

Cropland Act

(Act No. 249 of July 15, 1952)

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Chapter I General Provisions

(Purpose)

Article 1 Given that cropland is the basis for domestic agricultural production and provides resources that are finite in nature for Japanese citizens both at present and for the future, and is a precious resource for local regions, the purpose of this Act is, in light of the important role that has been played by ownership of cropland by cultivators themselves, to stabilize the status of cultivators and boost domestic agricultural production by regulating the conversion of cropland into non-cropland, promote the acquisition of rights to cropland by cultivators who make efficient use of cropland while taking into consideration harmony with local areas, regulate relations over the use of cropland, and take measures to secure the agricultural use of cropland.

(Definitions)

Article 2 (1) The term "cropland" as used in this Act means land used for cultivation, and the term "meadow/pastureland" as used in this Act means non-cropland used primarily for collecting grass used in cultivation-related business, and non-cropland used for livestock grazing in livestock farming-related business.

(2) The term "household members or their equivalent" as used in this Act means a relative who shares their residence and livelihood with the farmer in question (including a relative who does not share the same residence or livelihood temporarily due to any of the grounds set forth in the following items) or a relative within the second degree of kinship who is engaged in the cultivation or livestock farming-related business run by the farmer in question:

- (i) medical treatment of, or recuperation from, illness or injury;
 - (ii) enrollment in school;
 - (iii) assumption of elective public office;
 - (iv) any other grounds specified by Order of the Ministry of Agriculture, Forestry and Fisheries.
- (3) The term "corporation qualified to own cropland" as used in this Act means an agricultural producers' cooperative corporation, stock company (that is not a public company provided for in Article 2, item (v) of the Companies Act (Act No. 86 of 2005); the same applies hereinafter) or membership company (as provided for in Article 575, paragraph (1) of the same Act; the same applies hereinafter) that satisfies all of the following requirements:
- (i) that the main business of the corporation is agriculture (including any business that both pertains to the agriculture business it operates and involves manufacturing or processing that uses agricultural/livestock products as raw materials or ingredients; any other business specified by Order of the Ministry of Agriculture, Forestry and Fisheries; any forestry business that is operated in conjunction with agriculture; or, in the case of an agricultural producers' cooperative corporations, any business provided for in Article 72-10, paragraph (1), item (i) of the Agricultural Cooperatives Act (Act No. 132 of 1947); hereinafter the same applies in this paragraph);
 - (ii) that the corporation is, in the case of a stock company, an entity in which the total of the voting rights held by shareholders who fall under any of the following categories of person account for a majority of the total of the voting rights held by all the shareholders, or, in the case of a membership company, an entity in which members who fall under any of the following categories account for a majority of all the members:
 - (a) individuals who have transferred to the corporation the ownership or granted the right of usufruct (a superficies, farming right, a right for use by loan, or a right of lease; the same applies hereinafter) of cropland or meadow/pastureland (excluding individuals other than those who had transferred those rights to the corporation before becoming its shareholders or members, became the shareholders or members within a certain period of time as specified by Order of the Ministry of Agriculture, Forestry and Fisheries, and continue to be the shareholders or members), or their general successors (other than those specified by Order of the Ministry of Agriculture, Forestry and Fisheries);
 - (b) individuals who allow the corporation to use and derive profit from cropland or meadow/pastureland through the granting of a usufruct;
 - (c) individuals who have filed an application for permission referred to in Article 3, paragraph (1) for the transfer of the ownership or granting the right of a usufruct of cropland or meadow/pastureland to the corporation or

