

# 東日本大震災復興特別区域法

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

(平成二十三年十二月十四日法律第百二十二号)  
(Act No. 122 of December 14, 2011)

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**第一章 総則**

**Chapter I General Provisions**

(目的)

(Purpose)

第一条 この法律は、東日本大震災からの復興が、国と地方公共団体との適切な役割分担及び相互の連携協力が確保され、かつ、被災地域の住民の意向が尊重され、地域における創意工夫を生かして行われるべきものであることに鑑み、東日本大震災復興基本法（平成二十三年法律第七十六号）第十条の規定の趣旨にのっとり、復興特別区域基本方針、復興推進計画の認定及び特別の措置、復興整備計画の実施に係る特別の措置、復興交付金事業計画に係る復興交付金の交付等について定めることにより、東日本大震災からの復興に向けた取組の推進を図り、もって同法第二条の基本理念に則した東日本大震災からの復興の円滑かつ迅速な推進と活力ある日本の再生に資することを目的とする。

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.

(定義)

(Definitions)

第二条 この法律において「東日本大震災」とは、平成二十三年三月十一日に発生した東北地方太平洋沖地震及びこれに伴う原子力発電所の事故による災害をいう。

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 この法律において「復興特別区域」とは、第四条第一項に規定する復興推進計画（次項において単に「復興推進計画」という。）の区域、第四十六条第一項に規定する復興整備計画の区域及び第七十七条第一項に規定する復興交付金事業計画の区域をいう。

(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 この法律において「復興推進事業」とは、次に掲げる事業をいう。

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

一 別表に掲げる事業で、第三章第二節第一款の規定による規制の特例措置の適用を受けるもの

(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;

二 次に掲げる事業であって個人事業者又は法人により行われるもの

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

イ 産業集積の形成及び活性化を図ることを通じて東日本大震災により多数の被災者が離職を余儀なくされ、又は生産活動の基盤に著しい被害を受けた地域における雇用機会の確保に寄与する事業（ロに掲げるものを除く。）

(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));

ロ イに規定する地域において建築物の建築及び賃貸をする事業であって産業集積の形成及び活性化に寄与するもの

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

ハ 東日本大震災により相当数の住宅が滅失した地域において賃貸住宅の供給を行う事業であって居住の安定の確保に寄与するもの

(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;

ニ 農林水産業、社会福祉、環境の保全その他の分野における各般の課題の解決を図ることを通じて復興推進計画の区域における東日本大震災からの復興の円滑かつ迅速な推進に資する経済的社会的効果を及ぼすものとして政令で定める事業

(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;

三 復興推進計画の区域における雇用機会の創出その他の東日本大震災からの復興の円滑かつ迅速な推進に資する経済的社会的効果を及ぼすものとして内閣府令で定める事業のうち復興推進計画の目標を達成する上で中核となるものを行うのに必要な資金を貸し付ける事業（第四十四条第一項において「復興特区支援貸付事業」という。）であって銀行その他の内閣府令で定める金融機関（同項において単に「金融機関」という。）により行われるもの

(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);

四 復興推進計画の区域における東日本大震災からの復興の円滑かつ迅速な推進に資する事業（第一号に掲げる事業又は当該事業と併せて実施する事業に限る。）の活動の基盤を充実するため、補助金等交付財産（補助金等に係る予算の執行の適正化

に関する法律（昭和三十年法律第百七十九号）第二十二条に規定する財産をいう。）を当該補助金等交付財産に充てられた補助金等（同法第二条第一項に規定する補助金等をいう。）の交付の目的以外の目的に使用し、譲渡し、交換し、貸し付け、又は担保に供することにより行う事業

(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 この法律において「規制の特例措置」とは、法律により規定された規制についての第十四条から第三十四条までに規定する法律の特例に関する措置及び政令又は主務省令（以下この項において「政令等」という。）により規定された規制についての第三十五条の規定による政令若しくは内閣府令（告示を含む。）・主務省令（第八十七条ただし書に規定する規制にあつては、主務省令。第三十五条及び第三十六条において「内閣府令・主務省令」という。）又は第三十六条の規定による条例で規定する政令等の特例に関する措置をいい、これらの措置の適用を受ける場合において当該規制の趣旨に照らし地方公共団体がこれらの措置と併せて実施し又はその実施を促進することが必要となる措置を含むものとする。

(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 この法律において「改良住宅」とは、住宅地区改良法（昭和三十五年法律第八十四号）第二条第六項に規定する改良住宅をいう。

(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 この法律において「農地」とは、耕作の目的に供される土地をいう。

(6) The term "Farmland" as used in this Act means land used for cultivation.

7 この法律において「海岸保全区域」とは、海岸法（昭和三十一年法律第百一号）第三条の規定により指定された海岸保全区域をいう。

(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 この法律において「森林」とは、森林法（昭和二十六年法律第二百四十九号）第二条第一項に規定する森林をいう。

(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 この法律において「農用地区域」とは、農業振興地域の整備に関する法律（昭和四十四年法律第五十八号）第八条第二項第一号に規定する農用地区域をいう。

(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 この法律において「一級河川」とは、河川法（昭和三十九年法律第百六十七号）第四条第一項に規定する一級河川をいう。

(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 この法律において「土地改良事業」とは、土地改良法（昭和二十四年法律第百九十五号）第二条第二項に規定する土地改良事業（同項第一号から第三号まで及び第七号に掲げる事業に限る。）をいう。

(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 この法律において「集団移転促進事業」とは、防災のための集団移転促進事業に係る国の財政上の特別措置等に関する法律（昭和四十七年法律第百三十二号。第五十三条において「集団移転促進法」という。）第二条第二項に規定する集団移転促進事業をいう。

(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 この法律において「漁港漁場整備事業」とは、漁港漁場整備法（昭和二十五年法律第百三十七号）第四条第一項に規定する漁港漁場整備事業をいう。

(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 この法律において「土地区画整理事業」とは、土地区画整理法（昭和二十九年法律第百十九号）第二条第一項に規定する土地区画整理事業をいう。

(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).

## 第二章 復興特別区域基本方針

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

第三条 政府は、東日本大震災復興基本法第二条の基本理念にのっとり、かつ、同法第三条に規定する東日本大震災復興基本方針に基づき、復興特別区域における復興推進事業、第四十六条第二項第四号に規定する復興整備事業及び第七十八条第一項に規定する復興交付金事業等の実施による東日本大震災からの復興の円滑かつ迅速な推進（次項において「復興特別区域における復興の円滑かつ迅速な推進」という。）に関する基本的な方針（以下「復興特別区域基本方針」という。）を定めなければならない。

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 復興特別区域基本方針には、次に掲げる事項を定めるものとする。

(2) The Basic Guidelines for Special Zones for Reconstruction shall provide for the following:

一 復興特別区域における復興の円滑かつ迅速な推進の意義に関する事項

(i) Particulars concerning the significance of the Facilitation of Smooth and Prompt Reconstruction in Special Zones for Reconstruction;

二 復興特別区域における復興の円滑かつ迅速な推進のために政府が着実に実施すべ

- き地方公共団体に対する支援その他の施策に関する基本的な方針
- (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;
- 三 次条第一項に規定する復興推進計画の同条第九項の認定に関する基本的な事項
- (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;
- 四 復興特別区域における復興の円滑かつ迅速な推進に関し政府が講ずべき措置についての計画
- (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;
- 五 前各号に掲げるもののほか、復興特別区域における復興の円滑かつ迅速な推進に関し必要な事項
- (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 内閣総理大臣は、復興特別区域基本方針の案を作成し、閣議の決定を求めなければならない。
- (3) The Prime Minister must prepare a draft of the Basic Guidelines for Special Zones for Reconstruction and seek a Cabinet decision thereon.
- 4 内閣総理大臣は、前項の規定による閣議の決定があったときは、遅滞なく、復興特別区域基本方針を公表しなければならない。
- (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 政府は、情勢の推移により必要が生じた場合には、復興特別区域基本方針を変更しなければならない。
- (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 第三項及び第四項の規定は、前項の規定による復興特別区域基本方針の変更について準用する。
- (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.

### 第三章 復興推進計画に係る特別の措置

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

##### 第一節 復興推進計画の認定等



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

(復興推進計画の認定)

### (Approval of Reconstruction Promotion Plans)

第四条 その全部又は一部の区域が東日本大震災に際し災害救助法（昭和二十二年法律第百十八号）が適用された同法第二条に規定する市町村の区域（政令で定めるものを除く。）又はこれに準ずる区域として政令で定めるもの（以下この項及び第四十六条第一項において「特定被災区域」という。）である地方公共団体（以下「特定地方公共団体」という。）は、単独で又は共同して、復興特別区域基本方針に即して、当該特定地方公共団体に係る特定被災区域内の区域について、内閣府令で定めるところにより、復興推進事業の実施又はその実施の促進その他の復興に向けた取組による東日本大震災からの復興の円滑かつ迅速な推進（以下この節において「復興推進事業の実施等による復興の円滑かつ迅速な推進」という。）を図るための計画（以下「復興推進計画」という。）を作成し、内閣総理大臣の認定を申請することができる。

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 復興推進計画には、次に掲げる事項を定めるものとする。

(2) A Reconstruction Promotion Plan shall provide for the following particulars:

一 復興推進計画の区域

(i) The area of the Reconstruction Promotion Plan;

二 復興推進計画の目標

(ii) The objectives of the Reconstruction Promotion Plan;

三 前号の目標を達成するために推進しようとする取組の内容

(iii) The details of the efforts to be promoted for achieving the objectives set

forth in the preceding item;

四 第一号の区域内において次に掲げる区域を定める場合にあつては、当該区域

(iv) Where any of the following zones are to be defined within a zone as set forth in item (i), said zones:

イ 第二号の目標を達成するために産業集積の形成及び活性化の取組を推進すべき区域（以下「復興産業集積区域」という。）

(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");

ロ 第二号の目標を達成するために居住の安定の確保及び居住者の利便の増進の取組を推進すべき区域（以下「復興居住区域」という。）

(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");

ハ イ及びロに掲げるもののほか、第二号の目標を達成するために社会福祉、環境の保全その他の分野における地域の課題の解決を図る取組を推進すべき区域（第十五条第一項及び第十六条第一項において「復興特定区域」という。）

(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");

五 第二号の目標を達成するために実施し又はその実施を促進しようとする復興推進事業の内容及び実施主体に関する事項

(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;

六 前号に規定する復興推進事業ごとの次節の規定による特別の措置の内容

(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;

七 前各号に掲げるもののほか、第五号に規定する復興推進事業に関する事項その他復興推進事業の実施等による復興の円滑かつ迅速な推進に関し必要な事項

(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 特定地方公共団体は、復興推進計画を作成しようとするときは、関係地方公共団体及び前項第五号に規定する実施主体（以下この章において単に「実施主体」とい

う。)の意見を聴かなければならない。

(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 次に掲げる者は、特定地方公共団体に対して、第一項の規定による申請（以下この節において単に「申請」という。）をすることについての提案をすることができる。

(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):

一 当該提案に係る区域において復興推進事業を実施しようとする者

(i) A person who is going to carry out a Reconstruction Promotion Project in the zone pertaining to said proposal;

二 前号に掲げる者のほか、当該提案に係る区域における復興推進事業の実施に関し密接な関係を有する者

(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 前項の提案を受けた特定地方公共団体は、当該提案に基づき申請をするか否かについて、遅滞なく、当該提案をした者に通知しなければならない。この場合において、申請をしないこととするときは、その理由を明らかにしなければならない。

(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 特定地方公共団体は、復興推進計画を作成しようとする場合において、第十三条第一項の復興推進協議会（以下この項、第十一条第一項及び第十二条第四項第二号において「地域協議会」という。）が組織されているときは、当該復興推進計画に定める事項について当該地域協議会における協議をしなければならない。

(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 申請には、次に掲げる事項を記載した書面を添付しなければならない。

(7) Applications must be filed together with a document including the following particulars:

一 第三項の規定により聴いた関係地方公共団体及び実施主体の意見の概要

- (i) The outline of the opinions of relevant local governments and the Responsible Entities collected pursuant to the provisions of paragraph (3);
    - 二 第四項の提案を踏まえた申請をする場合にあつては、当該提案の概要
  - (ii) If filing an Application based on a proposal set forth in paragraph (4), the outline of said proposal;
    - 三 前項の規定による協議をした場合にあつては、当該協議の概要
  - (iii) If having held deliberations at the Regional Committee pursuant to the provisions of the preceding paragraph, the outline of said deliberations.
- 8 特定地方公共団体は、申請に当たっては、当該申請に係る復興推進計画の区域において実施し、又はその実施を促進しようとする復興推進事業及びこれに関連する事業に関する規制について規定する法律及び法律に基づく命令（告示を含む。）の規定の解釈について、関係行政機関の長（当該行政機関が合議制の機関である場合にあつては、当該行政機関。以下同じ。）に対し、その確認を求めることができる。この場合において、当該確認を求められた関係行政機関の長は、当該特定地方公共団体に対し、速やかに回答しなければならない。
- (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 内閣総理大臣は、申請があつた復興推進計画が次に掲げる基準に適合すると認めるときは、その認定をするものとする。
- (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:
- 一 復興特別区域基本方針に適合するものであること。
    - (i) The plan conforms to the Basic Guidelines for Special Zones for Reconstruction;
      - 二 当該復興推進計画の実施が当該復興推進計画の区域における復興の円滑かつ迅速な推進と当該復興推進計画の区域の活力の再生に寄与するものであると認められること。
    - (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;
      - 三 円滑かつ確実に実施されると見込まれるものであること。

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

10 内閣総理大臣は、前項の認定（以下この条から第六条までにおいて単に「認定」という。）をしようとするときは、復興推進計画に定められた復興推進事業に関する事項について、当該復興推進事業に係る関係行政機関の長（以下この章において単に「関係行政機関の長」という。）の同意を得なければならない。

(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 内閣総理大臣は、認定をしたときは、遅滞なく、その旨を公示しなければならない。

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

（認定に関する処理期間）

(Period for Concluding Proceedings for Approval)

第五条 内閣総理大臣は、申請を受理した日から三月以内において速やかに、認定に関する処分を行わなければならない。

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

2 関係行政機関の長は、内閣総理大臣が前項の処理期間中に認定に関する処分を行うことができるよう、速やかに、前条第十項の同意について同意又は不同意の旨を通知しなければならない。

(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.

（認定復興推進計画の変更）

(Amendments to Approved Reconstruction Promotion Plans)

第六条 認定を受けた特定地方公共団体は、認定を受けた復興推進計画（以下「認定復興推進計画」という。）の変更（内閣府令で定める軽微な変更を除く。）をしようとするときは、内閣総理大臣の認定を受けなければならない。

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 第四条第三項から第十一項まで及び前条の規定は、前項の認定復興推進計画の変更について準用する。

(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.

(報告の徴収)

(Collection of Reports)

第七条 内閣総理大臣は、第四条第九項の認定（前条第一項の変更の認定を含む。以下この章において単に「認定」という。）を受けた特定地方公共団体（以下「認定地方公共団体」という。）に対し、認定復興推進計画（認定復興推進計画の変更があったときは、その変更後のもの。以下同じ。）の実施の状況について報告を求めることができる。

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 関係行政機関の長は、認定地方公共団体に対し、認定復興推進計画に定められた復興推進事業の実施の状況について報告を求めることができる。

(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.

第八条 内閣総理大臣は、認定復興推進計画の適正な実施のため必要があると認めるときは、認定地方公共団体に対し、当該認定復興推進計画の実施に関し必要な措置を講ずることを求めることができる。

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 関係行政機関の長は、認定復興推進計画に定められた復興推進事業の適正な実施のため必要があると認めるときは、認定地方公共団体に対し、当該復興推進事業の実施に関し必要な措置を講ずることを求めることができる。

(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.

(認定の取消し)

(Rescission of Approval)

第九条 内閣総理大臣は、認定復興推進計画が第四条第九項各号のいずれかに適合しなくなったと認めるときは、その認定を取り消すことができる。この場合において、内閣総理大臣は、あらかじめ関係行政機関の長にその旨を通知しなければならない。

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 関係行政機関の長は、内閣総理大臣に対し、前項の規定による認定の取消しに関し必要と認める意見を申し出ることができる。

(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 第四条第十一項の規定は、第一項の規定による認定復興推進計画の認定の取消しについて準用する。

(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).

(認定地方公共団体への援助等)

(Assistance, etc. to Approved Local Governments)

第十条 内閣総理大臣及び関係行政機関の長は、認定地方公共団体に対し、認定復興推進計画の円滑かつ確実な実施に関し必要な情報の提供、助言その他の援助を行うように努めなければならない。

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 関係行政機関の長及び関係地方公共団体の長その他の執行機関は、認定復興推進計画に係る復興推進事業の実施に関し、法令の規定による許可その他の処分を求められたときは、当該復興推進事業が円滑かつ迅速に実施されるよう、適切な配慮をするものとする。

(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 前二項に定めるもののほか、内閣総理大臣、関係行政機関の長、認定地方公共団体、関係地方公共団体及び実施主体は、認定復興推進計画の円滑かつ確実な実施が促進されるよう、相互に連携を図りながら協力しなければならない。

(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.

(新たな規制の特例措置等に関する提案及び復興特別意見書の提出)

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

第十一条 申請をしようとする特定地方公共団体（地域協議会を組織するものに限る。）又は認定地方公共団体（以下この条及び次条において「認定地方公共団体等」という。）は、内閣総理大臣に対して、新たな規制の特例措置その他の特別の措置（次項及び第八項並びに次条第一項において「新たな規制の特例措置等」という。）の整備その他の申請に係る復興推進計画の区域における復興推進事業の実施等による復興の円滑かつ迅速な推進に関し政府が講ずべき新たな措置に関する提案（以下この条において単に「提案」という。）をすることができる。

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 復興推進計画の区域において新たな規制の特例措置等の適用を受けて事業を実施しようとする者は、認定地方公共団体等に対して、当該新たな規制の特例措置等の整備



について提案をするよう要請することができる。

(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 前項の規定による要請を受けた認定地方公共団体等は、当該要請に基づき提案をするか否かについて、遅滞なく、当該要請をした者に通知しなければならない。この場合において、当該提案をしないこととするときは、その理由を明らかにしなければならない。

(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 内閣総理大臣は、提案がされた場合において、関係行政機関の長の意見を聴いて、当該提案を踏まえた新たな措置を講ずる必要があると認めるときは、遅滞なく、復興特別区域基本方針の変更の案を作成し、閣議の決定を求めなければならない。

(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 内閣総理大臣は、前項の規定による閣議の決定があったときは、遅滞なく、復興特別区域基本方針を公表しなければならない。

(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 内閣総理大臣は、提案がされた場合において、関係行政機関の長の意見を聴いて、当該提案を踏まえた新たな措置を講ずる必要がないと認めるときは、その旨及びその理由を当該提案をした認定地方公共団体等に通知しなければならない。

(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 内閣総理大臣は、提案がされた場合において、次条第一項に規定する協議会（当該提案をした認定地方公共団体等を構成員とするものに限る。）が組織されているときは、第四項の規定により閣議の決定を求め、又は前項の規定により通知する前に、当該提案について当該協議会における協議をしなければならない。

(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 認定地方公共団体等は、新たな規制の特例措置等の整備その他の申請に係る復興推進計画の区域における復興推進事業の実施等による復興の円滑かつ迅速な推進に関する措置について、国会に対して意見書（次項において「復興特別意見書」という。）を提出することができる。

(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 国会は、復興特別意見書の提出を受けた場合において、当該復興特別意見書に係る措置の円滑かつ確実な実施のために必要があると認めるときは、所要の法制上の措置を講ずるものとする。

(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.

（国と地方の協議会）

(Committee of National and Local Governments)

第十二条 内閣総理大臣、国务大臣のうちから内閣総理大臣の指定する者及び認定地方公共団体等の長（以下この条において「内閣総理大臣等」という。）は、都道府県の区域ごとに、復興推進計画の区域において当該認定地方公共団体等が推進しようとする取組、当該取組を推進するために必要な新たな規制の特例措置等の整備その他の復興推進事業の実施等による復興の円滑かつ迅速な推進に関する施策の推進に関し必要な協議を行うための協議会（以下この条において単に「協議会」という。）を組織することができる。

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 認定地方公共団体等の長は、協議会が組織されていないときは、内閣総理大臣に対して、協議会を組織するよう要請することができる。

(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 前項の規定による要請を受けた内閣総理大臣は、正当な理由がある場合を除き、当該要請に応じなければならない。

(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 内閣総理大臣等は、必要と認めるときは、協議して、協議会に、次に掲げる者を構成員として加えることができる。

(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:

一 地方公共団体の長その他の執行機関（第一項の認定地方公共団体等の長を除く。）

(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));

二 当該都道府県内の特定地方公共団体が組織した地域協議会を代表する者（地域協議会が二以上ある場合にあっては、各地域協議会を代表する者）

(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);

三 当該都道府県の区域内において復興推進事業を実施し、又は実施すると見込まれる者

(iii) A person who carries out or is expected to carry out a Reconstruction Promotion Project in said prefectural zone;

四 その他当該都道府県の区域内における復興推進事業の実施に関し密接な関係を有する者

(iv) Any other person who has a close interest in the implementation of a Reconstruction Promotion Project in said prefectural zone.

5 第一項の協議を行うための会議（以下この条において単に「会議」という。）は、内閣総理大臣等及び前項の規定により加わった者又はこれらの指名する者をもって構成する。

(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 協議会は、会議において協議を行うため必要があると認めるときは、国の行政機関の長及び地方公共団体の長その他の執行機関に対して、資料の提供、意見の表明、説明その他必要な協力を求めることができる。

(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 協議会は、会議において協議を行うため特に必要があると認めるときは、前項に規定する者以外の者に対しても、必要な協力を依頼することができる。

(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 会議において協議が調った事項については、協議会の構成員は、その協議の結果を尊重しなければならない。この場合において、認定地方公共団体等の講ずる措置の円滑かつ確実な実施のために必要があるときは、内閣総理大臣等（認定地方公共団体等の長を除く。）は、速やかに、所要の法制上の措置その他の措置を講じなければならないものとする。

(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 協議会の庶務は、内閣府において処理する。

(9) Administrative issues emanating from the Committee shall be dealt with by the Cabinet Office.

10 内閣総理大臣は、会議における協議の経過及び内容を、適時に（会議において協議が調わなかった場合には、遅滞なく）、かつ、適切な方法で、国会に報告するものとする。

(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 前条第九項の規定は、国会が前項の報告を受けた場合について準用する。

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

(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.

