を除く。）に掲げる基準に適合しなくなったとき。

(i) when the person no longer satisfies the criteria stated in Article 34, paragraph (1), item (i), (c) or (d) (excluding 2.);

二　第三十六条第四項、第三十九条第一項若しくは第五項、第四十条又は第四十一条第一項の規定に違反したとき。

(ii) when the person has violated the provisions of Article 36, paragraph (4), Article 39, paragraph (1) or (5), Article 40, or Article 41, paragraph (1);

三　偽りその他不正な手段により第三十八条第一項の許可を受けたとき。

(iii) when the license referred to in Article 38, paragraph (1) has been obtained through deception or other wrongful means;

四　第三十八条第二項（第三十九条第四項において準用する場合を含む。）の規定により許可に付された条件（前条第四項又はこの項の規定により変更され、又は新たに付されたものを含む。）に違反したとき。

(iv) when the person has violated the conditions attached to license pursuant to the provisions of Article 38, paragraph (2) (including as applied mutatis mutandis pursuant to Article 39, paragraph (4)) (including those changed or newly attached pursuant to the provisions of paragraph (4) of the preceding Article or this paragraph);

五　正当な理由がないのに、当該許可を受けた日から起算して経済産業省令・国土交通省令で定める期間内に海洋再生可能エネルギー発電事業を開始せず、又は引き続き一年以上その事業を休止したとき。

(v) when a person, without justifiable grounds, has failed to start a marine renewable energy power generation business within the period specified by Order of the Ministry of Economy, Trade and Industry or Order of the Ministry of Land, Infrastructure, Transport and Tourism from the day when the license was granted, or has continuously suspended the business for one year or more.

３　経済産業大臣及び国土交通大臣は、前二項の規定により仮許可又は許可を取り消したときは、その旨を公示し、これらの規定により仮許可又は許可の有効期間を短縮したときは、短縮後の有効期間を公表しなければならない。

(3) When the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism have revoked a provisional license or license pursuant to the provisions of the preceding two paragraphs, they must give public notice to that effect, and when the validity period of a provisional license or license has been shortened pursuant to these provisions, they must make the shortened validity period public.

（旧許可事業者等の撤去義務等）

(Removal Obligation of Former Licensed Business Operators)

第四十六条　次の各号に掲げる場合には、当該各号に定める者（以下この条において「旧許可事業者等」という。）は、第四十条（海洋再生可能エネルギー発電設備の撤去に係る部分に限る。）、第四十三条第三項及び第六項並びに次条の規定（これらの規定に係る罰則を含む。）の適用については、第六項の確認を受けるまでの間は、なお許可事業者とみなす。

Article 46 (1) In the cases listed in the following items, the person specified respectively in those items (referred to below as the "former licensed business operator, etc." in this Article) is deemed to be the licensed business operator with regard to the application of the provisions of Article 40 (limited to the part relating to the removal of the marine renewable energy power generation facilities), Article 43, paragraphs (3) and (6) and the following Article (including penal provisions relating to these provisions) for the period until the confirmation stated in paragraph (6) is obtained:

一　許可事業者が第三十八条第一項の許可の有効期間が満了するまでの間に第四十三条第二項の確認を受けなかった場合　当該許可事業者であった者

(i) if a licensed business operator has not received the confirmation stated in Article 43, paragraph (2) by the time of expiration of the validity period of the license stated in Article 38, paragraph (1): the person that has been the licensed business operator;

二　許可事業者が前条第二項の規定により許可を取り消された場合　当該許可事業者であった者

(ii) if the licensed business operator has had their license revoked pursuant to the provisions of paragraph (2) of the preceding Article: the person that has been the licensed business operator;

三　許可事業者が解散した場合において第四十四条第六項の規定による承継がなかったとき　清算人又は破産管財人

(iii) if the licensed business operator has dissolved and there has been no succession under Article 44, paragraph (6): a liquidator or bankruptcy trustee;