- established a usufruct of the cropland or meadow/pastureland for the corporation in order to allow that corporation to use and derive profit from the cropland or meadow/pastureland (including individuals who have been granted the permission and are found certain to, in the near future, transfer the ownership or usufruct of the cropland or meadow/pastureland for which the permission has been granted to the corporation or establish a usufruct for the corporation);
- (d) individuals who have established the right for use by loan or the right of lease of cropland or meadow/pastureland for the organization to facilitate the use and integration of cropland (as provided for in Article 11-14 of the Act on Reinforcement of the Agricultural Management Framework (Act No. 65 of 1980); the same applies hereinafter) or a cropland intermediary management institution (as provided for in Article 2, paragraph (4) of the Act on Promotion of the Cropland Intermediary Management Program (Act No. 101 of 2013); the same applies hereinafter) that allows the corporation to use and derive profit from that cropland or meadow/pastureland based on a right for use by loan or a right of lease;
 - (e) persons who are regularly engaged in agriculture business conducted by the corporation (including those who temporarily cannot engage in the agriculture business conducted by the corporation on a regular basis for any of the grounds set forth in the items of the preceding paragraph, but are confirmed by the agricultural commission to resume their regular engagement once the relevant reason ceases to exist or found certain to be regularly engaged in the agriculture business conducted by the corporation within a certain period of time specified by Order of the Ministry of Agriculture, Forestry and Fisheries; hereinafter referred to as a "person who regularly engages in agricultural business");
 - (f) individuals who are contracting out farmwork (as specified by Order of the Ministry of Agriculture, Forestry and Fisheries) to the corporation;
 - (g) the cropland intermediary management institution that has made a contribution in kind pertaining to the programs set forth in Article 7, item (iii) of the Act on Reinforcement of the Agricultural Management Framework to the corporation;
 - (h) local governments, agricultural cooperatives, or federations of agricultural cooperatives;
- (iii) that the corporation's members (which refer to partners for an agricultural producers' cooperative corporation, shareholders for a stock company, and members for a membership company; the same applies hereinafter) who is a person who regularly engages in agricultural business, account for a majority of the directors, etc. (meaning directors for an agricultural producers' cooperative corporation and a stock company, and members who conduct

- business for a membership company; the same applies in the following item);
- (iv) that one or more of the Directors, etc., or employees specified by Order of the Ministry of Agriculture, Forestry and Fisheries, of the corporation (both of which are limited to a person who regularly engages in agricultural business) are found to be engaged in the farmwork necessary for agriculture business conducted by the corporation for at least the number of days per year specified by Order of the Ministry of Agriculture, Forestry and Fisheries.
- (4) That the criteria for determining whether the person in question is a person who regularly engages in agricultural business as in item (ii), (e) of the preceding paragraph are be specified by Order of the Ministry of Agriculture, Forestry and Fisheries.

(Responsibility of Persons Entitled to Cropland)

Article 2-2 Persons who have ownership of or the right of lease of cropland, or any other right to use and derive profit from cropland must ensure that cropland is used in an agriculturally-appropriate and efficient manner.

Chapter II Restrictions on the Transfer of Rights and Land Conversion

(Restrictions on the Transfer of Rights to Cropland or Meadow/Pastureland)

Article 3 (1) When a party transfers ownership of cropland or meadow/pastureland, establishes a superficies, farming right, pledge, a right for use by loan, a right of lease or any other right to use and derive profit from cropland or meadow/pastureland, or transfer the right, that party must obtain permission from the agricultural commission pursuant to the provisions of Cabinet Order; provided, however, that this does not apply in the case of any of the following items and in the cases provided for in the main clause of Article 5, paragraph (1):

- (i) a case where the ownership is transferred pursuant to the provisions of Article 46, paragraph (1) or Article 47;
- (ii) deleted;
- (iii) a case where the cropland intermediary management right (as provided for in Article 2, paragraph (5) of the Act on Promotion of the Cropland Intermediary Management Program; the same applies hereinafter) is established pursuant to the provisions of Articles 37 to 40;
- (iv) a case where, pursuant to the provisions of Article 43, the right of use provided for in paragraph (1) of the same Article is established;
- (v) a case where the national or prefectural government acquires those rights;
- (vi) a case where those rights are established or transferred by way of land exchange and consolidation under the Land Improvement Act (Act No. 195 of 1949), the Act on Establishment of Agricultural Promotion Regions (Act No.