(復興推進協議会)

(Committee for Reconstruction Promotion)

第十三条 特定地方公共団体は、第四条第一項の規定により作成しようとする復興推進計画並びに認定復興推進計画及びその実施に関し必要な事項について協議するため、復興推進協議会（以下この条及び次節において「地域協議会」という。）を組織することができる。

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 地域協議会は、次に掲げる者をもって構成する。

(2) A Regional Committee shall consist of the following persons:

一 前項の特定地方公共団体

(i) A Specified Local Government set forth in the preceding paragraph;

二 復興推進事業を実施し、又は実施すると見込まれる者

(ii) A person who carries out or is expected to carry out a Reconstruction Promotion Project.

3 第一項の規定により地域協議会を組織する特定地方公共団体は、必要があると認めるときは、前項各号に掲げる者のほか、地域協議会に、次に掲げる者を構成員として加えることができる。

(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:

一 当該特定地方公共団体が作成しようとする復興推進計画又は認定復興推進計画及びその実施に関し密接な関係を有する者

(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;

二 その他当該特定地方公共団体が必要と認める者

(ii) Any other person whom said Specified Local Government finds to be necessary.

4 特定地方公共団体は、前項の規定により地域協議会の構成員を加えるに当たっては、地域協議会の構成員の構成が、当該特定地方公共団体が作成しようとする復興推進計画又は認定復興推進計画及びその実施に関する多様な意見が適切に反映されるものとなるよう配慮しなければならない。

(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 次に掲げる者は、地域協議会が組織されていない場合にあっては、特定地方公共団体に対して、地域協議会を組織するよう要請することができる。

(5) Where a Regional Committee has not been organized, the following persons may request a Specified Local Government to organize a Regional Committee:

一 復興推進事業を実施し、又は実施しようとする者

(i) A person who carries out or intends to carry out a Reconstruction Promotion Project;

二 前号に掲げる者のほか、当該特定地方公共団体が作成しようとする復興推進計画又は認定復興推進計画及びその実施に関し密接な関係を有する者

(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 前項の規定による要請を受けた特定地方公共団体は、正当な理由がある場合を除き、当該要請に応じなければならない。

(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 特定地方公共団体は、第一項の規定により地域協議会を組織したときは、遅滞なく、内閣府令で定めるところにより、その旨を公表しなければならない。

(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 第五項各号に掲げる者であって地域協議会の構成員でないものは、第一項の規定により地域協議会を組織する特定地方公共団体に対して、自己を地域協議会の構成員として加えるよう申し出ることができる。

(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 前項の規定による申出を受けた特定地方公共団体は、正当な理由がある場合を除き、当該申出に応じなければならない。

(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 第一項の協議を行うための会議において協議が調った事項については、地域協議会の構成員は、その協議の結果を尊重しなければならない。

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

(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.

## 第二節 認定復興推進計画に基づく事業に対する特別の措置

### Section 2 Special Measures for Projects under Approved Reconstruction

#### Promotion Plans

##### 第一款 規制の特例措置

#### Subsection 1 Special Measures on Regulations

(漁業法の特例)

(Special Provisions for the Fishery Act)

第十四条 特定地方公共団体である県が、第四条第二項第五号に規定する復興推進事業として、特定区画漁業権免許事業（復興推進計画の区域内の特定区画漁業権（漁業法（昭和二十四年法律第二百六十七号）第七条に規定する特定区画漁業権をいう。以下この条において同じ。）に係る地元地区（同法第十一条に規定する地元地区をいう。以下この条において同じ。）における経済活動が東日本大震災の影響のため停滞し、かつ、当該地元地区内に住所を有する漁業者のみでは水産動植物の養殖の事業のために必要な施設の整備、人材の確保その他の措置を行うことが困難であると認められるときに、当該事業を行うことを通じて当該地元地区の復興の円滑かつ迅速な推進を図るのにふさわしい者に特定区画漁業権の内容たる区画漁業（同法第六条第四項に規定する区画漁業をいう。）の免許をする事業をいう。以下この条及び別表の一の項において同じ。）を定めた復興推進計画について、内閣総理大臣の認定を申請し、その認定を受けたときは、当該認定の日以後は、当該認定を受けた県の知事は、同法第十八条の規定にかかわらず、同法第十六条第六項又は第八項に規定する者であつて、次に掲げる要件に該当し、かつ、水産動植物の養殖の事業を最も適切に行うことができると認められるものを第一順位として認定復興推進計画に定められた特定区画漁業権免許事業に係る免許をすることができる。

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:

一 当該免許を受けた後速やかに水産動植物の養殖の事業を開始する具体的な計画を有する者であること。

(i) The person has a concrete plan for initiating the business of culturing aquatic animals and plants promptly after obtaining said license;

二 水産動植物の養殖の事業を適確に行うに足りる経理的基礎及び技術的能力を有する者であること。

(ii) The person has the sufficient financial base and technical capability for conducting business for culturing aquatic animals and plants;

三 十分な社会的信用を有する者であること。

(iii) The person has sufficient social credibility;

四 その者の行う当該免許に係る水産動植物の養殖の事業が漁業生産の増大、当該免許に係る地元地区内に住所を有する漁民の生業の維持、雇用機会の創出その他の当該地元地区の活性化に資する経済的社会的効果を及ぼすことが確実であると認められること。

(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;

五 その者の行う当該免許に係る水産動植物の養殖の事業が当該免許を受けようとする漁場の属する水面において操業する他の漁業との協調その他当該水面の総合的利用に支障を及ぼすおそれがないこと。

(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.

(建築基準法の特例)

(Special Provisions for the Building Standards Act)

第十五条 特定地方公共団体が、第四条第二項第五号に規定する復興推進事業として、復興建築物整備事業（復興産業集積区域、復興居住区域又は復興特定区域の区域内において復興の円滑かつ迅速な推進のために必要な建築物の整備を促進する事業をいう。次項及び別表の二の項において同じ。）を定めた復興推進計画について、内閣総理大臣の認定を申請し、その認定を受けたときは、当該認定の日以後は、当該復興推進計画に定められたこれらの区域内の建築物に対する建築基準法（昭和二十五年法律第二百一十号）第四十八条第一項から第十二項まで（これらの規定を同法第八十七条第二項又は第三項において準用する場合を含む。）の規定の適用については、同法第四十八条第一項ただし書中「特定行政庁が」とあるのは「特定行政庁が、東日本大震災復興特別区域法（平成二十三年法律第百二十二号）第十五条第一項の認定を受けた同項に規定する復興推進計画に定められた同条第二項に規定する基本方針（以下この条において「認定計画基本方針」という。）に適合すると認めて許可した場合その他」と、同項から同条第十項まで及び同条第十二項の規定のただし書の規定中「認め、」とあるのは「認めて許可した場合、」と、同条第二項から第十二項までの規定のただし書の規定中「特定行政庁が」とあるのは「特定行政庁が、認定計画基本方針に適合すると認めて許可した場合その他」とする。

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 前項の復興推進計画には、第四条第二項第七号に掲げる事項として、当該復興推進計画において定められた復興建築物整備事業に係る建築物の整備に関する基本方針を定めるものとする。この場合において、当該基本方針は、当該区域内の用途地域（建築基準法第四十八条第十三項に規定する用途地域をいう。）の指定の目的に反することのないよう定めなければならない。

(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.

第十六条 特定地方公共団体が、第四条第二項第五号に規定する復興推進事業として、特別用途地区復興建築物整備事業（建築基準法第四十九条第二項の規定に基づく条例で同法第四十八条第一項から第十二項までの規定による制限を緩和することにより、復興産業集積区域、復興居住区域又は復興特定区域の区域内の特別用途地区（都市計画法（昭和四十三年法律第百号）第八条第一項第二号に掲げる特別用途地区をいう。次項において同じ。）内において、復興の円滑かつ迅速な推進のために必要な建築物の整備を促進する事業をいう。次項及び別表の三の項において同じ。）を定めた復興推進計画について、内閣総理大臣の認定を申請し、その認定を受けたときは、当該認定の日以後は、当該認定を受けた特定地方公共団体については、当該認定を建築基準

法第四十九条第二項の承認とみなして、同項の規定を適用する。

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 前項の復興推進計画には、第四条第二項第七号に掲げる事項として、当該特別用途地区復興建築物整備事業に係る特別用途地区について建築基準法第四十九条第二項の規定に基づく条例で定めようとする同法第四十八条第一項から第十二項までの規定による制限の緩和の内容を定めるものとする。

(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).

第十七条 特定地方公共団体が、第四条第二項第五号に規定する復興推進事業として、応急仮設建築物活用事業（復興推進計画の区域内の区域であつて、東日本大震災からの復興の状況からみて地域住民の生活に必要な建築物で当該震災により被害を受けたものの再建に相当の期間を要すると見込まれる区域において、建築基準法第八十五条第四項に規定する期間を超えて、当該建築物に替えて必要な同条第二項の応急仮設建築物（住宅を除く。以下この条において単に「応急仮設建築物」という。）を存続させ、復興の推進に当たって活用する事業をいう。以下この条及び別表の四の項において同じ。）を定めた復興推進計画について、内閣総理大臣の認定を申請し、その認定を受けたときは、当該認定の日以後は、当該復興推進計画の区域内の当該応急仮設建築物活用事業に係る応急仮設建築物について、同法第二条第三十五号の特定行政庁は、

安全上、防火上及び衛生上支障がないと認める場合には、同法第八十五条第四項の規定にかかわらず、次項の期間内において、更に一年を超えない範囲内において同条第四項の許可の期間を延長することができる。当該延長に係る期間が満了した場合において、これを更に延長しようとするときも、同様とする。

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 前項の復興推進計画には、第四条第二項第七号に掲げる事項として、当該応急仮設建築物活用事業に係る応急仮設建築物の所在地及び用途並びに当該応急仮設建築物ごとの当該応急仮設建築物活用事業の期間を定めるものとする。

(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).

(道路運送法の特例)

(Special Provisions for the Road Transportation Act)

第十八条 特定地方公共団体が、第四条第二項第五号に規定する復興推進事業として、被災区域道路運送確保事業（その全部又は一部の区間が復興推進計画の区域内に存する路線に係る一般乗合旅客自動車運送事業（道路運送法（昭和二十六年法律第百八十三号）第三条第一号イに掲げる一般乗合旅客自動車運送事業をいう。）を經營する者が当該事業の利用者の利便の増進を図るために実施する事業をいう。以下この条及び別表の五の項において同じ。）を定めた復興推進計画について、当該復興推進計画に定められた被災区域道路運送確保事業に関する国土交通省令で定める書類を添付して、内閣総理大臣の認定を申請し、その認定を受けたときは、当該復興推進計画に定められた被災区域道路運送確保事業のうち、同法第十五条第一項の認可を受け、又は同条第三項若しくは第四項の規定による届出をしなければならないものについては、当該認定の日において、これらの規定により認可を受け、又は届出をしたものとみなす。

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 特定地方公共団体は、前項の認定を申請しようとするときは、第四条第三項の規定にかかわらず、当該申請に係る復興推進計画に定めようとする被災区域道路運送確保事業の内容について、当該被災区域道路運送確保事業の実施主体として当該復興推進計画に定めようとする者の同意を得なければならない。

(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 国土交通大臣は、第一項の認定の申請に係る第四条第十項（第六条第二項において準用する場合を含む。以下この条において同じ。）の同意を求められたときは、当該申請に係る復興推進計画に定められた被災区域道路運送確保事業のうち、道路運送法第十五条第一項の認可を受けなければならないものについて、その内容が同条第二項において準用する同法第六条各号に掲げる基準に適合しないと認めるときは、第四条第十項の同意をしてはならない。

(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 国土交通大臣は、特定地方公共団体及び第一項の認定の申請に係る復興推進計画に定められた被災区域道路運送確保事業の実施主体に対して、第四条第十項の同意に必要な情報の提供を求めることができる。

(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 国土交通大臣は、第一項の認定の申請に係る第四条第十項の同意を求められたときは、国土交通省令で定めるところにより関係する道路管理者（道路法（昭和二十七年法律第百八十号）第十八条第一項に規定する道路管理者をいう。以下この項において同じ。）に、国土交通省令・内閣府令で定めるところにより関係する都道府県公安委員会に、それぞれ意見を聴くものとする。ただし、道路管理者の意見を聴く必要がないものとして国土交通省令で定める場合、又は都道府県公安委員会の意見を聴く必要がないものとして国土交通省令・内閣府令で定める場合は、この限りでない。

(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.

(公営住宅法等の特例)

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

第十九条 特定地方公共団体が、第四条第二項第五号に規定する復興推進事業として、罹災者公営住宅等供給事業（復興推進計画の区域内において次に掲げる全ての事業を行う事業をいう。以下同じ。）を定めた復興推進計画について、内閣総理大臣の認定を申請し、その認定を受けたときは、当該認定の日以後は、当該罹災者公営住宅等供給事業については、次条及び第二十一条の規定を適用する。

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:

一 公営住宅法（昭和二十六年法律第九十三号）第八条第一項又は激甚災害に対処するための特別の財政援助等に関する法律（昭和三十七年法律第五十号）第二十二條第一項の規定による国の補助を受けて公営住宅法第二条第五号に規定する公営住宅の建設等をする事業

(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);

二 当該復興推進計画の区域内において東日本大震災により滅失した住宅に居住していた者又は当該復興推進計画の区域内において実施される都市計画事業その他国土交通省令で定める事業の実施に伴い移転が必要になった者（次条において「被災者等」という。）に、公営住宅又は改良住宅を賃貸する事業

(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 前項の復興推進計画には、第四条第二項第七号に掲げる事項として、前項第一号に掲げる事業の期間を定めるものとする。

(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).

第二十条 前条第一項の認定を受けた復興推進計画に定められた罹災者公営住宅等供給事業に係る公営住宅又は改良住宅に入居しようとする被災者等については、当該復興推進計画に記載された同条第二項の期間が満了する日（その日が平成三十三年三月十一日後の日であるときは、同月十一日）までの間、公営住宅法第二十三条第二号（住宅地区改良法第二十九条第一項において準用する場合を含む。）に掲げる条件を具備する者を公営住宅法第二十三条各号（住宅地区改良法第二十九条第一項において準用する場合を含む。）に掲げる条件を具備する者とみなす。

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).

第二十一条 第十九条第一項の認定を受けた復興推進計画に定められた罹災者公営住宅等供給事業に係る公営住宅若しくは当該公営住宅に係る公営住宅法第二条第九号に規



定する共同施設又は改良住宅（次条において「公営住宅等」という。）に対する同法第四十四条第一項及び第二項（これらの規定を住宅地区改良法第二十九条第一項において準用する場合を含む。以下この条において同じ。）並びに公営住宅法附則第十五項の規定の適用については、同法第四十四条第一項中「四分の一」とあるのは「六分の一」と、同条第二項中「公営住宅の整備若しくは共同施設の整備又はこれらの修繕若しくは改良に要する費用に」とあるのは「公営住宅の整備若しくは共同施設の整備若しくはこれらの修繕若しくは改良に要する費用又は地域における多様な需要に応じた公的賃貸住宅等の整備等に関する特別措置法（平成十七年法律第七十九号）第六条の地域住宅計画に基づく事業若しくは事務の実施に要する費用に」と、同法附則第十五項中「その耐用年限の四分の一を経過した場合においては」とあるのは「その耐用年限の六分の一を経過した場合において特別の事由のあるとき、又は耐用年限の四分の一を経過した場合においては」とする。

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".

第二十二條 特定地方公共団体が、第四条第二項第五号に規定する復興推進事業として、復興推進公営住宅等管理等事業（復興推進計画の区域内において公営住宅等の適切な管理及び処分による東日本大震災からの復興の円滑かつ迅速な推進を図るために実施

される次に掲げる事業をいう。以下この項及び別表の七の項において同じ。)を定めた復興推進計画について、内閣総理大臣の認定を申請し、その認定を受けたときは、当該認定を受けた復興推進公営住宅等管理等事業については、当該認定の日において、次の各号に掲げる区分に応じ、それぞれ当該各号に定める規定による国土交通大臣の承認を受けたものとみなす。

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:

一 公営住宅法第四十四条第三項（住宅地区改良法第二十九条第一項において準用する場合を含む。以下この号において同じ。）に基づき、東日本大震災により被害を受けた公営住宅等の用途を廃止する事業 公営住宅法第四十四条第三項

(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;

二 公営住宅法第四十五条第一項に基づき、同項に規定する社会福祉法人等に公営住宅を住宅として使用させる事業 同項

(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;

三 公営住宅法第四十六条第一項（住宅地区改良法第二十九条第一項において準用する場合を含む。以下この号において同じ。）に基づき、公営住宅等を他の地方公共団体に譲渡する事業 公営住宅法第四十六条第一項

(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 国土交通大臣は、前項（第一号又は第三号に係る部分に限る。）の認定の申請に係る第四条第十項（第六条第二項において準用する場合を含む。）の同意を求められたときは、厚生労働大臣に協議しなければならない。

(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 特定地方公共団体である市町村（特別区を含む。以下同じ。）は、第一項の認定を受けたときは、その旨を当該市町村の存する都道府県の知事に通知するものとする。

(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.

（農地法等の特例）

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

第二十三条 特定地方公共団体である市町村（平成二十三年三月十一日に発生した東北地方太平洋沖地震の津波による被害を受けたものに限る。）が、第四条第二項第五号に規定する復興推進事業として、食料供給等施設整備事業（農林水産物の生産又は加工のための施設その他の食料の安定供給の確保又は当該市町村における農林水産業の復興に資する施設として農林水産省令で定めるもの（以下「食料供給等施設」という。）を復興推進計画の区域内において整備する事業をいう。以下同じ。）を定めた復興推進計画について、内閣総理大臣の認定を申請し、その認定を受けたときは、当該認定の日以後は、当該食料供給等施設整備事業については、次条から第二十七条までの規定を適用する。

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.

第二十四条 前条の認定を受けた市町村（以下この条において「認定市町村」という。）は、地域協議会における協議を経て、当該認定を受けた復興推進計画に定められた食料供給等施設整備事業に係る食料供給等施設の整備に関する計画（次の各号のいずれかに該当するものに限る。以下「食料供給等施設整備計画」という。）を作成することができる。

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:

一 当該食料供給等施設の用に供する土地が農地又は採草放牧地（農地以外の土地で、主として耕作又は養畜の事業のための採草又は家畜の放牧の目的に供されるものをいう。以下この条及び次条第二項において同じ。）であり、当該食料供給等施設の用に供することを目的として、農地である当該土地を農地以外のものにし、又は農地である当該土地若しくは採草放牧地である当該土地を農地若しくは採草放牧地以外のものにするため当該土地について所有権若しくは使用及び収益を目的とする権利を取得するに当たり、農地法（昭和二十七年法律第二百二十九号）第四条第一項又は第五条第一項の許可（農林水産大臣の許可並びに同法附則第二項第一号及び第三号に規定する許可を除く。）を受けなければならないものに係るものであること。

(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.;

二 森林法第五条第一項の規定によりたてられた地域森林計画の対象となっている同項に規定する民有林（同法第二十五条又は第二十五条の二の規定により指定された保安林並びに同法第四十一条の規定により指定された保安施設地区の区域内及び海岸保全区域内の森林を除く。第四項第六号及び第二十七条において「対象民有林」という。）において当該食料供給等施設を整備するため開発行為（同法第十条の二第一項に規定する開発行為をいう。以下この条及び第二十七条において同じ。）を行うものであり、当該開発行為を行うに当たり、同法第十条の二第一項の許可を受けなければならないものに係るものであること。

(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 認定市町村は、前項の協議を行う場合には、次の各号に掲げる場合の区分に応じ当該各号に定める者を地域協議会の構成員として加えるものとする。

(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:

一 食料供給等施設整備計画が前項第一号に該当する場合 道県知事、都道府県農業会議その他農林水産省令で定める者

(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;

二 食料供給等施設整備計画が前項第二号に該当する場合 道県知事並びに森林及び林業に関し学識経験を有する者

(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 食料供給等施設整備計画には、食料供給等施設整備事業の実施主体、食料供給等施設の種類及び規模、当該食料供給等施設の用に供する土地の所在及び面積その他農林水産省令で定める事項を記載しなければならない。

(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 認定市町村は、第一項の規定により食料供給等施設整備計画を作成しようとするときは、当該食料供給等施設整備計画について、道県知事の同意を得なければならない。この場合において、当該道県知事は、当該食料供給等施設整備計画が次に掲げる要件に該当するものであると認めるときは、同意をするものとする。

(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:

一 農地を農地以外のものにする場合にあつては、農地法第四条第二項（第一号に係る部分を除く。）の規定により同条第一項の許可をすることができない場合に該当しないこと。

(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));

二 農地法第四条第二項第一号イ又はロに掲げる農地を農地以外のものにする場合にあつては、当該農地に代えて周辺の他の土地を供することにより食料供給等施設整備事業の目的を達成できると認められないこと。

(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;

三 農地又は採草放牧地を農地又は採草放牧地以外のものにするためこれらの土地について所有権又は使用及び収益を目的とする権利を取得する場合にあつては、農地法第五条第二項（第一号に係る部分を除く。）の規定により同条第一項の許可をす

ることができない場合に該当しないこと。

(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));

四 農地法第五条第二項第一号イ又はロに掲げる農地又は採草放牧地を農地又は採草放牧地以外のものにするためこれらの土地について所有権又は使用及び収益を目的とする権利を取得する場合にあっては、これらの土地に代えて周辺の他の土地を供することにより食料供給等施設整備事業の目的を達成することができると認められないこと。

(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;

五 食料供給等施設の用に供する土地が農用地区域内の土地である場合にあっては、その周辺の土地の農業上の効率的かつ総合的な利用に支障を及ぼすおそれがないと認められることその他の農林水産省令で定める要件に該当すること。

(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;

六 対象民有林において食料供給等施設を整備するため開発行為を行う場合にあっては、当該開発行為が森林法第十条の二第二項各号のいずれにも該当しないこと。

(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.

第二十五条 前条第一項の規定により作成された食料供給等施設整備計画に記載された食料供給等施設整備事業の実施主体（次項及び第二十七条において「食料供給等施設整備事業者」という。）が、当該食料供給等施設整備計画に従って食料供給等施設の用に供することを目的として農地を農地以外のものにする場合には、農地法第四条第一項の許可があったものとみなす。

**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 食料供給等施設整備事業者が、食料供給等施設整備計画に従って食料供給等施設の用に供することを目的として農地又は採草放牧地を農地又は採草放牧地以外のものにするためこれらの土地について所有権又は使用及び収益を目的とする権利を取得する場合には、農地法第五条第一項の許可があったものとみなす。

(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.

第二十六条 第二十四条第一項の規定により作成された食料供給等施設整備計画に記載された食料供給等施設の用に供する土地を農用地区域から除外するために行う農用地区域の変更については、農業振興地域の整備に関する法律第十三条第二項の規定は、適用しない。

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.

第二十七条 食料供給等施設整備事業者が、食料供給等施設整備計画に従って対象民有林において食料供給等施設を整備するため開発行為を行う場合には、森林法第十条の二第一項の許可があったものとみなす。

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.