四　許可事業者が死亡した場合において相続人（相続人が二人以上ある場合においてその協議により許可事業者が有していた地位を承継すべき相続人を定めたときは、その者）が第四十四条第六項の規定による承継をしなかったとき　当該相続人

(iv) if the licensed business operator has died and the heir (if there are two or more heirs and an heir who is to succeed to the status held by the licensed business operator has been specified by agreement between the heirs, the specified person) has not succeeded to the status under　Article 44, paragraph (6): the relevant heir;

五　許可事業者が死亡した場合において相続人のあることが明らかでないとき　相続人に代わって相続財産を管理する者

(v) if the licensed business operator has died and it is not clear whether there is an heir: a person that controls the inherited property in place of the heir.

２　前項の場合において、旧許可事業者等は、その海洋再生可能エネルギー発電設備設置計画に記載された第三十七条第三項において準用する第三十三条第三項第十二号に掲げる事項を変更しようとするときは、経済産業省令・国土交通省令で定めるところにより、経済産業大臣及び国土交通大臣に申請して、変更の許可を受けなければならない。ただし、経済産業省令・国土交通省令で定める軽微な変更については、この限りでない。

(2) In the case referred to in the preceding paragraph, when the former licensed business operator, etc. intends to change the matters stated in Article 33, paragraph (3), item (xii) as applied mutatis mutandis pursuant to Article 37, paragraph (3) that are stated in the plan for marine renewable energy power generation facility, they must obtain permission for the change by filing an application with the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism, as provided for by Order of the Ministry of Economy, Trade and Industry and Order of the Ministry of Land, Infrastructure, Transport and Tourism; provided, however, that this does not apply to minor changes specified by Order of the Ministry of Economy, Trade and Industry and Order of the Ministry of Land, Infrastructure, Transport and Tourism.

３　経済産業大臣及び国土交通大臣は、前項の規定による変更の許可の申請があったときは、第三十四条第一項第一号イ（第三十二条第八項第四号に係る部分に限る。）及び第三十八条第一項各号（第二号を除く。）に掲げる基準に適合すると認める場合に限り、当該申請に係る許可をすることができる。

(3) When an application for permission for a change under the preceding paragraph has been filed, the Minister of Economy, Trade and Industry and the

Minister of Land, Infrastructure, Transport and Tourism may grant the permission related to the relevant application only if they find that the relevant application conforms to the criteria stated in Article 34, paragraph (1), item (i), (a) (limited to the part related to Article 32, paragraph (8), item (iv)) and the items of Article 38, paragraph (1) (excluding item (ii)).

４　旧許可事業者等は、第二項ただし書の規定により経済産業省令・国土交通省令で定める軽微な変更をしたときは、遅滞なく、当該変更の内容を経済産業大臣及び国土交通大臣に届け出なければならない。

(4) If a former licensed business operator, etc. has made a minor change specified by Order of the Ministry of Economy, Trade and Industry and Order of the Ministry of Land, Infrastructure, Transport and Tourism pursuant to the provisions of the proviso to paragraph (2), the operator, etc. must notify the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism of the content of the change without delay.

５　前三項の規定による海洋再生可能エネルギー発電設備設置計画の変更があった場合における第一項の規定によりみなして適用される第四十条の規定の適用については、同条中「前条第三項又は第五項」とあるのは「第四十六条第三項又は第四項」と、「第四十六条第二項及び第五項」とあるのは「同条第二項及び第五項」とする。

(5) With regard to the application of the provisions of Article 40 as deemed and applied pursuant to the provisions of paragraph (1) if the plan for the installation the marine renewable energy power generation facilities has been changed pursuant to the provisions of the preceding three paragraphs, the phrase "paragraph (3) or paragraph (5) of the preceding Article" in Article 40 is deemed to be replaced with "Article 46, paragraph (3) or paragraph (4)", and the phrase "Article 46, paragraph (2) and paragraph (5)" in Article 40 is deemed to be replaced with "Article 46, paragraph (2) and paragraph (5)".