- 58 of 1969), the Community Areas Development Act (Act No. 63 of 1987), or the Act on Promotion of Development of Community Farms (Act No. 44 of 1990);
- (vii) a case where, as prescribed in the plan for use and integration of agricultural land on which a public notice under Article 19 of the Act on Reinforcement of the Agricultural Management Framework has been issued, the right provided for in Article 4, paragraph (4), item (i) of the same Act is established or transferred;
 - (vii)-2 a case where, as prescribed in the plan for distribution and integration of agricultural land on which a public notice under Article 18, paragraph (5) of the Act on Promotion of the Cropland Intermediary Management Program has been issued, the right of lease or the right for use by loan is established or transferred;
 - (viii) a case where, as prescribed in the promotion plan for the transfer of ownership, etc. on which a public notice under Article 9, paragraph (1) of the Act on the Promotion of the Improvement of Basic Conditions of Agriculture, Forestry and Other Business in Hilly and Mountainous Areas (Act No. 72 of 1993) has been issued, the right provided for in Article 2, paragraph (3), item (iii) of the same Act is established or transferred;
 - (ix) a case where, as prescribed in the promotion plan for the transfer of ownership, etc. on which a public notice under Article 8, paragraph (1) of the Act on Promotion of Settlement and Interregional Exchange for Vitalizing Rural Areas (Act No. 48 of 2007) has been issued, the right referred to in Article 5, paragraph (8) of the same Act is established or transferred;
 - (ix)-2 a case where, as prescribed in the promotion plan for the transfer of ownership, etc. for which a public notice under Article 17 of the Act on the Promotion of Renewable Energy Electric Power Generation Harmonized with Sound Development of Agriculture, Forestry and Fisheries (Act No. 81 of 2013) has been issued, the right referred to in Article 5, paragraph (4) of the same Act is established or transferred;
 - (x) a case where those rights are established or transferred by way of agricultural conciliation under the Civil Conciliation Act (Act No. 222 of 1951);
 - (xi) a case where cropland or meadow/pastureland or a right related thereto is expropriated or used under the Act on Condemnation of Land (Act No. 219 of 1951) or other laws;
 - (xii) a case where those rights are established or transferred by way of division of estate, a judicial decision or conciliation regarding the distribution of property under Article 768, paragraph (2) of the Civil Code (Act No. 89 of 1896) (including as applied mutatis mutandis pursuant to Articles 749 and Article 771 of the same Act), or a judicial decision regarding the distribution

- of inherited property under Article 958-3 of the same Act;
- (xiii) a case where an organization to facilitate the use and integration of cropland or a cropland intermediary management institution acquires those rights under a program of cropland purchase, sale, etc. (as set forth in Article 4, paragraph (3), item (i), (b) of the Act on Reinforcement of the Agricultural Management Framework; the same applies hereinafter) or the program set forth in Article 7, item (i) of the same Act, with prior notice to the agricultural commission pursuant to the provisions of Order of the Ministry of Agriculture, Forestry and Fisheries;
 - (xiv) a case where an agricultural cooperative or a cropland intermediary management institution that conducts the business of accepting trusts referred to in Article 10, paragraph (3) of the Agricultural Cooperatives Act or the business set forth in Article 7, item (ii) of the Act on Reinforcement of the Agricultural Management Framework (hereinafter collectively referred to as "trust business") acquires the ownership by accepting a trust through the trust business and a case where, on the completion of the trust, the settlor thereof or their general successor acquires the ownership;
 - (xiv)-2 a case where a cropland intermediary management institution acquires the cropland intermediary management right under the cropland intermediary management program (as provided for in Article 2, paragraph (3) of the Act on Promotion of the Cropland Intermediary Management Program; the same applies hereinafter), with prior notice to the agricultural commission pursuant to the provisions of Order of the Ministry of Agriculture, Forestry and Fisheries;
 - (xiv)-3 a case where, on the completion of a cropland lease trust accepted by a cropland intermediary management institution (as provided for in Article 2, paragraph (5), item (ii) of the Act on Promotion of the Cropland Intermediary Management Program), the settlor thereof or their general successor acquires the ownership;
 - (xv) a case where a designated city as referred to in Article 252-19, paragraph (1) of the Local Autonomy Act (Act No. 67 of 1947) (hereinafter simply referred to as a "designated city"), pursuant to the provisions of Article 19 of the Act on Special Measures concerning Preservation of Traditional Scenic Beauty in Ancient Capitals (Act No. 1 of 1966), acquires the ownership by way of purchase under Article 11, paragraph (1) of the same Act;
 - (xvi) any other case specified by Order of the Ministry of Agriculture, Forestry and Fisheries.
- (2) Permission referred to in the preceding paragraph may not be granted if any of the following items applies; provided, however, that this does not apply when superficies referred to in Article 269-2, paragraph (1) of the Civil Code or any other right whose content is the same therewith is established or

transferred; when an agricultural cooperative or a federation of agricultural cooperatives that conducts the business provided for in Article 10, paragraph (2) of the Agricultural Cooperatives Act comes to acquire the right set forth in item (i) at the request of the owner of cropland or meadow/pastureland under the same paragraph; when an agricultural cooperative or a federation of agricultural cooperatives acquires a right for use by loan or a right of lease in the case set forth in Article 11-50, paragraph (1), item (i) of the same Act; and when there are reasonable grounds specified by Cabinet Order in the cases set forth in item (i), item (ii), item (iv), and item (v):