(工場立地法及び企業立地の促進等による地域における産業集積の形成及び活性化に関する法律の特例)

(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.)

第二十八条 特定地方公共団体が、第四条第二項第五号に規定する復興推進事業として、復興産業集積事業（復興産業集積区域内において製造業等（工場立地法（昭和三十四年法律第二十四号）第二条第三項に規定する製造業等をいう。以下この項において同じ。）を営む者がその事業の用に供する工場又は事業場（以下この項において「工場等」という。）の新增設を行うことを促進する事業をいう。第六項第一号及び別表の九の項において同じ。）を定めた復興推進計画について、内閣総理大臣の認定を申請し、その認定を受けたときは、当該認定の日以後は、当該認定を受けた特定地方公共団体（市町村に限る。以下この条において「認定市町村」という。）は、当該復興推進計画に定められた復興産業集積区域における製造業等に係る工場等の緑地（同法第四条第一項第一号に規定する緑地をいう。）及び環境施設（同法第四条第一項第一号に規定する環境施設をいう。）のそれぞれの面積の敷地面積に対する割合に関する事項について、条例で、同法第四条第一項の規定により公表され、又は同法第四条の二第一項若しくは第二項の規定により定められた準則（第十三項において「工場立地法準則」といい、企業立地の促進等による地域における産業集積の形成及び活性化に関する法律（平成十九年法律第四十号。以下この条において「地域産業集積形成法」という。）第十条第一項の規定により準則が定められた場合又は地域産業集積形成法第十一条第一項の規定により条例が定められた場合にあつては、その準則又はその条例（以下この条において「地域産業集積形成法準則等」という。）を含む。）に代えて適用すべき準則を定めることができる。

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 前項の規定により準則を定める条例（以下この条において「復興産業集積区域緑地面積率等条例」といい、認定市町村である市が定めるものに限る。）が施行されている間は、当該復興産業集積区域緑地面積率等条例に係る復興産業集積区域に係る工場立地法第九条第二項の規定による勧告をする場合における同項第一号の規定の適用については、同号中「第四条の二第一項の規定により都道府県準則が定められた場合又は同条第二項の規定により市準則が定められた場合にあつては、その都道府県準則又は市準則」とあるのは、「東日本大震災復興特別区域法（平成二十三年法律第百二十二号）第二十八条第一項の規定により準則が定められた場合にあつては、その準則」とする。

(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 復興産業集積区域緑地面積率等条例（認定市町村である町村（以下この条において「認定町村」という。）が定めるものに限る。）が施行されている間は、工場立地法の規定により都道府県知事の権限に属するものとされている事務であって、当該復興産業集積区域緑地面積率等条例に係る復興産業集積区域に係るものは、当該復興産業集積区域緑地面積率等条例を定めた認定町村の長が行うものとする。

(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 前項の規定により認定町村の長が事務を行う場合においては、工場立地法の規定及び工場立地の調査等に関する法律の一部を改正する法律（昭和四十八年法律第百八号）附則第三条第一項の規定中都道府県知事に関する規定は、当該復興産業集積区域については、町村の長に関する規定として当該認定町村の長に適用があるものとする。この場合において、工場立地法第九条第二項第一号中「第四条の二第一項の規定により都道府県準則が定められた場合又は同条第二項の規定により市準則が定められた場合にあつては、その都道府県準則又は市準則」とあるのは、「東日本大震災復興特別区域法（平成二十三年法律第百二十二号）第二十八条第一項の規定により準則が定められた場合にあつては、その準則」とする。

(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 復興産業集積区域緑地面積率等条例の施行により地域産業集積形成法準則等の適用を受けないこととなった特定工場（工場立地法第六条第一項に規定する特定工場をいう。以下この条において同じ。）については、当該復興産業集積区域緑地面積率等条例が施行されている間は、地域産業集積形成法第十二条第三項の規定は、適用しない。

(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 復興産業集積区域緑地面積率等条例を定めた市町村は、次に掲げる事由が生じた場合においては、当該事由の発生により当該復興産業集積区域緑地面積率等条例の適用を受けないこととなった区域において当該事由の発生前に当該復興産業集積区域緑地面積率等条例の適用を受けた特定工場について、条例で、当該事由の発生に伴い合理的に必要と判断される範囲内で、所要の経過措置を定めることができる。

(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:

- 一 第六条第一項の規定による認定復興推進計画の変更（復興産業集積区域の区域を変更することとするもの又は第四条第二項第五号に規定する復興推進事業として復興産業集積事業を定めないこととするものに限る。）の認定

(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));

- 二 第九条第一項の規定による第一項の認定の取消し

(ii) Rescission of the approval set forth in paragraph (1) pursuant to the

provisions of Article 9, paragraph (1).

7 前項の規定により経過措置を定める条例（以下この条において「復興産業集積区域緑地面積率等経過措置条例」といい、市が定めるものに限る。）が施行されている間は、同項の特定工場に係る工場立地法第九条第二項の規定による勧告をする場合における同項第一号の規定の適用については、同号中「第四条の二第一項の規定により都道府県準則が定められた場合又は同条第二項の規定により市準則が定められた場合にあつては、その都道府県準則又は市準則」とあるのは、「東日本大震災復興特別区域法（平成二十三年法律第百二十二号）第二十八条第六項の規定により条例が定められた場合にあつては、その条例」とする。

(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 復興産業集積区域緑地面積率等経過措置条例（町村が定めるものに限る。）が施行されている間は、工場立地法の規定により都道府県知事の権限に属するものとされている事務であつて、第六項の特定工場に係るものは、当該復興産業集積区域緑地面積率等経過措置条例を定めた町村の長が行うものとする。

(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 前項の規定により町村の長が事務を行う場合においては、第四項の規定を準用する。この場合において、同項中「第二十八条第一項の規定により準則が定められた場合にあつては、その準則」とあるのは、「第二十八条第六項の規定により条例が定められた場合にあつては、その条例」と読み替えるものとする。

(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)."

1 0 復興産業集積区域緑地面積率等経過措置条例の施行により地域産業集積形成法準則等の適用を受けないこととなった特定工場については、当該復興産業集積区域緑地面積率等経過措置条例が施行されている間は、地域産業集積形成法第十二条第三項の規定は、適用しない。

(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.

1 1 復興産業集積区域緑地面積率等条例の施行前に都道府県知事にされた工場立地法第六条第一項、第七条第一項若しくは第八条第一項又は工場立地の調査等に関する法律の一部を改正する法律附則第三条第一項の規定による届出であって復興産業集積区域緑地面積率等条例の施行の日において勧告、勧告に係る事項を変更すべき旨の命令又は実施の制限の期間の短縮の処理がされていないものについての勧告、勧告に係る事項を変更すべき旨の命令又は実施の制限の期間の短縮については、なお従前の例による。

(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.

1 2 前項の規定によりなお従前の例によることとされる場合における復興産業集積区域緑地面積率等条例の施行後にした行為に対する罰則の適用については、なお従前の

例による。

(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.

1 3 復興産業集積区域緑地面積率等条例の廃止若しくは失効、第六項各号に掲げる事由の発生又は復興産業集積区域緑地面積率等経過措置条例の廃止若しくは失効により、当該復興産業集積区域緑地面積率等条例（復興産業集積区域緑地面積率等経過措置条例が定められている場合にあつては、当該復興産業集積区域緑地面積率等経過措置条例）で定めた準則の適用を受けないこととなった特定工場（当該復興産業集積区域緑地面積率等条例の廃止若しくは失効、同項各号に掲げる事由の発生又は当該復興産業集積区域緑地面積率等経過措置条例の廃止若しくは失効により工場立地法準則の適用を受けることとなったものに限る。）について、それぞれ当該復興産業集積区域緑地面積率等条例の廃止若しくは失効の日、同項各号に掲げる事由の発生の日又は当該復興産業集積区域緑地面積率等経過措置条例の廃止若しくは失効の日（以下この項及び次項において「特定日」という。）前に第三項又は第八項の規定によりこれらの規定に規定する事務を行うものとされた町村の長にされた工場立地法第六条第一項、第七条第一項若しくは第八条第一項又は工場立地の調査等に関する法律の一部を改正する法律附則第三条第一項の規定による届出は、特定日以後においては、当該町村の存する都道府県の知事にされたものとみなす。ただし、当該届出であつて特定日において勧告、勧告に係る事項を変更すべき旨の命令又は実施の制限の期間の短縮の処理がされていないものについての勧告、勧告に係る事項を変更すべき旨の命令又は実施の制限の期間の短縮については、なお従前の例による。

(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.

1 4 前項ただし書の規定によりなお従前の例によることとされる場合における特定日以後にした行為に対する罰則の適用については、なお従前の例による。

(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.

1 5 前二項の規定は、復興産業集積区域緑地面積率等条例の廃止若しくは失効、第六項各号に掲げる事由の発生又は復興産業集積区域緑地面積率等経過措置条例の廃止若しくは失効により、当該復興産業集積区域緑地面積率等条例（復興産業集積区域緑地面積率等経過措置条例が定められている場合にあつては、当該復興産業集積区域緑地面積率等経過措置条例）で定めた準則の適用を受けないこととなった特定工場（当該復興産業集積区域緑地面積率等条例の廃止若しくは失効、同項各号に掲げる事由の発生又は当該復興産業集積区域緑地面積率等経過措置条例の廃止若しくは失効により地域産業集積形成法準則等の適用を受けることとなったものに限る。）について準用する。この場合において、第十三項中「当該町村の存する都道府県の知事」とあるのは、「地域産業集積形成法第十条第四項又は第十一条第三項の規定によりこれらの規定に規定する事務を行うものとされた当該町村の長」と読み替えるものとする。

(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."

(河川法及び電気事業法の特例等)

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

第二十九条 特定地方公共団体が、第四条第二項第五号に規定する復興推進事業として、特定水力発電事業（復興推進計画の区域内において、河川法第二十三条、第二十四条又は第二十六条第一項（これらの規定を同法第百条第一項において準用する場合を含む。以下この条において同じ。）の規定による許可（以下この条から第三十二条までにおいて「河川法第二十三条等の許可」という。）を受けた水利使用（流水の占用又は同法第二十六条第一項に規定する工作物で流水の占用のためのものの新築若しくは改築をいう。以下同じ。）のために取水した流水のみを利用して行う水力発電事業をいう。以下同じ。）を定めた復興推進計画について、次に掲げるところにより内閣総理大臣の認定を申請し、その認定を受けたときは、当該認定の日以後は、当該特定水力発電事業については、次条から第三十二条までの規定を適用する。

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:

一 当該認定の申請に、第四条第七項（第六条第二項において準用する場合を含む。）に規定する書面のほか、次に掲げる事項を記載した書面を添付するものであること。

(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:

イ 当該特定水力発電事業に係る水利使用に関する計画（国土交通省令で定める事項が定められたものに限る。次号並びに次条第一項及び第三項において「特定水利使用計画」という。）

(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);

ロ 当該特定水力発電事業が利用する流水に係る河川法第二十三条等の許可を受けた水利使用の内容（国土交通省令で定める事項が記載されたものに限る。）

(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);

二 特定地方公共団体が、当該認定の申請に先立ち、地域協議会（当該特定水力発電事業に係る水利使用に関し河川法第二十三条等の許可を行う河川管理者（河川法第七条（同法第百条第一項において準用する場合を含む。）に規定する河川管理者（同法第九条第二項又は第五項の規定により都道府県知事又は指定都市（地方自治法（昭和二十二年法律第六十七号）第二百五十二条の十九第一項の指定都市をいう。

以下同じ。)の長が河川法第九条第二項に規定する指定区間内の一級河川の管理の一部を行う場合にあっては、当該都道府県知事又は当該指定都市の長)をいう。以下同じ。)を構成員とするものに限る。以下この号及び次条において同じ。)を組織し、当該地域協議会において当該特定水力発電事業に係る特定水利使用計画が協議されていること。

(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.

第三十条 国土交通大臣は、一級河川の特定水力発電事業に係る水利使用（前条の認定を受けた復興推進計画に係る特定水利使用計画に定められた水利使用と同一の内容のものに限る。以下この条から第三十二条までにおいて「特定発電水利使用」という。）に関し河川法第二十三条等の許可の申請があった場合において、その申請に対する処分をしようとするときは、河川法第三十五条第一項の規定にかかわらず、同項に規定する関係行政機関の長に協議することを要しない。

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 国土交通大臣、都道府県知事又は指定都市の長は、一級河川又は二級河川（河川法第五條第一項に規定する二級河川をいう。以下この条及び次条において同じ。）の特定発電水利使用に関し河川法第二十三條等の許可の申請があった場合において、その申請に対する処分をしようとするときは、同法第三十六條第一項から第四項までの規定にかかわらず、地域協議会を構成する都道府県知事又は市町村長の意見を聴くことを要しない。

(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 河川管理者は、一級河川又は二級河川の特定発電水利使用に関し河川法第二十三條又は第二十六條第一項の許可の申請があったときは、同法第三十八條の規定にかかわらず、地域協議会を構成する者であって当該地域協議会において当該特定発電水利使用に係る特定水利使用計画について同意したものに対しては、同条に規定する通知をすることを要しない。

(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 都道府県知事は、一級河川又は二級河川の特定発電水利使用に関し河川法第二十三條等の許可の申請があった場合において、その申請に対する処分をしようとするときは、河川法第七十九條の規定にかかわらず、国土交通大臣の認可を受け、又は国土交通大臣に協議してその同意を得ることを要しない。

(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 準用河川（河川法第百条第一項に規定する準用河川をいう。）の特定発電水利使用に関する同項において準用する同法の規定の特例については、前三項の規定に準じて政令で定める。

(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.

第三十一条 都道府県知事又は指定都市の長は、一級河川又は二級河川の特定発電水利使用に関し河川法第二十三条等の許可の申請があつたときは、電気事業法（昭和三十九年法律第七十号）第百三条第一項の規定にかかわらず、意見を付して経済産業大臣に報告し、及びその意見を求めることを要しない。

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).

第三十二条 河川管理者は、水利使用に関する河川法第二十三条等の許可の申請に係る行政手続法（平成五年法律第八十八号）第六条に規定する通常要すべき標準的な期間（以下この条において「標準処理期間」という。）を定めるときは、特定発電水利使用に係る標準処理期間について、他の水利使用（構造改革特別区域法（平成十四年法律第百八十九号）第三十一条第七項に規定する特定発電水利使用及び総合特別区域法（平成二十三年法律第八十一号）第五十条第一項に規定する特定発電水利使用を除く。）に係る標準処理期間に比して相当程度短い期間を定めるものとする。

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)).

(鉄道事業法の特例)

(Special Provisions for the Railway Business Act)

第三十三条 特定地方公共団体が、第四条第二項第五号に規定する復興推進事業として、被災鉄道移設事業（東日本大震災によって被害を受けた鉄道線路、停車場その他の鉄道事業（鉄道事業法（昭和六十一年法律第九十二号）第二条第一項に規定する鉄道事業をいう。）の用に供する施設について、当該施設に係る鉄道事業を経営する者が復興推進計画の区域内において実施する移設の事業をいう。以下この条及び別表の十一の項において同じ。）を定めた復興推進計画について、当該復興推進計画に定められた被災鉄道移設事業に関する国土交通省令で定める書類を添付して、内閣総理大臣の認定を申請し、その認定を受けたときは、当該復興推進計画に定められた被災鉄道移設事業のうち、同法第七条第一項の認可を受け、又は同条第三項の規定による届出をしなければならないものについては、当該認定の日において、これらの規定により認可を受け、又は届出をしたものとみなす。

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 特定地方公共団体は、前項の認定を申請しようとするときは、第四条第三項の規定にかかわらず、当該申請に係る復興推進計画に定めようとする被災鉄道移設事業の内容について、当該被災鉄道移設事業の実施主体として当該復興推進計画に定めようと

する者の同意を得なければならない。

(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 国土交通大臣は、第一項の認定の申請に係る第四条第十項（第六条第二項において準用する場合を含む。以下この条において同じ。）の同意を求められたときは、当該申請に係る復興推進計画に定められた被災鉄道移設事業のうち、鉄道事業法第七条第一項の認可を受けなければならないものについて、その内容が同条第二項において準用する同法第五条第一項各号に掲げる基準に適合しないと認めるときは、第四条第十項の同意をしてはならない。

(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 国土交通大臣は、特定地方公共団体及び第一項の認定の申請に係る復興推進計画に定められた被災鉄道移設事業の実施主体に対して、第四条第十項の同意に必要な情報の提供を求めることができる。

(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).

（確定拠出年金法の特例）

(Special Provisions for the Defined Contribution Pension Act)

第三十四条 特定地方公共団体が、第四条第二項第五号に規定する復興推進事業として、地域振興事業（復興推進計画の区域内において実施される地域社会の活性化、地域文化の振興その他特色ある地域の振興に資する事業であつて、連合会（確定拠出年金法

(平成十三年法律第八十八号) 第二条第五項に規定する連合会をいう。) が支給する同法附則第三条第一項の脱退一時金を活用することが見込まれるものをいう。別表の十二の項において同じ。) を定めた復興推進計画について、内閣総理大臣の認定を申請し、その認定を受けたときは、当該認定の日以後は、平成二十三年三月十一日において復興推進計画の区域内に住所を有していた者に対する同法附則第三条第一項の規定の適用については、当該認定を受けた日から平成二十八年三月三十一日までの間、同項中「一 六十歳未満であること。 二 企業型年金加入者でないこと。 三 第六十二条第一項各号に掲げる者に該当しないこと。」とあるのは「一 東日本大震災(東日本大震災復興特別区域法(平成二十三年法律第百二十二号) 第二条第一項に規定する東日本大震災をいう。以下同じ。) により政令で定める相当程度の住居又は家財の損害を受けた者であつて、次のいずれかに該当するものであること。 イ 平成二十三年三月十一日において企業型年金加入者であつた者であつて、実施事業所が東日本大震災による被害を受けたため同日から平成二十五年三月十日までの間に当該実施事業所に使用されなくなり、かつ、当該請求した日の属する月の前月までの六月間のうちに個人型年金加入者掛金の拠出がないこと。 ロ 平成二十三年三月十一日において個人型年金加入者であつた者(同日において第六十二条第一項第一号に掲げる者であつた者に限る。) であつて、同日から平成二十五年三月十日までの間に個人型年金運用指図者となり、かつ、当該請求した日の属する月の前月までの六月間のうちに個人型年金加入者掛金の拠出がないこと。 ハ 平成二十三年三月十一日において個人型年金加入者であつた者(同日において第六十二条第一項第二号に掲げる者であつた者に限る。) であつて、その者が雇用されていた事業所が東日本大震災による被害を受けたため同日から平成二十五年三月十日までの間に当該事業所に使用されなくなり、かつ、当該請求した日の属する月の前月までの六月間のうちに個人型年金加入者掛金の拠出がないこと。 二 六十歳未満であること。 三 国民年金法第七条第一項第二号に規定する第二号被保険者及び個人型年金加入者でないこと。」と、「その者の通算拠出期間(企業型年金加入者期間(第五十四条第二項及び第五十四条の二第二項の規定により第三十三条第一項の通算加入者等期間に算入された期間がある者にあつては、当該期間を含む。) 及び個人型年金加入者期間(個人型年金加入者が納付した掛金に係る個人型年金加入者期間に限るものとし、第七十四条の二第二項の規定により算入された第七十三条の規定により準用する第三十三条第一項の通算加入者等期間がある者にあつては、当該期間を含む。) を合算した期間をいう。) が一月以上三年以下であること又は」とあるのは「当該」と、「六 最後に企業型年金加入者又は個人型年金加入者の資格を喪失した日から起算して二年を経過していないこと。 七 前条第一項の規定による脱退一時金の支給を受けていないこと。」とあるのは「六 前条第一項の規定による脱退一時金の支給を受けていないこと。 七 当該請求に係る脱退一時金を東日本大震災復興特別区域法第三十四条の認定を受けた復興推進計画(同法第四条第一項に規定する復興推進計画をいう。) に定められた同法第三十四条に規定する地域振興事業のうち厚生労働省令で定めるもののために使用すると見込まれる者として同条の認定を受けた特定地方公共団体(同項に規定する特定地方公共団体をいう。) の長が認めた者であること。」とする。

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."

(政令等で規定された規制の特例措置)

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

第三十五条 特定地方公共団体が、第四条第二項第五号に規定する復興推進事業として、政令等規制事業（政令又は主務省令により規定された規制に係る事業であって復興推進計画の区域内において実施されるものをいう。以下この条及び別表の十三の項において同じ。）を定めた復興推進計画について、内閣総理大臣の認定を申請し、その認定を受けたときは、当該政令等規制事業については、政令により規定された規制に係るものにあつては政令で、主務省令により規定された規制に係るものにあつては内閣府令・主務省令で、それぞれ定めるところにより、規制の特例措置を適用する。

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.

(地方公共団体の事務に関する規制についての条例による特例措置)

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

第三十六条 特定地方公共団体が、第四条第二項第五号に規定する復興推進事業として、地方公共団体事務政令等規制事業（政令又は主務省令により規定された規制（特定地方公共団体の事務に関するものに限る。以下この条において同じ。）に係る事業であつて復興推進計画の区域内において実施されるものをいう。以下この条及び別表の十四の項において同じ。）を定めた復興推進計画について、内閣総理大臣の認定を申請し、その認定を受けたときは、当該地方公共団体事務政令等規制事業については、政令により規定された規制に係るものにあつては政令で定めるところにより条例で、主務省令により規定された規制に係るものにあつては内閣府令・主務省令で定めるところにより条例で、それぞれ定めるところにより、規制の特例措置を適用する。

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.

## 第二款 課税の特例

### Subsection 2 Special Provisions on Taxation

第三十七条 認定復興推進計画に定められた第二条第三項第二号イ又はロに掲げる事業を実施する個人事業者又は法人（当該事業を行うことについて適正かつ確実な計画を有すると認められることその他の内閣府令で定める要件に該当するものとして当該認定復興推進計画を作成した認定地方公共団体が指定するものに限る。以下この条において「指定事業者」という。）であって、当該認定復興推進計画に定められた復興産業集積区域の区域内において当該事業の用に供する施設又は設備を新設し、又は増設したものが、当該新設又は増設に伴い新たに取得し、又は製作し、若しくは建設した機械及び装置、建物及びその附属設備並びに構築物については、東日本大震災の被災者等に係る国税関係法律の臨時特例に関する法律（平成二十三年法律第二十九号。以下この款において「震災特例法」という。）で定めるところにより、課税の特例の適用があるものとする。

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 指定事業者は、内閣府令で定めるところにより、その指定に係る事業の実施の状況を前項の認定地方公共団体に報告しなければならない。
- (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 第一項の認定地方公共団体は、指定事業者が同項の内閣府令で定める要件を欠くに至ったと認めるときは、その指定を取り消すことができる。
- (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 第一項の認定地方公共団体は、同項の規定による指定をしたとき、又は前項の規定による指定の取消しをしたときは、遅滞なく、その旨を公表しなければならない。
- (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 指定事業者の指定及びその取消しの手続に関し必要な事項は、内閣府令で定める。
- (5) Procedures and other particulars necessary for the designation and rescission of Designated Business Enterprises shall be specified by Cabinet Office Ordinance.

