

# Act on Special Zones for Reconstruction in Response to the Great East Japan Earthquake

(Act No. 122 of December 14, 2011)

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## Chapter I General Provisions

(Purpose)

Article 1 The purpose of this Act is to promote reconstruction efforts in response to the Great East Japan Earthquake by establishing, based on the purport of the provisions of Article 10 of the Basic Act on Reconstruction in Response to

the Great East Japan Earthquake (Act No. 76 of 2011), such as the Basic Guidelines for Special Zones for Reconstruction, approval procedures and special measures of Reconstruction Promotion Plans, special measures for the implementation of Land Restructuring Plans, and the provision of Reconstruction Grants for Reconstruction Grant Funded Project Plans, and thus to contribute to smooth and prompt reconstruction after the Great East Japan Earthquake and the revitalization of a vibrant Japan in line with the basic principles set forth in Article 2 of the same Act, recognizing that reconstruction after the Great East Japan Earthquake should be achieved based on the appropriate sharing of roles and mutual cooperation between the national government and local governments, and that the wishes and needs of residents in disaster-stricken areas should be adequately reflected through initiatives of each respective community.

(Definitions)

Article 2 (1) The term "Great East Japan Earthquake" as used in this Act means the earthquake that occurred off the Pacific coast of the Tohoku region on March 11, 2011 and the subsequent disaster brought about by accidents which occurred at the nuclear power plant.

(2) The term "Special Zones for Reconstruction" as used in this Act means the zones covered by the Reconstruction Promotion Plans prescribed in Article 4, paragraph (1) (simply referred to as "Reconstruction Promotion Plans" in the following paragraph), the zones covered by the Land Restructuring Plans prescribed in Article 46, paragraph (1), and the zones covered by the Reconstruction Grant Funded Project Plans prescribed in Article 77, paragraph (1).

(3) The term "Reconstruction Promotion Projects" as used in this Act shall mean the following projects:

(i) Projects set forth in the Appended Table that are eligible for special measures on regulations pursuant to the provisions of Chapter III, Section 2, Subsection 1;

(ii) The following projects that are carried out by a sole proprietorship or a corporation:

(a) Projects to form and develop industrial clusters and thereby to contribute to providing employment opportunities in areas where the Great East Japan Earthquake has caused a great number of disaster victims to lose their jobs or significant damage to the foundation for production activities has occurred (excluding the projects set forth in (b));

(b) Projects to construct and lease buildings in areas prescribed in (a) that contribute to the formation and development of industrial clusters;

(c) Projects to provide rental housing in areas where a considerable number

- of houses were lost due to the Great East Japan Earthquake, and which contribute to ensuring stable provision of housing in such areas;
- (d) Projects specified by Cabinet Order as those whose economic and social impact will facilitate smooth and prompt reconstruction in response to the Great East Japan Earthquake in zones covered by Reconstruction Promotion Plans by way of resolving problems in fields such as the agriculture, forestry and fisheries industry, social welfare, and environmental preservation;
- (iii) Out of the projects specified by Cabinet Office Ordinance as those whose economic and social impact will contribute to creating employment opportunities in zones covered by the Reconstruction Promotion Plans or otherwise facilitate smooth and prompt reconstruction in response to the Great East Japan Earthquake, projects to provide financing to core business activities in achieving the objectives of said Reconstruction Promotion Plans (referred to as "Loan Projects for Special Zones for Reconstruction" in Article 44, paragraph (1)) that are carried out by banks or other financial institutions specified by Cabinet Office Ordinance (simply referred to as "Financial Institutions" in said paragraph);
- (iv) Projects carried out by utilizing, transferring, exchanging, lending, or collateralizing any Granted or Subsidized Property, etc. (meaning property as prescribed in Article 22 of the Act on the Regulation of Execution of Budgets Pertaining to Subsidies, etc. (Act No. 179 of 1955)) for purposes other than those of granting or subsidizing (as prescribed in Article 2, paragraph (1) of the same Act) as said Granted or Subsidized Property, etc. with a view to solidifying a foundation from which to implement projects intended for contributing to a smooth and prompt reconstruction in response to the Great East Japan Earthquake in zones covered by the Reconstruction Promotion Plans (limited to the projects set forth in item (i) or those carried out along with said projects).
- (4) The term "Special Measures on Regulations" as used in this Act means the measures concerning special provisions of laws prescribed in Articles 14 to 34 on regulations specified by laws, and measures concerning special provisions of Cabinet Order or Ordinance of the Competent Ministry (hereinafter referred to as "Cabinet Order, etc." in this paragraph) specified by Cabinet Order or Cabinet Office Ordinance (including public notices) or Ordinance of the Competent Ministry prescribed in Article 35 (Ordinance of the Competent Ministry in the case of the regulations prescribed in the proviso to Article 87; referred to as "Cabinet Office Ordinance or Ordinance of the Competent Ministry" in Articles 35 and 36) or specified by Prefectural or Municipal Ordinance prescribed in Article 36, with regard to regulations specified by Cabinet Order, etc., including measures that local governments need to take or

promote together with the measures mentioned above for their implementation, when such measures are applied, in light of the purport of the relevant regulations.

- (5) The term "Renovated Houses" as used in this Act means Renovated Houses as prescribed in Article 2, paragraph (6) of the Residential Areas Improvement Act (Act No. 84 of 1960).
- (6) The term "Farmland" as used in this Act means land used for cultivation.
- (7) The term "Coastal Protection Zones" as used in this Act means the Coastal Protection Zones designated pursuant to the provisions of Article 3 of the Coast Act (Act No.101 of 1956).
- (8) The term "Forests" as used in this Act means Forests as prescribed in Article 2, paragraph (1) of the Forest Act (Act No. 249 of 1951).
- (9) The term "Agricultural Zones" as used in this Act means Agricultural Zones as prescribed in Article 8, paragraph (2), item (i) of the Act on Establishment of Agricultural Promotion Regions (Act No. 58 of 1969).
- (10) The term "Class A Rivers" as used in this Act means Class A Rivers as prescribed in Article 4, paragraph (1) of the River Act (Act No. 167 of 1964).
- (11) The term "Land Improvement Projects" as used in this Act means the Land Improvement Projects prescribed in Article 2, paragraph (2) of the Land Improvement Act (Act No. 195 of 1949) (limited to the projects set forth in items (i) to (iii) and item (vii) of said paragraph).
- (12) The term "Projects for Promoting Collective Relocation" as used in this Act means Projects for Promoting Collective Relocation prescribed in Article 2, paragraph (2) of the Act on Special Financial Support for Promoting Collective Relocation for Disaster Mitigation (Act No. 132 of 1972; referred to as the "Act on Promotion of Collective Relocation" in Article 53).
- (13) The term "Projects for Fishery Infrastructure Development" as used in this Act means the Projects for Fishery Infrastructure Development prescribed in Article 4, paragraph (1) of the Act on Development of Fishing Ports and Grounds (Act No. 137 of 1950).
- (14) The term "Land Readjustment Projects" as used in this Act means Land Readjustment Projects prescribed in Article 2, paragraph (1) of the Land Readjustment Act (Act No. 119 of 1954).

## **Chapter II Basic Guidelines for Special Zones for Reconstruction**

Article 3 (1) The national government must establish basic guidelines for facilitating smooth and prompt reconstruction in response to the Great East Japan Earthquake by way of carrying out such projects as Reconstruction Promotion Projects in Special Zones for Reconstruction, the Land Restructuring Projects prescribed in Article 46, paragraph (2), item (iv), and

the Reconstruction Grant Funded Projects prescribed in Article 78, paragraph (1) (referred to as the "Facilitation of Smooth and Prompt Reconstruction in Special Zones for Reconstruction" in the following paragraph) (hereinafter such basic guidelines shall be referred to as the "Basic Guidelines for Special Zones for Reconstruction"), in line with the basic principles set forth in Article 2 of the Basic Act on Reconstruction in Response to the Great East Japan Earthquake, and based on the Basic Guidelines for the Reconstruction in Response to the Great East Japan Earthquake prescribed in Article 3 of the same Act.

- (2) The Basic Guidelines for Special Zones for Reconstruction shall provide for the following:
  - (i) Particulars concerning the significance of the Facilitation of Smooth and Prompt Reconstruction in Special Zones for Reconstruction;
  - (ii) Basic guidelines concerning supporting measures or other measures for local governments to be consistently taken by the national government for the purpose of the Facilitation of Smooth and Prompt Reconstruction in Special Zones for Reconstruction;
  - (iii) The basic particulars concerning the approval set forth in paragraph (9) of the following Article with regard to the Reconstruction Promotion Plans prescribed in paragraph (1) of said Article;
  - (iv) A plan for measures to be taken by the national government for the Facilitation of Smooth and Prompt Reconstruction in Special Zones for Reconstruction;
  - (v) In addition to what are set forth in the preceding items, the particulars necessary for the Facilitation of Smooth and Prompt Reconstruction in Special Zones for Reconstruction.
- (3) The Prime Minister must prepare a draft of the Basic Guidelines for Special Zones for Reconstruction and seek a Cabinet decision thereon.
- (4) If a Cabinet decision has been made pursuant to the provisions of the preceding paragraph, the Prime Minister must publicize the Basic Guidelines for Special Zones for Reconstruction, without delay.
- (5) The national government must amend the Basic Guidelines for Special Zones for Reconstruction, when the need arises due to any changes of circumstances.
- (6) The provisions of paragraphs (3) and (4) apply mutatis mutandis to amendments to the Basic Guidelines for Special Zones for Reconstruction under the preceding paragraph.

### **Chapter III Special Measures concerning Reconstruction Promotion Plans**

#### **Section 1 Approval, etc. of Reconstruction Promotion Plans**

(Approval of Reconstruction Promotion Plans)

Article 4 (1) A local government, the whole or a part of which falls under municipal zones prescribed in Article 2 of the Disaster Relief Act (Act No. 118 of 1947) to which the same Act was applied upon the Great East Japan Earthquake (such zones shall exclude those specified by Cabinet Order) or zones specified by Cabinet Order as being equivalent thereto (hereinafter such zones shall be referred to as "Specified Disaster-stricken Zones" in this paragraph and Article 46, paragraph (1), and such local government shall be referred to as a "Specified Local Government"), may prepare plans for the facilitation of smooth and prompt reconstruction in response to the Great East Japan Earthquake by way of carrying out or promoting Reconstruction Promotion Projects or otherwise making efforts for carrying out reconstruction (hereinafter referred to as the "Facilitation of Smooth and Prompt Reconstruction through the Implementation, etc. of Reconstruction Promotion Projects" in this Section) (hereinafter such plan shall be referred to as a "Reconstruction Promotion Plan"), with regard to zones within the Specified Disaster-stricken Zones pertaining to said Specified Local Government, solely or jointly, in line with the Basic Guidelines for Special Zones for Reconstruction, as specified by Cabinet Office Ordinance, and may apply for the approval of the Prime Minister.

- (2) A Reconstruction Promotion Plan shall provide for the following particulars:
- (i) The area of the Reconstruction Promotion Plan;
  - (ii) The objectives of the Reconstruction Promotion Plan;
  - (iii) The details of the efforts to be promoted for achieving the objectives set forth in the preceding item;
  - (iv) Where any of the following zones are to be defined within a zone as set forth in item (i), said zones:
    - (a) Zones where the formation and development of industrial clusters should be promoted for achieving the objectives set forth in item (ii) (hereinafter referred to as "Industrial Cluster Zones for Reconstruction");
    - (b) Zones where efforts for ensuring stable housing and improving the convenience of residents should be promoted for achieving the objectives set forth in item (ii) (hereinafter referred to as "Residential Zones for Reconstruction");
    - (c) In addition to what are set forth in (a) and (b), zones where efforts for resolving regional problems in such fields as social welfare and environmental preservation should be promoted for achieving the objectives set forth in item (ii) (hereinafter referred to as "Specified Zones for Reconstruction");
  - (v) The details of the Reconstruction Promotion Projects to be carried out or promoted for achieving the objectives set forth in item (ii), and the particulars concerning the responsible entities;

- (vi) The details of the special measures pursuant to the provisions of the following Section for each of the Reconstruction Promotion Projects prescribed in the preceding item;
  - (vii) In addition to what are set forth in the preceding items, the particulars concerning the Reconstruction Promotion Projects prescribed in item (v) and other particulars necessary for the Facilitation of Smooth and Prompt Reconstruction through the Implementation, etc. of Reconstruction Promotion Projects.
- (3) When intending to prepare a Reconstruction Promotion Plan, a Specified Local Government must hear the opinions of relevant local governments and the responsible entities prescribed in item (v) of the preceding paragraph (hereinafter simply referred to as "Responsible Entities" in this Chapter).
- (4) The following persons may make a proposal to a Specified Local Government for filing an application pursuant to the provisions of paragraph (1) (hereinafter simply referred to as an "Application" in this Section):
- (i) A person who is going to carry out a Reconstruction Promotion Project in the zone pertaining to said proposal;
  - (ii) In addition to a person set forth in the preceding item, a person who has a close interest in the implementation of a Reconstruction Promotion Project in the zone pertaining to said proposal.
- (5) A Specified Local Government that has received a proposal set forth in the preceding paragraph must notify the person who has made the proposal whether or not to file an Application based on said proposal, without delay. In this case, when the Specified Local Government has decided not to file an Application, it must clarify the reason therefor.
- (6) Where a Specified Local Government intends to prepare a Reconstruction Promotion Plan, and when a committee for reconstruction promotion as set forth in Article 13, paragraph (1) (hereinafter referred to as the "Regional Committee" in this paragraph, Article 11, paragraph (1), and Article 12, paragraph (4), item (ii)) has been organized, the Specified Local Government must hold deliberations at said Regional Committee concerning the particulars to be provided for in said Reconstruction Promotion Plan.
- (7) Applications must be filed together with a document including the following particulars:
- (i) The outline of the opinions of relevant local governments and the Responsible Entities collected pursuant to the provisions of paragraph (3);
  - (ii) If filing an Application based on a proposal set forth in paragraph (4), the outline of said proposal;
  - (iii) If having held deliberations at the Regional Committee pursuant to the provisions of the preceding paragraph, the outline of said deliberations.
- (8) If filing an Application, a Specified Local Government may ask the head(s) of

the relevant administrative organ(s) (when such administrative organ is a council organization, said administrative organ; the same applies hereinafter) for confirmation on the interpretation of the provisions of laws and orders (including public notices) based on laws that stipulate regulations on the Reconstruction Promotion Projects and other projects related thereto that it intends to carry out or promote in the zone of the Reconstruction Promotion Plan pertaining to said Application. In this case, the head(s) of the relevant administrative organ(s), who has/have thus been asked for confirmation, must respond to said Specified Local Government promptly.

(9) The Prime Minister shall grant approval to a Reconstruction Promotion Plan for which an Application has been filed when finding that the applied plan conforms to the following criteria:

(i) The plan conforms to the Basic Guidelines for Special Zones for Reconstruction;

(ii) It is deemed that the implementation of the Reconstruction Promotion Plan will contribute to the facilitation of a smooth and prompt reconstruction in the zone of said Reconstruction Promotion Plan and the revitalization of the zone of said Reconstruction Promotion Plan;

(iii) It is deemed that the plan will be implemented smoothly and steadily.

(10) If the Prime Minister intends to grant approval as set forth in the preceding paragraph (hereinafter simply referred to as the "Approval" in this Article to Article 6), the consent of the head(s) of the relevant administrative organ(s) pertaining to the Reconstruction Promotion Projects provided for in the Reconstruction Promotion Plan (hereinafter simply referred to the "Head(s) of the Relevant Administrative Organ(s)" in this Chapter) must be obtained, with regard to the particulars concerning said Reconstruction Promotion Projects.

(11) If the Prime Minister grants the Approval, this must be made public without delay.

(Period for Concluding Proceedings for Approval)

Article 5 (1) The Prime Minister must conclude proceedings for Approval promptly within three months from the day of receiving the Application.

(2) The Head(s) of the Relevant Administrative Organ(s) must promptly notify the Prime Minister whether or not to give the consent as set forth in paragraph (10) of the preceding Article, so that the Prime Minister may conclude proceedings for Approval within the period set forth in the preceding paragraph.

(Amendments to Approved Reconstruction Promotion Plans)

Article 6 (1) A Specified Local Government that has been granted the Approval must seek the Approval of the Prime Minister when intending to make



amendments (excluding minor amendments as specified by Cabinet Office Ordinance) to its approved Reconstruction Promotion Plan (hereinafter referred to as the "Approved Reconstruction Promotion Plan").

- (2) The provisions of Article 4, paragraphs (3) to (11) and the preceding Article applies mutatis mutandis to amendments to the Approved Reconstruction Promotion Plans set forth in the preceding paragraph.

(Collection of Reports)

Article 7 (1) The Prime Minister may request the Specified Local Government that has been granted the Approval as set forth in Article 4, paragraph (9) (including the Approval for amendments to the Approved Reconstruction Promotion Plans set forth in paragraph (1) of the preceding Article; hereinafter simply referred to as "Approval" in this Chapter) (hereinafter such local government shall be referred to as an "Approved Local Government") to submit a report concerning the implementation status of its Approved Reconstruction Promotion Plan (when amendments have been made to the Approved Reconstruction Promotion Plan, the plan after said amendments; the same applies hereinafter).

- (2) The Head(s) of the Relevant Administrative Organ(s) may request an Approved Local Government to submit a report concerning the implementation status of the Reconstruction Promotion Projects provided for in its Approved Reconstruction Promotion Plan.

Article 8 (1) The Prime Minister may, when finding it necessary for the proper implementation of an Approved Reconstruction Plan, request the relevant Approved Local Government to take measures necessary to implement said Approved Reconstruction Promotion Plan.

- (2) If the Head(s) of the Relevant Administrative Organ(s) find(s) it necessary for the proper implementation of Reconstruction Promotion Projects provided for in an Approved Reconstruction Promotion Plan, said head may request the relevant Approved Local Government to take the measures necessary to carry out said Reconstruction Promotion Projects.

(Rescission of Approval)

Article 9 (1) If the Prime Minister finds that an Approved Reconstruction Promotion Plan no longer conforms to any of the items of Article 4, paragraph (9), Approval thereof may be rescinded. In this case, the Prime Minister must give notice to that effect to the Head(s) of the Relevant Administrative Organ(s), in advance.

- (2) The Head(s) of the Relevant Administrative Organ(s) may present their opinions as deemed necessary with regard to the rescission of the Approval

under the preceding paragraph to the Prime Minister.

- (3) The provisions of Article 4, paragraph (11) applies mutatis mutandis to the rescission of the Approval of the Approved Reconstruction Promotion Plans under paragraph (1).

(Assistance, etc. to Approved Local Governments)

Article 10 (1) The Prime Minister and the Head(s) of the Relevant Administrative Organ(s) must endeavor to provide an Approved Local Government with information, advice, or other assistance as necessary for the smooth and steady implementation of its Approved Reconstruction Promotion Plan.

- (2) If the Head(s) of the Relevant Administrative Organ(s), the head(s) of the relevant local government(s), or other executive agencies have been asked to grant permission or render other dispositions pursuant to the provisions of laws and regulations with regard to the implementation of Reconstruction Promotion Projects pertaining to an Approved Reconstruction Promotion Plan, said heads shall give due consideration thereto so as to ensure the smooth and prompt implementation of said Reconstruction Promotion Projects.

- (3) In addition to what are prescribed in the preceding two paragraphs, the Prime Minister, the Head(s) of the Relevant Administrative Organ(s), an Approved Local Government, relevant local government(s), and the Responsible Entities must mutually collaborate and cooperate so as to ensure smooth and steady implementation of the relevant Approved Reconstruction Promotion Plan.

(Proposals concerning New Special Measures on Regulations, etc. and Submission of Written Special Opinions on Reconstruction)

Article 11 (1) A Specified Local Government (limited to one organizing a Regional Committee) or an Approved Local Government that intends to file an Application (hereinafter referred to as an "Approved Local Government, etc." in this Article and the following Article) may present a proposal concerning the development of measures under new special measures on regulations and other special measures (referred to as "New Special Measures on Regulations, etc." in the following paragraph, paragraph (8), and paragraph (1) of the following Article) or other new measures to be taken by the national government for the Facilitation of Smooth and Prompt Reconstruction through the Implementation, etc. of Reconstruction Promotion Projects in the zone of the Reconstruction Promotion Plan pertaining to said Application (hereinafter simply referred to as a "Proposal" in this Article) to the Prime Minister.

- (2) A person who intends to carry out a project in the zone of the Reconstruction Promotion Plan by applying New Special Measures on Regulations, etc. may

request an Approved Local Government, etc. to present a Proposal concerning the development of said New Special Measures on Regulations, etc.

- (3) An Approved Local Government, etc. that has received a request pursuant to the provisions of the preceding paragraph must notify the person who has made the request whether or not to present a proposal based on said request without delay. In this case, when the Approved Local Government, etc. has decided not to present a proposal, it must clarify the reason therefor.
- (4) Where a Proposal has been presented, and when the Prime Minister finds it necessary to take new measures based on said Proposal after hearing the opinions of the Head(s) of the Relevant Administrative Organ(s), the Prime Minister must draft the amendments to the Basic Guidelines for Special Zones for Reconstruction and seek a Cabinet decision thereon.
- (5) If a Cabinet decision has been made pursuant to the provisions of the preceding paragraph, the Prime Minister must publicize the Basic Guidelines for Special Zones for Reconstruction without delay.
- (6) Where a Proposal has been presented, and when the Prime Minister finds it unnecessary to take new measures based on said Proposal after hearing the opinions of the Head(s) of the Relevant Administrative Organ(s), the Prime Minister must give notice to that effect to the Approved Local Government, etc. that has presented said Proposal together with the reason therefor.
- (7) Where a Proposal has been presented, and when a committee as prescribed in paragraph (1) of the following Article (limited to a committee which includes the Approved Local Government, etc. that has presented said Proposal as a member thereof) has been organized, the Prime Minister must hold deliberations at said committee concerning said Proposal before seeking a Cabinet decision pursuant to the provisions of paragraph (4) or giving a notice pursuant to the provisions of the preceding paragraph.
- (8) An Approved Local Government, etc. may submit opinions in writing to the Diet concerning the development of New Special Measures on Regulations, etc. or other measures for the Facilitation of Smooth and Prompt Reconstruction through the Implementation, etc. of Reconstruction Promotion Projects in the zone of the Reconstruction Promotion Plan pertaining to said Application (referred to as "Written Special Opinions on Reconstruction" in the following paragraph).
- (9) Where Written Special Opinions on Reconstruction have been submitted to the Diet, and when the Diet finds it necessary for the smooth and steady implementation of measures pertaining to said Written Special Opinions on Reconstruction, it shall take the necessary legislative measures.

(Committee of National and Local Governments)

Article 12 (1) The Prime Minister, Ministers of State designated by the Prime

Minister, and the head of an Approved Local Government, etc. (hereinafter referred to as the "Prime Minister, etc." in this Article) may organize a committee for holding deliberations necessary for facilitating efforts that said Approved Local Government, etc. is going to promote in the zone of the Reconstruction Promotion Plan, the development of New Special Measures on Regulations, etc. for promoting said efforts, or other measures for the Facilitation of Smooth and Prompt Reconstruction through the Implementation, etc. of Reconstruction Promotion Projects (hereinafter simply referred to as a "Committee" in this Article) for each of the prefectural zones.

- (2) If a Committee has not been organized, the head of an Approved Local Government, etc. may request the Prime Minister to organize a Committee.
- (3) If receiving a request pursuant to the provisions of the preceding paragraph, the Prime Minister must respond to said request except where there are justifiable grounds not to do so.
- (4) If the Prime Minister, etc. finds it necessary upon going through deliberations, a zone may have the following persons join the Committee as a member thereof:
  - (i) The head of a Local Government or other executive agencies (excluding the head of the Approved Local Government, etc. set forth in paragraph (1));
  - (ii) A person who represents the Regional Committee organized by a Specified Local Government within the relevant prefecture (where there are two or more Regional Committees, the persons representing each of them);
  - (iii) A person who carries out or is expected to carry out a Reconstruction Promotion Project in said prefectural zone;
  - (iv) Any other person who has a close interest in the implementation of a Reconstruction Promotion Project in said prefectural zone.
- (5) A meeting for holding the deliberations set forth in paragraph (1) (hereinafter simply referred to as a "Meeting" in this Article) shall consist of the Prime Minister, etc. and the persons who have become members pursuant to the provisions of the preceding paragraph or persons appointed by any of those persons.
- (6) If the Committee finds it necessary in order to hold deliberations at a Meeting, it may ask the head(s) of national administrative organ(s), the head(s) of the Local Government(s) or other executive agencies to provide data, present opinions, make explanations, or offer any other necessary cooperation.
- (7) If the Committee finds it especially necessary for holding deliberations at a Meeting, it may ask for necessary cooperation from persons other than those prescribed in the preceding paragraph.
- (8) Members of the Committee must respect the results of the deliberations with regard to the particulars on which an agreement has been reached at a Meeting. In this case, when it is necessary for smooth and steady

implementation of measures to be taken by the Approved Local Government, etc., the Prime Minister, etc. (excluding the head of the Approved Local Government, etc.) must take necessary legislative measures or other measures promptly.

- (9) Administrative issues emanating from the Committee shall be dealt with by the Cabinet Office.
- (10) The Prime Minister shall report to the Diet about the progress and the details of the deliberations at a Meeting on a timely basis (where no agreement has been reached at a Meeting, without delay) in an appropriate manner.
- (11) The provisions of paragraph (9) of the preceding Article apply mutatis mutandis where the Diet has received a report as set forth in the preceding paragraph.
- (12) In addition to what are prescribed in the preceding paragraphs, the particulars necessary for the administration of the Committee shall be determined by the Committee.

(Committee for Reconstruction Promotion)

Article 13 (1) A Specified Local Government may organize a Committee for Reconstruction Promotion (hereinafter referred to as a "Regional Committee" in this Article and the following Section) for the purpose of holding deliberations on a Reconstruction Promotion Plan that it intends to prepare pursuant to the provisions of Article 4, paragraph (1) and an Approved Reconstruction Promotion Plan, as well as the particulars necessary for the implementation thereof.

- (2) A Regional Committee shall consist of the following persons:
  - (i) A Specified Local Government set forth in the preceding paragraph;
  - (ii) A person who carries out or is expected to carry out a Reconstruction Promotion Project.
- (3) If a Specified Local Government that organizes a Regional Committee pursuant to the provisions of paragraph (1) finds it necessary, it may have the following persons join the Regional Committee as a member thereof, in addition to those set forth in the items of the preceding paragraph:
  - (i) A person who has a close interest in a Reconstruction Promotion Plan or an Approved Reconstruction Promotion Plan that said Specified Local Government intends to prepare, and in the implementation thereof;
  - (ii) Any other person whom said Specified Local Government finds to be necessary.
- (4) If adding any members to the Regional Committee pursuant to the provisions of the preceding paragraph, a Specified Local Government must give due consideration so that the composition of the members of the Regional Committee should appropriately reflect diversified opinions on a

Reconstruction Promotion Plan or an Approved Reconstruction Promotion Plan that said Specified Local Government intends to prepare, and on the implementation thereof.

- (5) Where a Regional Committee has not been organized, the following persons may request a Specified Local Government to organize a Regional Committee:
  - (i) A person who carries out or intends to carry out a Reconstruction Promotion Project;
  - (ii) In addition to a person set forth in the preceding item, a person who has a close interest in a Reconstruction Promotion Plan or an Approved Reconstruction Promotion Plan that said Specified Local Government intends to prepare, and in the implementation thereof.
- (6) If receiving a request pursuant to the provisions of the preceding paragraph, a Specified Local Government must respond to said request except where there are justifiable grounds not to do so.
- (7) If a Specified Local Government has organized a Regional Committee pursuant to the provisions of paragraph (1), it must make this public without delay, as specified by Cabinet Office Ordinance.
- (8) A person set forth in the items of paragraph (5) who is not a member of the Regional Committee may request a Specified Local Government that organizes the Regional Committee pursuant to the provisions of paragraph (1) to add them as a member thereof.
- (9) If receiving a request pursuant to the provisions of the preceding paragraph, a Specified Local Government must respond to said request except where there are justifiable grounds not to do so.
- (10) Members of the Regional Committee must respect the results of the deliberations with regard to the particulars on which an agreement has been reached at a meeting for holding deliberations as set forth in paragraph (1).
- (11) In addition to what are prescribed in the preceding paragraphs, the particulars necessary for the operation of the Regional Committee shall be determined by the Regional Committee.