- (i) a case where the person who intends to acquire the ownership, the superficies, the farming right, the pledge, the right for use by loan, the right of lease or any other right to use and derive profit from the cropland and meadow/pastureland or their household members or their equivalent is not found to conduct, after acquiring those rights, cultivation or livestock farming-related business with the effective use of all the cropland and meadow/pastureland that is to be used for that cultivation or livestock farming-related business, in light of factors such as whether the machinery that person owned is adequate for the cultivation or livestock farming-related business and how many people are engaged in the farmwork;
- (ii) a case where a corporation other than a corporation qualified to own cropland intends to acquire the right set forth in the preceding item;
- (iii) a case where the right set forth in item (i) is acquired by way of acceptance of a trust;
- (iv) a case where the person who intends to acquire the right set forth in item (i) (other than a corporation qualified to own cropland) or their household members or their equivalent is not found to be regularly engaged in the farmwork necessary for the cultivation or livestock farming-related business following the acquisition thereof;
- (v) a case where the person who intends to acquire the right set forth in item (i) or their household members or their equivalent will have the total area of cropland to be used for cultivation business following the acquisition thereof or the total area of meadow/pastureland to be used for cultivation or livestock farming-related business following the acquisition thereof that is less than two hectares for Hokkaido or 50 ares for the other prefectures (or less than the area which the agricultural commission separately defines within that range of area for all or part of the area of the municipality in accordance with the standards specified by Order of the Ministry of Agriculture, Forestry and Fisheries and of which the commission issues a public notice pursuant to the provisions of Order of the Ministry of Agriculture, Forestry and Fisheries);
- (vi) a case where the person who conducts cultivation or livestock farming-

related business on cropland or meadow/pastureland under a title other than as the owner intends to lease or pledge the land (excluding a case where a temporary lease is intended because cultivation, collecting grass or livestock grazing on the land is impossible due to the death of the person who conducts that business or their household members or their equivalent or for any of the grounds set forth in the items of Article 2, paragraph (2); a case where the person who conducts that business intends to lease the land to their household members or their equivalent; a case where an organization to facilitate the use and integration of cropland intends to lease the land under a program of cropland purchase, sale, etc.; a case where the lease of the land is intended for paddy intercropping (the practice of planting a crop other than rice in paddy fields during a period other than the period during which rice is usually planted in paddy fields; the same applies hereinafter); and a case where a member of a corporation qualified to own cropland who is a person who regularly engages in agricultural business intends to lease the land to the corporation);

(vii) a case where the cultivation or livestock farming-related business to be conducted by the person who intends to acquire the right set forth in item (i) or their household members or their equivalent following the acquisition thereof is found to pose the risk of creating an hindrance to ensuring cropland amalgamation, farmwork efficiency or otherwise agriculturally efficient and integrated use of cropland or meadow/pastureland in the surrounding areas in light of the content the business or the location and scale of the cropland or meadow/pastureland for the business.

(3) The agricultural commission may grant permission under paragraph (1) when a right for use by loan or a right of lease is established for cropland or meadow/pastureland and if all of the requirements set forth in the following items are met, notwithstanding the provisions of the preceding paragraph (limited to the parts pertaining to items (ii) and (iv)):

(i) that the written contract includes a condition to the effect that a right for use by loan or a right of lease is canceled if it is found that the person who intends to acquire those rights does not use the cropland or meadow/pastureland appropriately following the acquisition thereof;

(ii) that the person who intends to acquire those rights is expected to engage in agricultural management in a continued and stable manner based on an appropriate division of roles with other farmers in local agriculture;

(iii) that if the person who intends to acquire those rights is a corporation, one or more of the officers or employees specified by Order of the Ministry of Agriculture, Forestry and Fisheries who execute the business of the corporation (referred to as "executive officers, etc." in paragraph (1), item (iii) of the following Article) are found to be regularly engaged in the cultivation