６　旧許可事業者等は、海洋再生可能エネルギー発電設備の撤去に関する工事が終了したときは、その結果が経済産業省令・国土交通省令で定める基準に適合していることについて、経済産業大臣及び国土交通大臣の確認を受けなければならない。この場合においては、第四十三条第五項の規定を準用する。

(6) When the construction work relating to the removal of the marine renewable energy power generation facilities has been completed, a former licensed business operator, etc. must obtain confirmation from the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism with regard to the fact that the results of the construction work conform to the standards specified by Order of the Ministry of Economy, Trade and Industry and Order of the Ministry of Land, Infrastructure, Transport and Tourism. In this case, the provisions of Article 43, paragraph (5) apply mutatis mutandis.

（報告徴収及び立入検査）

(Collection of Reports and On-Site Inspections)

第四十七条　経済産業大臣及び国土交通大臣は、この章の規定の施行に必要な限度において、経済産業省令・国土交通省令で定めるところにより、仮許可事業者若しくは許可事業者に対し必要な報告を求め、又はその職員に、海洋再生可能エネルギー発電設備を整備する場所若しくは当該仮許可事業者若しくは当該許可事業者の事務所若しくは事業所に立ち入り、海洋再生可能エネルギー発電設備、帳簿、書類その他必要な物件を検査させることができる。

Article 47 (1) To the extent necessary for the enforcement of the provisions of this Chapter, as provided for by Order of the Ministry of Economy, Trade and Industry and Order of the Ministry of Land, Infrastructure, Transport and Tourism, the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism may request a provisionally licensed business operator or a licensed business operator to make necessary reports, or have their employees enter the place where the marine renewable energy power generation facilities are to be installed, or the office or place of activity of the provisionally licensed business operator or the licensed business operator, and inspect the marine renewable energy power generation facilities, books, documents, and other necessary items.

２　前項の規定により立入検査をする職員は、その身分を示す証明書を携帯し、関係人にこれを提示しなければならない。

(2) An employee who conducts an on-site inspection pursuant to the provisions of the preceding paragraph must carry an identification card and present it to the relevant persons.

３　第一項の規定による立入検査の権限は、犯罪捜査のために認められたものと解してはならない。

(3) The authority to conduct an on-site inspection under　paragraph (1) must not be construed as being granted for the purpose of a criminal investigation.

（国際約束の誠実な履行）

(Sincere Implementation of International Agreements)

第四十八条　この章の規定の施行に当たっては、我が国が締結した条約その他の国際約束の誠実な履行を妨げることがないよう留意しなければならない。

Article 48 In enforcing the provisions of this Chapter, attention must be paid so as not to preclude the sincere implementation of treaties and other international agreements Japan has signed.

第五章　雑則

Chapter V Miscellaneous Provisions

（情報の提供）

(Provision of Information)

第四十九条　国土交通大臣は、海洋再生可能エネルギー発電設備の整備に係る我が国の領海及び内水の海域の利用を促進し、並びに排他的経済水域における海洋再生可能エネルギー源の適正な利用に資するため、海洋再生可能エネルギー発電事業を行う者に対し、海洋再生可能エネルギー発電設備の設置及び維持管理に必要な人員及び物資の輸送に利用することができる港湾に関する情報を提供するものとする。

Article 49 In order to promote the utilization of territorial and inland waters of Japan for the development of marine renewable energy power generation facilities and to contribute to the proper utilization of marine renewable energy sources in the exclusive economic zones, the Minister of Land, Infrastructure, Transport and Tourism is to provide the persons operating the marine renewable energy power generation project with information on the ports and harbours available for the transportation of personnel and materials necessary for the installation, maintenance, and management of the marine renewable energy power generation facilities.

（命令への委任）

(Delegation of Orders)

第五十条　この法律に定めるもののほか、この法律の実施に関し必要な事項は、命令で定める。

Article 50 In addition to what is provided for in this Act, the matters necessary for the enforcement of this Act are specified by orders.