## **Section 2 Special Measures for Projects under Approved Reconstruction Promotion Plans**

### **Subsection 1 Special Measures on Regulations**

(Special Provisions for the Fishery Act)

Article 14 If a prefecture, which is a Specified Local Government, has applied for and has subsequently obtained the approval of the Prime Minister, with regard to a Reconstruction Promotion Plan that provides for, as a Reconstruction Promotion Project prescribed in Article 4, paragraph (2), item (v), Projects for Licensing Specific Demarcated Fishery Right (such project shall mean, when it

is found that economic activities in a Local District (meaning the Local District prescribed in Article 11 of the Fishery Act (Act No. 267 of 1949); hereinafter the same applies in this Article) pertaining to the Specific Demarcated Fishery Right (meaning the Specific Demarcated Fishery Right prescribed in Article 7 of the same Act; hereinafter the same applies in this Article) in zones covered by the Reconstruction Promotion Plans are stagnant due to the Great East Japan Earthquake, and that it is difficult for fishery managers with addresses in said Local District to develop facilities, secure human resources, or take other measures necessary to carry out the business of culturing aquatic animals and plants individually, a project to grant a license for a Demarcated Fishery (meaning the Demarcated Fishery prescribed in Article 6, paragraph (4) of the same Act) covered by the Specific Demarcated Fishery Right, to an appropriate person for facilitating the smooth and prompt reconstruction of said Local District through carrying out said business; hereinafter the same applies in this Article and row (i) of the Appended Table), the governor of the prefecture that has obtained said approval may grant a license pertaining to the Projects for Licensing Specific Demarcated Fishery Right provided for in the Approved Reconstruction Promotion Plan, on or after the date said approval has been granted, notwithstanding the provisions of Article 18 of the same Act, by giving priority to a person prescribed in Article 16, paragraph (6) or (8) of the same Act who satisfies the following requirements and who is considered to be the most appropriate for and capable of carrying out the business of culturing aquatic animals and plants:

- (i) The person has a concrete plan for initiating the business of culturing aquatic animals and plants promptly after obtaining said license;
- (ii) The person has the sufficient financial base and technical capability for conducting business for culturing aquatic animals and plants;
- (iii) The person has sufficient social credibility;
- (iv) It is found that the business of culturing aquatic animals and plants pertaining to said license that said person is to conduct will definitely increase fishery production, maintain the employment of fishers with addresses in the Local District pertaining to said license, create employment opportunities, or otherwise have economic and social impact on the revitalization of said Local District;
- (v) The business of culturing aquatic animals and plants pertaining to said license that the person is to conduct is unlikely to hinder coordination with other fisheries operating in waters including the fishing grounds for which the person intends to obtain a license, or otherwise to the comprehensive use of said waters.

(Special Provisions for the Building Standards Act)

Article 15 (1) If a Specified Local Government has applied for and has subsequently obtained the approval of the Prime Minister, with regard to a Reconstruction Promotion Plan that provides for, as a Reconstruction Promotion Project prescribed in Article 4, paragraph (2), item (v), Projects for Developing Buildings for Reconstruction (meaning a project to promote the development of buildings necessary for facilitating a smooth and prompt reconstruction in Industrial Cluster Zones for Reconstruction, Residential Zones for Reconstruction, or Specified Zones for Reconstruction; the same applies in the following paragraph and row (ii) of the Appended Table), with regard to the application of the provisions of Article 48, paragraphs (1) to (12) of the Building Standards Act (Act No. 201 of 1950) (including cases where these provisions are applied mutatis mutandis pursuant to Article 87, paragraph (2) or (3) of the same Act) to buildings in these zones provided for in said Reconstruction Promotion Plan, on or after the date said approval has been granted, the term "the specified administrative agency" in the proviso to Article 48, paragraph (1) of the same Act shall be deemed to be replaced with "the specified administrative agency has granted permission by deeming that the building conforms to the basic guidelines prescribed in Article 15, paragraph (2) of the Act on Special Zones for Reconstruction in Response to the Great East Japan Earthquake (Act No. 122 of 2011) that are provided for in a Reconstruction Promotion Plan prescribed in paragraph (1) of said Article, for which the approval set forth in said paragraph has been granted (hereinafter such guidelines shall be referred to as the "Basic Guidelines for an Approved Plan" in this Article) or otherwise"; the term "or that it is unavoidable" in the proviso to said paragraph to paragraph (10) of said Article, and to paragraph (12) of same Article shall be deemed to be replaced with "or has granted permission by deeming that it is unavoidable"; and the term "the specified administrative agency" in the proviso to paragraphs (2) to (12) of said Article shall be deemed to be replaced with "the specified administrative agency has granted permission by deeming that the building conforms to the Basic Guidelines for an Approved Plan, or otherwise."

(2) The Reconstruction Promotion Plan set forth in the preceding paragraph shall establish the basic guidelines concerning the development of buildings pertaining to the Projects for Developing Buildings for Reconstruction provided for in said Reconstruction Promotion Plan as the particulars set forth in Article 4, paragraph (2), item (vii). In this case, said basic guidelines must be established so that a zone are not contrary to the objective of designating Usage Districts (meaning the Usage Districts prescribed in Article 48, paragraph (13) of the Building Standards Act) within said zones.

Article 16 (1) If a Specified Local Government has applied for and has



subsequently obtained the approval of the Prime Minister, with regard to a Reconstruction Promotion Plan that provides for, as a Reconstruction Promotion Project prescribed in Article 4, paragraph (2), item (v), Projects for Developing Buildings for Reconstruction in Special Usage Districts (meaning a project to promote the development of buildings necessary for facilitating a smooth and prompt reconstruction in Special Usage Districts (meaning the Special Usage Districts set forth in Article 8, paragraph (1), item (ii) of the City Planning Act (Act No. 100 of 1968); the same applies in the following paragraph) within Industrial Cluster Zones for Reconstruction, Residential Zones for Reconstruction, or Specified Zones for Reconstruction, by way of easing the restrictions under Article 48, paragraphs (1) to (12) of the Building Standards Act in its Ordinance based on the provisions of Article 49, paragraph (2) of the same Act; the same applies in the following paragraph and row (iii) of the Appended Table), the provisions of Article 49, paragraph (2) of the Building Standards Act applies to the Specified Local Government that has obtained said approval, by deeming said approval to be that granted under said paragraph, on or after the date said approval has been granted.

- (2) The Reconstruction Promotion Plan set forth in the preceding paragraph shall provide for the details of the easing of the restrictions under Article 48, paragraphs (1) to (12) of the Building Standards Act for Special Usage Districts pertaining to said Projects for Developing Buildings for Reconstruction in Special Usage Districts, which the Specified Local Government intends to specify in its Ordinance based on the provisions of Article 49, paragraph (2) of the same Act, as the particulars set forth in Article 4, paragraph (2), item (vii).

Article 17 (1) If a Specified Local Government has applied for and has subsequently obtained the approval of the Prime Minister, with regard to a Reconstruction Promotion Plan that provides for, as a Reconstruction Promotion Project prescribed in Article 4, paragraph (2), item (v), Projects for Utilizing Emergency Temporary Buildings (meaning a project carried out in zones within zones covered by the Reconstruction Promotion Plans where a considerable period of time is anticipated to be required, in light of the status of reconstruction after the Great East Japan Earthquake, for rebuilding buildings necessary for the day to day lives of the local residents that were severely damaged by the earthquake, to preserve the Emergency Temporary Buildings set forth in Article 85, paragraph (2) of the Building Standards Act (excluding housing; hereinafter simply referred to as "Emergency Temporary Buildings" in this Article) that are necessary, in lieu of said damaged buildings, over the period prescribed in Article 85, paragraph (4) of the same Act, and to utilize them for facilitating reconstruction; hereinafter the same applies in this Article and row (iv) of the Appended Table), regarding Emergency Temporary

Buildings pertaining to the Projects for Utilizing Emergency Temporary Buildings in the zones of said Reconstruction Promotion Plan, the specified administrative agency set forth in Article 2, item (xxxv) of the Building Standards Act may, when it is considered to have no implications in terms of safety, fire prevention, and sanitation, extend the period for permission set forth in Article 85, paragraph (4) of the same Act within the period set forth in the following paragraph not exceeding a further year, notwithstanding the provisions of paragraph (4) of said Article, on or after the date said approval has been granted. The same applies in cases where the period for said extension expires and the specified administrative agency intends to extend the period further.

- (2) The Reconstruction Promotion Plan set forth in the preceding paragraph shall provide for the location and usage of Emergency Temporary Buildings pertaining to said Projects for Utilizing Emergency Temporary Buildings, and the period for said Projects for Utilizing Emergency Temporary Buildings for each of said Emergency Temporary Buildings, as the particulars set forth in Article 4, paragraph (2), item (vii).

(Special Provisions for the Road Transportation Act)

Article 18 (1) If a Specified Local Government has applied for the approval of the Prime Minister, with regard to a Reconstruction Promotion Plan that provides for, as a Reconstruction Promotion Project prescribed in Article 4, paragraph (2), item (v), Projects for Securing Road Transportation in Disaster-stricken Zones (meaning a project carried out by a person engaged in Common Omnibus Business (meaning the Common Omnibus Business set forth in Article 3, item (i), (a) of the Road Transportation Act (Act No. 183 of 1951)) for the routes, the whole or a part of which is located within zones covered by the Reconstruction Promotion Plans, for the purpose of improving the convenience of its users; hereinafter the same applies in this Article and row (v) of the Appended Table), while attaching documents specified by Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism concerning the Projects for Securing Road Transportation in Disaster-stricken Zones provided for in said Reconstruction Promotion Plan, and has subsequently obtained the approval of the Prime Minister, regarding the part of the Projects for Securing Road Transportation in Disaster-stricken Zones provided for in said Reconstruction Promotion Plan, for which approval needs to be obtained as set forth in Article 15, paragraph (1) of the same Act or a notification needs to be made pursuant to the provisions of paragraph (3) or (4) of said Article, it shall be deemed that the approval has been obtained or the notification has been made pursuant to these provisions as of the date said approval has been granted.

- (2) If a Specified Local Government intends to apply for the approval set forth in

the preceding paragraph, it must obtain the consent, with regard to the details of the Projects for Securing Road Transportation in Disaster-stricken Zones that it intends to provide for in the Reconstruction Promotion Plan pertaining to said application, of persons that it intends to provide for as the Responsible Entities for said Projects for Securing Road Transportation in Disaster-stricken Zones in said Reconstruction Promotion Plan, notwithstanding the provisions of Article 4, paragraph (3).

- (3) If the Minister of Land, Infrastructure, Transport and Tourism has been asked to give the consent set forth in Article 4, paragraph (10) (including cases applied *mutatis mutandis* pursuant to Article 6, paragraph (2); hereinafter the same applies in this Article) in relation to the application for the approval set forth in paragraph (1), if said minister finds that the details of the part of the Projects for Securing Road Transportation in Disaster-stricken Zones provided for in the Reconstruction Promotion Plan pertaining to said application, for which approval needs to be obtained as set forth in Article 15, paragraph (1) of the Road Transportation Act, do not conform to the criteria set forth in the items of Article 6 of the same Act as applied *mutatis mutandis* pursuant to Article 15, paragraph (2) of the same Act, said minister must not give the consent set forth in Article 4, paragraph (10).
- (4) The Minister of Land, Infrastructure, Transport and Tourism may request the provision of the information necessary for giving the consent set forth in Article 4, paragraph (10) from the relevant Specified Local Government and the Responsible Entities for the Projects for Securing Road Transportation in Disaster-stricken Zones provided for in the Reconstruction Promotion Plan pertaining to the application for the approval set forth in paragraph (1).
- (5) If the Minister of Land, Infrastructure, Transport and Tourism has been asked to give the consent set forth in Article 4, paragraph (10) in relation to the application for the approval set forth in paragraph (1), said minister shall hear the opinions of the relevant Road Administrator (meaning the Road Administrator prescribed in Article 18, paragraph (1) of the Road Act (Act No. 180 of 1952); hereinafter the same applies in this paragraph) as specified by Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism, and of the relevant Prefectural Public Safety Commission as specified by Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism and Cabinet Office Ordinance, respectively; provided, however, that this shall not apply in cases specified by Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism as those where it is unnecessary to hear the opinions of the Road Administrator or cases specified by Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism and Cabinet Office Ordinance as those where it is unnecessary to hear the opinions of the Prefectural Public Safety Commission.

(Special Provisions for the Act on Public Housing, etc.)

Article 19 (1) If a Specified Local Government has applied for and has subsequently obtained the approval of the Prime Minister, with regard to a Reconstruction Promotion Plan that provides for, as Reconstruction Promotion Projects prescribed in Article 4, paragraph (2), item (v), a Project for Providing Public Housing to Disaster Victims (meaning a project for carrying out all of the following projects in zones covered by the Reconstruction Promotion Plans; the same applies hereinafter), the provisions of the following Article and Article 21 applies to said Projects for Providing Public Housing to Disaster Victims, on or after the date said approval has been granted:

- (i) A project to construct, etc. public housing as prescribed in Article 2, item (v) of the Act on Public Housing (Act No. 193 of 1951), while receiving subsidies from the national government pursuant to the provisions of Article 8, paragraph (1) of the Act on Public Housing or Article 22, paragraph (1) of the Act on Special Financial Support to Deal with the Designated Disaster of Extreme Severity (Act No. 150 of 1962);
  - (ii) A project to lease public housing or improved housing to a person who had resided in housing lost due to the Great East Japan Earthquake in zones of Reconstruction Promotion Plans or a person who is required to relocate upon the implementation of a city planning project or other project specified by Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism to be carried out in zones under said Reconstruction Promotion Plans (such persons shall be referred to as "Disaster Victims, etc." in the following Article).
- (2) The Reconstruction Promotion Plan set forth in the preceding paragraph shall provide for the period for the project set forth in item (i) of the preceding paragraph, as the particulars set forth in Article 4, paragraph (2), item (vii).

Article 20 With regard to Disaster Victims, etc. who intend to move into public housing or improved housing pertaining to Projects for Providing Public Housing to Disaster Victims provided for in a Reconstruction Promotion Plan approved as set forth in paragraph (1) of the preceding Article, those meeting the conditions set forth in Article 23, item (ii) of the Act on Public Housing (including cases applied mutatis mutandis pursuant to Article 29, paragraph (1) of the Residential Areas Improvement Act) shall be deemed to be those meeting the conditions set forth in the items of Article 23 of the Act on Public Housing (including cases applied mutatis mutandis pursuant to Article 29, paragraph (1) of the Residential Areas Improvement Act), up to the day on which the period set forth in paragraph (2) of the preceding Article provided for in said Reconstruction Promotion Plan expires (when said day is after March

11, 2021, up to March 11, 2021).

Article 21 With regard to the application of the provisions of Article 44, paragraphs (1) and (2) of the Act on Public Housing (including cases where these provisions are applied mutatis mutandis pursuant to Article 29, paragraph (1) of the Residential Areas Improvement Act; hereinafter the same applies in this Article) and the provisions of Article 15 of the Supplementary Provisions of the Act on Public Housing to public housing pertaining to Projects for Providing Public Housing to Disaster Victims provided for in a Reconstruction Promotion Plan approved as set forth in Article 19, paragraph (1) or common facilities or improved housing as prescribed in Article 2, item (ix) of the Act on Public Housing that pertain to said public housing (referred to as "Public Housing, etc." in the following Article), the term "one-fourth" in Article 44, paragraph (1) of the same Act shall be deemed to be replaced with "one-sixth"; the term "the expenses required for the development of public housing, the development of common facilities, or their repair or renovation" in paragraph (2) of said Article shall be deemed to be replaced with "the expenses required for the development of public housing, the development of common facilities, or their repair or renovation, or the expenses required for carrying out projects or affairs based on a regional housing plan set forth in Article 6 of the Act on Special Measures concerning Development of Public Rental Housing, etc. to Accommodate Various Demands of Communities (Act No. 79 of 2005)"; and the term "in cases where one-fourth of its life time has elapsed" in paragraph (15) of the Supplementary Provisions of the same Act shall be deemed to be replaced with "when there are any special circumstances in cases where one-sixth of its life time has elapsed, or in cases where one-fourth of its life time has elapsed".

Article 22 (1) If a Specified Local Government has applied for and has subsequently obtained the approval of the Prime Minister, with regard to a Reconstruction Promotion Plan that provides for, as a Reconstruction Promotion Project prescribed in Article 4, paragraph (2), item (v), Projects for Managing Public Housing, etc. for Promoting Reconstruction (meaning any of the following projects carried out for the purpose of the facilitation of a smooth and prompt reconstruction in response to the Great East Japan Earthquake by way of the proper management and disposition of Public Housing, etc. in zones covered by the Reconstruction Promotion Plans; hereinafter the same applies in this paragraph and row (vii) of the Appended Table), with regard to the Projects for Managing Public Housing, etc. for Promoting Reconstruction for which said approval has been obtained, it shall be deemed that the approval of the Minister of Land, Infrastructure, Transport and Tourism has been obtained

pursuant to the provisions specified respectively in the following items, in accordance with the category set forth therein, as of the date said approval has been granted:

- (i) A project to abolish the use of Public Housing, etc. damaged by the Great East Japan Earthquake, based on Article 44, paragraph (3) of the Act on Public Housing (including cases where applied mutatis mutandis pursuant to Article 29, paragraph (1) of the Residential Areas Improvement Act; hereinafter the same applies in this item): Article 44, paragraph (3) of the Act on Public Housing;
  - (ii) A project to allow a social welfare corporation, etc. as prescribed in Article 45, paragraph (1) of the Act on Public Housing to use public housing as a residence based on said paragraph: Said paragraph;
  - (iii) A project to assign Public Housing, etc. to other local governments based on Article 46, paragraph (1) of the Act on Public Housing (including cases applied mutatis mutandis pursuant to Article 29, paragraph (1) of the Residential Areas Improvement Act; hereinafter the same applies in this item): Article 46, paragraph (1) of the Act on Public Housing.
- (2) If the Minister of Land, Infrastructure, Transport and Tourism has been asked to give the consent set forth in Article 4, paragraph (10) (including cases applied mutatis mutandis pursuant to Article 6, paragraph (2)) in relation to the application for approval set forth in the preceding paragraph (limited to the part pertaining to item (i) or (iii)), said minister must hold deliberations with the Minister of Health, Labour and Welfare.
- (3) If a municipality (including special wards; the same applies hereinafter), which is a Specified Local Government, has obtained the approval set forth in paragraph (1), it shall give notice to that effect to the governor of the prefecture where it is located.

(Special Provisions for the Agricultural Land Act, etc.)

Article 23 If a municipality, which is a Specified Local Government, (limited to a municipality that has sustained damage from the tsunami due to the earthquake that occurred off the Pacific coast of the Tohoku region on March 11, 2011) has applied for and has subsequently obtained the approval of the Prime Minister, with regard to a Reconstruction Promotion Plan that provides for, as a Reconstruction Promotion Project prescribed in Article 4, paragraph (2), item (v), Projects for Developing Facilities for the Supply of Food, etc. (meaning a project to develop facilities for the production or processing of agricultural, forestry, and marine products, or other facilities specified by Ordinance of the Ministry of Agriculture, Forestry and Fisheries as those contributing to ensuring a stable supply of food or contributing to the reconstruction of the agriculture, forestry and fisheries industry in the

relevant municipality (hereinafter referred to as "Facilities for the Supply of Food, etc.") in zones covered by the Reconstruction Promotion Plans; the same applies hereinafter), the provisions of the following Article to Article 27 applies to said Projects for Developing Facilities for the Supply of Food, etc., on or after the date said approval has been granted.

Article 24 (1) A municipality that has obtained the approval set forth in the preceding Article (hereinafter referred to as an "Approved Municipality" in this Article) may prepare a plan concerning the development of the Facilities for the Supply of Food, etc. pertaining to the Projects for Developing Facilities for the Supply of Food, etc. provided for in the Reconstruction Promotion Plan for which it has obtained said approval (limited to a plan falling under either of the following items; hereinafter referred to as a "Plan for Developing Facilities for the Supply of Food, etc.") after holding deliberations at the Regional Committee:

- (i) The land to be used for Facilities for the Supply of Food, etc. is to be Agricultural Land or Grazing Land (Grazing Land meaning land other than Agricultural Land that is used mainly for the purpose of harvesting fodder as part of the business of cultivating land or putting livestock out to pasture as part of the business of raising livestock; hereinafter the same applies in this Article and paragraph (2) of the following Article), and the plan pertains to the land for which it is required to obtain the permission as set forth in Article 4, paragraph (1) or Article 5, paragraph (1) of the Agricultural Land Act (Act No. 229 of 1952) (excluding the permission of the Minister of Agriculture, Forestry and Fisheries and the permission prescribed in paragraph (2), items (i) and (iii) of the Supplementary Provisions of the same Act), when intending to obtain the ownership of or right to use or make profits with regard to said Agricultural Land order to change said land, to land other than Agricultural Land; or change said Agricultural Land, or said Grazing Land, to land other than Agricultural Land or Grazing Land, with the aim of using it for said Facilities for the Supply of Food, etc.;
- (ii) The plan is to conduct Development Activities (meaning the Development Activities prescribed in Article 10-2, paragraph (1) of the Forest Act; hereinafter the same applies in this Article and Article 27) for developing said Facilities for the Supply of Food, etc. in a private forest as prescribed in Article 5, paragraph (1) of the same Act which is covered by a regional forestry plan prepared under the provisions of said paragraph (excluding protected forests designated under Article 25 or 25-2 of the same Act, and forests within zones of protection facility districts designated under Article 41 of the same Act or within Coastal Protection Zones; such private forests shall be referred to as "Covered Private Forests" in paragraph (4), item (vi)

- and Article 27), and pertains to the forests for which it is required to obtain the permission as set forth in Article 10-2, paragraph (1) of the same Act, when intending to conduct said Development Activities.
- (2) If an Approved Municipality holds deliberations as set forth in the preceding paragraph, it shall add persons specified respectively in the following items, as members of the Regional Committee, in accordance with the category set forth therein:
- (i) Where the Plan for Developing Facilities for the Supply of Food, etc. falls under item (i) of the preceding paragraph: The prefectural governor, the Prefectural Agricultural Council, and other persons specified by Ordinance of the Ministry of Agriculture, Forestry and Fisheries;
  - (ii) Where the Plan for Developing Facilities for the Supply of Food, etc. falls under item (ii) of the preceding paragraph: The prefectural governor and persons with knowledge and experience concerning forests and the forestry industry.
- (3) A Plan for Developing Facilities for the Supply of Food, etc. must include the Responsible Entities for the Projects for Developing Facilities for the Supply of Food, etc., type and size of the Facilities for the Supply of Food, etc., location and acreage of land to be used for said Facilities for the Supply of Food, etc., and other particulars specified by Ordinance of the Ministry of Agriculture, Forestry and Fisheries.
- (4) If an Approved Municipality intends to prepare a Plan for Developing Facilities for the Supply of Food, etc. pursuant to the provisions of paragraph (1), it must obtain the consent of the prefectural governor with regard to said Plan for Developing Facilities for the Supply of Food, etc. In this case, said prefectural governor shall give consent if a zone find that said Plan for Developing Facilities for the Supply of Food, etc. satisfies the following requirements:
- (i) In cases of changing Agricultural Land to land other than Agricultural Land, it does not fall under cases where the permission set forth in Article 4, paragraph (1) of the Agricultural Land Act cannot be granted pursuant to the provisions of paragraph (2) of said Article (excluding the part pertaining to item (i));
  - (ii) In cases of changing Agricultural Land as set forth in Article 4, paragraph (2), item (i), (a) or (b) to land other than Agricultural Land, it is not found that the objective of the Projects for Developing Facilities for the Supply of Food, etc. can be achieved through the use of other surrounding land, in lieu of said Agricultural Land;
  - (iii) In cases of obtaining the ownership of, or right to use or make profits with regard to Agricultural Land or Grazing Land in order to change such land to land other than Agricultural Land or Grazing Land, a zone do not fall under



- cases where the permission set forth in Article 5, paragraph (1) of the Agricultural Land Act cannot be granted pursuant to the provisions of paragraph (2) of said Article (excluding the part pertaining to item (i));
- (iv) In cases of obtaining the ownership of or right to use or make profits with regard to Agricultural Land or Grazing Land as set forth in Article 5, paragraph (2), item (i), (a) or (b) of the Agricultural Land Act in order to change such land to land other than Agricultural Land or Grazing Land, it is not found that the objectives of the Projects for Developing Facilities for the Supply of Food, etc. can be achieved through the use of other surrounding land, in lieu of said land;
  - (v) In cases where land to be used for the Facilities for the Supply of Food, etc. is located within an Agricultural Land Zone, it is found that the plan is unlikely to hinder the efficient and comprehensive use of the surrounding land for agricultural purposes, and the plan satisfies other requirements specified by Ordinance of the Ministry of Agriculture, Forestry and Fisheries;
  - (vi) In cases of conducting Development Activities for developing said Facilities for the Supply of Food, etc. in Covered Private Forests, said Development Activities do not fall under any of the items of Article 10-2, paragraph (2) of the Forest Act.

Article 25 (1) Where the Responsible Entities for Projects for Developing Facilities for the Supply of Food, etc. provided for in a Plan for Developing Facilities for the Supply of Food, etc. that has been prepared pursuant to the provisions of paragraph (1) of the preceding Article (referred to as the "Entities Developing Facilities for the Supply of Food, etc." in the following paragraph and Article 27) intend to change Agricultural Land to land other than Agricultural Land for the purpose of using it for Facilities for the Supply of Food, etc. in line with said Plan for Developing Facilities for the Supply of Food, etc., it shall be deemed that the permission set forth in Article 4, paragraph (1) of the Agricultural Land Act has been granted.

(2) In cases where Entities Developing Facilities for the Supply of Food, etc. intend to obtain the ownership of or right to use, or make profits with regard to Agricultural Land or Grazing Land in order to change such land to land other than Agricultural Land or Grazing Land for the purpose of using it for Facilities for the Supply of Food, etc. in line with a Plan for Developing Facilities for the Supply of Food, etc., it shall be deemed that the permission set forth in Article 5, paragraph (1) of the Agricultural Land Act has been granted.

Article 26 With regard to changing an Agricultural Land Zone with the aim of excluding land to be used for Facilities for the Supply of Food, etc. provided for

in a Plan for Developing Facilities for the Supply of Food, etc. that has been prepared pursuant to the provisions of Article 24, paragraph (1) from the Agricultural Land Zone, the provisions of Article 13, paragraph (2) of the Act on Establishment of Agricultural Promotion Regions shall not apply.

Article 27 Where Entities Developing Facilities for the Supply of Food, etc. conduct Development Activities for developing said Facilities for the Supply of Food, etc. in Covered Private Forests in line with a Plan for Developing Facilities for the Supply of Food, etc., it shall be deemed that the permission set forth in Article 10-2, paragraph (1) of the Forest Act has been granted.

(Special Provisions for the Factory Location Act and the Act on Formation and Development of Regional Industrial Clusters through Promotion of Establishment of New Business Facilities, etc.)

Article 28 (1) If a Specified Local Government has applied for and has subsequently obtained the approval of the Prime Minister, with regard to a Reconstruction Promotion Plan that provides for, as a Reconstruction Promotion Project prescribed in Article 4, paragraph (2), item (v), Industrial Clusters Projects for Reconstruction (meaning projects that a person engaged in Manufacturing Business, etc. (meaning Manufacturing Business, etc. prescribed in Article 2, paragraph (3) of the Factory Location Act (Act No. 24 of 1959); hereinafter the same applies in this paragraph) newly establishes, or expands said factories or places of business that are used for said person's business (hereinafter referred to as "Factories, etc." in this paragraph) in Industrial Cluster Zones for Reconstruction; the same applies in paragraph (6), item (i) and row (ix) of the Appended Table), the Specified Local Government that has obtained said approval (limited to a municipality; hereinafter referred to as an "Approved Municipality" in this Article) may establish, by its Municipal Ordinance, applicable rules, in lieu of the rules that have been publicized under Article 4, paragraph (1) of the same Act or have been established under Article 4-2, paragraph (1) or (2) of the same Act (such publicized or established rules shall be referred to as the "Rules for the Factory Location Act" in paragraph (13), and, in cases where rules have been established under Article 10, paragraph (1) of the Act on Formation and Development of Regional Industrial Clusters through Promotion of Establishment of New Business Facilities, etc. (Act No. 40 of 2007; hereinafter referred to as the "Regional Industrial Clusters Formation Act" in this Article) or where a Municipal Ordinance has been established under Article 11, paragraph (1) of the Regional Industrial Clusters Formation Act, shall also include such rules and a Municipal Ordinance (hereinafter such rules and Municipal Ordinance shall be referred to as the "Rules, etc. for the Regional

Industrial Clusters Formation Act" in this Article)), with regard to the particulars concerning the ratio of respective areas of Green Spaces (meaning the Green Spaces prescribed in Article 4, paragraph (1), item (i) of the Factory Location Act) and Environmental Facilities (meaning the Environmental Facilities prescribed in Article 4, paragraph (1), item (i) of the same Act) in the Factories, etc. pertaining to the Manufacturing Business, etc. in the Industrial Cluster Zones for Reconstruction provided for in said Reconstruction Promotion Plan, against the total site area of said Factories, etc.