- or livestock farming-related business conducted by the corporation.
- (4) The agricultural commission is to, when it intends to grant permission under paragraph (1) pursuant to the provisions of the preceding paragraph, notify the mayor of the municipality to that effect in advance. In this case, the mayor of the municipality who received the notice may state their opinion when they find it necessary to do so with a view to ensuring agriculturally appropriate and integrated use of cropland or meadow/pastureland in the area of the municipality.
 - (5) Permission referred to in paragraph (1) may be granted with conditions attached.
 - (6) The agricultural commission is to, when it grants permission under paragraph (1) pursuant to the provisions of paragraph (3), attach a condition to the effect that the person for whom a right for use by loan or a right of lease has been established for cropland or meadow/pastureland with the permission must report to the agricultural commission every year on how the cropland or meadow/pastureland is being used, pursuant to the provisions of Order of the Ministry of Agriculture, Forestry and Fisheries.
 - (7) Any act without permission referred to in paragraph (1) is invalid.

(Revocation of Permission of the Transfer of Rights to Cropland or Meadow/Pastureland)

- Article 3-2 (1) The agricultural commission may recommend the person for whom a right for use by loan or a right of lease has been established for cropland or meadow/pastureland (limited to a person who has, subject to the provisions of paragraph (3) of the preceding Article, obtained permission under paragraph (1) of the same Article; the same applies in item (i) of the following paragraph) to take necessary measures by a defined reasonable time limit, if any of the following items applies:
- (i) a case where the cultivation or livestock farming-related business that the person conducts in the cropland or meadow/pastureland is posing a hindrance to enduring the agriculturally efficient and integrated use of cropland or meadow/pastureland in the surrounding areas;
 - (ii) a case where it is found that the person is not engaging in agricultural management in a continued and stable manner based on an appropriate division of roles with other farmers in local agriculture;
 - (iii) a case where if the person is a corporation, a case where none of the executive officers, etc. of the corporation are found to be regularly engaged in cultivation or livestock farming-related business conducted by the corporation.
- (2) The agricultural commission must revoke the permission it has granted under paragraph (1) of the preceding Article that has been granted pursuant to the

provisions of paragraph (3) of the same Article, if any of the following items applies:

- (i) a case where even though it is found that the person for whom a right for use by loan or a right of lease has been established for cropland or meadow/pastureland does not use the cropland or meadow/pastureland appropriately, the person who has established the right for use by loan or the right of lease does not cancel the right for use by loan or the right of lease;
 - (ii) a case where the person who has received a recommendation under the preceding paragraph fails to follow the recommendation.
- (3) When the right for use by loan or the right of lease is canceled subject to the condition provided for in paragraph (3), item (i) of the preceding Article or when the permission under the preceding paragraph is revoked and if it is found that the cropland or meadow/pastureland might not be used appropriately and efficiently, the agricultural commission is to arrange the transfer of the ownership of that cropland or meadow/pastureland or the establishment of the right to use and derive profit from that property or take other necessary measures for the owner of the property.

(Notification of Acquisition of Rights to Cropland or Meadow/Pastureland)

Article 3-3 A person who has acquired rights to set forth in the main clause of Article 3, paragraph (1) for cropland or meadow/pastureland must notify the agricultural commission of the municipality where the cropland or meadow/pastureland is located to that effect without delay pursuant to the provisions of Order of the Ministry of Agriculture, Forestry and Fisheries, except when they have acquired those rights with permission referred to in the same paragraph, when any of the items of the same paragraph (excluding items (xii) and (xvi)) applies, and when otherwise specified by Order of the Ministry of Agriculture, Forestry and Fisheries.

(Restrictions on Cropland Conversion)

Article 4 (1) A person who converts cropland to non-cropland must obtain permission from the prefectural governor (or when that land is located in the area of the municipality that has been designated by the Minister of Agriculture, Forestry and Fisheries in consideration of the status of implementation of the measures designed to ensure the agriculturally-efficient and integrated use of cropland or meadow/pastureland (hereinafter referred to as a "designated municipality"), the mayor of that designated municipality; hereinafter referred to as "head of the prefecture, etc."); provided, however, that this does not apply to a case that falls under any of the following items:

- (i) a case where the cropland for which permission has been granted under paragraph (1) of the following Article is used for the purpose for which that