第三十八条 認定復興推進計画に定められた第二条第三項第二号イに掲げる事業を実施する個人事業者又は法人（当該事業を行うことについて適正かつ確実な計画を有すると認められることその他の内閣府令で定める要件に該当するものとして当該認定復興推進計画を作成した認定地方公共団体が指定するものに限る。以下この条において「指定事業者」という。）が、東日本大震災の被災者である労働者を、当該認定復興推進計画に定められた復興産業集積区域の区域内に所在する事業所において雇用している場合には、当該指定事業者に対する所得税及び法人税の課税については、震災特例法で定めるところにより、課税の特例の適用があるものとする。

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 前条第二項から第五項までの規定は、前項の規定による指定を受けた指定事業者について準用する。この場合において、同条第二項中「前項」とあり、並びに同条第三項及び第四項中「第一項」とあるのは「次条第一項」と、同項中「前項」とあるのは「同条第二項において準用する前項」と読み替えるものとする。

(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."

第三十九条 認定復興推進計画に定められた第二条第三項第二号イに掲げる事業を実施する個人事業者又は法人（当該事業を行うことについて適正かつ確実な計画を有すると認められることその他の内閣府令で定める要件に該当するものとして当該認定復興推進計画を作成した認定地方公共団体が指定するものに限る。次項において「指定事業者」という。）であって当該事業に関連する開発研究を行うものが、当該認定復興推進計画に定められた復興産業集積区域の区域内において、当該開発研究の用に供する減価償却資産を新たに取得し、又は製作し、若しくは建設した場合には、震災特例法で定めるところにより、課税の特例の適用があるものとする。

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 第三十七条第二項から第五項までの規定は、前項の規定による指定を受けた指定事業者について準用する。この場合において、同条第二項中「前項」とあり、並びに同条第三項及び第四項中「第一項」とあるのは「第三十九条第一項」と、同項中「前項」とあるのは「同条第二項において準用する前項」と読み替えるものとする。

(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."

第四十条 認定復興推進計画に定められた第二条第三項第二号イに掲げる事業のみを実施する法人であって、第四条第九項の規定による当該認定復興推進計画の認定の日以後に設立されたもの（当該認定復興推進計画に定められた復興産業集積区域（その全部又は一部が、その全部又は一部の区域が同号イに規定する地域である市町村の区域に含まれるものに限る。）の区域内に本店又は主たる事務所を有する法人であることその他の内閣府令で定める要件に該当するものとして当該認定復興推進計画を作成した認定地方公共団体が指定するものに限る。次項において「指定法人」という。）については、震災特例法で定めるところにより、課税の特例の適用があるものとする。

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 第三十七条第二項から第五項までの規定は、前項の規定による指定を受けた指定法人について準用する。この場合において、同条第二項中「前項」とあり、並びに同条第三項及び第四項中「第一項」とあるのは「第四十条第一項」と、同項中「前項」と

あるのは「同条第二項において準用する前項」と読み替えるものとする。

(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."

第四十一条 認定復興推進計画に定められた第二条第三項第二号ハに掲げる事業を実施する個人事業者又は法人（当該事業を行うことについて適正かつ確実な計画を有すると認められることその他の内閣府令で定める要件に該当するものとして当該認定復興推進計画を作成した認定地方公共団体が指定するものに限る。次項において「指定事業者」という。）が、当該認定復興推進計画に定められた復興居住区域の区域内において新たに取得し、又は建設した当該事業の用に供する賃貸住宅については、震災特例法で定めるところにより、課税の特例の適用があるものとする。

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 第三十七条第二項から第五項までの規定は、前項の規定による指定を受けた指定事業者について準用する。この場合において、同条第二項中「前項」とあり、並びに同条第三項及び第四項中「第一項」とあるのは「第四十一条第一項」と、同項中「前項」とあるのは「同条第二項において準用する前項」と読み替えるものとする。

(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."

第四十二条 認定復興推進計画に定められた第二条第三項第二号ニに掲げる事業を実施する株式会社（当該事業を行うことについて適正かつ確実な計画を有すると認められることその他の内閣府令で定める要件に該当するものとして当該認定復興推進計画を作成した認定地方公共団体が指定するものに限る。次項において「指定会社」という。）により発行される株式を払込みにより個人が取得した場合には、当該個人に対する所得税の課税については、震災特例法で定めるところにより、課税の特例の適用があるものとする。

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 第三十七条第二項から第五項までの規定は、前項の規定による指定を受けた指定会社について準用する。この場合において、同条第二項中「前項」とあり、並びに同条第三項及び第四項中「第一項」とあるのは「第四十二条第一項」と、同項中「前項」とあるのは「同条第二項において準用する前項」と読み替えるものとする。

(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."

### 第三款 地方税の課税免除又は不均一課税に伴う措置

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

第四十三条 地方税法（昭和二十五年法律第二百二十六号）第六条の規定により、地方公共団体が、認定復興推進計画に定められた復興産業集積区域の区域内において当該認定復興推進計画に定められた第二条第三項第二号イ又はロに掲げる事業の用に供する施設又は設備を新設し、又は増設した者（当該事業を実施する個人事業者又は法人

で第三十七条第一項若しくは第三十九条第一項に規定する指定事業者又は第四十条第一項に規定する指定法人に該当するものに限る。) について、当該事業に対する事業税、当該事業の用に供する建物若しくはその敷地である土地の取得に対する不動産取得税若しくは当該事業の用に供する機械及び装置、建物若しくは構築物若しくはこれらの敷地である土地に対する固定資産税を課さなかった場合又はこれらの地方税に係る不均一の課税をした場合において、これらの措置が総務省令で定める場合に該当するものと認められるときは、当該地方公共団体のこれらの措置による減収額（事業税又は固定資産税に関するこれらの措置による減収額にあつては、これらの措置がされた最初の年度以降五箇年度におけるものに限る。）は、地方交付税法（昭和二十五年法律第二百十一号）の定めるところにより、当該地方公共団体に対して交付すべき特別交付税の算定の基礎に算入するものとする。

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).

#### 第四款 復興特区支援利子補給金の支給

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

第四十四条 政府は、認定復興推進計画に定められた復興特区支援貸付事業を行う金融機関であつて、当該認定復興推進計画に係る地域協議会の構成員であり、かつ、当該復興特区支援貸付事業の適正な実施の確保を考慮して内閣府令で定める要件に該当するものとして内閣総理大臣が指定するもの（以下この条において「指定金融機関」と

いう。)が、当該認定復興推進計画に定められた第二条第三項第三号の内閣府令で定める事業を行うのに必要な資金を貸し付けるときは、当該貸付けについて利子補給金(以下この条において「復興特区支援利子補給金」という。)を支給する旨の契約(以下この条において「利子補給契約」という。)を当該指定金融機関と結ぶことができる。

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 政府は、毎年度、利子補給契約を結ぶ場合には、各利子補給契約により当該年度において支給することとする復興特区支援利子補給金の額の合計額が、当該年度の予算で定める額を超えることとならなければならない。

(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 政府は、利子補給契約を結ぶ場合には、当該利子補給契約により支給することとする復興特区支援利子補給金の総額が、当該利子補給契約に係る貸付けが最初に行われた日から起算して五年間について、内閣府令で定める償還方法により償還するものとして計算した当該利子補給契約に係る貸付けの貸付残高に、内閣総理大臣が定める利子補給率を乗じて計算した額を超えることとならなければならない。

(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 政府は、利子補給契約を結ぶ場合には、復興特区支援助利子補給金を支給すべき当該利子補給契約に係る貸付けの貸付残高は、当該貸付けが最初に行われた日から起算して五年間における当該貸付けの貸付残高としなければならない。

(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 政府は、利子補給契約により復興特区支援助利子補給金を支給する場合には、当該利子補給契約において定められた復興特区支援助利子補給金の総額の範囲内において、内閣府令で定める期間ごとに、当該期間における当該利子補給契約に係る貸付けの実際の貸付残高（当該貸付残高が第三項の規定により計算した貸付残高を超えるときは、その計算した貸付残高）に同項の利子補給率を乗じて計算した額を、内閣府令で定めるところにより、支給するものとする。

(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 利子補給契約により政府が復興特区支援助利子補給金を支給することができる年限は、当該利子補給契約をした会計年度以降七年度以内とする。

(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 内閣総理大臣は、指定金融機関が第一項に規定する指定の要件を欠くに至ったと認めるときは、その指定を取り消すことができる。

(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 指定金融機関の指定及びその取消しの手続に関し必要な事項は、内閣府令で定める。

(8) Procedures and other particulars needed for the designation and rescission of Designated Financial Institutions shall be specified by Cabinet Office Ordinance.

#### **第五款 財産の処分の制限に係る承認の手続の特例**

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

第四十五条 認定地方公共団体が認定復興推進計画に基づき第二条第三項第四号に掲げる事業を行う場合においては、当該認定地方公共団体がその認定を受けたことをもって、補助金等に係る予算の執行の適正化に関する法律第二十二条に規定する各省各庁の長の承認を受けたものとみなす。

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.

#### **第四章 復興整備計画等に係る特別の措置**

#### **Chapter IV Special Measures concerning Land Restructuring Plans, etc.**

##### **第一節 復興整備計画の作成等**

##### **Section 1 Preparation, etc. of Land Restructuring Plans**

(復興整備計画)

(Land Restructuring Plans)

第四十六条 特定被災区域内の次の各号に掲げる地域のいずれかに該当する地域であつて、市街地の整備に関する事業、農業生産の基盤の整備に関する事業その他の地域の円滑かつ迅速な復興を図るための事業を実施する必要がある地域をその区域とする市町村（以下「被災関連市町村」という。）は、内閣府令で定めるところにより、単独で又は当該被災関連市町村の存する都道府県（以下「被災関連都道府県」という。）と共同して、当該事業の実施を通じた地域の整備に関する計画（以下「復興整備計画」という。）を作成することができる。

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:

一 東日本大震災による被害により土地利用の状況が相当程度変化した地域又はこれに隣接し、若しくは近接する地域

(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;

二 東日本大震災の影響により多数の住民が避難し、若しくは住所を移転することを余儀なくされた地域又はこれに隣接し、若しくは近接する地域（前号に掲げる地域を除く。）

(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);

三 前二号に掲げる地域と自然、経済、社会、文化等において密接な関係が認められる地域であって、前二号に掲げる地域の住民の生活の再建を図るための整備を図ることが適切であると認められる地域

(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;

四 前三号に掲げる地域のほか、東日本大震災による被害を受けた地域であって、市街地の円滑かつ迅速な復興を図ることが必要であると認められる地域

(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 復興整備計画には、次に掲げる事項を記載するものとする。

(2) Land Restructuring Plans shall include the following particulars:

一 復興整備計画の区域（以下「計画区域」という。）

(i) The zone subject to the Land Restructuring Plan (hereinafter referred to as the "Zone of the Plan");

二 復興整備計画の目標

(ii) The objectives of the Land Restructuring Plan;

三 計画区域における土地利用に関する基本方針（土地の用途の概要その他内閣府令で定める事項を記載したものをいう。第四十九条及び第五十条第一項において「土

土地利用方針」という。)

(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));

四 第二号の目標を達成するために必要な次に掲げる事業（以下「復興整備事業」という。）に係る実施主体、実施区域その他の内閣府令で定める事項

(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:

イ 市街地開発事業（都市計画法第四条第七項に規定する市街地開発事業をいう。）

(a) Urban Development Projects (meaning the Urban Development Project prescribed in Article 4, paragraph (7) of the City Planning Act);

ロ 土地改良事業

(b) Land Improvement Projects;

ハ 復興一体事業（第五十七条第一項に規定する復興一体事業をいう。第五十一条において同じ。）

(c) Comprehensive Reconstruction Projects (meaning the Comprehensive Reconstruction Project prescribed in Article 57, paragraph (1); the same applies in Article 51);

ニ 集団移転促進事業

(d) Projects for Promoting Collective Relocation;

ホ 住宅地区改良事業（住宅地区改良法第二条第一項に規定する住宅地区改良事業をいう。第五十四条において同じ。）

(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);

ヘ 都市計画法第十一条第一項各号に掲げる施設の整備に関する事業

(f) Projects concerning the development of the facilities set forth in the items of Article 11, paragraph (1) of the City Planning Act;

ト 津波防護施設（津波防災地域づくりに関する法律（平成二十三年法律第百二十三号）第二条第十項に規定する津波防護施設をいう。第七十六条第一項において同じ。）の整備に関する事業

(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));

チ 漁港漁場整備事業

(h) Projects for Fishery Infrastructure Development;

リ 保安施設事業（森林法第四十一条第三項に規定する保安施設事業をいう。）

(i) Projects Concerning Security Facilities (meaning Projects Concerning Security Facilities as prescribed in Article 41, paragraph (3) of the Forest Act);

ヌ 液状化対策事業（地盤の液状化により被害を受けた市街地の土地において再度災害を防止し、又は軽減するために施行する事業をいう。）

(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);

ル 造成宅地滑動崩落対策事業（地盤の滑動又は崩落により被害を受けた造成宅地（宅地造成に関する工事が施行された宅地をいう。）において、再度災害を防止するために施行する事業をいう。）

(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;

ヲ 地籍調査事業（地籍調査（国土調査法（昭和二十六年法律第百八十号）第二条第五項に規定する地籍調査をいう。第五十六条第一項において同じ。）を行う事業をいう。）

(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));

ワ イからヲまでに掲げるもののほか、住宅施設、水産物加工施設その他の地域の円滑かつ迅速な復興を図るために必要となる施設の整備に関する事業

(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;

五 復興整備計画の期間

(v) The timescale for the Land Restructuring Plan;

六 その他復興整備事業の実施に関し必要な事項

(vi) Other particulars necessary for the implementation of the Land Restructuring Plan.

3 前項第四号に掲げる事項には、被災関連市町村（当該被災関連市町村が被災関連都道府県と共同して復興整備計画を作成する場合（以下「共同作成の場合」という。）にあっては、当該被災関連市町村及び被災関連都道府県。以下「被災関連市町村等」という。）が実施する事業に係るものを記載するほか、必要に応じ、被災関連市町村等以外の者が実施する事業に係るものを記載することができる。



(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 被災関連市町村等は、復興整備計画に当該被災関連市町村等以外の者が実施する復興整備事業に係る事項を記載しようとするときは、当該事項について、あらかじめ、その者の同意を得なければならない。

(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 被災関連市町村等は、復興整備計画を作成しようとするときは、あらかじめ、公聴会の開催等住民の意見を反映させるために必要な措置を講ずるものとする。

(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 被災関連市町村等は、復興整備計画を作成したときは、遅滞なく、これを公表しなければならない。

(6) If a Disaster-stricken or Related Municipality, etc. has prepared a Land Restructuring Plan, it must publicize the plan without delay.

7 前三項の規定は、復興整備計画の変更（内閣府令で定める軽微な変更を除く。）について準用する。

(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.

（復興整備協議会）

(Committee for Land Restructuring)

第四十七条 被災関連市町村等は、復興整備計画及びその実施に関し必要な事項について協議（第四項各号に掲げる協議を含む。）を行うため、復興整備協議会（以下「協議会」という。）を組織することができる。

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 協議会は、次に掲げる者をもって構成する。

(2) A Committee shall consist of the following persons:

一 被災関連市町村の長（以下「被災関連市町村長」という。）

(i) The mayor of the Disaster-stricken or Related Municipality (hereinafter referred to as the "Mayor of the Disaster-stricken or Related Municipality");

二 被災関連都道府県の知事（以下「被災関連都道府県知事」という。）

(ii) The governor of the Disaster-stricken or Related Prefecture (hereinafter referred to as the "Governor of the Disaster-stricken or Related Prefecture").

3 被災関連市町村等は、必要があると認めるときは、前項各号に掲げる者のほか、協議会に、次に掲げる者を構成員として加えることができる。

(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:

一 国の関係行政機関の長

(i) Head(s) of the relevant national administrative organ(s);

二 復興整備計画及びその実施に関し密接な関係を有する者

(ii) Persons who have a close interest in the Land Restructuring Plan and in the implementation thereof;

三 その他被災関連市町村等が必要と認める者

(iii) Any other person whom said Disaster-stricken or Related Municipality, etc. finds to be necessary.

4 被災関連市町村等は、次の各号に掲げる協議を行う場合には、当該各号に定める者を協議会の構成員として加えるものとする。ただし、やむを得ない事由によりそれらの者を構成員として加えることが困難な場合は、この限りでない。

(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:

一 次条第一項第一号に定める事項に係る同条第二項の協議 国土の利用及び土地利用に関し学識経験を有する者並びに国土交通大臣

(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;

二 次条第一項第二号に定める事項に係る同条第二項の協議 都市計画（都市計画法第四条第一項に規定する都市計画をいう。以下同じ。）に関し学識経験を有する者その他の国土交通省令で定める者及び国土交通大臣

- (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;
- 三 次条第一項第三号に定める事項（都道府県が定める都市計画（都市計画法第十八条第三項に規定する都市計画に限る。）に係るものに限る。）に係る次条第二項の協議 国土交通大臣
- (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;
- 四 次条第一項第五号に定める事項に係る同条第二項の協議 当該事項に関し密接な関係を有する者として農林水産省令で定める者
- (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;
- 五 次条第一項第六号に定める事項に係る同条第二項の協議 森林及び林業に関し学識経験を有する者、被災関連市町村等を管轄する森林管理局長並びに農林水産大臣
- (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;
- 六 次条第一項第七号に定める事項（森林法第二十六条の二第四項各号のいずれかに該当する保安林（同法第二十五条の二第一項又は第二項の規定により指定された保安林をいう。次条において同じ。）の解除に係るものに限る。）に係る次条第二項の協議 農林水産大臣
- (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;
- 七 次条第一項第八号に定める事項（河川法第六条第一項に規定する河川区域（一級河川に係るものに限る。）に係るものに限る。）に係る次条第二項の協議 国土交

通大臣

(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;

八 第四十九条第一項の協議 農林水産大臣

(viii) Deliberations set forth in Article 49, paragraph (1): The Minister of Agriculture, Forestry and Fisheries;

九 第四十九条第五項第一号に掲げる事項に係る同項の協議 国土交通大臣

(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;

十 第四十九条第五項第二号に掲げる事項に係る同項の協議 環境大臣

(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;

十一 第四十九条第四項第三号に掲げる事項（都市計画法第五十九条第六項に規定する公共の用に供する施設を管理する者の意見の聴取を要する場合における認可又は承認に関する事項に限る。）に係る第四十九条第五項又は第七項の協議 当該公共の用に供する施設を管理する者

(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;

十二 第四十九条第四項第三号に掲げる事項（都市計画法第五十九条第六項に規定する土地改良事業計画による事業を行う者の意見の聴取を要する場合における認可又は承認に関する事項に限る。）に係る第四十九条第五項又は第七項の協議 当該土地改良事業計画による事業を行う者

(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;

十三 第四十九条第四項第一号に掲げる事項（都市計画法第三十二条第一項の同意を要する場合における許可に関する事項に限る。）に係る第四十九条第七項の協議 同法第三十二条第一項に規定する公共施設の管理者（第四十九条において「公共施

設管理者」という。)

- (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);
- 十四 第四十九条第四項第一号に掲げる事項（都市計画法第三十二条第二項の協議を要する場合における許可に関する事項に限る。）に係る第四十九条第七項の協議  
同法第三十二条第二項に規定する公共施設を管理することとなる者その他同項の政令で定める者
- (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;
- 十五 第四十九条第四項第四号に掲げる事項に係る同条第七項の協議 都道府県農業会議その他当該事項に関し密接な関係を有する者として農林水産省令で定める者
- (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;
- 十六 第四十九条第四項第五号に掲げる事項に係る同条第七項の協議 都道府県農業会議
- (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
- 十七 第四十九条第四項第六号に掲げる事項に係る同条第七項の協議 森林及び林業に関し学識経験を有する者
- (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;
- 十八 第五十二条第四項の規定による会議における協議 土地改良法第八十七条の二第六項に規定する土地改良施設の管理者
- (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;
- 十九 第五十三条第四項の協議 国土交通大臣

(xix) Deliberations set forth in Article 53, paragraph (4): The Minister of Land, Infrastructure, Transport and Tourism;

二十 第五十四条第三項の協議 国土交通大臣

(xx) Deliberations set forth in Article 54, paragraph (3): The Minister of Land, Infrastructure, Transport and Tourism;

二十一 第五十四条第九項の規定による会議における協議 住宅地区改良法第七条各号に掲げる者及び国土交通大臣

(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;

二十二 第五十五条第二項の規定による会議における協議 農林水産大臣

(xxii) Deliberations at the meeting pursuant to the provisions of Article 55, paragraph (2): The Minister of Agriculture, Forestry and Fisheries;

二十三 第五十六条第二項の協議 国土交通大臣

(xxiii) Deliberations set forth in Article 56, paragraph (2): The Minister of Land, Infrastructure, Transport and Tourism.

5 第一項の協議を行うための会議（以下この節において単に「会議」という。）は、被災関連市町村長及び被災関連都道府県知事並びに前二項の規定により加わった者又はこれらの指名する職員をもって構成する。

(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 協議会は、会議において協議を行うため必要があると認めるときは、国の行政機関の長、被災関連市町村長及び被災関連都道府県知事その他の執行機関に対して、資料の提供、意見の表明、説明その他必要な協力を求めることができる。

(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 被災関連市町村等は、第一項の規定により協議会を組織したときは、遅滞なく、内閣府令で定めるところにより、その旨を公表しなければならない。

(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 協議会の構成員は、この法律によりその権限に属させられた協議又は同意を行うに当たっては、復興整備事業の円滑な実施が図られるよう適切な配慮をするものとする。

(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 前各項に定めるもののほか、協議会の組織及び運営に関し必要な事項は、協議会が定める。

(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.