（経過措置）

(Transitional Measures)

第五十一条　この法律の規定に基づき命令を制定し、又は改廃する場合においては、その命令で、その制定又は改廃に伴い合理的に必要と判断される範囲内において、所要の経過措置（罰則に関する経過措置を含む。）を定めることができる。

Article 51 When an order is established, revised, or abolished pursuant to this Act, necessary transitional measures (including transitional measures concerning the penal provisions) may be prescribed in that order to the extent considered reasonably necessary in connection with that establishment, revision, or abolishment.

（権限の委任）

(Delegation of Authority)

第五十二条　この法律に規定する経済産業大臣又は国土交通大臣の権限は、政令で定めるところにより、その一部を地方支分部局の長に委任することができる。

Article 52 The authority of the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism provided in this Act may be partially delegated to the heads of the local branch bureaus and departments pursuant to the provisions of Cabinet Order.

第六章　罰則

Chapter VI Penal Provisions

第五十三条　国の職員が、第二十条第一項の認定又は仮許可に関し、その職務に反し、当該認定若しくは当該仮許可を受けようとする者に談合を唆すこと、当該認定若しくは当該仮許可を受けようとする者に当該認定に係る公募（次条において「占用公募」という。）若しくは当該仮許可に係る募集（次条において「設置募集」という。）に関する秘密を教示すること又はその他の方法により、当該公募又は当該募集の公正を害すべき行為を行ったときは、五年以下の拘禁刑又は二百五十万円以下の罰金に処する。

Article 53 In connection with the certification or provisional license stated in Article 20, paragraph (1), in violation of their duties, if a national government employee has committed an act that impairs the fairness of the public tender or the provisional license by inciting a person who intends to receive the certification or provisional license to engage in bid rigging, by informing a person who intends to receive the certification or provisional license of any secret concerning the public tender related to the certification (referred to as the "public tender of exclusive occupancy and use" in the following Article) or the solicitation related to the provisional license (referred to as the "solicitation for installation" in the following Article), or by any other method, that employee is subject to imprisonment for not more than five years or a fine of not more than 2.5 million yen.

第五十四条　偽計又は威力を用いて、占用公募又は設置募集の公正を害すべき行為をしたときは、その違反行為をした者は、三年以下の拘禁刑若しくは二百五十万円以下の罰金に処し、又はこれを併科する。

Article 54 (1) When a person has committed an act that impairs the fairness of a public tender of exclusive occupancy and use or a solicitation for installation by the use of fraudulent means or force, the person who has committed the violation is punished by imprisonment for not more than three years or a fine of not more than 2.5 million yen, or both.

２　占用公募又は設置募集につき、公正な価額を害し又は不正な利益を得る目的で、談合したときは、その違反行為をした者も、前項と同様とする。

(2) The preceding paragraph also applies to a person who has engaged in bid rigging for a public tender of exclusive occupancy and use or a public offering for installation for the purpose of impairing a fair price or acquiring a wrongful gain.

第五十五条　次の各号のいずれかに該当する場合には、その違反行為をした者は、一年以下の拘禁刑又は五十万円以下の罰金に処する。

Article 55 (1) If a person falls under one of the following items, the person committing the violation is subject to imprisonment for not more than one year or a fine of not more than 500,000 yen:

一　第十三条第一項の規定に違反して、同項各号に掲げる行為をしたとき。

(i) when the person has committed any of the acts stated in the items of Article 13, paragraph (1) in violation of the provisions of that paragraph;

二　第十五条又は第三十一条の規定に違反したとき。

(ii) when the person has violated the provisions of Article 15 or Article 31.

第五十六条　第二十八条第一項、第四十二条第一項又は第四十三条第三項の規定による命令に違反したときは、その違反行為をした者は、五十万円以下の罰金に処する。

Article 56 If an order under Article 28, paragraph (1), Article 42, paragraph (1), or Article 43, paragraph (3) is violated, the person who has committed the violation is punished by a fine of not more than 500,000 yen.