- (2) While a Municipal Ordinance establishing rules under the preceding paragraph (hereinafter referred to as a "Municipal Ordinance on Green Space Ratios, etc. in Industrial Cluster Zones for Reconstruction" and limited to one established by a city, which is an Approved Municipality) is in force, with regard to the application of the provisions of Article 9, paragraph (2), item (i) of the Factory Location Act in cases where a recommendation is to be made pursuant to the provisions of Article 9, paragraph (2) of the same Act regarding the Industrial Cluster Zones for Reconstruction pertaining to said Municipal Ordinance on Green Spaces Ratios, etc. in Industrial Cluster Zones for Reconstruction, the term "in cases where prefectural rules have been established under Article 4-2, paragraph (1) or where city rules have been established under paragraph (2) of said Article, including such prefectural rules or city rules" in Article 9, paragraph (2), item (i) of the same Act shall be deemed to be replaced with "in cases where rules have been established under Article 28, paragraph (1) of the Act on Special Zones for Reconstruction in Response to the Great East Japan Earthquake (Act No. 122 of 2011), including such rules."
- (3) While a Municipal Ordinance on Green Space Ratios, etc. in Industrial Cluster Zones for Reconstruction (limited to one established by a town or village, which is an Approved Municipality (hereinafter referred to as an "Approved Town or Village" in this Article)) is in force, affairs that are specified as being under the authority of the prefectural governor under the provisions of the Factory Location Act and which pertain to the Industrial Cluster Zones for Reconstruction pertaining to said Municipal Ordinance on Green Space Ratios, etc. in Industrial Cluster Zones for Reconstruction shall be carried out by the mayor of the Approved Town or Village that has established said Municipal Ordinance on Green Space Ratios, etc. in Industrial Cluster Zones for Reconstruction.
- (4) Where the mayor of an Approved Town or Village carries out the affairs pursuant to the provisions of the preceding paragraph, the provisions concerning prefectural governors in the provisions of the Factory Location Act and of Article 3, paragraph (1) of the Supplementary Provisions of the Act for Partial Revision of the Act on Investigation of Factory Location, etc. (Act No.

108 of 1973) applies to said mayor of the Approved Town or Village, with regard to said Industrial Cluster Zones for Reconstruction, as provisions concerning mayors of towns or villages. In this case, the term "in cases where prefectural rules have been established under Article 4-2, paragraph (1) or where city rules have been established under paragraph (2) of said Article, including such prefectural rules or city rules" in Article 9, paragraph (2), item (i) of the Factory Location Act shall be deemed to be replaced with "in cases where rules have been established under Article 28, paragraph (1) of the Act on Special Zones for Reconstruction in Response to the Great East Japan Earthquake (Act No. 122 of 2011), including such rules."

- (5) While a Municipal Ordinance on Green Space Ratios, etc. in Industrial Cluster Zones for Reconstruction is in force, the provisions of Article 12, paragraph (3) of the Regional Industrial Clusters Formation Act shall not apply to Specified Factories (meaning the Specified Factories prescribed in Article 6, paragraph (1) of the Factory Location Act; hereinafter the same applies in this Article) that have ceased to be subject to the Rules, etc. for the Regional Industrial Clusters Formation Act upon the enforcement of said Municipal Ordinance on Green Space Ratios, etc. in Industrial Cluster Zones for Reconstruction.
- (6) Where the following grounds occur, a municipality that has established a Municipal Ordinance on Green Space Ratios, etc. in Industrial Cluster Zones for Reconstruction may establish the necessary transitional measures with regard to Specified Factories that had received the application of said Municipal Ordinance on Green Space Ratios, etc. in Industrial Cluster Zones for Reconstruction prior to the occurrence of said grounds in zones that have ceased to be subject to said Municipal Ordinance on Green Space Ratios, etc. in Industrial Cluster Zones for Reconstruction due to the occurrence of said grounds, to the extent considered reasonably necessary as a consequence of said grounds:
  - (i) Approval of amendments to an Approved Reconstruction Promotion Plan pursuant to the provisions of Article 6, paragraph (1) (limited to changes to Industrial Cluster Zones for Reconstruction or to amendments so as not to specify any Industrial Clusters Project for Reconstruction as a Reconstruction Promotion Project prescribed in Article 4, paragraph (2), item (v));
  - (ii) Rescission of the approval set forth in paragraph (1) pursuant to the provisions of Article 9, paragraph (1).
- (7) While a Municipal Ordinance specifying transitional measures pursuant to the provisions of the preceding paragraph (hereinafter referred to as a "Municipal Ordinance Specifying Transitional Measures on Green Space Ratios, etc. in Industrial Cluster Zones for Reconstruction" and limited to one

established by a city) is in force, with regard to the application of Article 9, paragraph (2), item (i) of the Factory Location Act in cases where a recommendation is to be made pursuant to the provisions of Article 9, paragraph (2) of the same Act regarding Specified Factories set forth in the preceding paragraph, the term "in cases where prefectural rules have been established under Article 4-2, paragraph (1) or where city rules have been established under paragraph (2) of said Article, including such prefectural rules or city rules" in Article 9, paragraph (2), item (i) of the same Act shall be deemed to be replaced with "in cases where rules have been established under Article 28, paragraph (6) of the Act on Special Zones for Reconstruction in Response to the Great East Japan Earthquake (Act No. 122 of 2011), including such rules."

- (8) While a Municipal Ordinance Specifying Transitional Measures on Green Space Ratios, etc. in Industrial Cluster Zones for Reconstruction (limited to one established by a town or village) is in force, affairs that are specified as being under the authority of the prefectural governor under the provisions of the Factory Location Act and which pertain to Specified Factories set forth in paragraph (6) shall be carried out by the mayor of the town or village that has established said Municipal Ordinance Specifying Transitional Measures on Green Space Ratios, etc. in Industrial Cluster Zones for Reconstruction.
- (9) Where the mayor of a town or village carries out the affairs pursuant to the provisions of the preceding paragraph, the provisions of paragraph (4) applies mutatis mutandis. In this case, the term "in cases where rules have been established under Article 28, paragraph (1)" in said paragraph shall be deemed to be replaced with "in cases where a Municipal Ordinance has been established under Article 28, paragraph (6)."
- (10) While a Municipal Ordinance Specifying Transitional Measures on Green Space Ratios, etc. in Industrial Cluster Zones for Reconstruction is in force, the provisions of Article 12, paragraph (3) of the Regional Industrial Clusters Formation Act shall not apply to Specified Factories that have ceased to be subject to the Rules, etc. for the Regional Industrial Clusters Formation Act upon the enforcement of said Municipal Ordinance Specifying Transitional Measures on Green Space Ratios, etc. in Industrial Cluster Zones for Reconstruction.
- (11) With regard to a notification made to a prefectural governor prior to the enforcement of the Municipal Ordinance on Green Space Ratios, etc. in Industrial Cluster Zones for Reconstruction, pursuant to the provisions of Article 6, paragraph (1), Article 7, paragraph (1), or Article 8, paragraph (1) of the Factory Location Act, or Article 3, paragraph (1) of the Supplementary Provisions of the Act for Partial Revision of the Act on Investigation of Factory Location, etc., for which any disposition of a recommendation, an order to

change the particulars related to a recommendation, or the reduction of a period to restrict implementation has not been rendered as of the date of the enforcement of the Municipal Ordinance on Green Space Ratios, etc. in Industrial Cluster Zones for Reconstruction, the provisions in force at the time in question continue to apply to such recommendation, order to change the particulars related to a recommendation, or reduction of a period to restrict implementation.

- (12) Where the provisions in force at the time in question continue to apply as prescribed in the preceding paragraph, with regard to the application of penal provisions to acts committed after the enforcement of the Municipal Ordinance on Green Space Ratios, etc. in Industrial Cluster Zones for Reconstruction, the provisions in force at the time in question continue to apply.
- (13) Where a Municipal Ordinance on Green Space Ratios, etc. in Industrial Cluster Zones for Reconstruction has been repealed or has become invalid, the grounds set forth in the items of paragraph (6) have occurred, or a Municipal Ordinance Specifying Transitional Measures on Green Space Ratios, etc. in Industrial Cluster Zones for Reconstruction has been repealed or has become invalid, and as a result, a Specified Factory has ceased to be subject to the rules established by said Municipal Ordinance on Green Space Ratios, etc. in Industrial Cluster Zones for Reconstruction (where a Municipal Ordinance Specifying Transitional Measures on Green Space Ratios, etc. in Industrial Cluster Zones for Reconstruction has been established, the rules established by said Municipal Ordinance Specifying Transitional Measures on Green Space Ratios, etc. in Industrial Cluster Zones for Reconstruction) (limited to a Specified Factory that has become subject to the Rules for the Factory Location Act as a result of the repeal or invalidation of said Municipal Ordinance on Green Space Ratios, etc. in Industrial Cluster Zones for Reconstruction, the occurrence of the grounds set forth in the items of said paragraph, or the repeal or invalidation of said Municipal Ordinance Specifying Transitional Measures on Green Space Ratios, etc. in Industrial Cluster Zones for Reconstruction), with regard to such Specified Factory, a notification which has been made, pursuant to the provisions of Article 6, paragraph (1), Article 7, paragraph (1), or Article 8, paragraph (1) of the Factory Location Act, or Article 3, paragraph (1) of the Supplementary Provisions of the Act for Partial Revision of the Act on Investigation of Factory Location, etc., to the mayor of a town or village who is specified to carry out the affairs prescribed in paragraph (3) or (8) pursuant to these provisions, respectively prior to the date of the repeal or invalidation of said Municipal Ordinance on Green Space Ratios, etc. in Industrial Cluster Zones for Reconstruction, the occurrence of the grounds set forth in the items of paragraph (6), or the repeal or invalidation of said Municipal Ordinance Specifying Transitional Measures on Green Space Ratios,

etc. in Industrial Cluster Zones for Reconstruction (hereinafter referred to as the "Specified Date" in this paragraph and the following paragraph), shall be deemed to have been made to the governor of the prefecture where said town or village is located, on or after the Specified Date; provided, however, that with regard to said notification, for which any disposition of a recommendation, an order to change the particulars related to a recommendation, or reduction of a period to restrict implementation has not been rendered as of the Specified Date, the provisions in force at the time in question continue to apply to such recommendation, order to change the particulars related to a recommendation, or reduction of a period to restrict implementation.

(14) Where the provisions in force at the time in question continue to apply as prescribed in the proviso to the preceding paragraph, with regard to the application of penal provisions to acts committed on or after the Specified Date, the provisions in force at the time in question continue to apply.

(15) Where a Municipal Ordinance on Green Space Ratios, etc. in Industrial Cluster Zones for Reconstruction has been repealed or has become invalid, the grounds set forth in the items of paragraph (6) have occurred, or a Municipal Ordinance Specifying Transitional Measures on Green Space Ratios, etc. in Industrial Cluster Zones for Reconstruction has been repealed or has become invalid, and as a result, a Specified Factory has ceased to be subject to the rules established by said Municipal Ordinance on Green Space Ratios, etc. in Industrial Cluster Zones for Reconstruction (where a Municipal Ordinance Specifying Transitional Measures on Green Space Ratios, etc. in Industrial Cluster Zones for Reconstruction has been established, the rules established by said Municipal Ordinance Specifying Transitional Measures on Green Space Ratios, etc. in Industrial Cluster Zones for Reconstruction) (limited to a Specified Factory that has become subject to the Rules, etc. for the Regional Industrial Clusters Formation Act as a result of the repeal or invalidation of said Municipal Ordinance on Green Space Ratios, etc. in Industrial Cluster Zones for Reconstruction, the occurrence of the grounds set forth in the items of said paragraph, or the repeal or invalidation of said Municipal Ordinance Specifying Transitional Measures on Green Space Ratios, etc. in Industrial Cluster Zones for Reconstruction), the provisions of the preceding two paragraphs applies mutatis mutandis to such Specified Factory. In this case, the term "the governor of the prefecture where said town or village is located" in paragraph (13) shall be deemed to be replaced with "the mayor of said town or village who is specified to carry out affairs prescribed in Article 10, paragraph (4) or Article 11, paragraph (3) of the Regional Industrial Clusters Formation Act pursuant to these provisions."

(Special Provisions, etc. for the River Act and the Electricity Business Act)

Article 29 If a Specified Local Government has applied for, in accordance with the procedures as set forth below, and has subsequently obtained the approval of the Prime Minister, with regard to a Reconstruction Promotion Plan that provides for, as a Reconstruction Promotion Project prescribed in Article 4, paragraph (2), item (v), Specified Hydroelectric Projects (such a project shall mean a hydroelectric project carried out in zones covered by the Reconstruction Promotion Plans by using only flowing water taken in for the purpose of Water Utilization (meaning the exclusive use of flowing water or new construction or reconstruction of a structure prescribed in Article 26, paragraph (1) of the River Act for exclusive use of flowing water; the same applies hereinafter) that has obtained the permission under Article 23, Article 24, or Article 26, paragraph (1) of the same Act (including cases where these provisions are applied mutatis mutandis pursuant to Article 100, paragraph (1) of the same Act; hereinafter the same applies in this Article) (hereinafter such permission shall be referred to as the "Permission under Article 23, etc. of the River Act" in this Article to Article 32); the same applies hereinafter), the provisions of the following Article to Article 32 applies to said Specified Hydroelectric Projects on or after the date said approval has been granted:

- (i) The application for said approval is to be filed with a document as prescribed in Article 4, paragraph (7) (including cases applied mutatis mutandis pursuant to Article 6, paragraph (2)), together with a document including the following particulars:
  - (a) The plan concerning Water Utilization pertaining to said Specified Hydroelectric Project (limited to a plan that provides for the particulars specified by Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism; hereinafter referred to as the "Specified Water Utilization Plan" in the following item and paragraphs (1) and (3) of the following Article);
  - (b) The details of Water Utilization that has obtained the Permission under Article 23, etc. of the River Act with regard to the flowing water to be used in said Specified Hydroelectric Project (limited to the details including the particulars specified by Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism);
- (ii) Prior to filing an application for said approval, a Specified Local Government has organized a Regional Committee (limited to a Regional Committee including as a member the River Administrator (meaning the River Administrator prescribed in Article 7 of the River Act (including cases applied mutatis mutandis pursuant to Article 100, paragraph (1) of the same Act) (where a prefectural governor or the mayor of a Designated City (meaning the Designated City set forth in Article 252-19, paragraph (1) of the Local Autonomy Act (Act No. 67 of 1947); the same applies hereinafter)



performs part of the administration of Class A Rivers within the designated section prescribed in Article 9, paragraph (2) of the River Act, said prefectural governor or mayor of the Designated City); the same applies hereinafter), who grants the Permission under Article 23, etc. of the River Act concerning the Water Utilization pertaining to said Specified Hydroelectric Project; hereinafter the same applies in this item and the following Article), and said Regional Committee has held deliberations on the Specified Water Utilization Plan pertaining to said Specified Hydroelectric Project.

Article 30 (1) Where an application for the Permission under Article 23, etc. of the River Act has been filed for Water Utilization for a Specified Hydroelectric Project in a Class A River (limited to Water Utilization whose content is the same as that provided for in the Specified Water Utilization Plan pertaining to the Reconstruction Promotion Plan approved as set forth in the preceding Article; hereinafter referred to as the "Specified Water Utilization for Power Generation" in this Article to Article 32), and when the Minister of Land, Infrastructure, Transport and Tourism intends to render a disposition for said application, said minister shall not be required to hold deliberations with the Head(s) of the Relevant Administrative Organ(s) prescribed in Article 35, paragraph (1) of the River Act, notwithstanding the provisions of said paragraph.

(2) Where an application for the Permission under Article 23, etc. of the River Act has been filed for Specified Water Utilization for Power Generation in a Class A River or a Class B River (meaning the Class B River prescribed in Article 5, paragraph (1) of the River Act; hereinafter the same applies in this Article and the following Article), and when the Minister of Land, Infrastructure, Transport and Tourism, a prefectural governor, or the mayor of a Designated City intends to render a disposition for said application, said minister shall not be required to hear the opinions of the prefectural governor or municipal mayor who serves as a member of the Regional Committee, notwithstanding the provisions of Article 36, paragraphs (1) to (4) of the same Act.

(3) If an application for the permission under Article 23 or Article 26, paragraph (1) of the River Act has been filed for Specified Water Utilization for Power Generation in a Class A River or a Class B River, a River Administrator shall not be required to give notice as prescribed in Article 38 of the same Act to a person who serves as a member of the Regional Committee and has given consent on the Specified Water Utilization Plan pertaining to said Specified Water Utilization for Power Generation at said Regional Committee, notwithstanding the provisions of said Article.

- (4) Where an application for the Permission under Article 23, etc. of the River Act has been filed for Specified Water Utilization for Power Generation in a Class A River or a Class B River, and when a prefectural governor intends to render a disposition for said application, said governor shall not be required to obtain the approval of the Minister of Land, Infrastructure, Transport and Tourism or to hold deliberations with the Minister of Land, Infrastructure, Transport and Tourism to obtain their consent, notwithstanding the provisions of Article 79 of the River Act.
- (5) Special measures for the provisions of the River Act applied mutatis mutandis pursuant to Article 100, paragraph (1) of the same Act with regard to Specified Water Utilization for Power Generation in other rivers designated by municipal mayors for which the provisions on Class B Rivers apply mutatis mutandis (meaning those prescribed in Article 100, paragraph (1) of the River Act) shall be specified by Cabinet Order in accordance with the provisions of the preceding three paragraphs.

Article 31 If an application for the Permission under Article 23, etc. of the River Act has been filed for Specified Water Utilization for Power Generation in a Class A River or a Class B River, a prefectural governor or the mayor of a Designated City shall not be required to make a report attaching their opinions to the Minister of Economy, Trade and Industry and hear the opinion of said minister, notwithstanding the provisions of Article 103, paragraph (1) of the Electricity Business Act (Act No. 170 of 1964).

Article 32 If a River Administrator specifies a standard period of time ordinarily required as prescribed in Article 6 of the Administrative Procedure Act (Act No. 88 of 1993) for an application for the Permission under Article 23, etc. of the River Act concerning Water Utilization (hereinafter such standard period of time shall be referred to as the "Standard Processing Period" in this Article), said administrator shall specify the Standard Processing Period for Specified Water Utilization for Power Generation as that which is considerably shorter than the Standard Processing Period for other types of Water Utilization (excluding the Specified Water Utilization for Power Generation prescribed in Article 31, paragraph (7) of the Act on Special Districts for Structural Reform (Act No. 189 of 2002) and Specified Water Utilization for Power Generation prescribed in Article 50, paragraph (1) of the Act on Comprehensive Special Zones (Act No. 81 of 2011)).

(Special Provisions for the Railway Business Act)

Article 33 (1) If a Specified Local Government has applied for the approval of the Prime Minister, with regard to a Reconstruction Promotion Plan that provides

- for, as a Reconstruction Promotion Project prescribed in Article 4, paragraph (2), item (v), Projects for Relocating Disaster-stricken Railways (meaning a project carried out by a person engaged in Railway Business (meaning the Railway Business prescribed in Article 2, paragraph (1) of the Railway Business Act (Act No. 92 of 1986)), with regard to railway tracks, railway stations, and other facilities used for Railway Business damaged by the Great East Japan Earthquake, for the purpose of relocating said facilities within zones covered by the Reconstruction Promotion Plans; hereinafter the same applies in this Article and row (xi) of the Appended Table), while attaching the documents specified by Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism concerning the Projects for Relocating Disaster-stricken Railways provided for in said Reconstruction Promotion Plan, and has subsequently obtained the approval of the Prime Minister, regarding the part of the Projects for Relocating Disaster-stricken Railways provided for in said Reconstruction Promotion Plan, for which approval needs to be obtained as set forth in Article 7, paragraph (1) of the same Act or a notification needs to be made pursuant to the provisions of paragraph (3) of said Article, it shall be deemed that said approval has been obtained or the notification has been made pursuant to these provisions as of the date said approval has been granted.
- (2) If a Specified Local Government intends to apply for the approval set forth in the preceding paragraph, it must obtain the consent, with regard to the details of the Project for Relocating Disaster-stricken Railways that it intends to provide for in the Reconstruction Promotion Plan pertaining to said application, of persons that it intends to provide for as the Responsible Entities for said Project for Relocating Disaster-stricken Railways in said Reconstruction Promotion Plan, notwithstanding the provisions of Article 4, paragraph (3).
- (3) If the Minister of Land, Infrastructure, Transport and Tourism has been asked to give the consent set forth in Article 4, paragraph (10) (including cases applied *mutatis mutandis* pursuant to Article 6, paragraph (2); hereinafter the same applies in this Article) in relation to the application for approval set forth in paragraph (1), if said minister finds that the details of the part of the Project for Relocating Disaster-stricken Railways provided for in the Reconstruction Promotion Plan pertaining to said application, for which approval needs to be obtained as set forth in Article 7, paragraph (1) of the Railway Business Act, do not conform to the criteria set forth in the items of Article 5, paragraph (1) of the same Act as applied *mutatis mutandis* pursuant to Article 7, paragraph (2) of the same Act, said minister must not give the consent set forth in Article 4, paragraph (10).
- (4) The Minister of Land, Infrastructure, Transport and Tourism may request to provide information necessary for giving the consent set forth in Article 4, paragraph (10) to the relevant Specified Local Government and the

Responsible Entities for the Project for Relocating Disaster-stricken Railways provided for in the Reconstruction Promotion Plan pertaining to an application for approval as set forth in paragraph (1).

(Special Provisions for the Defined Contribution Pension Act)

Article 34 If a Specified Local Government has applied for and has subsequently obtained the approval of the Prime Minister, with regard to a Reconstruction Promotion Plan that provides for, as a Reconstruction Promotion Project prescribed in Article 4, paragraph (2), item (v), Projects for Regional Development (meaning a project carried out in zones covered by the Reconstruction Promotion Plans that will contribute to the revitalization of a local community, promotion of local culture, or other forms of characteristic regional development, and is expected to utilize lump sum benefits for withdrawal as set forth in Article 3, paragraph (1) of the Supplementary Provisions of the Defined Contribution Pension Act (Act No. 88 of 2001) provided by a Federation (meaning the Federation prescribed in Article 2, paragraph (5) of the same Act; the same applies in row (xii) of the Appended Table), with regard to the application of the provisions of Article 3, paragraph (1) of the Supplementary Provisions of the same Act to persons who were domiciled in zones covered by the Reconstruction Promotion Plans as of March 11, 2011, on or after the date said approval has been granted, during the period from the day on which said approval was obtained up until March 31, 2016, the terms in said paragraph shall be deemed to be replaced as follows: the term "(i) The person is under 60 years of age; (ii) The person is not a corporate pension plan subscriber; (iii) The person does not fall under those set forth in the items of Article 62, paragraph (1)" shall be deemed to be replaced with "(i) The person's has residence or household goods have sustained considerable damage as specified by Cabinet Order due to the Great East Japan Earthquake (meaning the Great East Japan Earthquake prescribed in Article 2, paragraph (1) of the Act on Special Zones for Reconstruction in Response to the Great East Japan Earthquake (Act No. 122 of 2011); the same applies hereinafter) and falls under any of the following: (a) The person was a corporate pension plan subscriber as of March 11, 2011, but the operative workplace of the corporate pension plan sustained damage from the Great East Japan Earthquake, and as a result, said person has ceased to be employed by said workplace between said date and March 10, 2013, and private pension plan subscriber premiums had not been contributed within six months by the month preceding the month containing the day on which the payment was claimed; (b) The person was a private pension plan subscriber as of March 11, 2011 (limited to the person who was the person set forth in Article 62, paragraph (1), item (i) as of said date) and has become a private pension plan investment director

between said date and March 10, 2013, and private pension plan subscriber premiums had not been contributed within six months by the month preceding the month containing the day on which the payment was not claimed; (c) The person was a private pension plan subscriber as of March 11, 2011 (limited to a person set forth in Article 62, paragraph (1), item (ii) as of said date), but the workplace where said person was employed sustained damage from the Great East Japan Earthquake, and as a result, said person has ceased to be employed by said workplace between said date and March 10, 2013, and private pension plan subscriber premiums had not been contributed within six months by the month preceding the month containing the day on which said person claimed said payment; (ii) The person is under 60 years of age; (iii) The person is not the insured under item (ii) prescribed in Article 7, paragraph (1), item (ii) of the National Pension Act nor is a private pension plan subscriber"; the term "The total period during which the person has made contributions (meaning the period totaling the period for being a corporate pension plan subscriber (regarding a person who has any period included in the total period for being a subscriber as set forth in Article 33, paragraph (1), pursuant to the provisions of Article 54, paragraph (2) and Article 54-2, paragraph (2), including said period) and the period for being a private pension plan subscriber (limited to the period for being a private pension plan subscriber during which the subscriber paid premiums, and regarding a person who has any period included in the total period for being a subscriber as set forth in Article 33, paragraph (1) as applied mutatis mutandis pursuant to Article 73, pursuant to the provisions of Article 74-2, paragraph (2), including said period)) is one month or more but less than three years, or the amount calculated as specified by Cabinet Order as the amount of individually managed assets as of the day on which the payment was claimed is below the amount specified by Cabinet Order" shall be deemed to be replaced with "The amount of individually managed assets as of the day on which the payment claimed is below the amount specified by Cabinet Order"; and the term "(vi) Two years have not elapsed from the last day on which the person lost the qualification of a corporate pension plan subscriber or a private pension plan subscriber; (vii) The person has not received the payment of a lump sum benefit for withdrawal under paragraph (1) of the preceding Article" shall be deemed to be replaced with "(vi) The person has not received the payment of a lump sum benefit for withdrawal under paragraph (1) of the preceding Article; (vii) The person is deemed by the head of the Specified Local Government (meaning the Specified Local Government prescribed in Article 4, paragraph (1) of the Act on Special Zones for Reconstruction in Response to the Great East Japan Earthquake) approved as set forth in Article 34 of the same Act, to be a person who is expected to utilize a lump sum benefit for withdrawal, the payment of which

said person had claimed, for the part specified by Ordinance of the Ministry of Health, Labour and Welfare out of the Project for Regional Development prescribed in Article 34 of the same Act that is provided for in the Reconstruction Promotion Plan (meaning the Reconstruction Promotion Plan prescribed in Article 4, paragraph (1) of the same Act) approved as set forth in Article 34 of the same Act."

(Special Measures on Regulations Prescribed by Cabinet Order, etc.)

Article 35 If a Specified Local Government has applied for and has subsequently obtained the approval of the Prime Minister, with regard to a Reconstruction Promotion Plan that includes, as a Reconstruction Promotion Project prescribed in Article 4, paragraph (2), item (v), Projects Pertaining to Regulations Prescribed by Cabinet Order, etc. (such project shall mean a project pertaining to regulations as prescribed by Cabinet Order or Ordinance of the Competent Ministry which is carried out in zones covered by the Reconstruction Promotion Plans; hereinafter the same applies in this Article and row (xiii) of the Appended Table), special measures on regulations applies to said Projects Pertaining to Regulations Prescribed by Cabinet Order, etc., as specified by Cabinet Order with regard to a project pertaining to regulations as prescribed by Cabinet Order, and as specified by Cabinet Office Ordinance and Ordinance of the Competent Ministry with regard to a project pertaining to regulations as prescribed by Ordinance of the Competent Ministry, respectively.