(土地利用基本計画の変更等に関する特例)

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

第四十八条 第四十六条第二項第四号に掲げる事項には、復興整備事業の実施に関連して行う次の各号に掲げる変更、指定、廃止、決定、解除又は指定の取消し（第九項において「土地利用基本計画の変更等」という。）に係る当該各号に定める事項を記載することができる。ただし、第一号から第四号まで及び第六号から第八号までに定める事項（第三号に定める事項にあつては都道府県が定める都市計画の決定又は変更に係るものに限り、第八号に定める事項にあつては漁港漁場整備法第六条第二項に規定する漁港区域（同条第一項又は第二項の規定により指定された漁港の区域をいう。以下この条において同じ。）の指定、変更又は指定の取消しに係るものに限る。）については、共同作成の場合に限り、記載することができる。

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:

一 土地利用基本計画（国土利用計画法（昭和四十九年法律第九十二号）第九条第一項に規定する土地利用基本計画をいう。）の変更 当該変更に係る国土利用計画法第九条第二項各号に掲げる地域及び同条第三項に規定する土地利用の調整等に関する事項

(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;

二 都市計画区域（都市計画法第四条第二項に規定する都市計画区域であつて、同法第五条第四項に規定する都市計画区域を除く。以下この号において同じ。）の指定、変更又は廃止 当該指定、変更又は廃止に係る都市計画区域の名称及び区域

(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;

三 都市計画（国土交通大臣が定める都市計画を除く。以下この条において同じ。）の決定又は変更 当該決定又は変更に係る都市計画に定めるべき事項

(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;

四 農業振興地域（農業振興地域の整備に関する法律第六条第一項に規定する農業振興地域をいう。以下この号において同じ。）の変更 当該変更に係る農業振興地域の区域

(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;

五 農用地利用計画（農業振興地域の整備に関する法律第八条第四項に規定する農用地利用計画をいう。）の変更 当該変更に係る農用地区域及びその区域内にある土地の農業上の用途区分

(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;

六 地域森林計画区域（森林法第五条第一項の規定によりたてられた地域森林計画の対象とする森林の区域をいう。）の変更 当該変更に係る森林の区域

(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;



七 保安林の指定又は解除 その保安林の所在場所及び指定の目的並びに保安林の指定に係る事項を記載しようとする場合にあっては指定施業要件（森林法第三十三条第一項に規定する指定施業要件をいう。）

(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);

八 漁港区域の指定、変更又は指定の取消し 当該指定、変更又は指定の取消しに係る漁港の名称及び区域

(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 被災関連市町村等は、協議会が組織されている場合において、復興整備計画に前項各号に定める事項を記載しようとするときは、当該事項について、農林水産省令・国土交通省令で定めるところにより、会議における協議をするとともに、同項各号に定める事項が次の各号に掲げる事項であるときは、それぞれ当該各号に定める者の同意を得なければならない。ただし、内閣府令で定める理由により会議における協議が困難な場合（以下単に「会議における協議が困難な場合」という。）は、この限りでない。

(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"):

一 前項第二号に定める事項 国土交通大臣

(i) The particulars specified in item (ii) of the preceding paragraph: The Minister of Land, Infrastructure, Transport and Tourism;

二 前項第三号に定める事項（都道府県が定める都市計画（都市計画法第十八条第三項に規定する都市計画に限る。）の決定又は変更に係るものに限る。） 国土交通大臣

(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;
- 三 前項第三号に定める事項（市町村が定める都市計画（都市計画法第十九条第三項に規定する都市計画のうち町村が定めるものに限る。）の決定又は変更に係るものに限る。） 被災関連都道府県知事（共同作成の場合を除く。）
- (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);
- 四 前項第五号に定める事項 被災関連都道府県知事（共同作成の場合を除く。）
- (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);
- 五 前項第七号に定める事項（森林法第二十六条の二第四項各号のいずれかに該当する保安林の解除に係るものに限る。） 農林水産大臣
- (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 被災関連市町村等は、協議会が組織されていない場合又は会議における協議が困難な場合において、復興整備計画に次の各号に掲げる事項を記載しようとするときは、当該事項について、内閣府令・農林水産省令・国土交通省令で定めるところにより、あらかじめ、それぞれ当該各号に定める手続を経なければならない。
- (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:
- 一 第一項第一号に定める事項 国土利用計画法第三十八条第一項に規定する審議会等の意見を聴くこと及び内閣総理大臣を経由して国土交通大臣に協議をすること。
- (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;
- 二 第一項第二号に定める事項 都道府県都市計画審議会の意見を聴くこと及び内閣総理大臣を経由して国土交通大臣に協議をし、その同意を得ること。

- (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;
- 三 第一項第三号に定める事項（都道府県が定める都市計画（都市計画法第十八条第三項に規定する都市計画に限る。）の決定又は変更に係るものに限る。） 内閣総理大臣を経由して国土交通大臣に協議をし、その同意を得ること。
- (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;
- 四 第一項第三号に定める事項（市町村が定める都市計画（都市計画法第十九条第三項に規定する都市計画のうち市が定めるものに限る。）の決定又は変更に係るものに限る。） 被災関連都道府県知事に協議をすること（共同作成の場合を除く。）。
- (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);
- 五 第一項第三号に定める事項（市町村が定める都市計画（都市計画法第十九条第三項に規定する都市計画のうち町村が定めるものに限る。）の決定又は変更に係るものに限る。） 被災関連都道府県知事の同意を得ること（共同作成の場合を除く。）。
- (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);
- 六 第一項第五号に定める事項 被災関連都道府県知事の同意を得ること（共同作成の場合を除く。）及び当該事項に関し密接な関係を有する者として農林水産省令で定める者の意見を聴くこと。
- (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;
- 七 第一項第六号に定める事項 都道府県森林審議会及び被災関連市町村等を管轄する森林管理局長の意見を聴くこと並びに内閣総理大臣を経由して農林水産大臣に協

議をすること。

(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;

八 第一項第七号に定める事項（海岸保全区域内の森林を保安林として指定する場合に限る。） 当該海岸保全区域を管理する海岸管理者（海岸法第二条第三項に規定する海岸管理者をいう。第十一号において同じ。）に協議をすること。

(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;

九 第一項第七号に定める事項（森林法第二十六条の二第四項各号のいずれかに該当する保安林の解除に係るものに限る。） 内閣総理大臣を経由して農林水産大臣に協議をし、その同意を得ること。

(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;

十 第一項第八号に定める事項（漁港漁場整備法第六条第一項に規定する漁港区域に係るものに限る。） 被災関連都道府県の意見を聴くこと（共同作成の場合を除く。）。

(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);

十一 第一項第八号に定める事項（河川法第三条第一項に規定する河川に係る同法第六条第一項に規定する河川区域に係るもの又は海岸保全区域に係るものに限る。） 当該河川を管理する河川管理者又は当該海岸保全区域を管理する海岸管理者に協議をすること。

(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 被災関連市町村等は、復興整備計画に第一項第三号又は第五号から第七号までのいずれかに定める事項を記載しようとするときは、当該事項について、農林水産省令・国土交通省令で定めるところにより、あらかじめ、その旨を公告し、当該事項の案を、当該事項を復興整備計画に記載しようとする理由を記載した書面を添えて、当該公告の日から二週間公衆の縦覧に供しなければならない。
- (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 前項の規定による公告があったときは、被災関連市町村の住民及び利害関係人は、同項の縦覧期間満了の日までに、縦覧に供された当該事項の案について、被災関連市町村等に、意見書を提出することができる。
- (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 被災関連市町村等は、前項の規定により提出された意見書（第一項第六号に掲げる事項に係るものに限る。）の要旨を、第二項の協議をするときは協議会に、第三項に規定する手続（同項第七号に定める手続に限る。）を経るときは都道府県森林審議会に、それぞれ提出しなければならない。
- (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 被災関連市町村等は、復興整備計画に第一項第三号に定める事項を記載しようとするときは、国土交通省令で定めるところにより、あらかじめ、次の各号に掲げる事項ごとに、それぞれ当該各号に定める者に第五項の規定により提出された意見書（当該事項に係るものに限る。）の要旨を提出し、当該事項について、それぞれ当該各号に定める者に付議し、その議を経なければならない。

(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:

一 第一項第三号に定める事項（都道府県が定める都市計画の決定又は変更に係るものに限る。） 都道府県都市計画審議会

(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;

二 第一項第三号に定める事項（市町村が定める都市計画の決定又は変更に係るものに限る。） 市町村都市計画審議会（当該被災関連市町村に市町村都市計画審議会が置かれていないときは、被災関連都道府県の都道府県都市計画審議会。第五十四条第五項第一号において同じ。）

(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 復興整備計画に第一項第三号に定める事項を記載しようとする時の手続については、この法律に定めるもののほか、都市計画法（同法第十六条第一項並びに第十七条第一項及び第二項、第十八条第一項から第三項まで並びに第十九条第一項及び第二項（これらの規定を同法第二十一条第二項において準用する場合を含む。）を除く。）その他の法令の規定による都市計画の決定又は変更に係る手続の例による。

(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 第一項各号に定める事項が記載された復興整備計画が第四十六条第六項の規定により公表されたときは、当該公表の日当該事項に係る土地利用基本計画の変更等がさ

れたものとみなす。

- (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.

(復興整備事業に係る許認可等の特例)

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

第四十九条 被災関連市町村等は、協議会が組織されている場合において、復興整備計画に、当該土地利用方針に沿って復興整備事業を実施した場合には計画区域において二ヘクタールを超える農地を農地以外のものにすることが明らかである土地利用方針を記載しようとするときは、当該土地利用方針について、農林水産省令で定めるところにより、会議における協議をするとともに、農林水産大臣の同意を得なければならない。ただし、会議における協議が困難な場合は、この限りでない。

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 被災関連市町村等は、協議会が組織されていない場合又は会議における協議が困難な場合において、前項に規定する土地利用方針を記載しようとするときは、当該土地利用方針について、内閣府令・農林水産省令で定めるところにより、あらかじめ、内閣総理大臣を経由して農林水産大臣に協議をし、その同意を得なければならない。

(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 農林水産大臣は、第一項又は前項の協議に係る土地利用方針が次に掲げる要件に該当するものであると認めるときは、これらの規定の同意をするものとする。

(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:

一 第四十六条第一項第一号に掲げる地域をその区域とする被災関連市町村等が作成する復興整備計画に係るものであること。

(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);

二 被災関連市町村の復興のため必要かつ適当であると認められること。

(ii) The policies are considered to be necessary and appropriate for the reconstruction of the Disaster-stricken or Related Municipality;

三 被災関連市町村の農業の健全な発展に支障を及ぼすおそれがないと認められること。

(iii) The policies are considered to be unlikely to hinder sound development of agriculture in the Disaster-stricken or Related Municipality.

4 第四十六条第二項第四号に掲げる事項には、復興整備事業の実施に係る次に掲げる事項（復興整備計画に第一項に規定する土地利用方針を記載する場合にあっては、第四号に掲げる事項を除く。）を記載することができる。

(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)):

一 都市計画法第二十九条第一項又は第二項の許可に関する事項

(i) The particulars concerning the permission set forth in Article 29, paragraph (1) or (2) of the City Planning Act;

二 都市計画法第四十三条第一項の許可に関する事項

(ii) The particulars concerning the permission set forth in Article 43, paragraph (1) of the City Planning Act;

三 都市計画法第五十九条第一項から第四項までの認可又は承認に関する事項

(iii) The particulars concerning the approval set forth in Article 59, paragraphs (1) to (4) of the City Planning Act;

四 農地法第四条第一項又は第五条第一項の許可（農林水産大臣の許可を除く。）に関する事項

(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);

五 農業振興地域の整備に関する法律第十五条の二第一項の許可に関する事項

(v) The particulars concerning the permission set forth in Article 15-2, paragraph (1) of the Act on Establishment of Agricultural Promotion Regions;



- 六 森林法第十条の二第一項の許可に関する事項  
 (vi) The particulars concerning the permission set forth in Article 10-2, paragraph (1) of the Forest Act;
- 七 森林法第三十四条第一項又は第二項の許可に関する事項  
 (vii) The particulars concerning the permission set forth in Article 34, paragraph (1) or (2) of the Forest Act;
- 八 自然公園法（昭和三十二年法律第百六十一号）第二十条第三項の許可又は同法第三十三条第一項の届出に関する事項  
 (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;
- 九 漁港漁場整備法第三十九条第一項の許可に関する事項（被災関連都道県が管理する漁港に係るものに限る。）  
 (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);
- 十 港湾法（昭和二十五年法律第二百十八号）第三十七条第一項の許可若しくは同条第三項の規定により読み替えて適用する同条第一項の協議又は同法第三十八条の二第一項の規定による届出若しくは同条第九項の規定による通知に関する事項（被災関連都道県が管理する港湾に係るものに限る。）  
 (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 被災関連市町村等は、協議会が組織されている場合において、復興整備計画に次の各号に掲げる事項を記載しようとするときは、当該事項について、国土交通省令・環境省令で定めるところにより、会議における協議をするとともに、それぞれ当該各号に定める者の同意を得なければならない。ただし、会議における協議が困難な場合は、この限りでない。
- (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:

- 一 前項第三号に掲げる事項（都市計画法第五十九条第一項から第三項までの国土交通大臣の認可又は承認に関する事項に限る。） 国土交通大臣
- (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;
- 二 前項第八号に掲げる事項（国立公園（自然公園法第二条第二号に規定する国立公園をいう。）に係る許可又は届出に関する事項に限る。） 環境大臣
- (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 被災関連市町村等は、協議会が組織されていない場合又は会議における協議が困難な場合において、復興整備計画に前項各号に掲げる事項を記載しようとするときは、当該事項について、内閣府令・国土交通省令・環境省令で定めるところにより、あらかじめ、内閣総理大臣を経由して、それぞれ同項各号に定める者に協議をし、その同意を得なければならない。この場合において、同項第一号に掲げる事項が第八項第三号又は第四号に掲げる事項であるときは、あらかじめ、それぞれ当該各号に定める者に協議をしなければならない。
- (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 被災関連市町村等は、協議会が組織されている場合において、復興整備計画に第四項各号に掲げる事項（第五項各号に掲げる事項を除く。）を記載しようとするときは、当該事項について、農林水産省令・国土交通省令・環境省令で定めるところにより、会議における協議をするとともに、被災関連都道府県知事（次項第一号に掲げる事項にあつては、被災関連都道府県知事及び公共施設管理者）の同意を得なければならない。ただし、会議における協議が困難な場合は、この限りでない。
- (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 被災関連市町村等は、協議会が組織されていない場合又は会議における協議が困難な場合において、復興整備計画に前項に規定する事項を記載しようとするときは、当該事項について、農林水産省令・国土交通省令・環境省令で定めるところにより、あらかじめ、被災関連都道府県知事（次の各号に掲げる事項にあつては、被災関連都道府県知事及びそれぞれ当該各号に定める者）に協議をし、被災関連都道府県知事（第一号に掲げる事項にあつては、被災関連都道府県知事及び公共施設管理者）の同意を得なければならない。

(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:

一 第四項第一号に掲げる事項（都市計画法第三十二条第一項の同意を要する場合における許可に関する事項に限る。） 公共施設管理者

(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;

二 第四項第一号に掲げる事項（都市計画法第三十二条第二項の協議を要する場合における許可に関する事項に限る。） 同法第三十二条第二項に規定する公共施設を管理することとなる者その他同項の政令で定める者

(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;

三 第四項第三号に掲げる事項（都市計画法第五十九条第六項に規定する公共の用に供する施設を管理する者の意見の聴取を要する場合における認可又は承認に関する事項に限る。） 当該公共の用に供する施設を管理する者

(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;

四 第四項第三号に掲げる事項（都市計画法第五十九条第六項に規定する土地改良事業計画による事業を行う者の意見の聴取を要する場合における認可又は承認に関する事項に限る。） 当該土地改良事業計画による事業を行う者

(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;

五 第四項第四号に掲げる事項 都道府県農業会議その他当該事項に関し密接な関係を有する者として農林水産省令で定める者

(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;

六 第四項第五号に掲げる事項 都道府県農業会議

(vi) The particulars set forth in paragraph (4), item (v): The Prefectural Agricultural Council;

七 第四項第六号に掲げる事項 都道府県森林審議会

(vii) The particulars set forth in paragraph (4), item (vi): The Prefectural Forest Council.

9 共同作成の場合において被災関連市町村等が復興整備計画に第七項に規定する事項を記載しようとするとき、被災関連市町村が都市計画法第二十九条第一項に規定する指定都市等である場合において復興整備計画に第四項第一号若しくは第二号に掲げる事項を記載しようとするとき、又は被災関連市町村等が公共施設管理者である場合において復興整備計画に第四項第一号に掲げる事項を記載しようとするときは、これらの事項について第七項又は前項の同意を得ることを要しない。

(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 被災関連都道府県知事は、第七項又は第八項の協議に係る第四項第一号に掲げる事項が都市計画法第三十三条（当該事項が市街化調整区域（同法第七条第一項に規定する市街化調整区域をいう。以下この条及び第五十一条において同じ。）内において行う開発行為（同法第四条第十二項に規定する開発行為をいう。）に係る許可に関する事項である場合においては、同法第三十三条及び第三十四条）に規定する基準に適合するものであると認めるときは、第七項又は第八項の同意をするものとする。

(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 被災関連都道府県知事は、第七項又は第八項の協議に係る第四項第二号に掲げる事項が都市計画法第三十三条及び第三十四条に規定する基準の例に準じて国土交通省令で定める基準に適合するものであると認めるときは、第七項又は第八項の同意をするものとする。

(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 被災関連都道府県知事は、第七項又は第八項の協議に係る第四項第一号又は第二号に掲げる事項に係る復興整備事業が、第四十六条第一項第一号若しくは第二号に掲げる地域の円滑かつ迅速な復興又はこれらの地域の住民の生活の再建を図るため同項第一号から第三号までに掲げる地域内の市街化調整区域において実施することが必要であると認められる場合においては、前二項の規定にかかわらず、第四項第一号に掲げる事項にあっては都市計画法第三十三条に規定する基準に、同項第二号に掲げる事項

にあつては当該基準の例に準じて国土交通省令で定める基準に適合するものであると認めるときは、第七項又は第八項の同意をするものとする。

(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.

1 3 前三項の規定は、被災関連市町村等が、第九項の規定により同意を得ないで復興整備計画に第四項第一号又は第二号に掲げる事項を記載する場合について準用する。この場合において、前三項中「第七項又は第八項の同意をするものとする」とあるのは、「復興整備計画に記載することができる」と読み替えるものとする。

(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."

1 4 被災関連都道府県知事は、第七項又は第八項の協議に係る第四項第四号又は第五号に掲げる事項が次に掲げる要件に該当するものであると認めるときは、第七項又は第八項の同意をするものとする。

(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):

一 第四十六条第一項第一号に掲げる地域をその区域とする被災関連市町村等が作成する復興整備計画に係るものであること。

(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;

二 被災関連市町村の復興のため必要かつ適当であると認められること。

(ii) The particulars are considered to be necessary and appropriate for the reconstruction of the Disaster-stricken or Related Municipality;

三 被災関連市町村の農業の健全な発展に支障を及ぼすおそれがないと認められること。

(iii) The particulars are considered to be unlikely to hinder the sound development of agriculture in the Disaster-stricken or Related Municipality.

第五十条 前条第一項又は第二項の同意を得た土地利用方針に係る復興整備事業に関する事項（当該復興整備事業を実施するため、農地を農地以外のものにし、又は農地を農地以外のものにするため当該農地について所有権若しくは使用及び収益を目的とする権利を取得するに当たり、農地法第四条第一項又は第五条第一項の許可を受けなければならないものに係るものに限る。）が記載された復興整備計画が第四十六条第六項の規定により公表されたときは、当該公表の日に当該復興整備事業に係る同法第四条第一項又は第五条第一項の規定により許可を受けるべき者に対するこれらの許可があったものとみなす。

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 次の表の上欄に掲げる事項が記載された復興整備計画が第四十六条第六項の規定により公表されたときは、当該公表の日に当該事項に係る復興整備事業の実施主体に対する同表下欄に掲げる許可、認可又は承認があったものとみなす。

(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.

前条第四項第一号に掲げる事項 The matters set forth in paragraph (4), item (i) of the preceding Article	都市計画法第二十九条第一項又は第二項の許可 Permission set forth in Article 29, paragraph (1) or (2) of the City Planning Act
前条第四項第二号に掲げる事項 The matters set forth in paragraph (4), item (ii) of the preceding Article	都市計画法第四十三条第一項の許可 Permission set forth in Article 43, paragraph (1) of the City Planning Act
前条第四項第三号に掲げる事項 The matters set forth in paragraph (4), item (iii) of the preceding Article	都市計画法第五十九条第一項から第四項までの認可又は承認 Approval set forth in Article 59, paragraphs (1) to (4) of the City Planning Act
前条第四項第五号に掲げる事項 The matters set forth in paragraph (4), item (v) of the preceding Article	農業振興地域の整備に関する法律第十五条の二第一項の許可 Permission set forth in Article 15-2, paragraph (1) of the Act on Establishment of Agricultural Promotion Regions
前条第四項第六号に掲げる事項 The matters set forth in paragraph (4), item (vi) of the preceding Article	森林法第十条の二第一項の許可 Permission set forth in Article 10-2, paragraph (1) of the Forest Act
前条第四項第七号に掲げる事項 The matters set forth in paragraph (4), item (vii) of the preceding Article	森林法第三十四条第一項又は第二項の許可 Permission set forth in Article 34, paragraph (1) or (2) of the Forest Act
前条第四項第八号に掲げる事項（自然公園法第二十条第三項の許可に係るものに限る。） 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)	自然公園法第二十条第三項の許可 Permission set forth in Article 20, paragraph (3) of the Natural Parks Act
前条第四項第九号に掲げる事項 The matters set forth in paragraph (4), item (ix) of the preceding Article	漁港漁場整備法第三十九条第一項の許可 Permission set forth in Article 39, paragraph (1) of the Act on Development of Fishing Ports and Grounds



<p>前条第四項第十号に掲げる事項（港湾法第三十七条第一項の許可に係るものに限る。） 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)</p>	<p>港湾法第三十七条第一項の許可 Permission set forth in Article 37, paragraph (1) of the Port and Harbor Act</p>
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- 3 前条第四項第四号に掲げる事項が記載された復興整備計画が第四十六条第六項の規定により公表されたときは、当該公表の日当該事項に係る農地法第四条第一項又は第五条第一項の規定により許可を受けるべき者に対するこれらの許可があったものとみなす。
- (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 前条第四項第八号に掲げる事項（自然公園法第三十三条第一項の届出に係るものに限る。）が記載された復興整備計画が第四十六条第六項の規定により公表されたときは、当該事項に係る復興整備事業については、同法第三十三条第一項及び第二項の規定は、適用しない。
- (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 前条第四項第十号に掲げる事項（港湾法第三十七条第三項の規定により読み替えて適用する同条第一項の協議に係るものに限る。）が記載された復興整備計画が第四十六条第六項の規定により公表されたときは、同法第三十七条第三項の規定により読み替えて適用する同条第一項の協議があったものとみなす。
- (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 前条第四項第十号に掲げる事項（港湾法第三十八条の二第一項の規定による届出又は同条第九項の規定による通知に係るものに限る。）が記載された復興整備計画が第四十六条第六項の規定により公表されたときは、同法第三十八条の二第一項の規定による届出又は同条第九項の規定による通知があったものとみなす。

(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.