第五十七条　第二十九条第一項若しくは第二項若しくは第四十七条第一項の規定による報告をせず、若しくは虚偽の報告をし、又はこれらの規定による検査を拒み、妨げ、若しくは忌避したときは、その違反行為をした者は、三十万円以下の罰金に処する。

Article 57 If a person has failed to make a report under Article 29, paragraph (1) or paragraph (2) or Article 47, paragraph (1) has made a false report, or has refused, obstructed, or evaded an inspection under these provisions, the person who has committed the violation is punished by a fine of not more than 300,000 yen.

第五十八条　法人の代表者又は法人若しくは人の代理人、使用人その他の従業者が、その法人又は人の業務に関し、第五十四条から前条までの違反行為をしたときは、行為者を罰するほか、その法人又は人に対しても、各本条の罰金刑を科する。

Article 58 If the representative of a corporation, or an agent, employee, or other worker of a corporation or individual commits a violation referred to in Article 54 through the preceding Article in connection with the business of the corporation or individual, in addition to the offender being subject to punishment, the fine referred to in the relevant Article is also imposed on the corporation or individual.

附則

Supplementary Provisions

（施行期日）

(Effective Date)

第一条　この法律は、公布の日から起算して四月を超えない範囲内において政令で定める日から施行する。

Article 1 This Act comes into effect on the date prescribed by Cabinet Order within a period not exceeding four months from the date of promulgation.

（公募占用指針の公示に関する経過措置）

(Transitional Measures Concerning Public Notification of the Guidelines for Public Tender of Exclusive Occupancy and Use)

第二条　第十三条第六項ただし書（同条第七項において準用する場合を含む。）の規定は、公布の日から起算して二年を超えない範囲内において政令で定める日までの間は、適用しない。

Article 2 The provisions of the proviso to Article 13, paragraph (6) (including as applied mutatis mutandis pursuant to paragraph (7) of that Article) do not apply on or before the date prescribed by Cabinet Order within a period not exceeding two years from the date of promulgation.

（検討）

(Examination)

第三条　政府は、この法律の施行後五年を経過した場合において、この法律の施行の状況について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 3 When five years have elapsed since the enforcement of this Act, the government is to examine the status of the enforcement of this Act and take

necessary measures based on the results of the examination whenever the government finds it necessary.

附　則　（令和二年六月一二日法律第四九号）　抄

Supplementary Provisions (Act No.49 of June 12, 2020) (Extract)

（施行期日）

(Effective Date)

第一条　この法律は、令和四年四月一日から施行する。

Article 1 This Act comes into effect on April 1, 2022.

附　則　（令和四年六月一七日法律第六八号）　抄

Supplementary Provisions (Act No.68 of June 17, 2022) (Extract)

（施行期日）

(Effective Date)

１　この法律は、刑法等一部改正法施行日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

(1) This Act comes into effect on the effective date of the partial amendment Act on the Penal Code; provided, however, that the provisions stated in the following items come into effect on the dates specified respectively in those items:

一　第五百九条の規定　公布の日

(i) the provisions of Article 509: the date of promulgation.

附　則　（令和五年五月二六日法律第三四号）　抄

Supplementary Provisions (Act No.34 of May 26, 2023) (Extract)

（施行期日）

(Effective Date)

第一条　この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日から施行する。

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.

附　則　（令和七年六月一一日法律第五九号）　抄

Supplementary Provisions (Act No.59 of June 11, 2025) (Extract)

（施行期日）

(Effective Date)

第一条　この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日から施行する。ただし、附則第四条の規定は、公布の日から施行する。

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; provided, however, that the provisions of Article 4 of the Supplementary Provisions come into effect on the date of promulgation.