(Special Measures by Prefectural or Municipal Ordinance on Regulations Concerning Affairs of Local Governments)

Article 36 If a Specified Local Government has applied for and has subsequently obtained the approval of the Prime Minister, with regard to a Reconstruction Promotion Plan that provides for, as a Reconstruction Promotion Project prescribed in Article 4, paragraph (2), item (v), Projects Pertaining to Regulations Prescribed by Cabinet Order, etc. Concerning Affairs of the Local Government (such project shall mean a project pertaining to regulations as prescribed by Cabinet Order or Ordinance of the Competent Ministry (limited to regulations concerning the affairs of Specified Local Governments; hereinafter the same applies in this Article) which are carried out in zones covered by the Reconstruction Promotion Plans; hereinafter the same applies in this Article and row (xiv) of the Appended Table), special measures on regulations applies to said Projects Pertaining to Regulations Prescribed by Cabinet Order, etc. Concerning Affairs of the Local Government, as specified by Cabinet Order with regard to a project pertaining to regulations as prescribed by Cabinet Order, and as specified by Cabinet Office Ordinance and Ordinance of the Competent Ministry with regard to a project pertaining to

regulations as prescribed by Ordinance of the Competent Ministry, respectively.

### **Subsection 2 Special Provisions on Taxation**

Article 37 (1) Where an sole proprietorship or a corporation, who carries out the project set forth in Article 2, paragraph (3), item (ii), (a) or (b) that is provided for in an Approved Reconstruction Promotion Plan (limited to a sole proprietorship or corporation designated by the Approved Local Government that prepared said Approved Reconstruction Promotion Plan on the grounds that it meets requirements specified by Cabinet Office Ordinance, including the requirement that it has a plan considered proper and feasible; hereinafter referred to as the "Designated Business Enterprise in this Article), has newly established or expanded facilities or equipment that are used for said project in the Industrial Cluster Zones for Reconstruction provided for in said Approved Reconstruction Promotion Plan, special provisions for taxation shall be applied to machines, devices, buildings and equipment attached thereto, as well as structures that the Designated Business Enterprise has newly acquired, manufactured or constructed upon newly establishing or expanding the facilities or equipment, as specified by the Act on Special Provisions of Acts Related to National Tax for the People Afflicted by the Great East Japan Earthquake (Act No. 29 of 2011; hereinafter referred to as the "Act on Special Measures Concerning the Earthquake Disaster" in this Subsection).

(2) The Designated Business Enterprise must submit a report concerning the implementation status of the project pertaining to its designation to the Approved Local Government set forth in the preceding paragraph, as specified by Cabinet Office Ordinance.

(3) The Approved Local Government set forth in paragraph (1) may rescind the designation when it finds that the Designated Business Enterprise has ceased to satisfy the requirements specified by Cabinet Office Ordinance set forth in said paragraph.

(4) If the Approved Local Government set forth in paragraph (1) has designated a business enterprise pursuant to the provisions of said paragraph or has rescinded the designation pursuant to the provisions of the preceding paragraph, it must make this public without delay.

(5) Procedures and other particulars necessary for the designation and rescission of Designated Business Enterprises shall be specified by Cabinet Office Ordinance.

Article 38 (1) Where a sole proprietorship or a corporation who carries out the project set forth in Article 2, paragraph (3), item (ii), (a) that is provided for in an Approved Reconstruction Promotion Plan (limited to an sole proprietorship

or corporation designated by the Approved Local Government that prepared said Approved Reconstruction Promotion Plan on the grounds that it meets requirements specified by Cabinet Office Ordinance, including the requirement that it has a plan considered proper and feasible; hereinafter referred to as the "Designated Business Enterprise" in this Article), employs a worker afflicted by the Great East Japan Earthquake at a place of business located in the Industrial Cluster Zones for Reconstruction provided for in said Approved Reconstruction Promotion Plan, special provisions for taxation shall be applied to income tax and corporation tax to be imposed on said Designated Business Enterprise, as specified by the Act on Special Measures Concerning the Earthquake Disaster.

- (2) The provisions of paragraphs (2) to (5) of the preceding Article applies mutatis mutandis to Designated Business Enterprises designated under the preceding paragraph. In this case, the terms "the preceding paragraph" in paragraph (2) of said Article and "paragraph (1)" in paragraphs (3) and (4) of said Article shall be deemed to be replaced with "paragraph (1) of the following Article," and the term "the preceding paragraph" in paragraph (4) of said Article shall be deemed to be replaced with "the preceding paragraph applied mutatis mutandis pursuant to paragraph (2) of said Article."

Article 39 (1) Where an sole proprietorship or a corporation who carries out the project set forth in Article 2, paragraph (3), item (ii), (a) that is provided for in an Approved Reconstruction Promotion Plan (limited to an sole proprietorship or corporation designated by the Approved Local Government that prepared said Approved Reconstruction Promotion Plan on the grounds that it meets requirements specified by Cabinet Office Ordinance, including the requirement that is has a plan considered proper and feasible; referred to as the "Designated Business Enterprise" in the following paragraph) and conducts research and development on said project, has newly acquired, manufactured or constructed depreciable assets used for the research and development in the Industrial Cluster Zones for Reconstruction provided for in said Approved Reconstruction Promotion Plan, special provisions for taxation shall be applied, as specified by the Act on Special Measures Concerning the Earthquake Disaster.

- (2) The provisions of Article 37, paragraphs (2) to (5) applies mutatis mutandis to Designated Business Enterprises designated under the preceding paragraph. In this case, the terms "the preceding paragraph" in paragraph (2) of said Article and "paragraph (1)" in paragraphs (3) and (4) of said Article shall be deemed to be replaced with "Article 39, paragraph (1)," and the term "the preceding paragraph" in Article 37, paragraph (4) shall be deemed to be replaced with "the preceding paragraph applied mutatis mutandis pursuant to



paragraph (2) of said Article."

Article 40 (1) Special provisions for taxation shall be applied to corporations solely carrying out the project set forth in Article 2, paragraph (3), item (ii), (a) that is provided for in an Approved Reconstruction Promotion Plan and has been established on or after the day on which said Approved Reconstruction Promotion Plan was approved pursuant to the provisions of Article 4, paragraph (9) (limited to a corporation designated by the Approved Local Government that prepared said Approved Reconstruction Promotion Plan, having its head office or principal office in the Industrial Cluster Zones for Reconstruction provided for in said Approved Reconstruction Promotion Plan (limited to the zone, the whole or a part of which is included in the municipal zone, the whole or a part of which falls under the area prescribed in (a) of said item) and satisfying other requirements specified by Cabinet Office Ordinance; referred to as the "Designated Corporation" in the following paragraph), as specified by the Act on Special Measures Concerning Earthquake Disaster.

(2) The provisions of Article 37, paragraphs (2) to (5) applies mutatis mutandis to Designated Corporations designated under the preceding paragraph. In this case, the terms "the preceding paragraph" in paragraph (2) of said Article and "paragraph (1)" in paragraphs (3) and (4) of said Article shall be deemed to be replaced with "Article 40, paragraph (1)," and the term "the preceding paragraph" in Article 37, paragraph (4) shall be deemed to be replaced with "the preceding paragraph applied mutatis mutandis pursuant to paragraph (2) of said Article."

Article 41 (1) Where an sole proprietorship or a corporation who carries out the project set forth in Article 2, paragraph (3), item (ii), (c) that is provided for in an Approved Reconstruction Promotion Plan (limited to an sole proprietorship or corporation designated by the Approved Local Government that prepared said Approved Reconstruction Promotion Plan on the grounds that it meets requirements specified by Cabinet Office Ordinance, including the requirement that it has a plan considered proper and feasible; referred to as the "Designated Business Enterprise" in the following paragraph), has newly acquired or constructed rental housing that is used for said project in the Residential Zone for Reconstruction provided for in said Approved Reconstruction Promotion Plan, special provisions for taxation shall be applied to said rental housing, as specified by the Act on Special Measures Concerning the Earthquake Disaster.

(2) The provisions of Article 37, paragraphs (2) to (5) applies mutatis mutandis to Designated Business Enterprises designated under the preceding paragraph. In this case, the terms "the preceding paragraph" in paragraph (2) of said

Article and "paragraph (1)" in paragraphs (3) and (4) of said Article shall be deemed to be replaced with "Article 41, paragraph (1)," and the term "the preceding paragraph" in Article 37, paragraph (4) shall be deemed to be replaced with "the preceding paragraph applied mutatis mutandis pursuant to paragraph (2) of said Article."

Article 42 (1) Where an individual has made a payment for and has acquired shares issued by a stock company that carries out the project set forth in Article 2, paragraph (3), item (ii), (d) that is provided for in an Approved Reconstruction Promotion Plan (limited to a stock company designated by the Approved Local Government that prepared said Approved Reconstruction Promotion Plan on the grounds that it meets the requirements specified by Cabinet Office Ordinance, including the requirement that it has a plan considered proper and feasible; referred to as the "Designated Company" in the following paragraph), special provisions for taxation shall be applied to income tax to be imposed on said individual, as specified by the Act on Special Measures Concerning the Earthquake Disaster.

(2) The provisions of Article 37, paragraphs (2) to (5) applies mutatis mutandis to Designated Companies designated under the preceding paragraph. In this case, the terms "the preceding paragraph" in paragraph (2) of said Article and "paragraph (1)" in paragraphs (3) and (4) of said Article shall be deemed to be replaced with "Article 42, paragraph (1)," and the term "the preceding paragraph" in Article 37, paragraph (4) shall be deemed to be replaced with "the preceding paragraph applied mutatis mutandis pursuant to paragraph (2) of said Article."

### **Subsection 3 Measures as a Consequence of Local Tax Exemption or Application of Non-uniform Rates**

Article 43 Where a local government has, pursuant to the provision of Article 6 of the Local Tax Act (Act No. 226 of 1950), exempted a person who has newly established or expanded facilities or equipment that are used for the project set forth in Article 2, paragraph (3), item (ii), (a) or (b) that is provided for in an Approved Reconstruction Promotion Plan, in Industrial Cluster Zones for Reconstruction provided for in an Approved Reconstruction Promotion Plan (limited to a sole proprietorship or corporation who carries out said project and who falls under the category of the Designated Business Enterprise prescribed in Article 37, paragraph (1) or Article 39, paragraph (1), or the Designated Corporation prescribed in Article 40, paragraph (1)) from paying business tax for said project, estate acquisition tax for acquiring buildings to be used for said project or the site thereof, fixed asset tax for machines, devices, buildings,

or structures, or the site thereof, or has imposed unequal taxation related to such local taxes, and when these measures are found to fall under cases specified by Ordinance of the Ministry of Internal Affairs and Communications, the decreased amount due to such measures being taken by the local government (regarding the decreased amount due to such measures concerning business tax or fixed asset tax, limited to decreased amounts for five years after the first fiscal year in which said measures were taken) shall be included as the basis of calculation for special local grant tax to be granted to said local government, as specified by the Local Allocation Tax Act (Act No. 211 of 1950).

#### **Subsection 4 Provision of Compensation for Interest Rates on Special Zones for Reconstruction**

Article 44 (1) If the national government provides a loan to a financial institution that carries out a Loan Project for Special Zones for Reconstruction provided for in an Approved Reconstruction Promotion Plan, and which is a member of the Regional Committee pertaining to said Approved Reconstruction Promotion Plan and is designated by the Prime Minister as satisfying the requirements specified by Cabinet Office Ordinance with the aim of ensuring the proper implementation of said Loan Project for Special Zones for Reconstruction (hereinafter referred to as the "Designated Financial Institution" in this Article) for the funds necessary to carry out the project specified by Cabinet Office Ordinance set forth in Article 2, paragraph (3), item (iii) that is provided for in said Approved Reconstruction Promotion Plan, the national government may conclude an agreement thereby providing the compensation for interest rates for said loan (hereinafter such subsidies shall be referred to as "Compensation for Interest Rates on Special Zones for Reconstruction" and such agreement shall be referred to as an "Interest Rate Compensation Agreement" in this Article) with said Designated Financial Institution.

(2) Where the national government concludes an Interest Rate Compensation Agreement every fiscal year, it must ensure that the total amount of the Compensation for Interest Rates for Special Zones for Reconstruction to be granted in the relevant fiscal year under the Interest Rate Compensation Agreement will not exceed the amount specified by the budget of said fiscal year.

(3) Where the national government concludes an Interest Rate Compensation Agreement, it must ensure that the total amount of the Compensation for Interest Rates on Special Zones for Reconstruction to be granted under said Interest Rate Compensation Agreement will not exceed the amount obtained by multiplying the outstanding amount of the loan under said Interest Rate

Compensation Agreement, which is calculated on the premise that the loan will be reimbursed by the method of reimbursement specified by Cabinet Office Ordinance, by the rate of interest rate compensation specified by the Prime Minister, for five years from the day on which the loan under said Interest Rate Compensation Agreement was provided for the first time.

- (4) Where the national government concludes an Interest Rate Compensation Agreement, it must ensure that the outstanding amount of loans provided under said Interest Rate Compensation Agreement, for which Compensation for Interest Rates on Special Zones for Reconstruction is to be granted, will be the outstanding amount of said loan for five years from the day on which said loan was provided for the first time.
- (5) Where the national government grants Compensation for Interest Rates on Special Zones for Reconstruction under an Interest Rate Compensation Agreement, it shall grant the amount obtained by multiplying the actual outstanding amount of the loan under said Interest Rate Compensation Agreement for each of the periods specified by Cabinet Office Ordinance (when said outstanding amount of the loan exceeds the outstanding amount calculated pursuant to the provisions of paragraph (3), said calculated outstanding amount) by the rate of interest rate compensation set forth in said paragraph, within the total amount of Compensation for Interest Rates on Special Zones for Reconstruction provided for in said Interest Rate Compensation Agreement and in each of said periods, as specified by Cabinet Office Ordinance.
- (6) The number of years during which the national government may grant Compensation for Interest Rates on Special Zones for Reconstruction under an Interest Rate Compensation Agreement shall be not more than seven fiscal years after the fiscal year in which said Interest Rate Compensation Agreement is concluded.
- (7) The Prime Minister may rescind the designation when finding that the Designated Financial Institution has ceased to satisfy the requirements prescribed in paragraph (1).
- (8) Procedures and other particulars needed for the designation and rescission of Designated Financial Institutions shall be specified by Cabinet Office Ordinance.

#### **Subsection 5 Special Provisions on Approval Procedures concerning Restrictions on Disposition of Property**

Article 45 Where an Approved Local Government carries out the project set forth in Article 2, paragraph (3), item (iv) based on an Approved Reconstruction Promotion Plan, said Approved Local Government shall be deemed to have

obtained the approval of the heads of the respective ministries and agencies prescribed in Article 22 of the Act on the Regulation of Execution of Budgets Pertaining to Subsidies, etc. with the fact that it has obtained the approval with regard to said plan.

**Chapter IV Special Measures concerning Land Restructuring Plans, etc.**  
**Section 1 Preparation, etc. of Land Restructuring Plans**

(Land Restructuring Plans)

Article 46 (1) A municipality that falls under any of the areas set forth in the following items within Specified Disaster-stricken Zones and contains areas where a project for developing urban districts, a project concerning the development of agricultural infrastructure, and other projects for the smooth and prompt reconstruction of the areas are required (hereinafter referred to as a "Disaster-stricken or Related Municipality") may prepare a plan concerning the development of the area through the implementation of said projects (hereinafter referred to as a "Land Restructuring Plan"), solely or jointly with the prefecture where said Disaster-stricken or Related Municipality is located (hereinafter referred to as a "Disaster-stricken or Related Prefecture"), as specified by Cabinet Office Ordinance:

- (i) An area where the status of land use has changed considerably due to the damage caused by the Great East Japan Earthquake, or the area adjacent thereto or in the vicinity thereof;
  - (ii) An area from which a large number of residents have been forced to evacuate or change their address due to the effect of the Great East Japan Earthquake, or the area adjacent thereto or in the vicinity thereof (excluding the area set forth in the preceding item);
  - (iii) An area considered to be geographically associated with the areas set forth in the preceding two items in terms of nature, economy, society, culture, etc., and that it is considered appropriate to develop for helping the rebuilding of the lives of residents of the areas set forth in the preceding two items;
  - (iv) In addition to the areas set forth in the preceding three items, zones that were damaged by the Great East Japan Earthquake and where it is considered necessary to reconstruct the urban district smoothly and promptly.
- (2) Land Restructuring Plans shall include the following particulars:
- (i) The zone subject to the Land Restructuring Plan (hereinafter referred to as the "Zone of the Plan");
  - (ii) The objectives of the Land Restructuring Plan;
  - (iii) The basic policies on land use in the Zone of the Plan (meaning policies including an outline of land use and other particulars specified by Cabinet Office Ordinance; referred to as the "Land Use Policies" in Article 49 and

Article 50, paragraph (1));

- (iv) Responsible Entities pertaining to the following projects necessary for achieving the objectives set forth in item (ii) (hereinafter referred to as "Land Restructuring Projects"), the zone in which to carry out the project and other particulars specified by Cabinet Office Ordinance:
  - (a) Urban Development Projects (meaning the Urban Development Project prescribed in Article 4, paragraph (7) of the City Planning Act);
  - (b) Land Improvement Projects;
  - (c) Comprehensive Reconstruction Projects (meaning the Comprehensive Reconstruction Project prescribed in Article 57, paragraph (1); the same applies in Article 51);
  - (d) Projects for Promoting Collective Relocation;
  - (e) Residential Area Improvement Projects (meaning Residential Area Improvement Projects as prescribed in Article 2, paragraph (1) of the Residential Areas Improvement Act; the same applies in Article 54);
  - (f) Projects concerning the development of the facilities set forth in the items of Article 11, paragraph (1) of the City Planning Act;
  - (g) Projects concerning the development of Tsunami Protection Facilities (meaning the Tsunami Protection Facilities prescribed in Article 2, paragraph (10) of the Act on Regional Development for Tsunami Disaster Prevention (Act No. 123 of 2011); the same applies in Article 76, paragraph (1));
  - (h) Projects for Fishery Infrastructure Development;
  - (i) Projects Concerning Security Facilities (meaning Projects Concerning Security Facilities as prescribed in Article 41, paragraph (3) of the Forest Act);
  - (j) Projects to Prevent Liquefaction (meaning projects carried out at land in urban districts damaged by liquefaction, for the purpose of preventing the recurrence of disasters or mitigating damage);
  - (k) Projects to Prevent Landslides and Ground Collapse at Developed Housing Sites (meaning projects carried out at Developed Housing Sites (meaning housing sites where land development work has been conducted) damaged by a landslide or collapse, for the purpose of preventing the recurrence of disasters;
  - (l) Cadastral Survey Projects (meaning a projects for carrying out Cadastral Surveys (meaning a Cadastral Survey as prescribed in Article 2, paragraph (5) of the National Land Survey Act (Act No. 180 of 1951); the same applies in Article 56, paragraph (1));
  - (m) In addition to the projects set forth in (a) to (l), projects concerning the development of housing facilities, processing facilities for marine products, and other facilities necessary for the smooth and prompt reconstruction of

the areas;

- (v) The timescale for the Land Restructuring Plan;
  - (vi) Other particulars necessary for the implementation of the Land Restructuring Plan.
- (3) If Disaster-stricken or Related Municipalities, with regard to the particulars set forth in item (iv) of the preceding paragraph, include the particulars related to projects a zone must carry out (where said Disaster-stricken or Related Municipality prepares a Land Restructuring Plan in coordination with a Disaster-stricken or Related Prefecture (hereinafter referred to as a "Cases of Coordinating Preparation of the Plan"), by said Disaster-stricken or Related Municipality and Disaster-stricken or Related Prefecture; hereinafter referred to as a "Disaster-stricken or Related Municipality, etc."), a zone may in addition include particulars related to projects to be carried out by persons other than the Disaster-stricken or Related Municipality, etc. in said plan as necessary.
- (4) If a Disaster-stricken or Related Municipality, etc. intends to include the particulars related to the projects to be carried out by a person other than said Disaster-stricken or Related Municipality, etc. in a Land Restructuring Plan, it must obtain the consent of said person with regard to said particulars in advance.
- (5) If a Disaster-stricken or Related Municipality, etc. intends to prepare a Land Restructuring Plan, it shall take the measures necessary for reflecting the opinions of residents in said plan in advance, such as holding a public hearing.
- (6) If a Disaster-stricken or Related Municipality, etc. has prepared a Land Restructuring Plan, it must publicize the plan without delay.
- (7) The provisions of the preceding three paragraphs apply mutatis mutandis to amendments (excluding minor amendments specified by Cabinet Office Ordinance) to Land Restructuring Plans.

(Committee for Land Restructuring)

Article 47 (1) A Disaster-stricken or Related Municipality, etc. may organize a Committee for Land Restructuring (hereinafter referred to as the "Committee") for the purpose of holding deliberations (including the deliberations set forth in the items of paragraph (4)) on a Land Restructuring Plan and the particulars necessary for the implementation thereof.

- (2) A Committee shall consist of the following persons:
- (i) The mayor of the Disaster-stricken or Related Municipality (hereinafter referred to as the "Mayor of the Disaster-stricken or Related Municipality");
  - (ii) The governor of the Disaster-stricken or Related Prefecture (hereinafter referred to as the "Governor of the Disaster-stricken or Related Prefecture").
- (3) If a Disaster-stricken or Related Municipality, etc. finds it necessary, it may

add the following persons as a member to a Committee, in addition to those set forth in the items of the preceding paragraph:

- (i) Head(s) of the relevant national administrative organ(s);
  - (ii) Persons who have a close interest in the Land Restructuring Plan and in the implementation thereof;
  - (iii) Any other person whom said Disaster-stricken or Related Municipality, etc. finds to be necessary.
- (4) Where a Disaster-stricken or Related Municipality, etc. holds deliberations set forth in the following items, it shall add the persons specified therein to the Committee as a member; provided, however, that this shall not apply in cases where it is difficult to have such persons join the Committee due to unavoidable circumstances:
- (i) Deliberations set forth in paragraph (2) of the following Article concerning the particulars specified in paragraph (1), item (i) of said Article: Persons with knowledge and experience concerning the use of national land and other land use, and the Minister of Land, Infrastructure, Transport and Tourism;
  - (ii) Deliberations set forth in paragraph (2) of the following Article concerning the particulars specified in paragraph (1), item (ii) of said Article: Persons with knowledge and experience concerning City Plans (meaning the City Plans prescribed in Article 4, paragraph (1) of the City Planning Act; the same applies hereinafter), and the Minister of Land, Infrastructure, Transport and Tourism;
  - (iii) Deliberations set forth in paragraph (2) of the following Article concerning the particulars specified in paragraph (1), item (iii) of said Article (limited to the particulars related to City Plans (limited to the City Plans prescribed in Article 18, paragraph (3) of the City Planning Act) prepared by prefectures): The Minister of Land, Infrastructure, Transport and Tourism;
  - (iv) Deliberations set forth in paragraph (2) of the following Article concerning the particulars specified in paragraph (1), item (v) of said Article: Persons specified by Ordinance of the Ministry of Agriculture, Forestry and Fisheries as having a close interest in said particulars;
  - (v) Deliberations set forth in paragraph (2) of the following Article concerning the particulars specified in paragraph (1), item (vi) of said Article: Persons with knowledge and experience concerning forests and the forestry industry, the head of the Regional Forest Office which has jurisdiction over the relevant Disaster-stricken or Related Municipality, etc., and the Minister of Agriculture, Forestry and Fisheries;
  - (vi) Deliberations set forth in paragraph (2) of the following Article concerning the particulars specified in paragraph (1), item (vii) of said Article (limited to the particulars related to the revocation of designation of Protected Forests (meaning the Protected Forests designated under Article 25-2, paragraph (1)



- or (2) of the Forest Act; the same applies in the following Article) that fall under any of the items of Article 26-2, paragraph (4) of the same Act): The Minister of Agriculture, Forestry and Fisheries;
- (vii) Deliberations set forth in paragraph (2) of the following Article concerning the particulars specified in paragraph (1), item (viii) of said Article (limited to the particulars related to the River Zones prescribed in Article 6, paragraph (1) of the River Act (limited to the zones pertaining to Class A Rivers)): The Minister of Land, Infrastructure, Transport and Tourism;
- (viii) Deliberations set forth in Article 49, paragraph (1): The Minister of Agriculture, Forestry and Fisheries;
- (ix) Deliberations set forth in Article 49, paragraph (5) concerning the particulars set forth in item (i) of said paragraph: The Minister of Land, Infrastructure, Transport and Tourism;
- (x) Deliberations set forth in Article 49, paragraph (5) concerning the particulars set forth in item (ii) of said paragraph: The Minister of the Environment;
- (xi) Deliberations set forth in Article 49, paragraph (5) or (7) concerning the particulars set forth in paragraph (4), item (iii) of said Article (limited to the particulars concerning approval in cases where seeking the opinions of a person who manages a facility for public use is required, as prescribed in Article 59, paragraph (6) of the City Planning Act): Said person who manages the facility for public use;
- (xii) Deliberations set forth in Article 49, paragraph (5) or (7) concerning the particulars set forth in paragraph (4), item (iii) of said Article (limited to the particulars concerning approval in cases where seeking the opinions of a person who carries out a project under a Land Improvement Project Plan is required, as prescribed in Article 59, paragraph (6) of the City Planning Act): Said person who carries out the project under the Land Improvement Project Plan;
- (xiii) Deliberations set forth in Article 49, paragraph (7) concerning the particulars set forth in paragraph (4), item (i) of said Article (limited to the particulars concerning permission in cases where obtaining the consent set forth in Article 32, paragraph (1) of the City Planning Act) is required: A person who manages a Public Facility as prescribed in Article 32, paragraph (1) of the same Act (referred to as a "Public Facility Manager" in Article 49);
- (xiv) Deliberations set forth in Article 49, paragraph (7) concerning the particulars set forth in paragraph (4), item (i) of said Article (limited to the particulars concerning permission in cases where holding deliberations set forth in Article 32, paragraph (2) of the City Planning Act) is required: A person who is to manage a Public Facility as prescribed in Article 32, paragraph (2) of the same Act and other persons specified by Cabinet Order

- set forth in said paragraph;
- (xv) Deliberations set forth in Article 49, paragraph (7) concerning the particulars set forth in paragraph (4), item (iv) of said Article: The Prefectural Agricultural Council, and other persons specified by Ordinance of Ministry of Agriculture, Forestry and Fisheries as having a close interest in said particulars;
  - (xvi) Deliberations set forth in Article 49, paragraph (7) concerning the particulars set forth in paragraph (4), item (v) of said Article: The Prefectural Agricultural Council
  - (xvii) Deliberations set forth in Article 49, paragraph (7) concerning the particulars set forth in paragraph (4), item (vi) of said Article: Persons with knowledge and experience concerning forests and the forestry industry;
  - (xviii) Deliberations at a meeting pursuant to the provisions of Article 52, paragraph (4): The manager of a Land Improvement Facility prescribed in Article 87-2, paragraph (6) of the Land Improvement Act;
  - (xix) Deliberations set forth in Article 53, paragraph (4): The Minister of Land, Infrastructure, Transport and Tourism;
  - (xx) Deliberations set forth in Article 54, paragraph (3): The Minister of Land, Infrastructure, Transport and Tourism;
  - (xxi) Deliberations at a meeting pursuant to the provisions of Article 54, paragraph (9): The persons set forth in the items of Article 7 of the Residential Areas Improvement Act, and the Minister of Land, Infrastructure, Transport and Tourism;
  - (xxii) Deliberations at the meeting pursuant to the provisions of Article 55, paragraph (2): The Minister of Agriculture, Forestry and Fisheries;
  - (xxiii) Deliberations set forth in Article 56, paragraph (2): The Minister of Land, Infrastructure, Transport and Tourism.
- (5) Meetings to hold the deliberations set forth in paragraph (1) (hereinafter simply referred to as a "Meeting" in this Section) shall consist of the Mayor of the Disaster-stricken or Related Municipality, the Governor of the Disaster-stricken or Related Prefecture, and persons who join pursuant to the provisions of the preceding two paragraphs, or officials appointed by any of these persons.
  - (6) If a Committee finds it necessary for holding deliberations at a Meeting, it may ask the head(s) of national administrative organ(s), the Mayor of the Disaster-stricken or Related Municipality, the Governor of the Disaster-stricken or Related Prefecture, or other executive agencies to provide data, present opinions, give explanations, or offer any other necessary cooperation.
  - (7) If a Disaster-stricken or Related Municipality, etc. has organized a Committee pursuant to the provisions of paragraph (1), it must make this public without delay as specified by Cabinet Office Ordinance.
  - (8) If members of a Committee hold deliberations or give consent as authorized

under this Act, a zone shall give due consideration so as to ensure smooth implementation of Land Restructuring Projects.