（土地区画整理事業等の特例）

(Special Provisions Concerning Land Readjustment Projects, etc.)

- 第五十一条 第四十六条第二項第四号イ又はハに掲げる事項には、同条第一項第一号から第三号までに掲げる地域内の市街化調整区域をその施行地区（土地区画整理法第二条第四項に規定する施行地区又は第五十七条第二項第一号に規定する施行地区をいう。）に含む土地区画整理事業又は復興一体事業に関する事項を記載することができる。

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 前項の規定により復興整備計画に記載された土地区画整理事業（土地区画整理法第三条第四項の規定により施行するものに限る。）又は復興一体事業に係る都市計画法第十三条第一項第十二号の規定の適用については、同号中「市街地開発事業」とあるのは「東日本大震災復興特別区域法（平成二十三年法律第百二十二号）第五十一条第一項の規定により同法第四十六条第一項に規定する復興整備計画に記載された土地区画整理事業又は同法第五十七条第一項に規定する復興一体事業に係る土地区画整理事業」と、「市街化区域又は区域区分が定められていない都市計画区域内において、一体的に開発し、又は整備する必要がある土地の区域」とあるのは「一体的に開発し、又は整備する必要がある土地の区域」とする。

(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."

(土地改良事業の特例)

(Special Provisions Concerning Land Improvement Projects)

第五十二条 被災関連都道府県は、復興整備計画に記載された土地改良事業（政令で定める要件に適合するものに限る。以下この条において同じ。）を行うことができる。

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 前項の規定により行う土地改良事業は、土地改良法第八十七条の二第一項の規定により行うことができる同項第二号に掲げる土地改良事業とみなす。この場合において、同条第十項及び同法第八十七条の三第二項の規定の適用については、同法第八十七条の二第十項中「第五条第六項及び第七項、第七条第三項」とあるのは「第五条第四項から第七項まで、第七条第三項及び第四項」と、「同条第五項」とあるのは「同条第四項」と、同法第八十七条の三第二項中「第八十五条第一項、第八十五条の二第一項若しくは第八十五条の三第六項の規定による申請に基づいて行う農用地造成事業等」とあるのは「農用地造成事業等」と、「これらの規定による申請に基づいて行う土地改良事業」とあるのは「土地改良事業」とする。

(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 共同作成の場合には、第四十六条第二項第四号ロに掲げる事項に、被災関連都道県が復興整備事業として行う土地改良事業に関する事項（土地改良法第五条第四項から第七項まで、第七条第三項及び第四項、第八条第二項及び第三項、第八十七条第三項及び第四項並びに第八十七条の二第三項から第五項までの規定に準じて記載するものに限る。）を記載することができる。

(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 被災関連市町村等は、復興整備計画に前項に規定する土地改良事業に関する事項を記載しようとするときは、当該事項について、農林水産省令で定めるところにより、協議会が組織されている場合（会議における協議が困難な場合を除く。）にあっては会議における協議をし、協議会が組織されていない場合又は会議における協議が困難な場合にあつては、あらかじめ、土地改良法第八十七条の二第六項に規定する土地改良施設の管理者に協議をしなければならない。

(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 第三項に規定する土地改良事業に関する事項が記載された復興整備計画が第四十六条第六項の規定により公表されたときは、当該公表の日に当該事項に係る土地改良法第八十七条の二第一項の土地改良事業計画が定められたものとみなす。

(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.

(集団移転促進事業の特例)

(Special Provisions Concerning Projects for Promoting Collective Relocation)

第五十三条 被災関連都道府県は、被災関連市町村から特定集団移転促進事業（復興整備計画に記載された集団移転促進事業をいう。以下この条において同じ。）に係る集団移転促進事業計画（集団移転促進法第三条第一項に規定する集団移転促進事業計画をいう。以下この条において同じ。）を定めることが困難である旨の申出を受けた場合においては、当該申出に係る集団移転促進事業計画を定めることができる。この場合における集団移転促進法第三条第一項、第四項及び第七項並びに第四条（見出しを含む。）の規定の適用については、これらの規定中「市町村」とあるのは「都道府県」と、集団移転促進法第三条第一項中「集団移転促進事業を実施しようとするときは、」とあるのは「東日本大震災復興特別区域法（平成二十三年法律第百二十二号）第五十三条第一項の規定により同項の申出に係る」と、「定めなければならない。この場合においては」とあるのは「定める場合においては」と、同条第四項中「第一項後段」とあるのは「第一項」と、「都道府県知事を経由して、集団移転促進事業計画を」とあるのは「集団移転促進事業計画を」と、「当該都道府県知事は、当該集団移転促進事業計画についてその意見を国土交通大臣に申し出ることができる」とあるのは「当該都道府県は、当該集団移転促進事業計画について、あらかじめ、関係市町村の意見を聴かなければならない」と、同条第七項中「都道府県知事を経由して、国土交通大臣に」とあるのは「国土交通大臣に」とし、同条第八項の規定は、適用しない。

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 特定集団移転促進事業を実施する場合における集団移転促進法第三条第二項第三号及び第七条第一号の規定の適用については、集団移転促進法第三条第二項第三号中「住宅団地の」とあるのは「住宅団地（移転者の住居の移転に関連して必要と認められる医療施設、官公庁施設、購買施設その他の施設で、居住者の共同の福祉又は利便のため必要なものの用に供する土地を含む。第五号並びに第七条第一号及び第三号において同じ。）の」と、集団移転促進法第七条第一号中「場合を除く」とあるのは「場合であって、当該譲渡に係る対価の額が当該経費の額以上となる場合を除く」とする。

(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 第四十六条第二項第四号ニに掲げる事項には、集団移転促進事業に関する事項（集団移転促進法第三条第二項各号に掲げる事項（前項の規定により読み替えて適用する同条第二項各号に掲げる事項を含む。）を併せて記載するものに限る。）を記載することができる。
- (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 被災関連市町村等は、協議会が組織されている場合において、復興整備計画に前項に規定する集団移転促進事業に関する事項を記載しようとするときは、当該事項について、国土交通省令で定めるところにより、会議における協議をするとともに、国土交通大臣の同意を得なければならない。ただし、会議における協議が困難な場合は、この限りでない。
- (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 被災関連市町村等は、協議会が組織されていない場合又は会議における協議が困難な場合において、復興整備計画に第三項に規定する集団移転促進事業に関する事項を記載しようとするときは、当該事項について、内閣府令・国土交通省令で定めるところにより、あらかじめ、内閣総理大臣を経由して国土交通大臣に協議をし、その同意を得なければならない。
- (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 前項の規定により被災関連市町村が第三項に規定する集団移転促進事業に関する事項について国土交通大臣に協議をしようとするときは、あらかじめ、当該事項を被災関連都道府県知事に通知しなければならない。この場合において、通知を受けた被災関連都道府県知事は、当該事項を復興整備計画に記載することについて、その意見を国土交通大臣に申し出ることができる。

(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 国土交通大臣は、第四項又は第五項の同意をしようとするときは、あらかじめ、関係行政機関の長に協議をしなければならない。

(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 第三項に規定する集団移転促進事業に関する事項が記載された復興整備計画が第四十六条第六項の規定により公表されたときは、当該公表の日に当該事項に係る集団移転促進事業計画が集団移転促進法第三条第一項の規定により同項の同意を得て定められたものとみなす。

(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 前各項に定めるもののほか、特定集団移転促進事業の実施に関し必要な事項は、政令で定める。

(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.

(住宅地区改良事業の特例)

(Special Provisions Concerning Residential Area Improvement Projects)

第五十四条 第四十六条第二項第四号ホに掲げる事項には、住宅地区改良法第四条第二項の申出に係る地区（以下この条において「申出地区」という。）に関する事項を記



載することができる。この場合において、当該事項には、申出地区内において主として居住の用に供される建築物であったもので、東日本大震災により損壊したため、建築物でなくなったものが存する区域を含む地区に関する事項を併せて記載することができる。

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 申出地区に関する事項のうち、被災関連都道府県が実施主体となる住宅地区改良事業に関する事項については、共同作成の場合に限り、記載することができるものとする。

(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 被災関連市町村等は、協議会が組織されている場合において、復興整備計画に第一項に規定する申出地区に関する事項を記載しようとするときは、当該事項について、国土交通省令で定めるところにより、会議における協議をするとともに、国土交通大臣の同意を得なければならない。ただし、会議における協議が困難な場合には、この限りでない。

(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 被災関連市町村等は、協議会が組織されていない場合又は会議における協議が困難な場合において、復興整備計画に第一項に規定する申出地区に関する事項を記載しようとするときは、当該事項について、内閣府令・国土交通省令で定めるところにより、あらかじめ、内閣総理大臣を経由して国土交通大臣に協議をし、その同意を得なければならない。

(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 被災関連市町村等は、復興整備計画に次の各号に掲げる事項を記載しようとするときは、当該事項について、国土交通省令で定めるところにより、あらかじめ、それぞれ当該各号に定める手続を経なければならない。

(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:

一 都市計画区域（都市計画法第四条第二項に規定する都市計画区域をいう。次号において同じ。）内において市町村が施行する住宅地区改良事業に係る申出地区に関する事項 市町村都市計画審議会の議を経ること。

(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;

二 都市計画区域内において都道府県が施行する住宅地区改良事業に係る申出地区に関する事項 都道府県都市計画審議会の議を経ること。

(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 国土交通大臣は、第三項又は第四項の同意をしようとするときは、あらかじめ、厚生労働大臣に協議をしなければならない。

(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 第一項に規定する申出地区に関する事項が記載された復興整備計画が第四十六条第六項の規定により公表されたときは、当該公表の日に当該事項に係る住宅地区改良法第四条第一項の規定による改良地区の指定があったものとみなす。この場合において、当該事項が第一項に規定する建築物であったものが存する区域を含む地区に関する事項であるときは、当該建築物であったものを同法第二条第四項に規定する不良住宅とみなして、同法の規定を適用する。

(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 第四十六条第二項第四号ホに掲げる事項には、住宅地区改良事業に関する事項（住宅地区改良法第六条第二項各号及び第三項各号に掲げる事項を併せて記載するものに限る。）を記載することができる。ただし、被災関連都道府県が実施主体となる住宅地区改良事業に関する事項については、共同作成の場合に限り、記載することができる。

(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 被災関連市町村等は、復興整備計画に前項に規定する住宅地区改良事業に関する事項を記載しようとするときは、当該事項について、協議会が組織されている場合（会議における協議が困難な場合を除く。）にあつては、国土交通省令で定めるところにより、会議における協議をし、協議会が組織されていない場合又は会議における協議が困難な場合にあつては、内閣府令・国土交通省令で定めるところにより、あらかじめ、住宅地区改良法第七条各号に掲げる者に協議をし、及び内閣総理大臣を經由して国土交通大臣に協議をしなければならない。

(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 第八項に規定する住宅地区改良事業に関する事項が記載された復興整備計画が第

四十六条第六項の規定により公表されたときは、当該公表の日に当該事項に係る住宅地区改良法第五条第一項の事業計画が定められたものとみなす。

- (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.

(漁港漁場整備事業の特例)

(Special Provisions Concerning Projects for Fishery Infrastructure Development)

第五十五条 第四十六条第二項第四号チに掲げる事項には、漁港漁場整備事業に関する事項（農林水産省令で定める要件に該当する漁港漁場整備事業（漁港漁場整備法第十九条の三第一項に規定する特定第三種漁港に係るものを除く。）に係るものであり、かつ、同法第十七条第二項に規定する事項を併せて記載するものに限る。）を記載することができる。

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 被災関連市町村等は、復興整備計画に前項に規定する漁港漁場整備事業に関する事項を記載しようとするときは、当該事項について、協議会が組織されている場合（会議における協議が困難な場合を除く。）にあつては、農林水産省令で定めるところにより、会議における協議をするとともに、農林水産大臣の同意を得、協議会が組織されていない場合又は会議における協議が困難な場合にあつては、内閣府令・農林水産省令で定めるところにより、あらかじめ、内閣総理大臣を経由して農林水産大臣に協議をし、その同意を得なければならない。

- (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 被災関連市町村は、前項の規定により第一項に規定する漁港漁場整備事業に関する事項について、農林水産大臣に協議をしようとするときは、あらかじめ、被災関連都道府県知事に協議をしなければならない。

(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 第一項に規定する漁港漁場整備事業に関する事項が記載された復興整備計画が第四十六条第六項の規定により公表されたときは、当該公表の日に当該事項に係る漁港漁場整備法第十七条第一項の特定漁港漁場整備事業計画が定められ、かつ、当該計画について、同項の規定による届出及び公表がされたものとみなす。この場合において、同条第七項から第九項までの規定は、適用しない。

(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.

(地籍調査事業の特例)

(Special Provisions Concerning Cadastral Survey Projects)

第五十六条 第四十六条第二項第四号ヲに掲げる事項には、国土交通省が行う地籍調査（国土調査法第六条の三第二項の規定により同項の事業計画に定められるものに限る。以下この条において同じ。）に関する事項を記載することができる。

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 被災関連市町村等は、協議会が組織されている場合において、復興整備計画に前項に規定する国土交通省が行う地籍調査に関する事項を記載しようとするときは、当該事項について、国土交通省令で定めるところにより、会議における協議をするとともに、国土交通大臣の同意を得なければならない。ただし、会議における協議が困難な場合は、この限りでない。
- (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 被災関連市町村等は、協議会が組織されていない場合又は会議における協議が困難な場合において、復興整備計画に第一項に規定する国土交通省が行う地籍調査に関する事項を記載しようとするときは、当該事項について、内閣府令・国土交通省令で定めるところにより、あらかじめ、内閣総理大臣を経由して国土交通大臣に協議をし、その同意を得なければならない。
- (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 被災関連市町村は、前二項の規定により、第一項に規定する国土交通省が行う地籍調査に関する事項について、会議における協議をし、又は国土交通大臣に協議をしようとするときは、あらかじめ、被災関連都道府県知事に協議をし、その同意を得なければならない。
- (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 国土交通大臣は、第二項又は第三項の協議に係る地籍調査が次に掲げる要件に該当

し、かつ、当該地籍調査を行うことがその事務の遂行に支障がないと認めるときは、第二項又は第三項の同意をするものとする。

(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):

一 被災関連市町村等の復興の円滑かつ迅速な推進を図るために必要であると認められること。

(i) The Cadastral Survey is considered necessary for the facilitation of the smooth and prompt reconstruction of the Disaster-stricken or Related Municipality, etc.:

二 被災関連市町村等における地籍調査の実施体制その他の地域の実情を勘案して被災関連市町村等が行うことが困難であると認められること。

(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 第一項に規定する国土交通省が行う地籍調査に関する事項が記載された復興整備計画が第四十六条第六項の規定により公表されたときは、国土交通省が当該地籍調査を行うものとする。この場合における国土調査法第三条第二項、第七条及び第四章から第六章までの規定の適用については、国土交通省が行う地籍調査を同法第二条第一項に規定する国土調査とみなし、同法第六条の三第四項、第六条の四、第三十二条及び第三十二条の二の規定の適用については、同法第六条の三第四項中「第九条の二第二項」とあるのは「第九条の二第二項及び東日本大震災復興特別区域法（平成二十三年法律第二百二十二号）第五十六条第八項」と、同法第六条の四中「都道府県、市町村又は土地改良区等」とあり、同法第三十二条中「地方公共団体（第十条第二項の規定により地籍調査の実施を委託された法人が地籍調査を実施する場合にあつては、当該法人）又は土地改良区等」とあり、及び同法第三十二条の二第一項中「地方公共団体又は土地改良区等」とあるのは「国土交通省」と、同法第六条の四第二項中「作成して、都道府県にあつては国土交通大臣に、市町村又は土地改良区等にあつては都道府県知事に届け出なければ」とあるのは「作成しなければ」とする。

(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 前項に規定する復興整備計画の区域をその区域に含む被災関連都道府県が国土調査法第六条の三第二項の規定により定める事業計画は、当該復興整備計画に適合するものでなければならない。

(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 第六項の規定により国土交通省が行う地籍調査に要する経費は、国の負担とする。この場合において、同項に規定する復興整備計画の区域をその区域に含む被災関連都道府県及び被災関連市町村は、政令で定めるところにより、それぞれ当該経費の四分の一を負担する。

(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.



## 第二節 復興一体事業

### Section 2 Comprehensive Reconstruction Projects

(事業計画の認定)

(Approval of Project Plans)

第五十七条 復興整備計画に記載された復興一体事業（計画区域内の土地の区域であって東日本大震災による被害により土地利用の状況が相当程度変化した地域又はこれに隣接し、若しくは近接する地域において、市町村が次に掲げる事業を一体的に施行する事業をいう。以下この条及び第五十九条において同じ。）を施行しようとする被災関連市町村は、復興一体事業についての事業計画（以下単に「事業計画」という。）を作成し、農林水産省令・国土交通省令で定めるところにより、これを被災関連都道府県知事に提出して、その事業計画が適当である旨の認定を受けることができる。この場合において、被災関連市町村は、あらかじめ、当該復興一体事業に係る土地区画整理法第五十二条第一項の施行規程を定めなければならない。

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:

一 土地区画整理事業

(i) A Land Readjustment Project;

二 農業用排水施設、農業用道路その他農用地（農業振興地域の整備に関する法律第三条第一号に規定する農用地をいう。次号及び第六十一条において同じ。）の保全又は利用上必要な施設（第六十条において「農業用排水施設等」という。）の新設、管理又は変更

(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);
- 三 客土、暗渠排水その他の農用地の改良又は保全のため必要な事業
- (iii) Soil dressing, underdrainage, and other projects necessary for improving or preserving Agricultural Land.
- 2 事業計画には、農林水産省令・国土交通省令で定めるところにより、次に掲げる事項を記載しなければならない。
- (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:
- 一 施行地区（施行地区を工区に分ける場合においては、施行地区及び工区。以下この条及び第六十二条において同じ。）
- (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);
- 二 復興一体事業の概要
- (ii) The outline of the Comprehensive Reconstruction Project;
- 三 事業施行期間
- (iii) The period for carrying out the project;
- 四 資金計画
- (iv) The funding plan.
- 3 津波による再度災害を防止し、又は軽減することを目的とする復興一体事業の事業計画においては、施行地区内の津波による再度災害の防止又は軽減を図るための措置が講じられた又は講じられる土地の区域における住宅及び公益的施設（教育施設、医療施設、官公庁施設、購買施設その他の施設で居住者の共同の福祉又は利便のため必要なものをいう。以下この条及び第六十二条において同じ。）の建設を促進するため特別な必要があると認められる場合には、農林水産省令・国土交通省令で定めるところにより、当該土地の区域であって、住宅及び公益的施設の用に供すべきもの（以下この節において「津波復興住宅等建設区」という。）を定めることができる。
- (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 津波復興住宅等建設区は、施行地区において津波による再度災害を防止し、又は軽減し、かつ、住宅及び公益的施設の建設を促進する上で効果的であると認められる位置に定め、その面積は、住宅及び公益的施設が建設される見込みを考慮して相当と認められる規模としなければならない。
- (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 事業計画においては、環境の整備改善を図り、交通の安全を確保し、災害の発生を防止し、その他健全な市街地を造成するために必要な公共施設（土地区画整理法第二条第五項に規定する公共施設をいう。次項及び第七十七条において同じ。）及び宅地（同法第二条第六項に規定する宅地をいう。第六十二条及び第六十三条において同じ。）に関する計画が適正に定められていなければならない。
- (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 事業計画は、公共施設その他の施設又は土地区画整理事業に関する都市計画が定められている場合においては、その都市計画に適合して定めなければならない。
- (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 事業計画の作成について必要な技術的基準は、農林水産省令・国土交通省令で定める。
- (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 土地区画整理法第五十五条第一項から第六項までの規定は事業計画を作成しようとする場合について、同法第百三十六条の規定は事業計画について第一項の認定をする場合について準用する。
- (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 被災関連都道府県知事は、第一項の認定をしたときは、遅滞なく、その旨を当該被災関連市町村に通知しなければならない。

(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 被災関連市町村が前項の通知を受けた場合においては、被災関連市町村長は、遅滞なく、農林水産省令・国土交通省令で定めるところにより、当該被災関連市町村の名称、事業施行期間、施行地区その他農林水産省令・国土交通省令で定める事項を公告しなければならない。

(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 第一項及び第七項から前項までの規定は、第一項の認定を受けた事業計画（この項において準用する第一項の規定による変更の認定があったときは、その変更後のもの。第五十九条から第六十二条までにおいて「認定事業計画」という。）を変更しようとする場合（農林水産省令・国土交通省令で定める軽微な変更をしようとする場合を除く。）について準用する。

(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).

（土地区画整理法の準用）

(Mutatis Mutandis Application of the Land Readjustment Act)

第五十八条 土地区画整理法第二百二十七条第七号の規定は、前条第八項（同条第十一項において準用する場合を含む。）において準用する同法第五十五条第四項の規定によ

る通知について準用する。

**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).

(土地区画整理事業の認可等の特例)

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

第五十九条 認定事業計画に係る復興一体事業については、第五十七条第一項の認定を土地区画整理法第五十二条第一項の認可と、当該認定事業計画を同項の規定により定められた事業計画と、第五十七条第十項の規定による公告を同法第五十五条第九項の規定による公告とみなして、同法の規定を適用する。

**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.

(農業用排水施設等の管理)

(Management of Agricultural Water Facilities, etc.)