- permission has been granted;
- (ii) a case where the State or a prefecture, etc. (meaning a prefecture or a designated municipality; the same applies hereinafter) converts cropland to non-cropland for roads, agricultural irrigation and drainage facilities, and other facilities found highly necessary in terms of regional development or agricultural promotion that are to serve any purpose specified by Order of the Ministry of Agriculture, Forestry and Fisheries;
 - (iii) a case where the cropland that involves the right referred to in Article 4, paragraph (4), item (i) of the Act on Reinforcement of the Agricultural Management Framework that has been established or transferred as prescribed in the plan for use and integration of agricultural land on which a public notice under Article 19 of the same Act has been issued is used to serve the purposes defined in the plan for use and integration of agricultural land;
 - (iv) a case where the cropland that involves the right referred to in Article 2, paragraph (3), item (iii) of the Act on the Promotion of the Improvement of Basic Conditions of Agriculture, Forestry and Other Business in Hilly and Mountainous Areas that has been established or transferred as prescribed in the promotion plan for the transfer of ownership, etc. on which a public notice under Article 9, paragraph (1) of the same Act has been issued is used to serve the purposes defined in the promotion plan for the transfer of ownership, etc.;
 - (v) a case where the cropland that involves the right referred to in Article 5, paragraph (8) of the Act on Promotion of Settlement and Interregional Exchange for Vitalizing Rural Areas that has been established or transferred as prescribed in the promotion plan for the transfer of ownership, etc. on which a public notice under Article 8, paragraph (1) of the same Act has been issued is used to serve the purposes defined in the promotion plan for the transfer of ownership, etc.;
 - (vi) a case where the cropland that has been condemned or used under the Act on Condemnation of Land or other laws is used for the purpose pertaining to that condemnation or use;
 - (vii) a case where the cropland within an urbanization promotion area (referring to an urbanization promotion area defined in Article 7, paragraph (1) of the City Planning Act (Act No. 100 of 1968) (limited to the area agreed on in consultations under Article 23, paragraph (1) of the same Act when the consultations are necessary)) is converted to a non-cropland with prior notice to the agricultural commission pursuant to the provisions of Cabinet Order;
 - (viii) any other case specified by Order of the Ministry of Agriculture, Forestry and Fisheries.
- (2) The person seeking permission referred to in the preceding paragraph must

submit, via the agricultural commission, a written application stating the particulars specified by Order of the Ministry of Agriculture, Forestry and Fisheries, pursuant to the provisions of Order of the Ministry of Agriculture, Forestry and Fisheries, to the head of the prefecture, etc.

- (3) Upon receipt of a written application that has been submitted pursuant to the provisions of the preceding paragraph, the agricultural commission must attach its opinions to the written application and send it to the head of the prefecture, etc. within the period specified by Order of the Ministry of Agriculture, Forestry and Fisheries.
- (4) The agricultural commission must, when it intends to express its opinions pursuant to the provisions of the preceding paragraph (limited to a case where the written application referred to in the same paragraph concerns the act of converting cropland with an area of more than 30 ares to non-cropland for the purpose of the same business), must hear in advance the opinions of the prefectural agency provided for in Article 43, paragraph (1) of the Act on Agricultural Commission (Act No. 88 of 1951) (hereinafter referred to as "prefectural agency"); provided, however, that this does not apply if no designation by the prefectural governor under Article 42, paragraph (1) of the same Act has been made.
- (5) Beyond what is provided for in the preceding paragraph, the agricultural commission may hear the opinions of the prefectural agency when it finds it necessary to do so in order to state its opinions under paragraph (3).
- (6) Permission referred to in paragraph (1) may not be granted if any of the following items applies; provided, however, that this does not apply, as far as the cases set forth in item (i) and item (ii) are concerned, when the applicant intends to convert cropland to non-cropland for the purpose of the business on which a public notice under Article 26, paragraph (1) of the Act on Condemnation of Land (including a public notice under other laws or a public notice found to be a public notice under the same paragraph; the same applies in paragraph (2) of the following Article) has been issued; when the applicant intends to convert cropland set forth in item (i), (a) to non-cropland for the purpose designated in the agricultural land use plan provided for in Article 8, paragraph (4) of the Act on Establishment of Agricultural Promotion Regions (hereinafter simply referred to as "agricultural land use plan"); and when there are reasonable grounds specified by Cabinet Order:
 - (i) a case where the applicant intends to convert the following croplands to non-croplands:
 - (a) cropland in an area of agricultural land (as provided for in Article 8, paragraph (2), item (i) of the Act on Establishment of Agricultural Promotion Regions; the same applies hereinafter);
 - (b) cropland other than cropland set forth in (a) that is specified by Cabinet