(9) In addition to what is prescribed in the preceding paragraphs, the particulars necessary for the organization and administration of a Committee shall be determined by the aforementioned Committee.

(Special Provisions Concerning Amendments, etc. to Basic Land Use Plans)

Article 48 (1) As regards the particulars set forth in Article 46, paragraph (2), item (iv), the particulars specified in the following items pertaining to amendments, designation, abolition, determination, revocation or rescission of the designation set forth therein that is to be made in relation to the implementation of a Land Restructuring Project (referred to as "Amendments, etc. to the Basic Land Use Plan" in paragraph (9)) may be included; provided, however, that the particulars specified in items (i) to (iv) and items (vi) to (viii) (regarding the particulars specified in item (iii), limited to the particulars related to a decision on or amendments to City Plans prepared by prefectures, and regarding the particulars specified in item (viii), limited to the particulars related to the designation of, amendments to, or rescission of the designation of Fishing Port Zones as prescribed in Article 6, paragraph (2) of the Act on Development of Fishing Ports and Grounds (meaning the Fishing Port Zones designated under paragraph (1) or (2) of said Article; hereinafter the same applies in this Article) may be included only in Cases of Jointly Preparing the Plan:

- (i) Amendments to Basic Land Use Plans (meaning the Basic Land Use Plans prescribed in Article 9, paragraph (1) of the National Land Use Planning Act (Act No. 92 of 1974)): The particulars concerning the areas set forth in the items of Article 9, paragraph (2) of the National Land Use Planning Act, and the adjustments, etc. to land use prescribed in paragraph (3) of said Article pertaining to said amendments;
- (ii) Designation of, changes to, or abolition of City Planning Zones (meaning the City Planning Zones prescribed in Article 4, paragraph (2) of the City Planning Act and excluding the City Planning Zones prescribed in Article 5, paragraph (4) of the same Act; hereinafter the same applies in this item): The name and zone of the City Planning Zone pertaining to said designation, changes, or abolition;
- (iii) Decision of or amendments to City Plans (excluding the City Plans prepared by the Minister of Land, Infrastructure, Transport and Tourism; hereinafter the same applies in this Article): The particulars to be provided for in the City Plan pertaining to said decision or amendments;
- (iv) Changes to Agricultural Promotion Regions (meaning the Agricultural Promotion Regions prescribed in Article 6, paragraph (1) of the Act on

- Establishment of Agricultural Promotion Regions; hereinafter the same applies in this item): The zone of the Agricultural Promotion Region pertaining to said changes;
- (v) Amendments to Agricultural Land Use Plans (meaning the Agricultural Land Use Plans prescribed in Article 8, paragraph (4) of the Act on Establishment of Agricultural Promotion Regions): The classification of agricultural usage of the Agricultural Land Zone under the scope of said amendments and land within said zone;
  - (vi) Changes to Regional Forest Planning Zones (meaning forest zones covered by regional forestry plans prepared pursuant to the provisions of Article 5, paragraph (1) of the Forest Act): The zone of the forest under the scope of said changes;
  - (vii) Designation or revocation of Protected Forests: The location of the Protected Forests and the purpose of the designation thereof, and in the case of including the particulars related to the designation of Protected Forests, Requirements for Designation (meaning the Requirements for Designation prescribed in Article 33, paragraph (1) of the Forest Act);
  - (viii) Designation, changes, or rescission of the designation of Fishing Port Zones: The name and zone of the Fishing Port Zone under the scope of said designation, changes or rescission of the designation.
- (2) Where a Committee has been organized, and when a Disaster-stricken or Related Municipality, etc. intends to include the particulars specified in the items of the preceding paragraph in a Land Restructuring Plan, it shall hold deliberations at a Meeting, as specified by Ordinance of the Ministry of Agriculture, Forestry and Fisheries and Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism, and when the particulars specified in the items of said paragraph are the particulars set forth in the following items, it shall obtain the consent of the person specified respectively therein; provided, however, that this shall not apply in cases where it is difficult to hold deliberations at a Meeting for the reasons specified by Cabinet Office Ordinance (hereinafter simply referred to as a "Case Where it is Difficult to Hold Deliberations at a Meeting"):
- (i) The particulars specified in item (ii) of the preceding paragraph: The Minister of Land, Infrastructure, Transport and Tourism;
  - (ii) The particulars specified in item (iii) of the preceding paragraph (limited to the particulars related to a decision on, or amendments to, City Plans prepared by prefectures (limited to the City Plans prescribed in Article 18, paragraph (3) of the City Planning Act)): The Minister for Land, Infrastructure, Transport and Tourism;
  - (iii) The particulars specified in item (iii) of the preceding paragraph (limited to the particulars related to a decision on, or amendments to, City Plans

- prepared by municipalities (limited to the part of the City Plans prescribed in Article 19, paragraph (3) of the City Planning Act that are prepared by towns or villages)): The Governor of the Disaster-stricken or Related Prefecture (excluding Cases of Jointly Preparing the Plan);
- (iv) The particulars specified in item (v) of the preceding paragraph: The Governor of the Disaster-stricken or Related Prefecture (excluding Cases of Jointly Preparing the Plan);
- (v) The particulars specified in item (vii) of the preceding paragraph (limited to the particulars related to revocation of the designation of Protected Forests that fall under any of the items of Article 26-2, paragraph (4) of the Forest Act): The Minister of Agriculture, Forestry and Fisheries.
- (3) Where a Committee has not been organized or in Cases Where it is Difficult to Hold Deliberations at a Meeting, and when a Disaster-stricken or Related Municipality, etc. intends to include the particulars set forth in the following items in a Land Restructuring Plan, it must undergo the procedures specified respectively therein on the particulars, in advance, as specified by Cabinet Office Ordinance, Ordinance of the Ministry of Agriculture, Forestry and Fisheries, and Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism:
- (i) The particulars specified in paragraph (1), item (i): To hear the opinions of the Committee, etc. prescribed in Article 38, paragraph (1) of the National Land Use Planning Act, and to hold deliberations with the Minister of Land, Infrastructure, Transport and Tourism via the Prime Minister;
- (ii) The particulars specified in paragraph (1), item (ii): To hear the opinions of the Prefectural City Planning Council, and to hold deliberations with the Minister of Land, Infrastructure, Transport and Tourism via the Prime Minister to obtain the consent of the former;
- (iii) The particulars specified in paragraph (1), item (iii) (limited to the particulars related to a decision on, or amendments to, City Plans prepared by prefectures (limited to the City Plans prescribed in Article 18, paragraph (3) of the City Planning Act)): To hold deliberations with the Minister of Land, Infrastructure, Transport and Tourism via the Prime Minister to obtain the consent of the former;
- (iv) The particulars specified in paragraph (1), item (iii) (limited to the particulars related to a decision on, or amendments to, City Plans prepared by municipalities (limited to the part of the City Plans prescribed in Article 19, paragraph (3) of the City Planning Act that are prepared by cities)): To hold deliberations with the Governor of the Disaster-stricken or Related Prefecture (excluding Cases of Jointly Preparing the Plan);
- (v) The particulars specified in paragraph (1), item (iii) (limited to the particulars related to a decision on, or amendments to, City Plans prepared

- by municipalities (limited to the part of the City Plans prescribed in Article 19, paragraph (3) of the City Planning Act that are prepared by towns or villages)): To hold deliberations with the Governor of the Disaster-stricken or Related Prefecture (excluding Cases of Jointly Preparing the Plan);
- (vi) The particulars specified in paragraph (1), item (v): To obtain the consent of the Governor of the Disaster-stricken or Related Prefecture (excluding Cases of Jointly Preparing the Plan), and hear the opinions of the persons specified by Ordinance of the Ministry of Agriculture, Forestry and Fisheries as having a close interest in said particulars;
- (vii) The particulars specified in paragraph (1), item (vi): To hear the opinions of the Prefectural Forest Council and the head of the Regional Forest Office having jurisdiction over the Disaster-stricken or Related Municipality, etc., and to hold deliberations with the Minister of Agriculture, Forestry and Fisheries via the Prime Minister;
- (viii) The particulars specified in paragraph (1), item (vii) (limited to the case of designating a forest within a Coastal Protection Zone as a Protection Forest): To hold deliberations with the Coast Administrator (meaning the Coast Administrator prescribed in Article 2, paragraph (3) of the Coast Act; the same applies in item (xi)) administrating the relevant Coastal Protection Zone;
- (ix) The particulars specified in paragraph (1), item (vii) (limited to the particulars related to the revocation of the designation of Protected Forests that fall under any of the items of Article 26-2, paragraph (4) of the Forest Act): To hold deliberations with the Minister of Agriculture, Forestry and Fisheries via the Prime Minister to obtain the consent of the former;
- (x) The particulars specified in paragraph (1), item (viii) (limited to the particulars related to Fishing Port Zones prescribed in Article 6, paragraph (1) of the Act on Development of Fishing Ports and Grounds): To hear the opinions of the Disaster-stricken or Related Prefecture (excluding Cases of Jointly Preparing the Plan);
- (xi) The particulars specified in paragraph (1), item (viii) (limited to the particulars related to River Zones prescribed in Article 6, paragraph (1) of the River Act pertaining to the Rivers prescribed in Article 3, paragraph (1) of the same Act or the particulars related to Coastal Protection Zones): To hold deliberations with the River Administrator administrating the relevant River or the Coast Administrator administrating the relevant Coastal Protection Zone.
- (4) If a Disaster-stricken or Related Municipality, etc. intends to include the particulars specified in any of item (iii) or items (v) to (vii) of paragraph (1) in a Land Restructuring Plan, it must issue public notice to that effect, with regard to said particulars, in advance, as specified by Ordinance of the

Ministry of Agriculture, Forestry and Fisheries and Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism, and must make a draft of said particulars available for public inspection for two weeks from the date said public notice has been given, together with a documentation including the reasons why said municipality intends to include said particulars in the Land Restructuring Plan.

- (5) If a public notice has been given pursuant to the provisions of the preceding paragraph, residents of the Disaster-stricken or Related Municipality and other interested persons may submit written opinions concerning the draft of said particulars made available for public inspection to the Disaster-stricken or Related Municipality, etc. by the day on which the public inspection period ends.
- (6) The Disaster-stricken or Related Municipality, etc. must submit the outline of written opinions (limited to written opinions related to the particulars set forth in paragraph (1), item (vi)) that have been submitted pursuant to the provisions of the preceding paragraph, to the Committee when holding the deliberations set forth in paragraph (2), and to the Prefectural Forest Council when undergoing the procedures prescribed in paragraph (3) (limited to the procedures specified in item (vii) of said paragraph), respectively.
- (7) If a Disaster-stricken or Related Municipality, etc. intends to include the particulars specified in paragraph (1), item (iii) in a Land Restructuring Plan, it must submit the outline of written opinions (limited to written opinions related to said particulars) that have been submitted pursuant to the provisions of paragraph (5), in advance, to the persons specified respectively in the following items, for each of the particulars set forth therein, as specified by Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism, and must request the council specified respectively in said items to discuss said particulars and go through the discussions at said council:
  - (i) The particulars specified in paragraph (1), item (iii) (limited to the particulars related to a decision on, or amendments to, City Plans prepared by prefectures): The Prefectural City Planning Council;
  - (ii) The particulars specified in paragraph (1), item (iii) (limited to the particulars related to a decision on, or amendments to, City Plans prepared by municipalities): The Municipal City Planning Council (when a Municipal City Planning Council has not been established in said Disaster-stricken or Related Municipality, the Prefectural City Planning Council of the Disaster-stricken or Related Prefecture; the same applies in Article 54, paragraph (5), item (i)).
- (8) With regard to procedures when intending to include the particulars specified in paragraph (1), item (iii) in a Land Restructuring Plan, in addition to what are provided for in this Act, the procedures concerning a decision on, or

amendments to, City Plans under the City Planning Act (excluding Article 16, paragraph (1), Article 17, paragraphs (1) and (2), Article 18, paragraphs (1) to (3), and Article 19, paragraphs (1) and (2) of the same Act (including cases where these provisions are applied mutatis mutandis pursuant to Article 21, paragraph (2) of the same Act)) or under other laws and regulations shall be followed.

- (9) If a Land Restructuring Plan that include the particulars specified in the items of paragraph (1) has been publicized pursuant to the provisions of Article 46, paragraph (6), it shall be deemed that the Amendments, etc. to the Basic Land Use Plan have been made for said particulars as of the date of said publication.

(Special Provisions Concerning Permission and Approval, etc. for Land Restructuring Projects)

Article 49 (1) Where a Committee has been organized, and when a Disaster-stricken or Related Municipality, etc. intends to include in a Land Restructuring Plan the Land Use Policies, in line with which if a Land Restructuring Project is carried out, it is evident that over two hectares of Agricultural Land is to be changed to land other than Agricultural Land in the Area of the Plan, it must hold deliberations at a Meeting concerning said Land Use Policies, as specified by Ordinance of the Ministry of Agriculture, Forestry and Fisheries, and must obtain the consent of the Minister of Agriculture, Forestry and Fisheries; provided, however, that this shall not apply in Cases Where it is Difficult to Hold Deliberations at a Meeting.

(2) Where a Committee has not been organized or in Cases Where it is Difficult to Hold Deliberations at a Meeting, and when a Disaster-stricken or Related Municipality, etc. intends to include the Land Use Policies prescribed in the preceding paragraph, it must hold deliberations in advance with the Minister of Agriculture, Forestry and Fisheries via the Prime Minister concerning said Land Use Policies, to obtain the consent of the former, as specified by Cabinet Office Ordinance and Ordinance of the Ministry of Agriculture, Forestry and Fisheries.

(3) If the Minister of Agriculture, Forestry and Fisheries finds that the Land Use Policies on which deliberations have been held as set forth in paragraph (1) or the preceding paragraph, satisfy the following requirements, said minister shall give the consent as prescribed therein:

- (i) The policies pertain to the Land Restructuring Plan prepared by the Disaster-stricken or Related Municipality, etc. which contains any of the areas set forth in Article 46, paragraph (1), item (i);
- (ii) The policies are considered to be necessary and appropriate for the reconstruction of the Disaster-stricken or Related Municipality;



- (iii) The policies are considered to be unlikely to hinder sound development of agriculture in the Disaster-stricken or Related Municipality.
- (4) As regards the particulars set forth in Article 46, paragraph (2), item (iv), the following particulars related to the implementation of Land Restructuring Projects may be included (when including the Land Use Policies prescribed in paragraph (1) in a Land Restructuring Plan, excluding the particulars set forth in item (iv)):
- (i) The particulars concerning the permission set forth in Article 29, paragraph (1) or (2) of the City Planning Act;
  - (ii) The particulars concerning the permission set forth in Article 43, paragraph (1) of the City Planning Act;
  - (iii) The particulars concerning the approval set forth in Article 59, paragraphs (1) to (4) of the City Planning Act;
  - (iv) The particulars concerning the permission set forth in Article 4, paragraph (1) or Article 5, paragraph (1) of the Agricultural Land Act (excluding the permission of the Minister of Agriculture, Forestry and Fisheries);
  - (v) The particulars concerning the permission set forth in Article 15-2, paragraph (1) of the Act on Establishment of Agricultural Promotion Regions;
  - (vi) The particulars concerning the permission set forth in Article 10-2, paragraph (1) of the Forest Act;
  - (vii) The particulars concerning the permission set forth in Article 34, paragraph (1) or (2) of the Forest Act;
  - (viii) The particulars concerning the permission set forth in Article 20, paragraph (3) of the Natural Parks Act (Act No. 161 of 1957) or a notification set forth in Article 33, paragraph (1) of the same Act;
  - (ix) The particulars concerning the permission set forth in Article 39, paragraph (1) of the Act on Development of Fishing Ports and Grounds (limited to the particulars related to fishing ports administrated by Disaster-stricken or Related Prefectures);
  - (x) The particulars concerning the permission set forth in Article 37, paragraph (1) of the Port and Harbor Act (Act No. 218 of 1950), deliberations set forth in paragraph (1) of said Article applied by replacing terms pursuant to paragraph (3) of said Article, a notification under Article 38-2, paragraph (1) of the same Act, or a notice under paragraph (9) of said Article (limited to the particulars related to fishing ports administrated by Disaster-stricken or Related Prefectures).
- (5) Where a Committee has been organized, and when a Disaster-stricken or Related Municipality, etc. intends to include the particulars set forth in the following items in a Land Restructuring Plan, it shall hold deliberations at a Meeting, with regard to said particulars, as specified by Ordinance of the

Ministry of Land, Infrastructure, Transport and Tourism and Ordinance of the Ministry of the Environment, and must obtain the consent of the person specified respectively therein; provided, however, that this shall not apply in Cases Where it is Difficult to Hold Deliberations at a Meeting:

- (i) The particulars set forth in item (iii) of the preceding paragraph (limited to the particulars concerning the approval of the Minister of Land, Infrastructure, Transport and Tourism set forth in Article 59, paragraphs (1) to (3) of the City Planning Act): The Minister of Land, Infrastructure, Transport and Tourism;
  - (ii) The particulars set forth in item (viii) of the preceding paragraph (limited to the particulars concerning a permission or notification pertaining to National Parks (meaning the National Parks prescribed in Article 2, item (ii) of the Natural Parks Act)): The Minister of the Environment.
- (6) Where a Committee has not been organized or in Cases Where it is Difficult to Hold Deliberations at a Meeting, and when a Disaster-stricken or Related Municipality, etc. intends to include the particulars set forth in the items of the preceding paragraph in a Land Restructuring Plan, it must hold deliberations on said particulars, with the person(s) specified respectively therein via the Prime Minister to obtain the consent of the former in advance, as specified by Cabinet Office Ordinance, Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism, and Ordinance of the Ministry of the Environment. In this case, when the particulars set forth in item (i) of said paragraph are the particulars set forth in paragraph (8), item (iii) or (iv), it must hold deliberations in advance with the person(s) specified respectively therein.
- (7) Where a Committee has been organized, and when a Disaster-stricken or Related Municipality, etc. intends to include in a Land Restructuring Plan, the particulars specified in the items of paragraph (4) (excluding the particulars set forth in the items of paragraph (5)), it must hold deliberations at a Meeting with regard to said particulars, as specified by Ordinance of the Ministry of Agriculture, Forestry and Fisheries, Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism, and Ordinance of the Ministry of the Environment, and must obtain the consent of the Governor of the Disaster-stricken or Related Prefecture (regarding the particulars set forth in item (i) of the following paragraph, from the Governor of the Disaster-stricken or Related Prefecture and the Public Facility Manager); provided, however, that this shall not apply in Cases Where it is Difficult to Hold Deliberations at a Meeting.
- (8) Where a Committee has not been organized or in Cases Where it is Difficult to Hold Deliberations at a Meeting, and when a Disaster-stricken or Related Municipality, etc. intends to include the particulars set forth in the preceding paragraph in a Land Restructuring Plan, it must hold deliberations with the

Governor of the Disaster-stricken or Related Prefecture (regarding the particulars set forth in the following items, with the Governor of the Disaster-stricken or Related Prefecture and the person(s) specified respectively therein), with regard to said particulars, to obtain the consent of the Governor of the Disaster-stricken or Related Prefecture (regarding the particulars set forth in item (i), from the Governor of the Disaster-stricken or Related Prefecture and the Public Facility Manager), in advance, as specified by Ordinance of the Ministry of Agriculture, Forestry and Fisheries, Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism, and Ordinance of the Ministry of the Environment:

- (i) The particulars set forth in paragraph (4), item (i) (limited to the particulars concerning the granting of permission in cases where it is required in order to obtain the consent set forth in Article 32, paragraph (1) of the City Planning Act): The Public Facility Manager;
  - (ii) The particulars set forth in paragraph (4), item (i) (limited to the particulars concerning the granting of permission in cases where it is required to hold the deliberations set forth in Article 32, paragraph (2) of the City Planning Act): A person who is to manage a Public Facility as prescribed in Article 32, paragraph (2) of the same Act and other persons specified by Cabinet Order set forth in said paragraph;
  - (iii) The particulars set forth in paragraph (4), item (iii) (limited to the particulars concerning the granting of approval in cases where it is required to hear the opinions of a person who manages a Facility for Public Use as prescribed in Article 59, paragraph (6) of the City Planning Act): Said person who manages the Facility for Public Use;
  - (iv) The particulars set forth in paragraph (4), item (iii) (limited to the particulars concerning the granting of approval in cases where it is required to hear the opinions of a person who carries out a project under a Land Improvement Project Plan prescribed in Article 59, paragraph (6) of the City Planning Act): Said person who carries out the project under the Land Improvement Project Plan;
  - (v) The particulars set forth in paragraph (4), item (iv): The Prefectural Agricultural Council, and other persons specified by Ordinance of Ministry of Agriculture, Forestry and Fisheries as having a close interest in said particulars;
  - (vi) The particulars set forth in paragraph (4), item (v): The Prefectural Agricultural Council;
  - (vii) The particulars set forth in paragraph (4), item (vi): The Prefectural Forest Council.
- (9) In Cases of Jointly Preparing the Plan, and when a Disaster-stricken or Related Municipality, etc. intends to include the particulars prescribed in

paragraph (7) in a Land Restructuring Plan, if the Disaster-stricken or Related Municipality is a Designated City, etc. as prescribed in Article 29, paragraph (1) of the City Planning Act and intends to include the particulars set forth in paragraph (4), item (i) or (ii) in a Land Restructuring Plan, or if the Disaster-stricken or Related Municipality, etc. is a Public Facility Manager and intends to include the particulars set forth in paragraph (4), item (i) in a Land Restructuring Plan, it shall not be required to obtain the consent set forth in paragraph (7) or the preceding paragraph on these particulars.

(10) If the Governor of a Disaster-stricken or Related Prefecture finds that the particulars set forth in paragraph (4), item (i) that are related to the deliberations set forth in paragraph (7) or (8) conform to the criteria prescribed in Article 33 of the City Planning Act (where said particulars are the particulars concerning permission for Development Activities (meaning the Development Activities prescribed in Article 4, paragraph (12) of the same Act) to be carried out within an Urbanization Control Zone (meaning the Urbanization Control Zone prescribed in Article 7, paragraph (1) of the same Act; hereinafter the same applies in this Article and Article 51), the criteria prescribed in Articles 33 and 34 of the same Act), said governor shall give the consent set forth in paragraph (7) or (8).

(11) If the Governor of a Disaster-stricken or Related Prefecture finds that the particulars set forth in paragraph (4), item (ii) that are related to deliberations set forth in paragraph (7) or (8) conform to the criteria specified by Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism in accordance with the criteria prescribed in Articles 33 and 34 of the City Planning Act, said governor shall give the consent set forth in paragraph (7) or (8).

(12) Where it is considered that the Land Restructuring Project pertaining to the particulars set forth in paragraph (4), item (i) or (ii) that are related to the deliberations set forth in paragraph (7) or (8) needs to be carried out in an Urbanization Control Zone within any of the areas set forth in Article 46, paragraph (1), items (i) to (iii), in order to realize the smooth and prompt reconstruction of the areas set forth in item (i) or (ii) of said paragraph or to help the rebuilding of the lives of the residents in these areas, the Governor of the Disaster-stricken or Related Prefecture shall give the consent set forth in paragraph (7) or (8), notwithstanding the provisions of the preceding two paragraphs, when said governor finds that the particulars set forth in paragraph (4), item (i) conform to the criteria prescribed in Article 33 of the City Planning Act, or that the particulars set forth in item (ii) of said paragraph conform to the criteria specified by Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism in accordance with said criteria.

(13) The provisions of the preceding three paragraphs applies mutatis mutandis where a Disaster-stricken or Related Municipality, etc. includes the particulars

set forth in paragraph (4), item (i) or (ii) in a Land Restructuring Plan without obtaining the consent pursuant to the provisions of paragraph (9). In this case, the term "shall give the consent set forth in paragraph (7) or (8)" in the preceding three paragraphs shall be deemed to be replaced with "may include said particulars in the Land Restructuring Plan."

- (14) If the Governor of the Disaster-stricken or Related Prefecture finds that the particulars set forth in paragraph (4), item (iv) or (v) that are related to deliberations set forth in paragraph (7) or (8) satisfy the following requirements, said governor shall give the consent set forth in paragraph (7) or (8):
- (i) The particulars pertain to the Land Restructuring Plan that the Disaster-stricken or Related Municipality, etc. prepares, covering any of the areas set forth in Article 46, paragraph (1), item (i) as the Area of the Plan;
  - (ii) The particulars are considered to be necessary and appropriate for the reconstruction of the Disaster-stricken or Related Municipality;
  - (iii) The particulars are considered to be unlikely to hinder the sound development of agriculture in the Disaster-stricken or Related Municipality.

Article 50 (1) If a Land Restructuring Plan that includes the particulars concerning a Land Restructuring Project pertaining to Land Use Policies for which the consent set forth in paragraph (1) or (2) of the preceding Article has been obtained (limited to the particulars related to Agricultural Land, for which it is required to obtain the permission set forth in Article 4, paragraph (1) or Article 5, paragraph (1) of the Agricultural Land Act for changing Agricultural Land to land other than Agricultural Land or for obtaining the ownership of or right to use or make profits with regard to said Agricultural Land in order to change such land to land other than Agricultural Land, upon carrying out said Land Restructuring Project) has been publicized pursuant to the provisions of Article 46, paragraph (6), it shall be deemed that such permission has been granted to the persons who are required to obtain such permission pursuant to the provisions of Article 4, paragraph (1) or Article 5, paragraph (1) of the same Act as of the date of said publication.

(2) If a Land Restructuring Plan that includes the particulars set forth in the left-hand column of the following table has been publicized pursuant to the provisions of Article 46, paragraph (6), it shall be deemed that the permission or approval set forth in the right-hand column of said table has been granted to the Responsible Entities for the Land Restructuring Project pertaining to said particulars as of the date of said publication.

The matters set forth in paragraph (4), item (i) of the preceding Article	Permission set forth in Article 29, paragraph (1) or (2) of the City Planning Act
The matters set forth in paragraph (4), item (ii) of the preceding Article	Permission set forth in Article 43, paragraph (1) of the City Planning Act
The matters set forth in paragraph (4), item (iii) of the preceding Article	Approval set forth in Article 59, paragraphs (1) to (4) of the City Planning Act
The matters set forth in paragraph (4), item (v) of the preceding Article	Permission set forth in Article 15-2, paragraph (1) of the Act on Establishment of Agricultural Promotion Regions
The matters set forth in paragraph (4), item (vi) of the preceding Article	Permission set forth in Article 10-2, paragraph (1) of the Forest Act
The matters set forth in paragraph (4), item (vii) of the preceding Article	Permission set forth in Article 34, paragraph (1) or (2) of the Forest Act
The matters set forth in paragraph (4), item (viii) of the preceding Article (limited to the matters pertaining to the permission set forth in Article 20, paragraph (3) of the Natural Parks Act)	Permission set forth in Article 20, paragraph (3) of the Natural Parks Act
The matters set forth in paragraph (4), item (ix) of the preceding Article	Permission set forth in Article 39, paragraph (1) of the Act on Development of Fishing Ports and Grounds
The matters set forth in paragraph (4), item (x) of the preceding Article (limited to the matters pertaining to the permission set forth in Article 37, paragraph (1) of the Port and Harbor Act)	Permission set forth in Article 37, paragraph (1) of the Port and Harbor Act

- (3) If a Land Restructuring Plan that includes the particulars set forth in paragraph (4), item (iv) of the preceding Article has been publicized pursuant to the provisions of Article 46, paragraph (6), it shall be deemed that such permission has been granted to the persons who are required to obtain such permission pursuant to the provisions of Article 4, paragraph (1) or Article 5, paragraph (1) of the Agricultural Land Act as of the date of said publication.
- (4) If a Land Restructuring Plan that includes the particulars set forth in paragraph (4), item (viii) of the preceding Article (limited to the particulars related to a notification as set forth in Article 33, paragraph (1) of the Natural Parks Act) has been publicized pursuant to the provisions of Article 46, paragraph (6), the provisions of Article 33, paragraphs (1) and (2) of the same Act shall not apply to the Land Restructuring Project pertaining to said particulars.