第六十条 被災関連市町村は、認定事業計画に係る第五十七条第一項第二号（農業用排水施設等の管理に係る部分を除く。）又は第三号に掲げる事業の工事が完了した場合において、その事業によって生じた農業用排水施設等があるときは、その施設を管理しなければならない。

**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.

(被災関連都道府県の技術的援助)

(Technical Assistance to Disaster-stricken or Related Prefectures)

第六十一条 被災関連市町村は、認定事業計画に係る第五十七条第一項第二号又は第三号に掲げる事業の工事につき、被災関連都道府県に農用地の改良、開発、保全又は集団化に関し専門的知識を有する職員の必要な援助を求めることができる。

**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 被災関連都道府県は、正当の事由がある場合を除いて、前項の規定による請求を拒んではならない。

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

(津波復興住宅等建設区への換地の申出等)

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

第六十二条 第五十七条第三項の規定により認定事業計画において津波復興住宅等建設区が定められたときは、認定事業計画に記載された施行地区内の住宅又は公益的施設の用に供する宅地の所有者で当該宅地についての換地に住宅又は公益的施設を建設しようとするものは、被災関連市町村に対し、農林水産省令・国土交通省令で定めるところにより、土地区画整理法第八十六条第一項の換地計画（第四項及び次条において単に「換地計画」という。）において当該宅地についての換地を津波復興住宅等建設区内に定めるべき旨の申出をすることができる。

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 前項の申出に係る宅地について住宅又は公益的施設の所有を目的とする借地権を有する者がいるときは、当該申出についてその者の同意がなければならない。

(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 第一項の申出は、次に掲げる場合の区分に応じ、当該各号に定める公告があった日から起算して六十日以内に行わなければならない。

- (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:
- 一 認定事業計画が定められた場合 第五十七条第十項の規定による公告
- (i) Where an Approved Project Plan has been prepared: A public notice pursuant to the provisions of Article 57, paragraph (10);
- 二 認定事業計画の変更により新たに津波復興住宅等建設区が定められた場合 第五十七条第十一項において準用する同条第十項の規定による公告
- (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;
- 三 認定事業計画の変更により従前の施行地区外の土地が新たに施行地区に編入されたことに伴い津波復興住宅等建設区の面積が拡張された場合 第五十七条第十一項において準用する同条第十項の規定による公告
- (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 被災関連市町村は、第一項の申出があった場合には、遅滞なく、当該申出が次に掲げる要件に該当すると認めるときは、当該申出に係る宅地を、換地計画においてその宅地についての換地を津波復興住宅等建設区内に定められるべき宅地として指定し、当該申出が次に掲げる要件に該当しないと認めるときは、当該申出に応じない旨を決定しなければならない。
- (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:
- 一 当該申出に係る宅地に建築物その他の工作物（住宅及び公益的施設並びに容易に移転し、又は除却することができる工作物で農林水産省令・国土交通省令で定めるものを除く。）が存しないこと。
- (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;

二 当該申出に係る宅地に地上権、永小作権、賃借権その他の当該宅地を使用し、又は収益することができる権利（住宅又は公益的施設の所有を目的とする借地権及び地役権を除く。）が存しないこと。

(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 被災関連市町村は、前項の規定による指定又は決定をしたときは、遅滞なく、第一項の申出をした者に対し、その旨を通知しなければならない。

(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 被災関連市町村は、第四項の規定による指定をしたときは、遅滞なく、その旨を公告しなければならない。

(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.

(津波復興住宅等建設区への換地)

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

第六十三条 前条第四項の規定により指定された宅地については、換地計画において換地を津波復興住宅等建設区内に定めなければならない。

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.

### 第三節 復興整備計画の実施に係る特別の措置

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

(届出対象区域内における建築等の届出等)

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

第六十四条 被災関連市町村は、計画区域のうち、復興整備事業の実施区域の全部又は一部の区域を、届出対象区域として指定することができる。

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 被災関連市町村は、前項の規定による指定をするときは、内閣府令で定めるところ



により、その旨及びその区域を公示しなければならない。

(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 第一項の規定による指定は、前項の規定による公示によってその効力を生ずる。

(3) The designation pursuant to the provisions of paragraph (1) shall become effective through the public notice under the preceding paragraph.

4 届出対象区域内において、土地の区画形質の変更、建築物その他の工作物の新築、改築又は増築その他政令で定める行為をしようとする者は、当該行為に着手する日の三十日前までに、内閣府令で定めるところにより、行為の種類、場所、設計又は施行方法、着手予定日その他内閣府令で定める事項を被災関連市町村長に届け出なければならない。ただし、次に掲げる行為については、この限りでない。

(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:

一 通常の管理行為、軽易な行為その他の行為で政令で定めるもの

(i) An act for ordinary management, simple act, or another act specified by Cabinet Order;

二 非常災害のため必要な応急措置として行う行為

(ii) An act to be conducted as emergency responses needed at the time of a disaster or emergency;

三 国又は地方公共団体が行う行為

(iii) An act to be conducted by the national government or a local government;

四 復興整備事業の施行として行う行為

(iv) An act to be conducted for carrying out a Land Restructuring Project.

5 前項の規定による届出をした者は、その届出に係る事項のうち内閣府令で定める事項を変更しようとするときは、当該事項の変更に係る行為に着手する日の三十日前までに、内閣府令で定めるところにより、その旨を被災関連市町村長に届け出なければならない。

(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 被災関連市町村長は、第四項又は前項の規定による届出があった場合において、その届出に係る行為が復興整備事業の実施に支障となるおそれがあると認めるときは、その届出をした者に対し、その届出に係る行為に関し設計の変更その他の必要な措置をとることを勧告することができる。

(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 被災関連市町村長は、前項の規定による勧告をした場合において、必要があると認めるときは、その勧告を受けた者に対し、土地に関する権利の処分についてのあっせんその他の必要な措置を講ずるよう努めなければならない。

(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.

(復興整備計画のための土地の立入り等)

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

第六十五条 被災関連市町村等は、復興整備計画の作成又は変更のため他人の占有する土地に立ち入って測量又は調査を行う必要があるときは、その必要の限度において、他人の占有する土地に、自ら立ち入り、又はその命じた者若しくは委任した者に立ち入らせることができる。

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 前項の規定により他人の占有する土地に立ち入ろうとする者は、立ち入ろうとする日の三日前までに、その旨を当該土地の占有者に通知しなければならない。

(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 第一項の規定により建築物が存し、又は垣、柵等で囲まれた他人の占有する土地に立ち入ろうとするときは、その立ち入ろうとする者は、立入りの際、あらかじめ、そ

の旨を当該土地の占有者に告げなければならない。

(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 日出前及び日没後においては、土地の占有者の承諾があった場合を除き、前項に規定する土地に立ち入ってはならない。

(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 土地の占有者は、正当な理由がない限り、第一項の規定による立入りを拒み、又は妨げてはならない。

(5) The possessor of an estate must not refuse or obstruct entry under paragraph (1), without justifiable grounds.

(復興整備計画のための障害物の伐除及び土地の試掘等)

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

第六十六条 前条第一項の規定により他人の占有する土地に立ち入って測量又は調査を行う者は、その測量又は調査を行うに当たり、やむを得ない必要があって、障害となる植物若しくは垣、柵等（以下「障害物」という。）を伐除しようとする場合又は当該土地に試掘若しくはボーリング若しくはこれらに伴う障害物の伐除（以下「試掘等」という。）を行おうとする場合において、当該障害物又は当該土地の所有者及び占有者の同意を得ることができないときは、当該障害物の所在地を管轄する被災関連市町村長の許可を受けて当該障害物を伐除し、又は当該土地の所在地を管轄する被災関連都道府県知事の許可を受けて当該土地に試掘等を行うことができる。この場合において、被災関連市町村長が許可を与えようとするときは障害物の所有者及び占有者に、被災関連都道府県知事が許可を与えようとするときは土地又は障害物の所有者及び占有者に、あらかじめ、意見を述べる機会を与えなければならない。

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 前項の規定により障害物を伐除しようとする者又は土地に試掘等を行おうとする者は、伐除しようとする日又は試掘等を行おうとする日の三日前までに、その旨を当該障害物又は当該土地若しくは障害物の所有者及び占有者に通知しなければならない。

(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 第一項の規定により障害物を伐除しようとする場合（土地の試掘又はボーリングに伴う障害物の伐除をしようとする場合を除く。）において、当該障害物の所有者及び占有者がその場所にいないためその同意を得ることが困難であり、かつ、その現状を著しく損傷しないときは、被災関連市町村等又はその命じた者若しくは委任した者は、前二項の規定にかかわらず、当該障害物の所在地を管轄する被災関連市町村長の許可を受けて、直ちに、当該障害物を伐除することができる。この場合においては、当該障害物を伐除した後、遅滞なく、その旨をその所有者及び占有者に通知しなければならない。

(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.

（復興整備事業のための土地の立入り等）

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

第六十七条 第四十六条第六項の規定により公表された復興整備計画に記載された復興整備事業（同条第二項第四号ヌ、ル又はワに掲げる事業にあっては、実施主体が国、都道府県又は市町村であるものに限る。以下この条、次条及び第七十一条において単に「復興整備事業」という。）の実施主体（以下この条及び第六十九条から第七十一条までにおいて単に「実施主体」という。）は、復興整備事業の実施の準備又は実施のため他人の占有する土地に立ち入って測量又は調査を行う必要があるときは、その必要の限度において、他人の占有する土地に、自ら立ち入り、又はその命じた者若しくは委任した者に立ち入らせることができる。ただし、国、都道府県又は市町村以外の実施主体にあっては、あらかじめ、被災関連市町村長の許可を受けた場合に限る。

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 第六十五条第二項から第五項までの規定は、前項の規定による復興整備事業のための土地の立入りについて準用する。

(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.

(復興整備事業のための障害物の伐除及び土地の試掘等)

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

第六十八条 前条第一項の規定により他人の占有する土地に立ち入って測量又は調査を行う者は、その測量又は調査を行うに当たり、やむを得ない必要があつて、障害物を伐除しようとする場合又は当該土地に試掘等を行おうとする場合において、当該障害物又は当該土地の所有者及び占有者の同意を得ることができないときは、当該障害物の所在地を管轄する被災関連市町村長の許可を受けて当該障害物を伐除し、又は当該

土地の所在地を管轄する被災関連都道府県知事の許可を受けて当該土地に試掘等を行うことができる。この場合において、被災関連市町村長が許可を与えようとするときは障害物の所有者及び占有者に、被災関連都道府県知事が許可を与えようとするときは土地又は障害物の所有者及び占有者に、あらかじめ、意見を述べる機会を与えなければならない。

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 第六十六条第二項及び第三項の規定は、前項の規定による復興整備事業のための障害物の伐除及び土地の試掘等について準用する。

(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.

(証明書等の携帯)

(Carrying of Identification Cards, etc.)

第六十九条 第六十五条第一項又は第六十七条第一項の規定により他人の占有する土地に立ち入ろうとする者は、その身分を示す証明書（国、都道府県又は市町村以外の実施主体にあっては、その身分を示す証明書及び被災関連市町村長の許可証）を携帯しなければならない。

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 第六十六条第一項又は前条第一項の規定により障害物を伐除しようとする者又は土地に試掘等を行おうとする者は、その身分を示す証明書及び被災関連市町村長又は被災関連都道府県知事の許可証を携帯しなければならない。

(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 前二項に規定する証明書又は許可証は、関係人の請求があったときは、これを提示しなければならない。

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

(土地の立入り等に伴う損失の補償)

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

第七十条 被災関連市町村等は、第六十五条第一項又は第六十六条第一項若しくは第三項の規定による行為により他人に損失を与えたときは、その損失を受けた者に対して、通常生ずべき損失を補償しなければならない。

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 実施主体は、第六十七条第一項、第六十八条第一項又は同条第二項において準用する第六十六条第三項の規定による行為により他人に損失を与えたときは、その損失を受けた者に対して、通常生ずべき損失を補償しなければならない。

(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 前二項の規定による損失の補償については、損失を与えた者と損失を受けた者とが協議しなければならない。

(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 前項の規定による協議が成立しないときは、損失を与えた者又は損失を受けた者は、政令で定めるところにより、収用委員会に土地収用法（昭和二十六年法律第二百十九号）第九十四条第二項の規定による裁決を申請することができる。

(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.

(資料の提出その他の協力)

(Submission of Materials and Other Forms of Cooperation)

第七十一条 復興整備計画を作成若しくは変更しようとする被災関連市町村等又は実施主体（国、都道府県又は市町村に限る。）は、復興整備計画の作成若しくは変更又は復興整備事業の実施の準備若しくは実施のため必要がある場合においては、関係行政機関の長、関係地方公共団体の長又は関係のある公私の団体に対し、資料の提出その他必要な協力を求めることができる。

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.

(環境影響評価法の特例)

(Special Provisions for the Environmental Impact Assessment Act)

第七十二条 復興整備事業として行われる第四十六条第二項第四号イに掲げる事業（土地区画整理事業に限る。）又は同号へ若しくはワに掲げる事業（鉄道事業法による鉄道並びに軌道法（大正十年法律第七十六号）による軌道の建設及び改良の事業に限る。）であって、環境影響評価法（平成九年法律第八十一号）第二条第二項に規定する第一種事業又は同条第三項に規定する第二種事業に該当するもの（同法第五十二条第二項に規定する事業を除く。以下この条において「特定復興整備事業」という。）については、次項から第十九項までに定めるところによる。

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 特定復興整備事業については、環境影響評価法の規定は、適用しない。



(2) The provisions of the Environmental Impact Assessment Act shall not apply to Specified Land Restructuring Projects.

3 被災関連市町村等は、復興整備計画に特定復興整備事業に係る事項を記載しようとするときは、国土交通省令・環境省令で定めるところにより、特定環境影響評価（特定復興整備事業の実施が環境に及ぼす影響（当該特定復興整備事業の実施後の土地又は工作物において行われることが予定される事業活動その他の人の活動が当該特定復興整備事業の目的に含まれる場合には、これらの活動に伴って生ずる影響を含む。以下この条において「環境影響」という。）について環境の構成要素に係る項目ごとに調査、予測及び評価を行うとともに、これらを行う過程において当該特定復興整備事業に係る環境の保全のための措置を検討し、この措置が講じられた場合における環境影響を総合的に評価することをいう。以下この条において同じ。）を行わなければならない。

(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 被災関連市町村等は、特定環境影響評価を行った後、当該特定環境影響評価に係る調査の結果の概要並びに予測及び評価の結果、環境の保全のための措置並びに特定復興整備事業に係る環境影響の総合的な評価その他の国土交通省令・環境省令で定める事項を記載した特定復興整備事業特定環境影響評価書（以下この条において「特定評価書」という。）を作成しなければならない。

(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 被災関連市町村等は、特定評価書を作成したときは、国土交通省令・環境省令で定めるところにより、特定復興整備事業に係る環境影響を受ける範囲であると認められる地域（以下この条において「関係地域」という。）を管轄する都道県知事（以下この条において「関係都道県知事」という。）及び関係地域を管轄する市町村長（以下この条において「関係市町村長」という。）並びに特定復興整備事業の実施に際し認可を行う者（以下この条において単に「認可を行う者」という。）に対し、特定評価書を送付するとともに、特定評価書に係る特定環境影響評価の結果について環境の保全の見地からの意見を求めるため、環境省令で定めるところにより、特定評価書を作成した旨その他環境省令で定める事項を公告し、関係地域内において、特定評価書を公告の日から二週間公衆の縦覧に供しなければならない。

(5) 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 関係都道県知事及び関係市町村長は、前項の規定により特定評価書の送付を受けたときは、環境省令で定める期間内に、被災関連市町村等に対し、特定評価書について環境の保全の見地からの意見を書面により述べるものとする。

(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 認可を行う者が国土交通大臣又は地方整備局長若しくは地方運輸局長であるときは、その者は、第五項の規定により特定評価書の送付を受けた後、速やかに、環境省令で定めるところにより、環境大臣に当該特定評価書の写しを送付して意見を求めなければならない。

(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 環境大臣は、前項の措置がとられたときは、必要に応じ、環境省令で定める期間内に、国土交通大臣に対し、特定評価書について環境の保全の見地からの意見を書面により述べることができる。

(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 認可を行う者は、第五項の規定による送付を受けたときは、必要に応じ、環境省令で定める期間内に、被災関連市町村等に対し、特定評価書について環境の保全の見地からの意見を書面により述べるができる。この場合において、前項の規定による環境大臣の意見があるときは、これを勘案しなければならない。

(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 特定評価書について環境の保全の見地からの意見を有する者は、環境省令で定めるところにより、第五項の公告の日から、同項の縦覧期間満了の日までの間に、被災関連市町村等に対し、意見書の提出により、これを述べることができる。

(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.**

1 1 被災関連市町村等は、第六項又は第九項の意見が述べられたときはこれを勘案するとともに、前項の意見に配慮して特定評価書の記載事項について検討を加え、当該事項の修正を必要とすると認めるときは、国土交通省令・環境省令で定めるところにより、特定評価書について所要の補正をしなければならない。

(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.

1 2 被災関連市町村等は、前項の規定による補正後の特定評価書の送付（補正を必要としないと認めるときは、その旨の通知）を、認可を行う者に対してしなければならない。

(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.

1 3 認可を行う者が国土交通大臣又は地方整備局長若しくは地方運輸局長であるときは、その者は、前項の規定による送付又は通知を受けた後、環境省令で定めるところにより、環境大臣に同項の規定による送付を受けた補正後の特定評価書の写しを送付し、又は同項の規定による通知を受けた旨を通知しなければならない。

(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.

1 4 被災関連市町村等は、第十二項の規定による送付又は通知をしたときは、速やかに、関係都道府県知事及び関係市町村長に特定評価書（第十一項の規定による特定評価書の補正をしたときは、当該補正後の特定評価書）及び第九項の書面を送付しなければならない。

(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.

1 5 被災関連市町村等は、第十二項の規定による送付又は通知をしたときは、環境省令で定めるところにより、第十一項の規定による特定評価書の補正をした旨（補正を必要としないと認めるときは、その旨）その他環境省令で定める事項を公告し、関係地域内において、特定評価書（同項の規定による特定評価書の補正をしたときは、当該補正後の特定評価書。以下この条において同じ。）及び第九項の書面を公告の日から二週間公衆の縦覧に供しなければならない。

(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.

1 6 認可を行う者は、当該認可の審査に際し、特定評価書の記載事項及び第九項の書面に基づいて、当該特定復興整備事業につき、環境の保全についての適正な配慮がなされるものであるかどうかを審査しなければならない。

(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).

1 7 前項の場合においては、次の各号に掲げる当該認可の区分に応じ、当該各号に定めるところによる。

(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:

一 一定の基準に該当している場合には認可を行うものとする旨の法律の規定であつて環境省令で定めるものに係る認可 当該認可を行う者は、当該認可に係る当該規定にかかわらず、当該規定に定める当該基準に関する審査と前項の規定による環境の保全に関する審査の結果を併せて判断するものとし、当該基準に該当している場合であっても、当該判断に基づき、当該認可を拒否する処分を行い、又は当該認可に必要な条件を付することができるものとする。

(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;

二 認可を行い又は行わない基準を法律の規定で定めていない認可（当該認可に係る法律の規定で環境省令で定めるものに係るものに限る。） 当該認可を行う者は、特定復興整備事業の実施による利益に関する審査と前項の規定による環境の保全に関する審査の結果を併せて判断するものとし、当該判断に基づき、当該認可を拒否する処分を行い、又は当該認可に必要な条件を付することができるものとする。

(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.

1 8 特定復興整備事業の実施主体は、特定評価書に記載されているところにより、環境の保全についての適正な配慮をして当該特定復興整備事業を実施するようにならなければならない。

(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.

1 9 被災関連市町村等以外の者が特定復興整備事業を実施する場合には、被災関連市町村等は、特定復興整備事業の実施主体に対し、特定環境影響評価その他の手続を行うための資料の提供その他の必要な協力を求めることができる。

(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.

（不動産登記法の特例）

（Special Provisions for the Real Estate Registration Act）

第七十三条 第四十六条第六項の規定により公表された復興整備計画に記載された復興

整備事業（土地収用法第二十六条第一項、公共用地の取得に関する特別措置法（昭和三十六年法律第百五十号）第十条第一項又は都市計画法第六十二条第一項の規定により告示された事業に限る。以下この項において単に「復興整備事業」という。）の実施主体は、不動産登記法（平成十六年法律第百二十三号）第百三十一条第一項の規定にかかわらず、同法第百二十五条に規定する筆界特定登記官に対し、一筆の土地（復興整備事業の実施区域として定められた土地の区域内にその全部又は一部が所在する土地に限る。）とこれに隣接する他の土地との筆界（同法第百二十三条第一号に規定する筆界をいう。）について、同法第百二十三条第二号に規定する筆界特定の申請をすることができる。

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 前項の申請は、対象土地（不動産登記法第百二十三条第三号に規定する対象土地をいう。）の所有権登記名義人等（同条第五号に規定する所有権登記名義人等をいう。）の承諾がある場合に限り、することができる。ただし、当該所有権登記名義人等のうちにその所在が判明しない者がある場合は、その者の承諾を得ることを要しない。

(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.

（独立行政法人都市再生機構法の特例）

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

第七十四条 独立行政法人都市再生機構は、独立行政法人都市再生機構法（平成十五年法律第百号）第十一条第一項に規定する業務のほか、委託に基づき、同条第三項各号の業務（第四十六条第六項の規定により公表された復興整備計画に記載された復興整備事業に係るものに限る。）を行うことができる。

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.

（農業振興地域の整備に関する法律の特例）

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

第七十五条 被災関連市町村は、農用地等（農業振興地域の整備に関する法律第三条に規定する農用地等をいう。）以外の用途に供することを目的として農用地区域内の土地を農用地区域から除外するために行う農用地区域の変更をしようとする場合において、当該変更に係る土地が復興整備計画に記載された第四十六条第二項第四号ロ又はハに掲げる事業の施行された区域内にあるときは、同法第十三条第二項各号に掲げる要件を満たすほか、当該土地に係る当該復興整備計画の期間が満了した土地である場合に限り、当該変更をすることができる。

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.

（津波防災地域づくりに関する法律の特例）

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

第七十六条 被災関連市町村のうち平成二十三年三月十一日に発生した東北地方太平洋



沖地震の津波による被害を受けた市町村（津波防災地域づくりに関する法律第十条第一項に規定する推進計画を作成した市町村を除く。次項において同じ。）が、復興整備計画において、同法第三条第一項に規定する基本指針に基づき、同法第十条第三項第一号及び第二号に掲げる事項に相当する事項を記載し、かつ、津波による災害を防止し、又は軽減することを目的として実施する第四十六条第二項第四号イ又はハからヘまでのいずれかに該当する事業に関する事項及び同号トに掲げる事項を記載した場合においては、当該復興整備計画が同条第六項の規定により公表されたときは、同法第二条第十一項に規定する津波防護施設管理者は、同法第十九条の規定にかかわらず、計画区域内において、当該復興整備計画に即して、津波防護施設の新設又は改良を行うことができる。

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 被災関連市町村のうち平成二十三年三月十一日に発生した東北地方太平洋沖地震の津波による被害を受けた市町村が、復興整備計画において、津波防災地域づくりに関する法律第三条第一項に規定する基本指針に基づき、同法第十条第三項第一号及び第二号に掲げる事項に相当する事項を記載し、かつ、津波による災害を防止し、又は軽減することを目的として実施する第四十六条第二項第四号イ又はハからトまでのいずれかに該当する事業に関する事項を記載した場合においては、当該復興整備計画が同条第六項の規定により公表されたときは、計画区域を同法第十条第二項に規定する推進計画区域とみなして、同法第十五条及び第五十条第一項の規定を適用する。

(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.