（海洋再生可能エネルギー発電設備整備促進区域の指定に関する経過措置）

(Transitional Measures Concerning Designation of Promotion Zones for the Development of Marine Renewable Energy Power Generation Facilities)

第二条　この法律による改正後の海洋再生可能エネルギー発電設備の整備に関する法律（以下この条において「新法」という。）第二条第五項、第十条（第九項及び第十項を除く。）、第十一条及び第二十五条の規定は、この法律の施行の日（以下この条及び次条において「施行日」という。）以後に新法第十条第一項の規定により指定される区域（施行日前にこの法律による改正前の海洋再生可能エネルギー発電設備の整備に係る海域の利用の促進に関する法律（以下この条及び次条において「旧法」という。）第八条第二項の規定による調査が開始された区域で、この法律の施行の際同条第一項の規定による指定がされていないもの（以下この条において「特定区域」という。）を除く。）について適用し、施行日前に旧法第八条第一項の規定により指定された区域（特定区域を含む。）に係る指定の基準及び海洋環境（当該区域の周辺の海岸及びその近傍の土地の環境を含む。）に関する調査については、なお従前の例による。

Article 2 The provisions of Article 2, paragraph (5), Article 10 (excluding paragraph (9) and paragraph (10)), Article 11, and Article 25 of the Act on the Development of Marine Renewable Energy Power Generation Facilities amended by this Act (referred to below as the "New Act" in this Article) apply to the areas designated pursuant to the provisions of Article 10, paragraph (1) of the New Act on or after the date on which this Act comes into effect (referred to below as the "effective date" in this Article and the following Article) (excluding the areas for which an investigation under Article 8, paragraph (2) of the Act on Promoting the Utilization of Sea Areas for the Development of Marine Renewable Energy Power Generation Facilities before amendment by this Act (referred to below as the "Former Act" in this Article and the following Article) has been started before the effective date and for which the designation under paragraph (1) of the Article has not been made at the time of the enforcement of this Act (referred to below as the "specified areas" in this Article)), and prior laws continue to govern the criteria for designation and the investigation concerning the marine environments (including the environments of the surrounding coasts of the relevant areas and the land in their vicinity) relating to the areas designated pursuant to the provisions of Article 8, paragraph (1) of the Former Act (including the specified areas).

（公募占用計画に関する経過措置）

(Transitional Measures Concerning Exclusive Occupancy and Use Plan over Public Bidding)

第三条　施行日前に旧法第十四条第一項の規定により公募に応じて選定事業者となろうとする者が公募占用計画を提出した場合において、この法律の施行の際、まだその公募占用計画に係る選定事業者の選定がされていないときは、当該選定事業者の選定の処分については、なお従前の例による。

Article 3 (1) If a person who intends to apply for public tender to become an appointed business operator pursuant to the provisions of Article 14, paragraph (1) of the Former Act submits an exclusive occupancy and use plan over public bidding before the date of enforcement, and the appointed business operator relating to the exclusive occupancy and use plan over public bidding has not yet been selected at

the time of enforcement of this Act, prior laws continue to govern the disposition of the selection of the appointed business operator.

２　この法律の施行の際現に旧法第十五条第三項の規定により選定されている又は施行日以後に前項の規定によりなお従前の例により選定される選定事業者に係る公募占用計画の認定及び変更並びに認定に基づく地位の承継については、なお従前の例による。

(2) Prior laws continue to govern the certification and change of the exclusive occupancy and use plan over public bidding relating to the appointed business operator that has actually been selected pursuant to the provisions of Article 15, paragraph (3) of the Former Act at the time of the enforcement of this Act or that will be selected in accordance with prior laws pursuant to the provisions of the preceding paragraph on and after the effective date, and the succession of the status based on the certification.

（政令への委任）

(Delegation to Cabinet Order)

第四条　前二条に定めるもののほか、この法律の施行に関し必要な経過措置（罰則に関する経過措置を含む。）は、政令で定める。

Article 4 In addition to what is provided for in the preceding two Articles, transitional measures necessary for the enforcement of this Act (including transitional measures concerning penal provisions) are specified by Cabinet Order.

（検討）

(Reviews)

第五条　政府は、この法律の施行後五年を目途として、この法律による改正後の規定について、その施行の状況等を勘案して検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 5 Approximately five years after this Act comes into effect, the government is to review the provisions amended by this Act in consideration of the status of their enforcement, and is to take the required measures based on the results of the review if it finds this to be necessary.