- (5) If a Land Restructuring Plan that includes the particulars set forth in paragraph (4), item (x) of the preceding Article (limited to the particulars related to the deliberations set forth in Article 37, paragraph (1) of the Port and Harbor Act applied by replacing the terms pursuant to paragraph (3) of said Article) has been publicized pursuant to the provisions of Article 46, paragraph (6), it shall be deemed that deliberations have been held as set forth in Article 37, paragraph (1) of the same Act applied by replacing the terms pursuant to paragraph (3) of said Article.
- (6) If a Land Restructuring Plan that includes the particulars set forth in paragraph (4), item (x) of the preceding Article (limited to the particulars related to a notification under Article 38-2, paragraph (1) of the Port and Harbor Act or a notice under paragraph (9) of said Article) has been publicized pursuant to the provisions of Article 46, paragraph (6), it shall be deemed that a notification under Article 38-2, paragraph (1) of the same Act or a notice under paragraph (9) of said Article has been made.

(Special Provisions Concerning Land Readjustment Projects, etc.)

- Article 51 (1) As regards the particulars set forth in Article 46, paragraph (2), item (iv), (a) or (c), the particulars concerning a Land Readjustment Project or Comprehensive Reconstruction Project that includes a Urbanization Control Zone in the areas set forth in paragraph (1), items (i) to (iii) of said Article as its Implementation District (meaning the Implementation District prescribed in Article 2, paragraph (4) of the Land Readjustment Act or the Implementation District prescribed in Article 57, paragraph (2), item (i)) may be included.
- (2) With regard to the application of the provisions of Article 13, paragraph (1), item (xii) of the City Planning Act to the Land Readjustment Project (limited to a project carried out pursuant to the provisions of Article 3, paragraph (4) of the Land Readjustment Act) or the Comprehensive Reconstruction Project provided for in the Land Restructuring Plan pursuant to the provisions of the preceding paragraph, the term "an Urban Development Project" in said item shall be deemed to be replaced with "a Land Readjustment Project provided for in the Land Restructuring Plan prescribed in Article 46, paragraph (1) of the Act on Special Zones for Reconstruction in Response to the Great East Japan Earthquake (Act No. 122 of 2011) pursuant to the provisions of Article 51, paragraph (1) of the same Act or a Land Readjustment Project pertaining to the Comprehensive Reconstruction Project prescribed in Article 57, paragraph (1) of the same Act," and the term "the zone of the land within an urbanization promotion zone or a City Planning Zone without specific zoning that needs to be developed or improved in a comprehensive manner" shall be deemed to be replaced with "the zone of the land that needs to be developed or improved in a

comprehensive manner."

(Special Provisions Concerning Land Improvement Projects)

- Article 52 (1) A Disaster-stricken or Related Prefecture may carry out a Land Improvement Project provided for in a Land Restructuring Plan (limited to a project conforming to the requirements specified by Cabinet Order; hereinafter the same applies in this Article).
- (2) The Land Improvement Project carried out pursuant to the provisions of the preceding paragraph shall be deemed to be a Land Improvement Project as set forth in Article 87-2, paragraph (1), item (ii) of the Land Improvement Act that can be carried out pursuant to the provisions of said paragraph. In this case, with regard to the application of the provisions of paragraph (10) of said Article and Article 87-3, paragraph (2) of the same Act, in Article 87-2, paragraph (10) of the same Act, the term "Article 5, paragraphs (6) and (7) and Article 7, paragraph (3)" shall be deemed to be replaced with "Article 5, paragraphs (4) to (7), and Article 7, paragraphs (3) and (4)," and the term "paragraph (5) of said Article" shall be deemed to be replaced with "paragraph (4) of said Article," and in Article 87-3, paragraph (2) of the same Act, the term "agricultural land development project, etc. carried out based on an application under Article 85, paragraph (1), Article 85-2, paragraph (1), or Article 85-3, paragraph (6)" shall be deemed to be replaced with "agricultural land development project, etc.," and the term "Land Improvement Project carried out based on an application under these provisions" shall be deemed to be replaced with "Land Improvement Project."
- (3) In Cases of Jointly Preparing the Plan, as the particulars set forth in Article 46, paragraph (2), item (iv), (b), the particulars concerning a Land Improvement Project that a Disaster-stricken or Related Prefecture carries out as a Land Restructuring Project (limited to the particulars to be included in accordance with the provisions of Article 5, paragraphs (4) to (7), Article 7, paragraphs (3) and (4), Article 8, paragraphs (2) and (3), Article 87, paragraphs (3) and (4), and Article 87-2, paragraphs (3) to (5)) may be included.
- (4) If a Disaster-stricken or Related Municipality, etc. intends to include the particulars concerning a Land Improvement Project prescribed in the preceding paragraph in a Land Restructuring Plan, it must hold deliberations at a meeting with regard to said particulars, where a Committee has been organized (excluding Cases Where it is Difficult to Hold Deliberations at a Meeting), or must hold deliberations with a manager of a Land Improvement Facility as prescribed in Article 87-2, paragraph (6) of the Land Improvement Act, on said particulars, in advance, where a Committee has not been organized or in Cases Where it is Difficult to Hold Deliberations at a Meeting, as specified by Ordinance of the Ministry of Agriculture, Forestry and



Fisheries.

- (5) If a Land Restructuring Plan that includes the particulars concerning the Land Improvement Project prescribed in paragraph (3) has been publicized pursuant to the provisions of Article 46, paragraph (6), it shall be deemed that the Land Improvement Project Plan set forth in Article 87-2, paragraph (1) of the Land Improvement Act that pertains to said particulars has been prepared as of the date of said publication.

(Special Provisions Concerning Projects for Promoting Collective Relocation)  
Article 53 (1) If a Disaster-stricken or Related Prefecture has been informed by a Disaster-stricken or Related Municipality that it is difficult to prepare a Project Plan for Promoting Collective Relocation (meaning the Project Plan for Promoting Collective Relocation prescribed in Article 3, paragraph (1) of the Act on Promotion of Collective Relocation; hereinafter the same applies in this Article) pertaining to a Specified Project for Promoting Collective Relocation (meaning a Project for Promoting Collective Relocation provided for in the Land Restructuring Plan; hereinafter the same applies in this Article), said prefecture may prepare a Project Plan for Promoting Collective Relocation pertaining to said information. In this case, with regard to the application of the provisions of Article 3, paragraphs (1), (4) and (7) and Article 4 (including the title thereof) of the Act on Promotion of Collective Relocation, the term "municipality" in these provisions shall be deemed to be replaced with "prefecture"; the term "intends to carry out a Project for Promoting Collective Relocation, it must prepare a plan concerning the implementation of the Project for Promoting Group Relocation (hereinafter referred to as a 'Project Plan for Promoting Collective Relocation'). In this case" in Article 3, paragraph (1) of the Act on Promotion of Collective Relocation shall be deemed to be replaced with "prepares a plan concerning the implementation of the Project for Promoting Group Relocation (hereinafter referred to as a 'Project Plan for Promoting Collective Relocation') pertaining to the report set forth in Article 53, paragraph (1) of the Act on Special Zones for Reconstruction in Response to the Great East Japan Earthquake (Act No. 122 of 2011) pursuant to the provisions of said paragraph"; in paragraph (4) of said Article, the term "the second sentence of paragraph (1)" shall be deemed to be replaced with "paragraph (1)," the term "to the Minister of Land, Infrastructure, Transport and Tourism via the prefectural governor" shall be deemed to be replaced with "to the Minister of Land, Infrastructure, Transport and Tourism," the term "said prefectural governor may present an opinion regarding said Project Plan for Promoting Collective Relocation to the Minister of Land, Infrastructure, Transport and Tourism" shall be deemed to be replaced with "said prefectural governor must hear the opinions of the relevant municipalities regarding said

- Project Plan for Promoting Collective Relocation, in advance"; and the term "to the Minister of Land, Infrastructure, Transport and Tourism via the prefectural governor" in paragraph (7) of said Article shall be deemed to be replaced with "to the Minister of Land, Infrastructure, Transport and Tourism"; and the provisions of paragraph (8) of said Article shall not apply.
- (2) With regard to the application of the provisions of Article 3, paragraph (2), item (iii) and Article 7, item (i) of the Act on Promotion of Collective Relocation in the case of carrying out a Specified Project for Promoting Collective Relocation, the term "development of a housing estate" in Article 3, paragraph (2), item (iii) of the Act on Promotion of Collective Relocation shall be deemed to be replaced with "development of a housing estate (including the land to be used for medical facilities, government facilities, shopping facilities, and other facilities deemed necessary in connection with the relocation of the residences of movers that are necessary for common welfare and convenience of residents; the same applies in item (v) and Article 7, items (i) and (iii))," and the term "excluding cases where the site is transferred after said acquisition and land development" in Article 7, item (i) of the Act on Promotion of Collective Relocation shall be deemed to be replaced with "excluding cases where the site is transferred after said acquisition and land development and where the amount of the consideration for said transfer is above the amount of said expenses."
- (3) As regards the particulars set forth in Article 46, paragraph (2), item (iv), (d), the particulars concerning a Project for Promoting Collective Relocation (limited to the particulars together with which the particulars set forth in the items of Article 3, paragraph (2) of the Act on Promotion of Collective Relocation (including the particulars set forth in the items of paragraph (2) of said Article applied by replacing the terms pursuant to the provisions of the preceding paragraph) are to be included) may be included.
- (4) Where a Committee has been organized, and when a Disaster-stricken or Related Municipality, etc. intends to include the particulars concerning a Project for Promoting Collective Relocation as prescribed in the preceding paragraph in a Land Restructuring Plan, it shall hold deliberations at a Meeting, as specified by Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism, and must obtain the consent of the Minister of Land, Infrastructure, Transport and Tourism; provided, however, that this shall not apply in Cases Where it is Difficult to Hold Deliberations at a Meeting.
- (5) Where a Committee has not been organized or in Cases Where it is Difficult to Hold Deliberations at a Meeting, and when a Disaster-stricken or Related Municipality, etc. intends to include the particulars concerning a Project for Promoting Collective Relocation prescribed in paragraph (3) in a Land Restructuring Plan, it must hold deliberations, with regard to said particulars,

with the Minister of Land, Infrastructure, Transport and Tourism via the Prime Minister to obtain the consent of the former, in advance, as specified by Cabinet Office Ordinance and Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism.

- (6) If a Disaster-stricken or Related Municipality intends to hold deliberations with the Minister of Land, Infrastructure, Transport and Tourism on the particulars concerning a Project for Promoting Collective Relocation prescribed in paragraph (3), it must notify the Governor of the Disaster-stricken or Related Prefecture of said particulars in advance. In this case, the Governor of the Disaster-stricken or Related Prefecture who has received said notification may present an opinion to the Minister of Land, Infrastructure, Transport and Tourism concerning the municipality's intention to include said particulars in the Land Restructuring Plan.
- (7) If the Minister of Land, Infrastructure, Transport and Tourism intends to give the consent set forth in paragraph (4) or (5), said minister must hold deliberations with the Head(s) of the Relevant Administrative Organ(s), in advance.
- (8) If a Land Restructuring Plan that includes the particulars concerning a Project for Promoting Collective Relocation prescribed in paragraph (3) has been publicized pursuant to the provisions of Article 46, paragraph (6), it shall be deemed that the Project Plan for Promoting Collective Relocation pertaining to said particulars has been prepared after obtaining the consent set forth in Article 3, paragraph (1) of the Act on Promotion of Collective Relocation pursuant to the provisions of said paragraph as of the date of said publication.
- (9) In addition to what are prescribed in the preceding paragraphs, the particulars necessary for the implementation of Specified Projects for Promoting Collective Relocation shall be specified by Cabinet Order.

(Special Provisions Concerning Residential Area Improvement Projects)

- Article 54 (1) As regards the particulars set forth in Article 46, paragraph (2), item (iv), (e), the particulars concerning a district pertaining to a report set forth in Article 4, paragraph (2) of the Residential Areas Improvement Act (hereinafter referred to as a "District Pertaining to the Report" in this Article) may be included. In this case, the particulars concerning a district that includes a zone, where what used to be buildings mainly used for residential purposes within the District Pertaining to the Report, but have been damaged by the Great East Japan Earthquake and are no longer buildings are located, may also be included.
- (2) Out of the particulars concerning the District Pertaining to the Report, the particulars concerning a Residential Areas Improvement Project in which the Disaster-stricken or Related Prefecture serves as the Responsible Entity may

be included only in Cases of Jointly Preparing the Plan.

- (3) Where a Committee has been organized, and when a Disaster-stricken or Related Municipality, etc. intends to include the particulars concerning a District Pertaining to the Report prescribed in paragraph (1) in a Land Restructuring Plan, it shall hold deliberations at a Meeting, as specified by Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism, and must obtain the consent of the Minister of Land, Infrastructure, Transport and Tourism; provided, however, that this shall not apply in Cases Where it is Difficult to Hold Deliberations at a Meeting.
- (4) Where a Committee has not been organized or in Cases Where it is Difficult to Hold Deliberations at a Meeting, and when a Disaster-stricken or Related Municipality, etc. intends to include the particulars concerning a District Pertaining to the Report prescribed in paragraph (1) in a Land Restructuring Plan, it shall hold deliberations, with regard to said particulars, with the Minister of Land, Infrastructure, Transport and Tourism via the Prime Minister to obtain the consent of the former, in advance, as specified by Cabinet Office Ordinance and Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism.
- (5) If a Disaster-stricken or Related Municipality, etc. intends to include the particulars set forth in the following items in a Land Restructuring Plan, it must undergo the procedures specified respectively therein, with regard to said particulars, in advance, as specified by Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism:
  - (i) The particulars concerning a District Pertaining to the Report relating to a Residential Areas Improvement Project carried out by a municipality within a City Planning Zone (meaning the City Planning Zone prescribed in Article 4, paragraph (2) of the City Planning Act; the same applies in the following item): To undergo deliberations at the Municipal City Planning Council;
  - (ii) The particulars concerning a District Pertaining to the Report relating to a Residential Areas Improvement Project carried out by a prefecture within a City Planning Zone: To undergo deliberations at the Prefectural City Planning Council.
- (6) If the Minister of Land, Infrastructure, Transport and Tourism intends to give the consent set forth in paragraph (3) or (4), said minister must hold deliberations with the Minister of Health, Labour and Welfare, in advance.
- (7) If a Land Restructuring Plan that includes the particulars concerning a District Pertaining to the Report prescribed in paragraph (1) has been publicized pursuant to the provisions of Article 46, paragraph (6), it shall be deemed that the designation of an improvement district pursuant to the provisions of Article 4, paragraph (1) of the Residential Areas Improvement Act has been made pertaining to said particulars as of the date of said publication.

In this case, when said particulars are those concerning the district that includes a zone where what were formerly buildings as prescribed in paragraph (1) are located, the provisions of the same Act applies by deeming what were formerly buildings to be houses which have deteriorated as prescribed in Article 2, paragraph (4) of the same Act.

- (8) As regards the particulars set forth in Article 46, paragraph (2), item (iv), (e), the particulars concerning a Residential Areas Improvement Project (limited to the particulars together with which the particulars set forth in the items of paragraphs (2) and (3) of Article 6 of the Residential Areas Improvement Act are to be stated) may be included; provided, however, that the particulars concerning the Residential Areas Improvement Project in which the Disaster-stricken or Related Prefecture serves as the Responsible Entity may be stated only in Cases of Jointly Preparing the Plan.
- (9) If a Disaster-stricken or Related Municipality, etc. intends to include the particulars concerning a Residential Areas Improvement Project prescribed in the preceding paragraph in a Land Restructuring Plan, it must hold deliberations at a meeting, with regard to said particulars, where a Committee has been organized (excluding Cases Where it is Difficult to Hold Deliberations at a Meeting), as specified by Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism, or must hold deliberations, with regard to said particulars, with a person set forth in the items of Article 7 of the Residential Areas Improvement Act, and with the Minister of Land, Infrastructure, Transport and Tourism via the Prime Minister, in advance, where a Committee has not been organized or in Cases Where it is Difficult to Hold Deliberations at a Meeting, as specified by Cabinet Office Ordinance and Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism.
- (10) If a Land Restructuring Plan that includes the particulars concerning a Residential Areas Improvement Project prescribed in paragraph (8) has been publicized pursuant to the provisions of Article 46, paragraph (6), it shall be deemed that a project plan as set forth in Article 5, paragraph (1) of the Residential Areas Improvement Act pertaining to said particulars has been prepared as of the date of said publication.

(Special Provisions Concerning Projects for Fishery Infrastructure Development)

- Article 55 (1) As regards the particulars set forth in Article 46, paragraph (2), item (iv), (h), the particulars concerning a Project for Fishery Infrastructure Development (limited to the particulars pertaining to a Project for Fishery Infrastructure Development that satisfies the requirements specified by Ordinance of the Ministry of Agriculture, Forestry and Fisheries (excluding projects pertaining to Specified Third Class Fishing Ports as prescribed in

Article 19-3, paragraph (1) of the Act on Development of Fishing Ports and Grounds) and with which the particulars prescribed in Article 17, paragraph (2) of the same Act are to be included) may be included.

- (2) If a Disaster-stricken or Related Municipality, etc. intends to include the particulars concerning a Project for Fishery Infrastructure Development prescribed in the preceding paragraph in a Land Restructuring Plan, it must hold deliberations at a meeting, with regard to said particulars, and obtain the consent of the Minister of Agriculture, Forestry and Fisheries, where a Committee has been organized (excluding Cases Where it is Difficult to Hold Deliberations at a Meeting), as specified by Ordinance of the Ministry of Agriculture, Forestry and Fisheries, or must hold deliberations, with regard to said particulars, with the Minister of Agriculture, Forestry and Fisheries via the Prime Minister to obtain the consent of the former, in advance, where a Committee has not been organized or in Cases Where it is Difficult to Hold Deliberations at a Meeting, as specified by Cabinet Office Ordinance and Ordinance of the Ministry of Agriculture, Forestry and Fisheries.
- (3) If a Disaster-stricken or Related Municipality intends to hold deliberations with the Minister of Agriculture, Forestry and Fisheries on the particulars concerning a Project for Fishery Infrastructure Development prescribed in paragraph (1), pursuant to the provisions of the preceding paragraph, it must hold deliberations with the Governor of the Disaster-stricken or Related Prefecture in advance.
- (4) If a Land Restructuring Plan that includes the particulars concerning a Project for Developing Fishing Ports and Grounds prescribed in paragraph (1) has been publicized pursuant to the provisions of Article 46, paragraph (6), it shall be deemed that the Specified Project Plan for Fishery Infrastructure Development set forth in Article 17, paragraph (1) of the Act on Development of Fishing Ports and Grounds on said particulars has been prepared, and a notification or publication has been made on said plan pursuant to the provisions of said paragraph, as of the date of said publication. In this case, the provisions of paragraphs (7) to (9) shall not apply.

(Special Provisions Concerning Cadastral Survey Projects)

Article 56 (1) As regards the particulars set forth in Article 46, paragraph (2), item (iv), (1), it shall be allowed to include the particulars concerning a Cadastral Survey carried out by the Ministry of Land, Infrastructure, Transport and Tourism (limited to the surveys provided for in a project plan set forth in Article 6-3, paragraph (2) of the National Land Survey Act pursuant to the provisions of said paragraph; hereinafter the same applies in this Article).

- (2) Where a Committee has been organized, and when a Disaster-stricken or

Related Municipality, etc. intends to include in a Land Restructuring Plan, the particulars concerning a Cadastral Survey carried out by the Ministry of Land, Infrastructure, Transport and Tourism as prescribed in the preceding paragraph, it must hold deliberations on said particulars, at a meeting and obtain the consent of the Minister of Land, Infrastructure, Transport and Tourism, as specified by Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism; provided, however, that this shall not apply in Cases Where it is Difficult to Hold Deliberations at a Meeting.

- (3) Where a Committee has not been organized or in Cases Where it is Difficult to Hold Deliberations at a Meeting, and when a Disaster-stricken or Related Municipality, etc. intends to include in a Land Restructuring Plan, the particulars concerning a Cadastral Survey carried out by the Ministry of Land, Infrastructure, Transport and Tourism as prescribed in paragraph (1), it shall hold deliberations on said particulars, with the Minister of Land, Infrastructure, Transport and Tourism via the Prime Minister to obtain the consent of the former in advance, as specified in Cabinet Office Ordinance and Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism.
- (4) If a Disaster-stricken or Related Municipality intends to hold deliberations at a meeting or hold deliberations with the Minister of Land, Infrastructure, Transport and Tourism on the particulars concerning a Cadastral Survey carried out by the Ministry of Land, Infrastructure, Transport and Tourism as prescribed in paragraph (1), pursuant to the provisions of the preceding two paragraphs, said municipality must hold deliberations with the Governor of the Disaster-stricken or Related Prefecture to obtain the consent thereof, in advance.
- (5) If the Minister of Land, Infrastructure, Transport and Tourism finds that the Cadastral Survey for which deliberations set forth in paragraph (2) or (3) are held satisfies the following requirements and carrying out said Cadastral Survey will not hinder the performance of its affairs, said minister shall give the consent set forth in paragraph (2) or (3):
  - (i) The Cadastral Survey is considered necessary for the facilitation of the smooth and prompt reconstruction of the Disaster-stricken or Related Municipality, etc.;
  - (ii) In light of the system for carrying out a Cadastral Survey available in the Disaster-stricken or Related Municipality, etc. and other circumstances of the region, it is considered difficult for the Disaster-stricken or Related Municipality, etc. to carry out the survey by itself.
- (6) If a Land Restructuring Plan that includes the particulars concerning a Cadastral Survey carried out by the Ministry of Land, Infrastructure, Transport and Tourism as prescribed in paragraph (1) has been publicized pursuant to the provisions of Article 46, paragraph (6), the Ministry of Land,

Infrastructure, Transport and Tourism shall carry out said Cadastral Survey. In this case, with regard to the application of the provisions of Article 3, paragraph (2), Article 7, and Chapters IV to VI of the National Land Survey Act, Cadastral Surveys carried out by the Ministry of Land, Infrastructure, Transport and Tourism shall be deemed to be National Land Surveys as prescribed in Article 2, paragraph (1) of the same Act; and with regard to the application of the provisions of Article 6-3, paragraph (4), Article 6-4, Article 32, and Article 32-2, the term "Article 9-2, paragraph (2)" in Article 6-3, paragraph (4) of the same Act shall be deemed to be replaced with "Article 9-2, paragraph (2), and Article 56, paragraph (8) of the Act on Special Zones for Reconstruction in Response to the Great East Japan Earthquake (Act No. 122 of 2011)"; the term "prefectures, municipalities, or land improvement districts, etc." in Article 6-4 of the same Act, the term "local governments (where a corporation tasked to conduct a Cadastral Survey carries out a Cadastral Survey pursuant to the provisions of Article 10, paragraph (2), said corporation) or land improvement districts, etc." in Article 32 of the same Act, and the term "local governments or land improvement districts, etc." in Article 32-2, paragraph (1) of the same Act shall be deemed to be replaced with "the Ministry of Land, Infrastructure, Transport and Tourism"; and the term "shall prepare an implementation plan and working regulations based on the rules of working regulations set forth in Article 3, paragraph (2) and submit them to the Minister of Land, Infrastructure, Transport and Tourism in the case of a prefecture, or to the prefectural governor in the case of a municipality or land improvement district, etc." in Article 6-4, paragraph (2) of the same Act shall be deemed to be replaced with "shall prepare an implementation plan and working regulations based on the rules of working regulations set forth in Article 3, paragraph (2)."

- (7) A project plan to be prepared by a Disaster-stricken or Related Prefecture including a zone of the Land Restructuring Plan prescribed in the preceding paragraph pursuant to the provisions of Article 6-3, paragraph (2) of the National Land Survey Act, must comply with said Land Restructuring Plan.
- (8) The expenses for Cadastral Surveys carried out by the Ministry of Land, Infrastructure, Transport and Tourism pursuant to the provision of paragraph (6) shall be borne by the national government. In this case, the Disaster-stricken or Related Prefecture and the Disaster-stricken or Related Municipality that contains a zone of the Land Restructuring Plan prescribed in said paragraph shall bear one-fourth of said expenses, respectively, as specified by Cabinet Order.

## **Section 2 Comprehensive Reconstruction Projects**



(Approval of Project Plans)

Article 57 (1) A Disaster-stricken or Related Municipality that intends to carry out a Comprehensive Reconstruction Project (meaning a package of projects listed below carried out by a municipality in a comprehensive manner in the area within the Area of the Plan where the status of land use has changed considerably due to the damage caused by the Great East Japan Earthquake, or the area adjacent thereto, or in the vicinity thereof; hereinafter the same applies in this Article and Article 59) provided for in a Land Restructuring Plan may prepare a project plan for the Comprehensive Reconstruction Project (hereinafter simply referred to as a "Project Plan") and submit it to the Governor of the Disaster-stricken or Related Prefecture to obtain the approval verifying that the Project Plan is appropriate, as specified by Ordinance of the Ministry of Agriculture, Forestry and Fisheries and Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism. In this case, the Disaster-stricken or Related Municipality must establish in advance the implementation procedures set forth in Article 52, paragraph (1) of the Land Readjustment Act pertaining to said Comprehensive Reconstruction Project:

- (i) A Land Readjustment Project;
  - (ii) New construction, management or changes to agricultural water facilities, agricultural roads, and other facilities necessary for preserving or utilizing Agricultural Land (meaning the Agricultural Land prescribed in Article 3, item (i) of the Act on Establishment of Agricultural Promotion Regions; the same applies in the following item and Article 61) (such facilities shall be referred to as "Agricultural Water Facilities, etc." in Article 60);
  - (iii) Soil dressing, underdrainage, and other projects necessary for improving or preserving Agricultural Land.
- (2) Project Plans must include the following particulars, as specified by Ordinance of the Ministry of Agriculture, Forestry and Fisheries and Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism:
- (i) The Implementation District (where the Implementation District is divided into several sections, the Implementation District and the sections; hereinafter the same applies in this Article and Article 62);
  - (ii) The outline of the Comprehensive Reconstruction Project;
  - (iii) The period for carrying out the project;
  - (iv) The funding plan.
- (3) Where it is deemed especially necessary to facilitate the construction of houses and public facilities (meaning educational facilities, medical facilities, government facilities, shopping facilities, and other facilities that are necessary for the common welfare and convenience of residents; hereinafter the same applies in this Article and Article 62) in the zone of the land within the Implementation District, where measures for preventing the recurrence of

disasters or mitigating damage due to tsunamis have been taken or are to be taken, a Project Plan for a United Reconstruction Project aiming to prevent the recurrence of disasters or mitigate damage due to tsunamis may specify the zone of the land that should be used for houses and public facilities (hereinafter referred to as a "Site for Construction of Post-tsunami Houses, etc." in this Section), as specified by Ordinance of the Ministry of Agriculture, Forestry and Fisheries and Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism.

- (4) A Site for Construction of Post-tsunami Houses, etc. must be specified in a location that is deemed effective for preventing the recurrence of disasters or mitigating damage due to tsunamis in the Implementation District and for facilitating the construction of houses and public facilities, and its area must be of a size deemed appropriate assuming that houses and public facilities will be constructed therein.
- (5) Project Plans must provide for proper plans concerning Public Facilities (meaning the Public Facilities prescribed in Article 2, paragraph (5) of the Land Readjustment Act; the same applies in the following paragraph and Article 77) and Housing Sites (meaning the Housing Sites prescribed in Article 2, paragraph (6) of the same Act; the same applies in Articles 62 and 63) that are necessary for developing and improving the environment, ensuring traffic safety, preventing the occurrence of disasters, and otherwise developing safe urban zones.
- (6) Where a City Plan concerning Public Facilities and other facilities or a Land Readjustment Project has been prepared, a Project Plan must be prepared to conform to said City Plan.
- (7) The technical standards necessary for preparing a Project Plan shall be specified by Ordinance of the Ministry of Agriculture, Forestry and Fisheries and Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism.
- (8) The provisions of Article 55, paragraphs (1) to (6) of the Land Readjustment Act applies mutatis mutandis to cases where a Disaster-stricken or Related Municipality intends to prepare a Project Plan, and the provisions of Article 136 of the same Act applies mutatis mutandis to cases where the Governor of the Disaster-stricken or Related Prefecture intends to grant the approval set forth in paragraph (1) with regard to a Project Plan.
- (9) If the Governor of the Disaster-stricken or Related Prefecture has granted the approval as set forth in paragraph (1), said governor must give notice to that effect to the relevant Disaster-stricken or Related Municipality without delay.
- (10) Where a Disaster-stricken or Related Municipality has received a notification as set forth in the preceding paragraph, the Mayor of the Disaster-stricken or Related Municipality must issue public notice, without delay, concerning the name of said Disaster-stricken or Related Municipality, the

period for the project, the Implementation District, and other particulars specified by Ordinance of the Ministry of Agriculture, Forestry and Fisheries and Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism, as specified by Ordinance of the Ministry of Agriculture, Forestry and Fisheries and Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism.