## 第五章 復興交付金事業計画に係る特別の措置

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

#### 第一節 復興交付金事業計画の作成等

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

第七十七条 特定地方公共団体である市町村（以下この章において「特定市町村」という。）は単独で、又は、特定市町村と当該特定市町村の存する都道府県（次節において「特定都道府県」という。）は共同して、東日本大震災により、相当数の住宅、公共施設その他の施設の滅失又は損壊等の著しい被害を受けた地域の円滑かつ迅速な復興のために実施する必要がある事業に関する計画（以下この章において「復興交付金事業計画」という。）を作成することができる。

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 復興交付金事業計画には、次に掲げる事項を記載するものとする。

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

一 復興交付金事業計画の区域

(i) The zone of the Reconstruction Grant Funded Project Plan;

二 復興交付金事業計画の目標

(ii) The objectives of the Reconstruction Grant Funded Project Plan;

三 著しい被害を受けた地域の復興のために実施する必要がある事業であつて次に掲げるものに関する事項

- (iii) The particulars concerning the following projects that are necessary to carry out reconstruction of the areas that sustained significant damage:
  - イ 土地区画整理事業
  - (a) A Land Readjustment Project;
  - ロ 集団移転促進事業
  - (b) A Project for Promoting Collective Relocation;
  - ハ 道路法第二条第一項に規定する道路の新設又は改築に関する事業
  - (c) A project concerning the new construction or reconstruction of roads prescribed in Article 2, paragraph (1) of the Road Act;
  - ニ 公営住宅法第二条第二号に規定する公営住宅の整備又は管理に関する事業
  - (d) A project concerning the development or management of public housing prescribed in Article 2, item (ii) of the Act on Public Housing;
  - ホ 土地改良事業
  - (e) A Land Improvement Project;
  - ヘ 漁港漁場整備事業
  - (f) A Project for Developing Fishery Infrastructure Development;
  - ト その他内閣府令で定める事業
  - (g) Other projects as specified by Cabinet Office Ordinance;
- 四 前号に掲げる事業と一体となってその効果を増大させるために必要な事業又は事務その他の著しい被害を受けた地域の復興のため同号に掲げる事業に関連して地域の特性に即して自主的かつ主体的に実施する事業又は事務に関する事項
- (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;
- 五 計画期間
- (v) Period for the plan
- 六 その他内閣府令で定める事項
- (vi) Other particulars as specified by Cabinet Office Ordinance.

## 第二節 復興交付金

### Section 2 Reconstruction Grants

(復興交付金の交付等)

(Provision of Reconstruction Grants, etc.)

第七十八条 特定市町村又は特定都道県は、次項の交付金を充てて復興交付金事業計画に基づく事業又は事務（以下この節において「復興交付金事業等」という。）の実施をしようとするときは、当該復興交付金事業計画を内閣総理大臣に提出しなければな

らない。

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 国は、特定市町村又は特定都道府県に対し、前項の規定により提出された復興交付金事業計画に係る復興交付金事業等の実施に要する経費に充てるため、内閣府令で定めるところにより、予算の範囲内で、交付金を交付することができる。

(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 前項の規定による交付金（以下この章において「復興交付金」という。）を充てて行う事業又は事務に要する費用については、道路法その他の法令の規定に基づく国の負担又は補助は、当該規定にかかわらず、行わないものとする。

(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 前三項に定めるもののほか、復興交付金の交付に関し必要な事項は、内閣府令で定める。

(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.

（復興交付金の交付に関する基本理念）

（Basic Principles concerning Provision of Reconstruction Grants）

第七十九条 復興交付金は、特定市町村又は特定都道府県がその地域の特性に即して自主的かつ主体的に復興交付金事業等を実施することを旨として交付されるものとする。

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 復興交付金の交付に当たっては、特定市町村又は特定都道府県がその創意工夫を発揮して復興交付金を充てて行う事業又は事務を実施することができるよう十分に配慮するものとする。

(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.

(原子力発電所事故による災害への対処)

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

第八十条 国は、東日本大震災による著しい被害からの円滑かつ迅速な復興のため必要があると認めるときは、特定市町村又は特定都道府県が講ずる措置であつて、原子力損害の賠償に関する法律（昭和三十六年法律第百四十七号）第三条第一項の規定により原子力事業者（同法第二条第三項に規定する原子力事業者をいう。次項において同じ。）が賠償する責めに任ずべき損害に係るものについても、復興交付金を交付することができる。

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 前項の規定は、国が当該原子力事業者に対して、同項の復興交付金の額に相当する額の限度において求償することを妨げるものではない。

(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.

(地方公共団体への援助等)

(Assistance to Local Governments, etc.)

第八十一条 内閣総理大臣及び関係行政機関の長は、特定市町村又は特定都道府県に対し、当該復興交付金を充てて行う事業又は事務の円滑かつ迅速な実施に関し、必要な情報の提供、助言その他の援助を行うように努めなければならない。

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 関係行政機関の長は、復興交付金を充てて行う事業又は事務の実施に関し、特定市町村又は特定都道府県から法令の規定による許可その他の処分を求められたときは、当該事業又は事務が円滑かつ迅速に実施されるよう、適切な配慮をするものとする。

(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.

(補助金等に係る予算の執行の適正化に関する法律の特例)

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

第八十二条 復興交付金に関しては、補助金等に係る予算の執行の適正化に関する法律第十四条の規定による実績報告（事業又は事務の廃止に係るものを除く。）は、復興交付金事業計画に掲げる事業又は事務ごとに行うことを要しないものとし、同法第十五条の規定による交付すべき額の確定は、復興交付金事業計画に掲げる事業又は事務に係る交付金として交付すべき額の総額を確定することをもって足りるものとする。

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.

(計画の実績に関する評価)

(Evaluation of Performance of Plans)

第八十三条 復興交付金の交付を受けた特定市町村又は特定都道府県は、内閣府令で定めるところにより、復興交付金事業計画の期間の終了の日の属する年度の翌年度において、復興交付金事業計画に掲げる目標の達成状況及び復興交付金事業等の実施状況に関する調査及び分析を行い、復興交付金事業計画の実績に関する評価を行うものとする。

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 特定市町村又は特定都道府県は、前項の評価を行ったときは、内閣府令で定めるところにより、その内容を公表するものとする。

(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.

(住宅地区改良法の特例)

(Special Provisions for the Residential Areas Improvement Act)

第八十四条 復興交付金を充てて建設された改良住宅についての住宅地区改良法第二十九条の規定の適用については、同条第一項中「第二十七条第二項の規定により国の補助を受けて」とあるのは「東日本大震災復興特別区域法（平成二十三年法律第百二十二号）第七十八条第三項に規定する復興交付金を充てて」と、同条第三項中「第十三条第三項」とあるのは「第十二条第一項中「の補助」とあるのは「の補助（東日本大震災復興特別区域法（平成二十三年法律第百二十二号）第七十八条第三項に規定する復興交付金（以下この項において単に「復興交付金」という。）を含む。）」と、「から補助」とあるのは「から補助（復興交付金を含む。）」と、旧公営住宅法第十三条第三項」とする。

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.

## 第六章 雑則

### Chapter VI Miscellaneous Provisions

(監視区域の指定)

(Designation of Areas under Surveillance)

第八十五条 都道府県知事又は指定都市の長は、復興特別区域のうち、地価が急激に上昇し、又は上昇するおそれがあり、これによって適正かつ合理的な土地利用の確保が困難となるおそれがあると認められる区域を国土利用計画法第二十七条の六第一項の規定により監視区域として指定するよう努めるものとする。

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.

(独立行政法人住宅金融支援機構の資金の貸付け等についての配慮)

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

第八十六条 独立行政法人住宅金融支援機構は、法令及びその事業計画の範囲内において、復興特別区域のうち東日本大震災により相当数の住宅が滅失した区域における住宅の建設、購入又は補修が円滑に行われるよう、必要な資金の貸付け、既往の貸付けの条件の変更その他の措置について配慮するものとする。

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.

(主務省令)

(Ordinances of the Competent Ministries)

第八十七条 この法律における主務省令は、当該規制について規定する法律及び法律に基づく命令（人事院規則、公正取引委員会規則、国家公安委員会規則、公害等調整委員会規則、公安審査委員会規則、中央労働委員会規則、運輸安全委員会規則及び原子力規制委員会規則を除く。）を所管する内閣府又は各省の内閣府令（告示を含む。）又は省令（告示を含む。）とする。ただし、人事院、公正取引委員会、国家公安委員会、公害等調整委員会、公安審査委員会、中央労働委員会、運輸安全委員会又は原子力規制委員会の所管に係る規制については、それぞれ人事院規則、公正取引委員会規則、国家公安委員会規則、公害等調整委員会規則、公安審査委員会規則、中央労働委員会規則、運輸安全委員会規則又は原子力規制委員会規則とする。

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.

(権限の委任)

(Delegation of Authority)

第八十八条 この法律に規定する厚生労働大臣、農林水産大臣、国土交通大臣又は環境大臣の権限は、政令で定めるところにより、地方支分部局の長に委任することができる。

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.

(命令への委任)

(Delegation to Orders)

第八十九条 この法律に定めるもののほか、この法律の実施に関し必要な事項は、命令で定める。

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

(経過措置)

(Transitional Measures)

第九十条 この法律の規定に基づき命令又は条例を制定し、又は改廃する場合においては、それぞれ命令又は条例で、その制定又は改廃に伴い合理的に必要と判断される範囲内において、所要の経過措置（罰則に関する経過措置を含む。）を定めることができる。

Article 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.

## 第七章 罰則

### Chapter VII Penal Provisions

第九十一条 次の各号のいずれかに該当する者は、五十万円以下の罰金に処する。

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:

一 第六十五条第五項（第六十七条第二項において準用する場合を含む。）の規定に違反して、第六十五条第一項又は第六十七条第一項の規定による土地の立入りを拒み、又は妨げた者

(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));

二 第六十六条第一項に規定する場合において、被災関連市町村長の許可を受けずに障害物を伐除した者又は被災関連都道府県知事の許可を受けずに土地に試掘等を行った者

(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;

三 第六十七条第一項に規定する場合において、被災関連市町村長の許可を受けずに、土地に立ち入り、又は立ち入らせた者

(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;

四 第六十八条第一項に規定する場合において、被災関連市町村長の許可を受けずに障害物を伐除した者又は被災関連都道府県知事の許可を受けずに土地に試掘等を行った者

(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.

第九十二条 第六十四条第四項又は第五項の規定に違反して、届出をしないで、又は虚偽の届出をして、同条第四項本文又は第五項に規定する行為をした者は、三十万円以

下の罰金に処する。

**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.

第九十三条 法人の代表者又は法人若しくは人の代理人、使用人その他の従業者が、その法人又は人の業務に関し、前二条の違反行為をしたときは、行為者を罰するほか、その法人又は人に対して各本条の刑を科する。

**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.

#### 附 則 [抄]

#### Supplementary Provisions [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して二月を超えない範囲内において政令で定める日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

**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:

一 附則第六条、第八条、第九条及び第十三条の規定 公布の日

(i) The provisions of Article 6, Article 8, Article 9, and Article 13 of the Supplementary Provisions: The date of promulgation;

二 第四十六条第二項第四号ト及び第七十六条の規定 津波防災地域づくりに関する法律の施行の日又はこの法律の施行の日のいずれか遅い日

(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;

三 附則第十条の規定 国家公務員法等の一部を改正する法律等の施行に伴う関係法律の整備等に関する法律（平成二十三年法律第 号）の公布の日又はこの法律の公布の日のいずれか遅い日

(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.

(検討)

(Review)

第二条 政府は、この法律の施行後五年以内に、この法律の施行の状況について検討を加え、その結果に基づいて必要な措置を講ずるものとする。

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.

(訓令又は通達に関する措置)

(Measures concerning Official Directives or Circular Notices)

第三条 関係行政機関の長が発する訓令又は通達のうち復興推進計画の区域に関するものについては、当該区域における復興の円滑かつ迅速な推進の必要性に鑑み、この法律の規定に準じて、必要な措置を講ずるものとする。

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.

(政令への委任)

(Delegation to Cabinet Order)

第十三条 この附則に定めるもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

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.

附 則 〔平成二十三年五月二日法律第三十七号〕 〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

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:

二 第六条、第十一条、第十三条、第十五条、第十六条、第十八条から第二十条まで、第二十六条、第二十九条、第三十二条、第三十三条（道路法第三十条及び第四十五条の改正規定に限る。）、第三十五条及び第三十六条の規定並びに附則第四条、第五条、第六条第二項、第七条、第十二条、第十四条、第十五条、第十七条、第十八条、第二十八条、第三十条から第三十二条まで、第三十四条、第三十五条、第三十六条第二項、第三十七条、第三十八条（構造改革特別区域法（平成十四年法律第百八十九号）第三十条第一項及び第二項の改正規定に限る。）、第三十九条、第四十条、第四十五条の二及び第四十六条の規定 平成二十四年四月一日

(ii) 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.

附 則 〔平成二十三年八月十日法律第九十三号〕 〔抄〕

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

**[Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から施行する。ただし、次の各号に掲げる規定は、それぞれ当該各号に定める日から施行する。

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:

五 第四条中確定拠出年金法目次の改正規定（「第七十三条」を「第七十三条・第七十三条の二」に改める部分に限る。）、同法第三条第一項の改正規定、同法第三項第六号の改正規定、同号の次に一号を加える改正規定、同法第四条第一項第二号の次に一号を加える改正規定、同法第九条第一項、第十一条第六号、第十五条第一項、第五十四条第二項、第五十四条の二第二項及び第五十五条第二項第六号の改正規定、同法第三章第五節中第七十三条の次に一条を加える改正規定並びに同法附則第三条第一項の改正規定並びに附則第四条、第五条及び第十条の規定 公布の日から起算して二年六月を超えない範囲内において政令で定める日

(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.

附 則 〔平成二十三年八月三十日法律第百五号〕 〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

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:

二 第二条、第七条、第十条（構造改革特別区域法第十八条の改正規定に限る。）、第十四条（地方自治法第二百五十二条の十九、第二百六十条並びに別表第一騒音規制法（昭和四十三年法律第九十八号）の項、都市計画法（昭和四十三年法律第百号）の項、都市再開発法（昭和四十四年法律第三十八号）の項、環境基本法（平成五年法律第九十一号）の項及び密集市街地における防災街区の整備の促進に関する法律（平成九年法律第四十九号）の項並びに別表第二都市再開発法（昭和四十四年法律第三十八号）の項、公有地の拡大の推進に関する法律（昭和四十七年法律第六十六号）の項、大都市地域における住宅及び住宅地の供給の促進に関する特別措置法（昭和五十年法律第六十七号）の項、密集市街地における防災街区の整備の促進に関する法律（平成九年法律第四十九号）の項及びマンションの建替えの円滑化等に関する法律（平成十四年法律第七十八号）の項の改正規定に限る。）、第十七条から第十九条まで、第二十二條（児童福祉法第二十一条の五の六、第二十一条の五の十五、第二十一条の五の二十三、第二十四条の九、第二十四条の十七、第二十四条の二十八及び第二十四条の三十六の改正規定に限る。）、第二十三条から第二十七条まで、第二十九条から第三十三条まで、第三十四条（社会福祉法第六十二条、第六十五条及び第七十一条の改正規定に限る。）、第三十五条、第三十七条、第三十八条（水道法第四十六条、第四十八条の二、第五十条及び第五十条の二の改正規

定を除く。）、第三十九条、第四十三条（職業能力開発促進法第十九条、第二十三条、第二十八条及び第三十条の二の改正規定に限る。）、第五十一条（感染症の予防及び感染症の患者に対する医療に関する法律第六十四条の改正規定に限る。）、第五十四条（障害者自立支援法第八十八条及び第八十九条の改正規定を除く。）、第六十五条（農地法第三条第一項第九号、第四条、第五条及び第五十七条の改正規定を除く。）、第八十七条から第九十二条まで、第九十九条（道路法第二十四条の三及び第四十八条の三の改正規定に限る。）、第一百一条（土地区画整理法第七十六条の改正規定に限る。）、第一百二条（道路整備特別措置法第十八条から第二十一条まで、第二十七条、第四十九条及び第五十条の改正規定に限る。）、第一百三、第一百五（駐車場法第四条の改正規定を除く。）、第一百七、第一百八、第一百五（首都圏近郊緑地保全法第十五条及び第十七条の改正規定に限る。）、第一百十六（流通業務市街地の整備に関する法律第三条の二の改正規定を除く。）、第一百十八（近畿圏の保全区域の整備に関する法律第十六条及び第十八条の改正規定に限る。）、第一百二十（都市計画法第六条の二、第七条の二、第八条、第十条の二から第十二条の二まで、第十二条の四、第十二条の五、第十二条の十、第十四条、第二十条、第二十三条、第三十三条及び第五十八条の二の改正規定を除く。）、第一百二十一（都市再開発法第七条の四から第七条の七まで、第六十条から第六十二条まで、第六十六条、第九十八条、第九十九条の八、第三百九条の三、第四百一条の二及び第四百二条の改正規定に限る。）、第一百二十五（公有地の拡大の推進に関する法律第九条の改正規定を除く。）、第一百二十八（都市緑地法第二十条及び第三十九条の改正規定を除く。）、第一百三十一（大都市地域における住宅及び住宅地の供給の促進に関する特別措置法第七条、第二十六条、第六十四条、第六十七条、第一百四及及び第一百九条の二の改正規定に限る。）、第一百四十二（地方拠点都市地域の整備及び産業業務施設の再配置の促進に関する法律第十八条及び第二十一条から第二十三条までの改正規定に限る。）、第一百四十五、第一百四十六（被災市街地復興特別措置法第五条及び第七条第三項の改正規定を除く。）、第一百四十九（密集市街地における防災街区の整備の促進に関する法律第二十条、第二十一条、第一百九十一、第一百九十二、第一百九十七、第二百三十三、第二百四十一、第二百八十三、第三百十一及及び第三百十八の改正規定に限る。）、第一百五十五（都市再生特別措置法第五十一条第四項の改正規定に限る。）、第一百五十六（マンションの建替えの円滑化等に関する法律第一百二条の改正規定を除く。）、第一百五十七、第一百五十八（景観法第五十七条の改正規定に限る。）、第一百六十（地域における多様な需要に応じた公的賃貸住宅等の整備等に関する特別措置法第六条第五項の改正規定（「第二項第二号イ」を「第二項第一号イ」に改める部分を除く。）並びに同法第十一条及び第十三条の改正規定に限る。）、第一百六十二（高齢者、障害者等の移動等の円滑化の促進に関する法律第十条、第十二条、第十三条、第三十六条第二項及び第五十六条の改正規定に限る。）、第一百六十五（地域における歴史的風致の維持及び向上に関する法律第二十四条及び第二十九条の改正規定に限る。）、第一百六十九、第一百七十一（廃棄物の処理及び清掃に関する法律第二十一条の改正規定に限る。）、第一百七十四、第一百七十八、第一百八十二（環境基本法第十六条及び第四十条の二の改正規定に限る。）及び第百

八十七条（鳥獣の保護及び狩猟の適正化に関する法律第十五条の改正規定、同法第二十八条第九項の改正規定（「第四条第三項」を「第四条第四項」に改める部分を除く。）、同法第二十九条第四項の改正規定（「第四条第三項」を「第四条第四項」に改める部分を除く。）並びに同法第三十四条及び第三十五条の改正規定に限る。）の規定並びに附則第十三条、第十五条から第二十四条まで、第二十五条第一項、第二十六条、第二十七条第一項から第三項まで、第三十条から第三十二条まで、第三十八条、第四十四条、第四十六条第一項及び第四項、第四十七条から第四十九条まで、第五十一条から第五十三条まで、第五十五条、第五十八条、第五十九条、第六十一条から第六十九条まで、第七十一条、第七十二条第一項から第三項まで、第七十四条から第七十六条まで、第七十八条、第八十条第一項及び第三項、第八十三条、第八十七条（地方税法第五百八十七条の二及び附則第十一条の改正規定を除く。）、第八十九条、第九十条、第九十二条（高速自動車国道法第二十五条の改正規定に限る。）、第九十六条、第百一条、第百二条、第百五条から第百七条まで、第百十二条、第百十七条（地域における多様な主体の連携による生物の多様性の保全のための活動の促進等に関する法律（平成二十二年法律第七十二号）第四条第八項の改正規定に限る。）、第百十九条、第百二十一条の二並びに第百二十三条第二項の規定 平成二十四年四月一日

- (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.

附 則 〔平成二十三年十二月十六日法律第百二十五号〕 〔抄〕  
**Supplementary Provisions [Act No. 125 of December 16, 2011 Extract]**  
**[Extract]**

(施行期日)

(Effective Date)

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

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

附 則 〔平成二十四年六月二十七日法律第四十七号〕 〔抄〕  
**Supplementary Provisions [Act No. 47 of June 27, 2012 Extract] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して三月を超えない範囲内において政令で定める日から施行する。

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

附 則 〔平成二十四年九月五日法律第七十三号〕 〔抄〕  
**Supplementary Provisions [Act No. 73 of September 5, 2012 Extract]**  
**[Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から施行する。

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

別表（第二条関係）

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

項 Item	事業 Project	関係条項 Related Articles
一 (i)	特定区画漁業権免許事業 Project for Licensing Specific Demarcated Fishery Right	第十四条 Article 14
二 (ii)	復興建築物整備事業 Project for Developing Buildings for Reconstruction	第十五条 Article 15

三 (iii)	特別用途地区復興建築物整備事業 Project for Developing Buildings for Reconstruction in Special Use Districts	第十六条 Article 16
四 (iv)	応急仮設建築物活用事業 Project for Utilizing Emergency Temporary Buildings	第十七条 Article 17
五 (v)	被災区域道路運送確保事業 Project for Securing Road Transportation in Disaster- stricken Zones	第十八条 Article 18
六 (vi)	罹災者公営住宅等供給事業 Project for Providing Public Housing to Disaster Victims	第十九条から第二十一条まで Articles 19 to 21
七 (vii)	復興推進公営住宅等管理等事業 Project for Managing Public Housing, etc. for Promoting Reconstruction	第二十二条 Article 22
八 (viii)	食料供給等施設整備事業 Project for Developing Facilities for the Supply of Food, etc.	第二十三条から第二十七条まで Articles 23 to 27
九 (ix)	復興産業集積事業 Industrial Clusters Project for Reconstruction	第二十八条 Article 28
十 (x)	特定水力発電事業 Specified Hydroelectric Project	第二十九条から第三十二条まで Articles 29 to 32
十一 (xi)	被災鉄道移設事業 Project for Relocating Disaster- stricken Railways	第三十三条 Article 33
十二 (xii)	地域振興事業 Project for Regional Development	第三十四条 Article 34
十三 (xiii)	政令等規制事業 Project Pertaining to Regulations Prescribed by Cabinet Order, etc.	第三十五条 Article 35
十四 (xiv)	地方公共団体事務政令等規制事業 Project Pertaining to Regulations Prescribed by Cabinet Order, etc. Concerning Affairs of the Local Government	第三十六条 Article 36