(11) The provisions of paragraph (1) and paragraph (7) to the preceding paragraph applies mutatis mutandis to cases where a Disaster-stricken or Related Municipality intends to amend a Project Plan approved as set forth in paragraph (1) (when approval for amendments has been granted under the provisions of paragraph (1) as applied mutatis mutandis pursuant to this paragraph, a Project Plan after the amendments; referred to as an "Approved Project Plan" in Articles 59 to 62) (excluding cases where intending to make minor amendments specified by Ordinance of the Ministry of Agriculture, Forestry and Fisheries and Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism).

(Mutatis Mutandis Application of the Land Readjustment Act)

Article 58 The provisions of Article 127, item (vii) of the Land Readjustment Act applies mutatis mutandis to the notification under Article 55, paragraph (4) of the same Act applied mutatis mutandis pursuant to paragraph (8) of the preceding Article (including cases applied mutatis mutandis pursuant to paragraph (11) of said Article).

(Special Provisions Concerning Approval, etc. for Projects for Land Readjustment)

Article 59 The provisions of the Land Readjustment Act applies to a Comprehensive Reconstruction Project pertaining to an Approved Project Plan by deeming the approval set forth in Article 57, paragraph (1) to be the approval set forth in Article 52, paragraph (1) of the same Act, deeming said Approved Project Plan to be a project plan prepared under said paragraph, and deeming a public notice under Article 57, paragraph (10) to be a public notice under Article 55, paragraph (9) of the same Act.

(Management of Agricultural Water Facilities, etc.)

Article 60 Where the work for the project set forth in Article 57, paragraph (1), item (ii) (excluding the part pertaining to the management of Agricultural Water Facilities, etc.) or item (iii) pertaining to an Approved Project Plan has been completed, and as a consequence when there are any Agricultural Water Facilities, etc., the Disaster-stricken or Related Municipality are liable to manage said facilities.

(Technical Assistance to Disaster-stricken or Related Prefectures)

Article 61 (1) With regard to the work for the project set forth in Article 57, paragraph (1), item (ii) or (iii) pertaining to an Approved Project Plan, a Disaster-stricken or Related Municipality may request the Disaster-stricken or Related Prefecture for the assistance necessary for officials who have specialized knowledge concerning the improvement, development, preservation or consolidation of Agricultural Land.

(2) The Disaster-stricken or Related Prefecture must not reject a request under the preceding paragraph, except where there are justifiable grounds.

(Request for Land Substitution to a Site for Construction of Post-tsunami Houses, etc.)

Article 62 (1) If an Approved Project Plan has specified a Site for Construction of Post-tsunami Houses, etc. pursuant to the provisions of Article 57, paragraph (3), an owner of a Housing Site to be used for houses or a Public Interest Facility in the Implementation District provided for in the Approved Project Plan who intends to construct a house or a Public Interest Facility on substituted land for said Housing Site may request the Disaster-stricken or Related Municipality to specify the land substituting said Housing Site within the Site for Construction of Post-tsunami Houses, etc. in the Land Substitution Plan set forth in Article 86, paragraph (1) of the Land Readjustment Act (simply referred to as a "Land Substitution Plan" in paragraph (4) and the following Article), as specified by Ordinance of the Ministry of Agriculture, Forestry and Fisheries and Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism.

(2) If there are any persons who possess land lease rights for the purpose of owning a house or a Public Interest Facility with regard to the Housing Site pertaining to the request set forth in the preceding paragraph, the consent of said persons must be obtained with regard to said request.

(3) The request set forth in paragraph (1) must be made, in accordance with the category set forth in the following items, within 60 days from the day on which the public notice specified respectively therein has been made:

(i) Where an Approved Project Plan has been prepared: A public notice pursuant to the provisions of Article 57, paragraph (10);

(ii) Where a Site for Construction of Post-tsunami Houses, etc. has been newly specified due to the amendments to the Approved Project Plan: A public notice pursuant to the provisions of Article 57, paragraph (10) applied mutatis mutandis pursuant to paragraph (11) of said Article;

(iii) Where the area of a Site for Construction of Post-tsunami Houses, etc. has been expanded as a result of the land that used to be outside of the

Implementation District having been newly included into the Implementation District due to the amendments to the Approved Project Plan: A public notice pursuant to the provisions of Article 57, paragraph (10) applied mutatis mutandis pursuant to paragraph (11) of said Article.

- (4) Where a request as set forth in paragraph (1) has been made, and if a Disaster-stricken or Related Municipality finds that said request satisfies the following requirements, it shall designate, in the Land Substitution Plan, the Housing Site pertaining to said request as the Housing Site for which substituting land shall be specified within the Site for Construction of Post-tsunami Houses, etc., and if it finds that said request does not satisfy the following requirements, it must decide not to respond to said request, without delay:
- (i) There are no buildings or other structures (excluding houses and public facilities, as well as structures that can be easily relocated or removed and are specified by Ordinance of the Ministry of Agriculture, Forestry and Fisheries and Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism) on the Housing Site pertaining to said request;
  - (ii) The Housing Site pertaining to said request involves no superficies, emphyteusis, leasehold, or other rights to use or make profits from said Housing Site (excluding land lease rights and servitude for the purpose of owning a house or a Public Interest Facility).
- (5) If a Disaster-stricken or Related Municipality has made a designation or decision pursuant to the provisions of the preceding paragraph, it must give notice to that effect to the person who has made the request set forth in paragraph (1), without delay.
- (6) If a Disaster-stricken or Related Municipality has made a designation pursuant to the provisions of paragraph (4), it must issue public notice to that effect, without delay.

(Land Substitution to a Site for Construction of Post-tsunami Houses, etc.)

Article 63 With regard to Housing Sites designated pursuant to the provisions of paragraph (4) of the preceding Article, substituting land must be specified within the Site for Construction of Post-tsunami Houses, etc. in the Land Substitution Plan.

### **Section 3 Special Measures concerning Implementation of Land Restructuring Plans**

(Notification, etc. of Construction, etc. within Areas Requiring Notification)

Article 64 (1) A Disaster-stricken or Related Municipality may designate the whole or a part of the zone, within the Area of the Plan, in which to carry out

- the Land Restructuring Project, as a zone requiring notification.
- (2) If a Disaster-stricken or Related Municipality makes a designation pursuant to the provisions of the preceding paragraph, it must issue public notice to that effect and publicize the designated zone, as specified by Cabinet Office Ordinance.
  - (3) The designation pursuant to the provisions of paragraph (1) shall become effective through the public notice under the preceding paragraph.
  - (4) A person who intends to change the shape or quality of a parcel of land, newly construct, reconstruct, or expand a building or other structure, or conduct other acts specified by Cabinet Order in a zone requiring notification must give notification of the type of act, the place, the design method or implementation method, scheduled date for the commencement of said act, and other particulars specified by Cabinet Office Ordinance to the Mayor of the Disaster-stricken or Related Municipality, not later than 30 days prior to the date for the commencement of said act, as specified by Cabinet Office Ordinance; provided, however, that this shall not apply to the following acts:
    - (i) An act for ordinary management, simple act, or another act specified by Cabinet Order;
    - (ii) An act to be conducted as emergency responses needed at the time of a disaster or emergency;
    - (iii) An act to be conducted by the national government or a local government;
    - (iv) An act to be conducted for carrying out a Land Restructuring Project.
  - (5) If a person who has made a notification pursuant to the provisions of the preceding paragraph intends to change the part specified by Cabinet Office Ordinance out of the particulars about which said person had made the notification, said person must give notice to that effect to the Mayor of the Disaster-stricken or Related Municipality, not later than 30 days prior to the date for the commencement of the act pertaining to the change to said particulars, as specified by Cabinet Office Ordinance.
  - (6) Where a notification has been made pursuant to the provisions of paragraph (4) or the preceding paragraph, and when the Mayor of the Disaster-stricken or Related Municipality finds that the act pertaining to said notification is likely to cause any hindrance to the implementation of the Land Restructuring Project, said mayor may recommend the person who has made said notification to change the design of or take other necessary measures concerning the act pertaining to said notification.
  - (7) Where the Mayor of the Disaster-stricken or Related Municipality has made a recommendation pursuant to the provisions of the preceding paragraph, and when it is deemed necessary, said mayor must make efforts to take necessary measures, such as helping the person who is subject to the recommendation take action such as disposing of rights on the land.

(Entry onto Estate, etc. for Land Restructuring Plans)

- Article 65 (1) If it is necessary to enter an estate possessed by another person and carry out measurements or a survey for the purpose of preparing or amending a Land Restructuring Plan, a Disaster-stricken or Related Municipality, etc. may as far as is necessary enter an estate possessed by another person by itself, or order or entrust a person to enter said estate.
- (2) A person who intends to enter an estate possessed by another person pursuant to the provisions of the preceding paragraph must give notice to that effect to the possessor of said estate not later than three days prior to the date of intended entry.
- (3) If a person intends to enter, pursuant to the provisions of paragraph (1), an estate possessed by another person on which any buildings exist or which is enclosed with fences, railing, etc., such person must, upon entry, give notice to that effect to the possessor of said estate in advance.
- (4) No entry shall be allowed onto an estate as prescribed in the preceding paragraph before sunrise or after sunset, except where the consent of the possessor of the estate has been obtained.
- (5) The possessor of an estate must not refuse or obstruct entry under paragraph (1), without justifiable grounds.

(Cutting and Removal of Obstructions and Prospecting, etc. of Land for Land Restructuring Plans)

- Article 66 (1) Where a person who enters an estate possessed by another person and carries out measurements or surveys pursuant to the provisions of paragraph (1) of the preceding Article intends to cut or remove plants, or remove fences, and railing, etc. that would be obstructions (hereinafter referred to as "Obstructions"), or intends to carry out test digging or boring (hereinafter referred to as "Prospecting, etc."), or to cut or remove Obstructions at said estate, out of unavoidable necessity when carrying out measurements or surveys, and when the consent of the owner and possessor of said Obstructions or said estate cannot be obtained, said person may obtain permission from the Mayor of the Disaster-stricken or Related Municipality which has jurisdiction over the location of said Obstructions and cut or remove said Obstructions, or may obtain permission from the Governor of the Disaster-stricken or Related Prefecture which has jurisdiction over the location of said estate and carry out Prospecting, etc. at said estate. In this case, when the Mayor of the Disaster-stricken or Related Municipality intends to grant permission, the owner and possessor of the Obstructions shall be given the opportunity to present their opinion, and when the Governor of the Disaster-stricken or Related Prefecture intends to grant permission, the owner and

possessor of the estate or Obstructions must be given the opportunity to present their opinion in advance.

- (2) A person who intends to cut or remove Obstructions or a person who intends to carry out Prospecting, etc. at an estate, pursuant to the provisions of the preceding paragraph, must give notice to that effect to the owner and possessor of said Obstructions, or of said estate or Obstructions, not later than three days prior to the date to cut or remove the Obstructions or carry out Prospecting, etc. at the estate.
- (3) Where a person intends to cut or remove Obstructions pursuant to the provisions of paragraph (1) (excluding cases where a person intends to cut or remove Obstructions for carrying out test digging or boring at an estate), and when it is difficult to obtain the consent of the owner and possessor of said Obstructions due to their absence, and when the cutting or removal of the Obstructions do not significantly damage the present condition of the estate, the Disaster-stricken or Related Municipality, etc. or a person ordered or tasked thereby may obtain permission from the Mayor of the Disaster-stricken or Related Municipality which has jurisdiction over the location of said Obstructions and cut or remove said Obstructions immediately, notwithstanding the provisions of the preceding two paragraphs. In this case, after cutting or removing said Obstructions, said Disaster-stricken or Related Municipality, etc. or said person must give notice to that effect to the owner and possessor thereof, without delay.

(Entry onto Estates, etc. for Carrying out Land Restructuring Projects)

Article 67 (1) If it is necessary for a Responsible Entity for a Land Restructuring Project provided for in a Land Restructuring Plan that has been publicized pursuant to the provisions of Article 46, paragraph (6) (regarding the projects set forth in paragraph (2), item (iv), (j), (k), or (m) of said Article, limited to those whose Responsible Entity is the national government, a prefecture, or a municipality; hereinafter simply referred to as a "Land Restructuring Project" in this Article, the following Article, and Article 71) (such Responsible Entity shall be simply referred to as a "Responsible Entity" in this Article and Articles 69 to 71) to enter an estate possessed by another person and carry out measurements or surveys for the purpose of preparing to carry out or actually carrying out a Land Restructuring Project, the Responsible Entity may enter the estate possessed by another person by itself or have a person that it has ordered or tasked to do so enter said estate, as far as is necessary; provided, however, that regarding a Responsible Entity other than the national government, a prefecture, or a municipality, it shall be limited to cases where it has obtained the permission from the Mayor of the Disaster-stricken or Related Municipality.



(2) The provisions of Article 65, paragraphs (2) to (5) applies mutatis mutandis to entry onto an estate for carrying out a Land Restructuring Project pursuant to the provision of the preceding paragraph.

(Cutting and Removal of Obstructions and Prospecting, etc. of Land for Carrying out Land Restructuring Projects)

Article 68 (1) Where a person who enters an estate possessed by another person and carries out measurements or surveys pursuant to the provisions of paragraph (1) of the preceding Article intends to cut or remove Obstructions, or intends to carry out Prospecting, etc. at said estate, out of unavoidable necessity in carrying out said measurements or surveys, and when consent cannot be obtained from the owner and possessor of said Obstructions or said estate, said person may obtain the permission from the Mayor of the Disaster-stricken or Related Municipality which has jurisdiction over the location of said Obstructions and cut or remove said Obstructions, or may obtain the permission from the Governor of the Disaster-stricken or Related Prefecture which has jurisdiction over the location of said estate and carry out Prospecting, etc. at said estate. In this case, when the Mayor of the Disaster-stricken or Related Municipality intends to grant permission, the owner and possessor of the Obstructions must be given the opportunity to present their opinions, and when the Governor of the Disaster-stricken or Related Prefecture intends to grant permission, the owner and possessor of the estate or Obstructions must be given the opportunity to present their opinions, in advance.

(2) The provisions of Article 66, paragraphs (2) and (3) applies mutatis mutandis to the cutting or removal of Obstructions and Prospecting, etc. at an estate for carrying out a Land Restructuring Project pursuant to the provision of the preceding paragraph.

(Carrying of Identification Cards, etc.)

Article 69 (1) A person who intends to enter an estate possessed by another person pursuant to the provisions of Article 65, paragraph (1) or Article 67, paragraph (1) must carry an identification card (regarding a Responsible Entity other than the national government, a prefecture, or a municipality, said entity's identification card and the written permission of the Mayor of the Disaster-stricken or Related Municipality).

(2) A person who intends to cut or remove Obstructions or carry out Prospecting, etc. at an estate pursuant to the provisions of Article 66, paragraph (1) or paragraph (1) of the preceding Article must carry an identification card and the written permission of the Mayor of the Disaster-stricken or Related Municipality or the Governor of the Disaster-stricken or Related Prefecture.

(3) The identification card or written permission prescribed in the preceding two paragraphs must be presented at the request of the related parties.

(Compensation for Losses Caused by Entry to an Estate, etc.)

Article 70 (1) If a Disaster-stricken or Related Municipality, etc. has caused a loss to another person due to the act conducted pursuant to the provisions of Article 65, paragraph (1) or Article 66, paragraph (1) or (3), it must compensate the person for losses that may be caused under normal conditions.

(2) If a Responsible Entity has caused a loss to another person due to the act conducted pursuant to the provisions of Article 67, paragraph (1), Article 68, paragraph (1), or Article 66, paragraph (3) applied *mutatis mutandis* pursuant to Article 68, paragraph (2), it must compensate the person for losses that may be caused under normal conditions.

(3) With regard to compensation for a loss pursuant to the provisions of the preceding two paragraphs, deliberations must be held between the persons who have caused and sustained said loss.

(4) If the deliberations under the preceding paragraph have failed to result in an agreement, the person who has caused the loss or the person who sustains the loss may file an application to the Expropriation Commission for a determination under Article 94, paragraph (2) of the Compulsory Purchase of Land Act (Act No. 219 of 1951), as specified by Cabinet Order.

(Submission of Materials and Other Forms of Cooperation)

Article 71 A Disaster-stricken or Related Municipality, etc. that intends to prepare or amend a Land Restructuring Plan or a Responsible Entity (limited to the national government, prefectures, or municipalities) may request the submission of materials and other forms of cooperation from the Head(s) of the Relevant Administrative Organ(s), the head(s) of the relevant local government(s), or other relevant public or private bodies, when it is necessary for preparing or amending the Land Restructuring Plan or for preparing to carry out or actually carrying out a Land Restructuring Project.

(Special Provisions for the Environmental Impact Assessment Act)

Article 72 (1) With regard to projects carried out as Land Restructuring Projects that are set forth in Article 46, paragraph (2), item (iv), (a) (limited to Projects for Land Readjustment) or that are set forth in (f) or (m) of said item (limited to projects to construct or improve railways under the Railway Business Act and rail tracks under the Act on Rail Tracks (Act No. 76 of 1921), and which fall under the category of Class 1 Projects as prescribed in Article 2, paragraph (2) of the Environmental Impact Assessment Act (Act No. 81 of 1997) or Class 2 Projects as prescribed in paragraph (3) of said Article (excluding the projects

prescribed in Article 52, paragraph (2) of the same Act; hereinafter referred to as "Specified Land Restructuring Projects" in this Article), the provisions of the following paragraph to paragraph (19) applies.

- (2) The provisions of the Environmental Impact Assessment Act shall not apply to Specified Land Restructuring Projects.
- (3) If a Disaster-stricken or Related Municipality, etc. intends to include the particulars related to a Specified Land Restructuring Project in a Land Restructuring Plan, it must conduct a Specified Environmental Impact Assessment (meaning to survey, predict, and assess each item for the constituent elements of the environment regarding the possible impact on the environment that may be caused by a Specified Land Restructuring Project (where said Specified Land Restructuring Project includes, as part of their objectives, any project activities or other human activities planned to be carried out at a plot of land or for structures after the implementation of said Specified Land Restructuring Project, including the possible impact that may be caused by these activities; hereinafter referred to as the "Environmental Impact" in this Article); to discuss measures for preserving the environment pertaining to said Specified Land Restructuring Project during the process of the survey, prediction and assessment; and to comprehensively assess the Environmental Impact when such measures are taken; hereinafter the same applies in this Article), as specified by Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism and Ordinance of the Ministry of the Environment.
- (4) After conducting a Specified Environmental Impact Assessment, a Disaster-stricken or Related Municipality, etc. must prepare a specified environmental impact statement regarding the Specified Land Restructuring Project (hereinafter referred to as a "Specified EIS" in this Article) that includes an outline of the results of the survey, and the results of the prediction and assessment for said Specified Environmental Impact Assessment, measures for preserving the environment and a comprehensive assessment of the Environmental Impact pertaining to said Specified Land Restructuring Project, and other particulars specified by Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism and Ordinance of the Ministry of the Environment.
- (5) If a Disaster-stricken or Related Municipality, etc. has prepared a Specified EIS, it must send it to the prefectural governor who has jurisdiction over the area considered to be within scope of the Environmental Impact pertaining to a Specified Land Restructuring Project (hereinafter such area shall be referred to as the "Relevant Area" and such prefectural governor shall be referred to as the "Relevant Prefectural Governor" in this Article), the municipal mayor who has jurisdiction over the Relevant Area (hereinafter referred to as the

"Relevant Municipal Mayor" in this Article), and the person who grants approval upon the implementation of the Specified Land Restructuring Project (hereinafter simply referred to as the "Person Granting Approval" in this Article), as specified by Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism and Ordinance of the Ministry of the Environment; and must issue public notice to the effect that it has prepared the Specified EIS and concerning other particulars specified by Ordinance of the Ministry of the Environment, and make the Specified EIS available for public inspection for two weeks from the date said public notice has been given within the Relevant Area, as specified by Ordinance of the Ministry of the Environment, for the purpose of hearing opinions regarding the results of the Specified Environmental Impact Assessment included in the Specified EIS from the viewpoint of preserving the environment.

- (6) If the Relevant Prefectural Governor and the Relevant Municipal Mayor have received a Specified EIS pursuant to the provisions of the preceding paragraph, said governor and mayor shall present their opinions in writing regarding the Specified EIS from the viewpoint of preserving the environment to the Disaster-stricken or Related Municipality, etc., within the period specified by Ordinance of the Ministry of the Environment.
- (7) If the Person Granting Approval is any of the Minister of Land, Infrastructure, Transport and Tourism, the Director of the Regional Development Bureau, or the Director of the District Transport Bureau, said person must send a copy of the Specified EIS, immediately after receiving it pursuant to the provisions of paragraph (5), to the Minister of the Environment to hear an opinion, as specified by Ordinance of the Ministry of the Environment.
- (8) If the measures set forth in the preceding paragraph have been taken, the Minister of the Environment may present opinions in writing regarding the Specified EIS from the viewpoint of preserving the environment to the Minister of Land, Infrastructure, Transport and Tourism, as necessary, within the period specified by Ordinance of the Ministry of the Environment.
- (9) If a Specified EIS pursuant to the provisions of paragraph (5) has been received, the Person Granting Approval may present opinions in writing regarding the Specified EIS from the viewpoint of preserving the environment to the Disaster-stricken or Related Municipality, etc., as necessary, within the period specified by Ordinance of the Ministry of the Environment. In this case, the opinion of the Minister of the Environment under the preceding paragraph, if any, must be taken into account.
- (10) A person who has any opinion regarding a Specified EIS from the viewpoint of preserving the environment may present them by submitting a written opinion to the Disaster-stricken or Related Municipality, etc. during the period

from the date the public notice has been given as set forth in paragraph (5) to the day on which the public inspection period expires, as specified by Ordinance of the Ministry of the Environment.

- (11) A Disaster-stricken or Related Municipality, etc. must take into account the opinions set forth in paragraph (6) or (9), if any, and review the particulars included in a Specified EIS, while giving due consideration to the opinions set forth in the preceding paragraph, and when it finds that any of said particulars needs to be corrected, it must make the required corrections to the Specified EIS, as specified by Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism and Ordinance of the Ministry of the Environment.
- (12) The Disaster-stricken or Related Municipality, etc. must send the Specified EIS that has been corrected pursuant to the provisions of the preceding paragraph (when it finds that the Specified EIS does not need to be corrected, it must give notice to that effect) to the Person Granting Approval.
- (13) If the Person Granting Approval is the Minister of Land, Infrastructure, Transport and Tourism, the Director of the Regional Development Bureau, or the Director of the District Transport Bureau, said person must, after receiving the corrected Specified EIS or the notification pursuant to the provisions of the preceding paragraph, send a copy of the corrected Specified EIS received under said paragraph or give notice to the effect that the notification under said paragraph has been received, to the Minister of the Environment, as specified by Ordinance of the Ministry of the Environment.
- (14) If a Disaster-stricken or Related Municipality, etc. has sent a copy or has made a notification pursuant to the provisions of paragraph (12), it must immediately send the Specified EIS (when it has corrected the Specified EIS pursuant to the provisions of paragraph (11), the Specified EIS thus corrected) and a document set forth in paragraph (9) to the Relevant Prefectural Governor and the Relevant Municipal Mayor.
- (15) If a Disaster-stricken or Related Municipality, etc. has sent a copy or has made a notification pursuant to the provisions of paragraph (12), it must issue public notice to the effect that it has corrected the Specified EIS pursuant to the provisions of paragraph (11) (when it finds that the Specified EIS needs no correction, to that effect) and concerning other items specified by Ordinance of the Ministry of the Environment, and make the Specified EIS (when it has corrected the Specified EIS pursuant to the provisions of said paragraph, the Specified EIS thus corrected; hereinafter the same applies in this Article) and a document set forth in paragraph (9) available for public inspection for two weeks from the date said public notice has been given within the Relevant Area, as specified by Ordinance of the Ministry of the Environment.
- (16) Upon examining whether or not to grant approval, the Person Granting Approval must examine whether said Specified Land Restructuring Project

gives proper consideration to the preservation of the environment, based on the particulars included in the Specified EIS and a document as set forth in paragraph (9).

- (17) In the case set forth in the preceding paragraph, in accordance with the category of said approval set forth in the following items, a determination on whether or not to grant approval shall be made as specified therein:
- (i) Approval pertaining to provisions of laws to the effect that approval shall be granted where certain criteria are satisfied and also pertaining to what are specified by Ordinance of the Ministry of the Environment: The Person Granting Approval shall make a judgment, notwithstanding said provisions pertaining to said approval, in light of the results of the examination concerning said criteria specified in said provisions and the examination concerning the preservation of the environment pursuant to the provisions of the preceding paragraph, and even where said criteria are satisfied, said person may refuse to grant said approval or attach conditions necessary for granting said approval, based on said judgment;
  - (ii) Approval for which the criteria for granting or refusing to grant approval are not specified in the provisions of laws (limited to approval pertaining to the provisions of laws on said approval and also pertaining to what are specified by Ordinance of the Ministry of the Environment): The Person Granting Approval shall make a judgment, in light of the results of an examination concerning benefits to be brought about by the implementation of the Specified Land Restructuring Project and an examination concerning the preservation of the environment pursuant to the provisions of the preceding paragraph, and said person may refuse to grant said approval or attach the conditions necessary for granting said approval, based on said judgment.
- (18) The Responsible Entity for a Specified Land Restructuring Project must carry out said Specified Land Restructuring Project, while giving proper consideration to the preservation of the environment, in accordance with what are included in the Specified EIS.
- (19) Where a person other than a Disaster-stricken or Related Municipality, etc. carries out a Specified Land Restructuring Project, a Disaster-stricken or Related Municipality, etc. may ask the Responsible Entity for the Specified Land Restructuring Project to provide data or offer other cooperation as necessary for conducting a Specified Environmental Impact Assessment or performing other procedures.

(Special Provisions for the Real Estate Registration Act)

Article 73 (1) A Responsible Entity for a Land Restructuring Project provided for in a Land Restructuring Plan that has been publicized pursuant to the

provisions of Article 46, paragraph (6) (limited to the projects that have been publicized pursuant to Article 26, paragraph (1) of the Compulsory Purchase of Land Act, Article 10, paragraph (1) of the Act on Special Measures concerning Acquisition of Lands for Public Use (Act No. 150 of 1961), or Article 62, paragraph (1) of the City Planning Act; hereinafter simply referred to as a "Land Restructuring Project" in this paragraph) may file an application for Parcel Boundary Demarcation as prescribed in Article 123, item (ii) of the Real Property Registration Act (Act No. 123 of 2004) to a Registrar for Parcel Boundary Demarcation as prescribed in Article 125 of the same Act, with regard to the Parcel Boundary between a parcel of land (limited to the land the whole or a part of which is located within the zone of land specified as the zone in which to carry out the Land Restructuring Project) and other land adjacent to it (meaning the Parcel Boundary prescribed in Article 123, item (i) of the same Act), notwithstanding the provisions of Article 131, paragraph (1) of the same Act.

- (2) The application set forth in the preceding paragraph may be filed only in cases where the Registered Holders of Ownership, etc. (meaning the Registered Holder of Ownership, etc. prescribed in Article 123, item (v) of the Real Property Registration Act) of the Subject Parcels (meaning the Subject Parcels prescribed in item (iii) of said Article) have given their consent; provided, however, that if the whereabouts of any of the Registered Holders of Ownership, etc. is not known, it shall not be required to obtain the consent of said person.

(Special Provisions for the Act on the Urban Renaissance Agency, Independent Administrative Agency)

Article 74 The Urban Renaissance Agency, Independent Administrative Agency may perform the services set forth in the items of Article 11, paragraph (3) of the Act on the Urban Renaissance Agency, Independent Administrative Agency (Act No. 100 of 2003) (limited to the services pertaining to a Land Restructuring Project provided for in a Land Restructuring Plan that has been publicized pursuant to the provisions of Article 46, paragraph (6)), based on the consignment thereof, in addition to the services prescribed in Article 11, paragraph (1) of the same Act.

(Special Provisions for the Act on Establishment of Agricultural Promotion Regions)

Article 75 Where a Disaster-stricken or Related Municipality intends to change an Agricultural Land Zone with the aim of excluding part of the land within an Agricultural Land Zone from the Agricultural Land Zone intended for using it for purposes other than Agricultural Land, etc. (meaning the Agricultural Land,

etc. prescribed in Article 3 of the Act on Establishment of Agricultural Promotion Regions), and when the land pertaining to said change is located within the zone where the project set forth in Article 46, paragraph (2), item (iv), (b) or (c) provided for in the Land Restructuring Plan has been carried out, it can make said changes only in cases where the requirements set forth in the items of Article 13, paragraph (2) of the same Act are satisfied and the period for said Land Restructuring Plan pertaining to said land has expired.

(Special Provisions for the Act on Regional Development for Tsunami Disaster Prevention)

Article 76 (1) A Tsunami Protection Facility Manager as prescribed in Article 2, paragraph (11) of the Act on Regional Development for Tsunami Disaster Prevention may newly construct or improve a Tsunami Protection Facility within the Area of the Plan, in accordance with the Land Restructuring Plan, notwithstanding the provisions of Article 19 of the same Act, in cases where a municipality, within the Disaster-stricken or Related Municipalities, which has sustained damage from the tsunami caused by the earthquake that occurred off the Pacific coast of the Tohoku region on March 11, 2011 (excluding municipalities that have prepared a Promotion Plan as prescribed in Article 10, paragraph (1) of the same Act; the same applies in the following paragraph), has included in a Land Restructuring Plan the particulars corresponding to those set forth in Article 10, paragraph (3), items (i) and (ii) of the same Act, based on the Basic Policies prescribed in Article 3, paragraph (1) of the same Act, as well as the particulars concerning a project falling under any of Article 46, paragraph (2), item (iv), (a) or (c) to (f) that is to be carried out for the purpose of preventing or mitigating disasters due to tsunamis, and the particulars set forth in (g) of said item; and when said Land Restructuring Plan has been publicized pursuant to the provisions of paragraph (6) of said Article.

(2) The provisions of Article 15 and Article 50, paragraph (1) of the Act on Regional Development for Tsunami Disaster Prevention applies by deeming the Area of the Plan to be the Zone of the Promotion Plan prescribed in Article 10, paragraph (2) of the same Act, in cases where a municipality, within the Disaster-stricken or Related Municipalities, which has sustained damage from the tsunami caused by the earthquake that occurred off the Pacific coast of the Tohoku region on March 11, 2011, has included in a Land Restructuring Plan the particulars corresponding to those set forth in Article 10, paragraph (3), items (i) and (ii) of the same Act, based on the Basic Policies prescribed in Article 3, paragraph (1) of the same Act, as well as the particulars concerning a project falling under any of Article 46, paragraph (2), item (iv), (a) or (c) to (g) that is to be carried out for the purpose of preventing or mitigating disasters



due to tsunamis; and when said Land Restructuring Plan has been publicized pursuant to the provisions of paragraph (6) of said Article.

## **Chapter V Special Measures concerning Reconstruction Grant Funded Project Plans**

### **Section 1 Preparation, etc. of Reconstruction Grant Funded Project Plans**

Article 77 (1) A municipality that is a Specified Local Government (hereinafter referred to as a "Specified Municipality" in this Chapter) may solely or in coordination with the prefecture where said Specified Municipality is located (referred to as the "Specified Prefecture" in the following Section), prepare a plan concerning projects necessary for the smooth and prompt reconstruction of areas that sustained significant damage where there are a considerable number of houses, Public Facilities and other facilities which have been lost or damaged due to the Great East Japan Earthquake (hereinafter referred to as a "Reconstruction Grant Funded Project Plan" in this Chapter).

(2) A Reconstruction Grant Funded Project Plan shall include the following particulars:

- (i) The zone of the Reconstruction Grant Funded Project Plan;
- (ii) The objectives of the Reconstruction Grant Funded Project Plan;
- (iii) The particulars concerning the following projects that are necessary to carry out reconstruction of the areas that sustained significant damage:
  - (a) A Land Readjustment Project;
  - (b) A Project for Promoting Collective Relocation;
  - (c) A project concerning the new construction or reconstruction of roads prescribed in Article 2, paragraph (1) of the Road Act;
  - (d) A project concerning the development or management of public housing prescribed in Article 2, item (ii) of the Act on Public Housing;
  - (e) A Land Improvement Project;
  - (f) A Project for Developing Fishery Infrastructure Development;
  - (g) Other projects as specified by Cabinet Office Ordinance;
- (iv) The particulars concerning the projects or affairs to be undertaken in connection with the projects set forth in the preceding item in order to enhance the effectiveness thereof or other projects or affairs to be undertaken in connection with the projects set forth in said item for the reconstruction of the areas that sustained significant damage, which are carried out in an autonomous and proactive manner, while reflecting the characteristics of the respective areas;
- (v) Period for the plan
- (vi) Other particulars as specified by Cabinet Office Ordinance.

## Section 2 Reconstruction Grants

(Provision of Reconstruction Grants, etc.)

- Article 78 (1) If a Specified Municipality or Specified Prefecture intends to carry out projects or affairs based on a Reconstruction Grant Funded Project Plan (hereinafter referred to as "Reconstruction Grant Funded Projects, etc." in this Section) funded by the grants set forth in the following paragraph, it must submit said Reconstruction Grant Funded Project Plan to the Prime Minister.
- (2) The national government may provide grants within the budget to the Specified Municipality or Specified Prefecture, as specified by Cabinet Office Ordinance, in order to cover the expenses required for carrying out a Reconstruction Grant Funded Project, etc. pertaining to the Reconstruction Grant Funded Project Plan submitted pursuant to the provision of the preceding paragraph.
- (3) With regard to the expenses required for projects or affairs carried out with the grants under the preceding paragraph (hereinafter referred to as "Reconstruction Grants" in this Chapter), the national government shall not bear the expenses or grant subsidies based on the provisions of the Road Act or other laws and regulations, notwithstanding said provisions.
- (4) In addition to what are prescribed in the preceding three paragraphs, the particulars necessary for the provision of Reconstruction Grants shall be specified by Cabinet Office Ordinance.

(Basic Principles concerning Provision of Reconstruction Grants)

- Article 79 (1) Reconstruction Grants shall be provided in accordance with the principle of ensuring that a Specified Municipality or Specified Prefecture will carry out Reconstruction Grant Funded Projects, etc. autonomously and proactively, while reflecting the characteristics of the respective areas.
- (2) If providing Reconstruction Grants, due consideration shall be given so that a Specified Municipality or Specified Prefecture may employ ingenuity in carrying out projects or affairs funded by Reconstruction Grants.

(Response to Disasters Caused by the Nuclear Power Plant Accident)

- Article 80 (1) If the national government finds it necessary for a smooth and prompt reconstruction following the significant damage caused by the Great East Japan Earthquake, it may also provide Reconstruction Grants to measures taken by a Specified Municipality or Specified Prefecture in response to the damage to be compensated by the relevant Nuclear Operator (meaning the Nuclear Operator prescribed in Article 2, paragraph (3) of the Act on Compensation for Nuclear Damage (Act No. 147 of 1961); the same applies in the following paragraph) pursuant to the provisions of Article 3, paragraph (1)

of the same Act.

- (2) The provisions of the preceding paragraph shall not preclude the national government from claiming compensation from said Nuclear Operator within the limit of the amount corresponding to the amount for Reconstruction Grants set forth in the preceding paragraph.

(Assistance to Local Governments, etc.)

Article 81 (1) The Prime Minister and the Head(s) of the Relevant Administrative Organ(s) must endeavor to provide the necessary information and advice or offer other assistance to a Specified Municipality or Specified Prefecture to ensure the smooth and prompt implementation of projects or affairs funded by said Reconstruction Grants.

- (2) If there have been any requests from a Specified Municipality or Specified Prefecture for permission or any other disposition under laws and regulations for carrying out projects or affairs funded by Reconstruction Grants, the Head(s) of the Relevant Administrative Organ(s) shall give due consideration so that said projects or affairs are carried out smoothly and promptly.

(Special Provisions for the Act on the Regulation of Execution of Budgets Pertaining to Subsidies, etc.)

Article 82 With regard to Reconstruction Grants, a report on performance under the provisions of Article 14 of the Act on the Regulation of Execution of Budgets Pertaining to Subsidies, etc. (excluding a report on the discontinuance of projects or affairs) shall not be required to be made for each of the projects or affairs listed in a Reconstruction Grant Funded Project Plan, and the determination of the amount under the provisions of Article 15 of the same Act shall be deemed to have been made when the total amount to be provided as grants for the projects or affairs listed in the Reconstruction Grant Funded Project Plan has been determined.

(Evaluation of Performance of Plans)

Article 83 (1) A Specified Municipality or Specified Prefecture that has received Reconstruction Grants shall conduct a survey and analysis of the status of the achievement of the objectives set forth in the Reconstruction Grant Funded Project Plan and the implementation of the Reconstruction Grant Funded Projects and evaluate the performance of the Reconstruction Grant Funded Project Plan, in the fiscal year following the fiscal year that includes the day on which the period for the Reconstruction Grant Funded Project Plan expires, as specified by Cabinet Office Ordinance.

- (2) If a Specified Municipality or Specified Prefecture has conducted an evaluation as set forth in the preceding paragraph, it shall publicize the

content thereof, as specified by Cabinet Office Ordinance.

(Special Provisions for the Residential Areas Improvement Act)

Article 84 With regard to the application of the provisions of Article 29 of the Residential Areas Improvement Act to Renovated Houses constructed with Reconstruction Grants, the term "by receiving subsidies from the national government pursuant to the provisions of Article 27, paragraph (2)" in paragraph (1) of said Article shall be deemed to be replaced with "funded by Reconstruction Grants as prescribed in Article 78, paragraph (3) of the Act on Special Zones for Reconstruction in Response to the Great East Japan Earthquake (Act No. 122 of 2011)"; and after the term "In this case," in paragraph (3) of said Article, the term "the term 'assistance' in Article 12, paragraph (1) of the Old Act on Public Housing shall be deemed to be replaced with 'assistance (including Reconstruction Grants as prescribed in Article 78, paragraph (3) of the Act on Special Zones for Reconstruction in Response to the Great East Japan Earthquake (Act No. 122 of 2011) (hereinafter simply referred to as 'Reconstruction Grants' in this paragraph)), 'the term 'assistance from' in said paragraph shall be deemed to be replaced with 'assistance (including Reconstruction Grants) from,' and" shall be added.

## **Chapter VI Miscellaneous Provisions**

(Designation of Areas under Surveillance)

Article 85 A prefectural governor or a mayor of a Designated City shall endeavor to designate areas within Special Zones for Reconstruction, where land prices have rapidly risen or are likely to rapidly rise and this would be likely to make it difficult to ensure proper and reasonable land use, as areas under surveillance pursuant to the provisions of Article 27-6, paragraph (1) of the National Land Use Planning Act.

(Consideration for Lending of Funds by the Japan Housing Finance Agency, Independent Administrative Agency)

Article 86 The Japan Housing Finance Agency, Independent Administrative Agency shall give due consideration regarding the lending of necessary funds, changes to terms for existing loans, and other measures, so that the construction, purchase or repair of houses be carried out smoothly in areas within Special Zones for Reconstruction, where a considerable number of houses were lost due to the Great East Japan Earthquake, within the scope of laws and regulations and its project plans.

(Ordinances of the Competent Ministries)

Article 87 Ordinances of the Competent Ministries under this Act shall be Cabinet Office Ordinances (including public notices) or Ministerial Ordinances (including public notices) of the Cabinet Office or respective ministries which has jurisdiction over laws that provide for the relevant regulations and orders based on laws (excluding Rules of the National Personnel Authority, Rules of the Fair Trade Commission, Rules of the National Public Safety Commission, Rules of the Environmental Disputes Coordination Commission, Rules of the Public Security Examination Commission, Rules of the Central Labor Relations Commission, Rules of the Japan Transport Safety Board, and the Rules of the Nuclear Regulation Authority); provided, however, that regarding regulations under the jurisdiction of the National Personnel Authority, the Fair Trade Commission, the National Public Safety Commission, the Environmental Disputes Coordination Commission, the Public Security Examination Commission, the Central Labor Relations Commission, the Japan Transport Safety Board, and the Nuclear Regulation Authority, governing Ordinances shall be Rules of the National Personnel Authority, Rules of the Fair Trade Commission, Rules of the National Public Safety Commission, Rules of the Environmental Disputes Coordination Commission, Rules of the Public Security Examination Commission, Rules of the Central Labor Relations Commission, Rules of the Japan Transport Safety Board, and the Rules of the Nuclear Regulation Authority, respectively.

(Delegation of Authority)

Article 88 The authority of the Minister of Health, Labour and Welfare, the Minister of Agriculture, Forestry and Fisheries, the Minister of Land, Infrastructure, Transport and Tourism, or the Minister of the Environment prescribed in this Act may be delegated to the heads of local branch offices, as specified by Cabinet Order.

(Delegation to Orders)

Article 89 In addition to what are provided for in this Act, particulars necessary for the enforcement of this Act shall be specified by orders.

(Transitional Measures)

Article 90 Where an order or a Prefectural or Municipal Ordinance is established, or revised or abolished based on this Act, said order or Prefectural or Municipal Ordinance may specify required transitional measures (including transitional measures pertaining to penal provisions) within the to the extent considered reasonably necessary in accordance with said establishment or revision or abolition.

## Chapter VII Penal Provisions

Article 91 A person who falls under either of the following items shall be punished by a fine of not more than 500,000 yen:

- (i) A person who has refused or obstructed entry to an estate under Article 65, paragraph (1) or Article 67, paragraph (1), in violation of Article 65, paragraph (5) (including cases applied mutatis mutandis pursuant to Article 67, paragraph (2));
- (ii) In the case prescribed in Article 66, paragraph (1), a person who has cut or removed Obstructions without obtaining permission from the Mayor of the Disaster-stricken or Related Municipality, or who has carried out Prospecting, etc. at an estate without obtaining the permission from the Governor of the Disaster-stricken or Related Prefecture;
- (iii) In the case prescribed in Article 67, paragraph (1), a person who has entered an estate or has had another person enter an estate without obtaining permission from the Mayor of the Disaster-stricken or Related Municipality;
- (iv) In the case prescribed in Article 68, paragraph (1), a person who has cut or removed Obstructions without obtaining the permission from the Mayor of the Disaster-stricken or Related Municipality, or who has carried out Prospecting, etc. at an estate without obtaining the permission from the Governor of the Disaster-stricken or Related Prefecture.

Article 92 A person who has failed to give notice in violation of Article 64, paragraph (4) or (5) or has made a false notification and who has conducted acts prescribed in the main clause of paragraph (4) or paragraph (5) of said Article shall be punished by a fine of not more than 300,000 yen.

Article 93 If any representative of a corporation, or any agent, any employee or other staff of a corporation or an individual has committed an act of violation listed in the preceding two Articles with regard to the business of said corporation or individual, not only the offender shall be punished but also said corporation or individual shall be punished by the fine prescribed in the respective Articles.

### Supplementary Provisions [Extract]

(Effective Date)

Article 1 This Act shall come into effect as of the day specified by Cabinet Order within a period not exceeding two months from the date of promulgation; provided, however, that the provisions set forth in the following items shall

come into effect as of the day specified respectively therein:

- (i) The provisions of Article 6, Article 8, Article 9, and Article 13 of the Supplementary Provisions: The date of promulgation;
- (ii) The provisions of Article 46, paragraph (2), item (iv), (g) and Article 76: The day on which the Act on Regional Development for Tsunami Disaster Prevention comes into effect or the day on which this Act comes into effect, whichever comes later;
- (iii) The provisions of Article 10 of the Supplementary Provisions: The day on which the Act on the Development of Related Acts Associated with the Enforcement of the Act for Partial Revision of the National Public Service Act, etc. (Act No. XX of 2011) comes into effect or the day on which this Act comes into effect, whichever comes later.

(Review)

Article 2 The national government shall review the status of enforcement of this Act within five years after it comes into effect and take necessary measures in accordance with the results thereof.

(Measures concerning Official Directives or Circular Notices)

Article 3 With regard to official directives or circular notices issued by the Head(s) of the Relevant Administrative Organ(s) that pertain to zones covered by the Reconstruction Promotion Plans, in light of the necessity of facilitating smooth and prompt reconstruction in said zones, necessary measures shall be taken in accordance with the provisions of this Act.

(Delegation to Cabinet Order)

Article 13 In addition to what are provided for in the Supplementary Provisions, transitional measures necessary for the enforcement of this Act shall be specified by Cabinet Order.

### **Supplementary Provisions [Act No. 37 of May 2, 2011 Extract] [Extract]**

(Effective Date)

Article 1 This Act shall come into effect as of the date of promulgation; provided, however, that the provisions set forth in the following items shall come into effect as of the day specified respectively therein:

- (i) The provisions of Article 6, Article 11, Article 13, Article 15, Article 16, Articles 18 to 20, Article 26, Article 29, Article 32, Article 33 (limited to the provisions revising Article 30 and Article 45 of the Road Act), Article 35, and Article 36; and the provisions of Article 4, Article 5, Article 6, paragraph (2), Article 7, Article 12, Article 14, Article 15, Article 17, Article 18, Article 28,

Articles 30 to 32, Article 34, Article 35, Article 36, paragraph (2), Article 37, Article 38 (limited to the provisions revising Article 30, paragraphs (1) and (2) of the Act on Special Districts for Structural Reform (Act No. 189 of 2002)), Article 39, Article 40, Article 45-2, and Article 46 of the Supplementary Provisions: April 1, 2012.

**Supplementary Provisions [Act No. 93 of August 10, 2011 Extract]  
[Extract]**

(Effective Date)

Article 1 This Act shall come into effect as of the date of promulgation; provided, however, that the provisions set forth in the following items shall come into effect as of the day specified respectively therein:

- (v) In Article 4, the provisions revising the table of contents of the Defined Contribution Pension Act (limited to the part revising "Article 73" to "Article 73, Article 73-2"); the provisions revising Article 3, paragraph (1) of the same Act; the provisions revising paragraph (3), item (vi) of said Article; the provisions adding one item after said item; the provisions adding one item after Article 4, paragraph (1), item (ii) of the same Act; the provisions revising Article 9, paragraph (1), Article 11, item (vi), Article 15, paragraph (1), Article 54, paragraph (2), Article 54-2, paragraph (2), and Article 55, paragraph (2), item (vi) of the same Act; the provisions adding one Article after Article 73 in Chapter III, Section 5 of the same Act, and the provisions revising Article 3, paragraph (1) of the Supplementary Provisions of the same Act; as well as the provisions of Article 4, Article 5, and Article 10 of the Supplementary Provisions: The day specified by Cabinet Order within a period not exceeding two years and six months from the date of promulgation.

**Supplementary Provisions [Act No. 105 of August 30, 2011 Extract]  
[Extract]**

(Effective Date)

Article 1 This Act shall come into effect as of the date of promulgation; provided, however, that the provisions set forth in the following items shall come into effect as of the day specified respectively therein:

- (ii) The provisions of Article 2; Article 7; Article 10 (limited to the provisions revising Article 18 of the Act on Special Districts for Structural Reform); Article 14 (limited to the provisions of Article 14 that revise Article 252-19 and Article 260 of the Local Autonomy Act, and revise, in Appended Table 1 of the same Act, the rows which apply to the Noise Regulation Act (Act No. 98 of 1968), the rows which apply to the City Planning Act (Act No. 100 of



1968), the rows which apply to the Urban Renewal Act (Act No. 38 of 1969), the rows which apply to the Basic Environment Act (Act No. 91 of 1993), and the rows which apply to the Act on Promotion of Improvement of Disaster Control Districts in Populated Urban Districts (Act No. 49 of 1997), and in Appended Table 2 of the same Act, the rows which apply to the Urban Renewal Act (Act No. 38 of 1969), the rows which apply to the Act on Advancement of Expansion of Public Lands (Act No. 66 of 1972), the rows which apply to the Act on Special Measures concerning Promotion of Supply of Houses and Housing Lands in Urban Districts (Act No. 67 of 1975), the rows which apply to the Act on Promotion of Improvement of Disaster Control Districts in Populated Urban Districts (Act No. 49 of 1997), and the rows which apply to the Act on Facilitation of Reconstruction of Condominiums (Act No. 78 of 2002)); Articles 17 to 19; Article 22 (limited to the provisions revising Article 21-5-6, Article 21-5-15, Article 21-5-23, Article 24-9, Article 24-17, Article 24-28, and Article 24-36 of the Child Welfare Act); Articles 23 to 27; Articles 29 to 33; Article 34 (limited to the provisions revising Article 62, Article 65, and Article 71 of the Social Welfare Act); Article 35; Article 37; Article 38 (excluding the provisions revising Article 46, Article 48-2, Article 50, and Article 50-2 of the Water Supply Act); Article 39; Article 43 (limited to the provisions revising Article 19, Article 23, Article 28, and Article 30-2 of the Human Resources Development Promotion Act); Article 51 (limited to the provisions revising Article 64 of the Act on Prevention of Infectious Diseases and Medical Care for Patients Suffering Infectious Diseases); Article 54 (excluding the provisions revising Article 88 and Article 89 of the Services and Supports for Persons with Disabilities Act); Article 65 (excluding the provisions revising Article 3, paragraph (1), item (ix), Article 4, Article 5, and Article 57 of the Agricultural Land Act); Articles 87 to 92; Article 99 (limited to the provisions revising Article 24-3 and Article 48-3 of the Road Act); Article 101 (limited to the provisions revising Article 76 of the Land Readjustment Act); Article 102 (limited to the provisions revising Articles 18 to 21, Article 27, Article 49, and Article 50 of the Act on Special Measures concerning Road Construction and Improvement); Article 103; Article 105 (excluding the provisions revising Article 4 of the Parking Lot Act); Article 107; Article 108; Article 115 (limited to the provisions revising Article 15 and Article 17 of the Act on the Conservation of Suburban Green Zones in the National Capital Region); Article 116 (excluding the provisions revising Article 3-2 of the Act on the Improvement of Urban Distribution Centers); Article 118 (limited to the provisions revising Article 16 and Article 18 of the Act on Arrangement of Conservation Districts in Kinki Area); Article 120 (excluding the provisions revising Article 6-2, Article 7-2, Article 8, Articles 10-2 to 12-2, Article 12-4,

Article 12-5, Article 12-10, Article 14, Article 20, Article 23, Article 33, and Article 58-2 of the City Planning Act); Article 121 (limited to the provisions revising Articles 7-4 to 7-7, Articles 60 to 62, Article 66, Article 98, Article 99-8, Article 139-3, Article 141-2, and Article 142); Article 125 (excluding the provisions revising Article 9 of the Act on Advancement of Expansion of Public Lands); Article 128 (excluding the provisions revising Article 20 and Article 39 of the Urban Green Space Conservation Act); Article 131 (limited to the provisions revising Article 7, Article 26, Article 64, Article 67, Article 104, and Article 109-2 of the Act on Special Measures concerning Promotion of Supply of Houses and Housing Lands in Urban Districts); Article 142 (limited to the provisions revising Article 18, and Articles 21 to 23 of the Act on Comprehensive Development of Regional Core Cities with Relocation of Office-Work Function); Article 145; Article 146 (excluding the provisions revising Article 5 and Article 7, paragraph (3) of the Act on Special Measures concerning Reconstruction of Urban Districts Damaged by Disaster); Article 149 (limited to the provisions revising Article 20, Article 21, Article 191, Article 192, Article 197, Article 233, Article 241, Article 283, Article 311, and Article 318 of the Act on Promotion of Improvement of Disaster Control Districts in Populated Urban Districts); Article 155 (limited to the provisions revising Article 51, paragraph (4) of the Act on Special Measures concerning Urban Reconstruction); Article 156 (excluding the provisions revising Article 102 of the Act on Facilitation of Reconstruction of Condominiums); Article 157; Article 158 (limited to the provisions revising Article 57 of the Landscapes Act); Article 160 (limited to the provisions revising Article 6, paragraph (5) of the Act on Special Measures concerning Development of Public Rental Housing, etc. to Accommodate Various Demands of Communities (excluding the part revising "paragraph (2), item (ii), (a)" to "paragraph (2), item (i), (a)"), and the provisions revising Article 11 and Article 13 of the same Act); Article 162 (limited to the provisions revising Article 10, Article 12, Article 13, Article 36, paragraph (2), and Article 56 of the Act on Promotion of Smooth Transportation, etc. of Elderly Persons, Disabled Persons, etc.); Article 165 (limited to the provisions revising Article 24 and Article 29 of the Act on Maintenance and Improvement of Traditional Scenery in Certain Districts); Article 169; Article 171 (limited to the provisions revising Article 21 of the Waste Management and Public Cleansing Act); Article 174; Article 178; Article 182 (limited to the provisions revising Article 16 and Article 40-2 of the Basic Environment Act); and Article 187 (limited to the provisions revising Article 15 of the Wildlife Protection and Proper Hunting Act, the provisions revising Article 28, paragraph (9) of the same Act (excluding the part revising "Article 4, paragraph (3)" to "Article 4, paragraph (4)"), the provisions revising Article

29, paragraph (4) of the same Act (excluding the part revising "Article 4, paragraph (3)" to "Article 4, paragraph (4)"), and the provisions revising Article 34 and Article 35 of the same Act); as well as, in the Supplementary Provisions, the provisions of Article 13; Articles 15 to 24; Article 25, paragraph (1); Article 26; Article 27, paragraphs (1) to (3); Articles 30 to 32; Article 38; Article 44; Article 46, paragraphs (1) and (4); Articles 47 to 49; Articles 51 to 53; Article 55; Article 58; Article 59; Articles 61 to 69; Article 71; Article 72, paragraphs (1) to (3); Articles 74 to 76; Article 78; Article 80, paragraphs (1) and (3); Article 83; Article 87 (excluding the provisions revising Article 587-2 of the Local Tax Act and Article 11 of the Supplementary Provisions); Article 89; Article 90; Article 92 (limited to the provisions revising Article 25 of the National Highway Act); Article 96; Article 101; Article 102; Articles 105 to 107; Article 112; Article 117 (limited to the provisions revising Article 4, paragraph (8) of the Act on the Promotion of Activities for Biodiversity Conservation through Cooperation among Regional Diversified Actors (Act No. 72 of 2010)); Article 119; Article 121-2; and Article 123, paragraph (2): April 1, 2012.

**Supplementary Provisions [Act No. 125 of December 16, 2011 Extract]  
[Extract]**

(Effective Date)

Article 1 This Act shall come into effect as of the day specified by Cabinet Order within a period not exceeding four months from the date of promulgation.

**Supplementary Provisions [Act No. 47 of June 27, 2012 Extract] [Extract]**

(Effective Date)

Article 1 This Act shall come into effect as of the day specified by Cabinet Order within a period not exceeding three months from the date of promulgation.

**Supplementary Provisions [Act No. 73 of September 5, 2012 Extract]  
[Extract]**

(Effective Date)

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

Appended Table (Re. Article 2) Appended Table (Re. Article 2)

Item	Project	Related Articles
(i)	Project for Licensing Specific Demarcated Fishery Right	Article 14

(ii)	Project for Developing Buildings for Reconstruction	Article 15
(iii)	Project for Developing Buildings for Reconstruction in Special Use Districts	Article 16
(iv)	Project for Utilizing Emergency Temporary Buildings	Article 17
(v)	Project for Securing Road Transportation in Disaster-stricken Zones	Article 18
(vi)	Project for Providing Public Housing to Disaster Victims	Articles 19 to 21
(vii)	Project for Managing Public Housing, etc. for Promoting Reconstruction	Article 22
(viii)	Project for Developing Facilities for the Supply of Food, etc.	Articles 23 to 27
(ix)	Industrial Clusters Project for Reconstruction	Article 28
(x)	Specified Hydroelectric Project	Articles 29 to 32
(xi)	Project for Relocating Disaster-stricken Railways	Article 33
(xii)	Project for Regional Development	Article 34
(xiii)	Project Pertaining to Regulations Prescribed by Cabinet Order, etc.	Article 35
(xiv)	Project Pertaining to Regulations Prescribed by Cabinet Order, etc. Concerning Affairs of the Local Government	Article 36