Order as cropland that exists collectively or cropland that otherwise possesses favorable agricultural management conditions (excluding the following croplands in the case of cropland other than cropland specified by Cabinet Order that is located in an urbanization control area (as provided for in Article 7, paragraph (1) of the City Planning Act; the same applies hereinafter):

1. cropland that is located in a built-up area or an area that is becoming significantly built-up and is specified by Cabinet Order;
 2. cropland that is located in an area adjacent to the area referred to in 1. or in any other area expected to become built-up, and is specified by Cabinet Order;
- (ii) a case where the applicant intends to convert cropland other than cropland set forth in (a) and (b) of the preceding item (including cropland set forth in (b), 1. of the preceding item) to non-cropland and is found to be capable of achieving the purpose of the business in the application by providing, in place of the cropland pertaining to the application, other land in its vicinity;
- (iii) a case where the applicant is not found certain to use all cropland pertaining to the application for housing, facilities to be used for the business, or other purposes pertaining to the application because the applicant is not found to have the financial resources and credit necessary to convert the cropland in the application to non-cropland, because they have not obtained the consent of the person who has the right that may impede the act of converting cropland pertaining to the application to non-cropland, or on any other ground specified by Order of the Ministry of Agriculture, Forestry and Fisheries;
- (iv) a case where the conversion of cropland pertaining to the application to non-cropland is found to pose the risk of triggering sediment discharge, landslide or other disasters, impeding the functionality of agricultural irrigation and drainage facilities, or otherwise affecting the agricultural management conditions pertaining to the surrounding cropland;
- (v) a case where the applicant intends to convert cropland to non-cropland for the purpose of installing a temporary structure or other temporary purposes and where the land is not found certain to be used for cultivation after being used for that purpose.
- (7) Permission referred to in paragraph (1) may be granted with conditions attached.
- (8) When the State or a prefecture, etc. intends to convert cropland to non-cropland (excluding in a case that falls under any of the items of paragraph (1)), permission referred to in the same paragraph is deemed to have been granted upon agreement between the State or the prefecture, etc. and the head of the prefecture, etc.

- (9) The head of the prefecture, etc. must, when they intend to reach an agreement referred to in the preceding paragraph, hear the opinions of the agricultural commission in advance.
- (10) The provisions referred to in paragraphs (4) and (5) apply mutatis mutandis to the case where the agricultural commission intends to state its opinions pursuant to the provisions of the preceding paragraph.
- (11) Beyond what is provided for in paragraph (1), any matter necessary for the designation and the revocation thereof is specified by Cabinet Order.

(Restrictions on the Transfer of Rights for the Conversion of Cropland or Meadow/Pastureland)

Article 5 (1) When a party, for the purpose of converting cropland to non-cropland or meadow/pastureland to non-meadow/pastureland (except cropland; the same applies in the following paragraph and paragraph (4)), establishes or transfers rights to that land that are set forth in the main clause of Article 3, paragraph (1), that party must obtain permission from the head of the prefecture, etc.; provided, however, that this does not apply to a case that falls under any of the following items:

- (i) a case where the State or a prefecture, etc. acquires those rights for facilities specified by Order of the Ministry of Agriculture, Forestry and Fisheries as referred to in paragraph (1), item (ii) of the preceding Article;
- (ii) a case where a right referred to in Article 4, paragraph (4), item (i) of the Act on Reinforcement of the Agricultural Management Framework is established or transferred to provide cropland or meadow/pastureland for serving the purpose defined in the plan for use and integration of agricultural land on which a public notice under Article 19 of the same Act has been issued as prescribed in the plan for use and integration of agricultural land;
- (iii) a case where a right referred to in Article 2, paragraph (3), item (iii) of the Act on the Promotion of the Improvement of Basic Conditions of Agriculture, Forestry and Other Business in Hilly and Mountainous Areas is established or transferred to provide cropland or meadow/pastureland for serving the purpose defined in the promotion plan for the transfer of ownership, etc. on which a public notice under Article 9, paragraph (1) of the same Act has been issued as prescribed in the promotion plan for the transfer of ownership, etc.;
- (iv) a case where a right referred to in Article 5, paragraph (8) of the Act on Promotion of Settlement and Interregional Exchange for Vitalizing Rural Areas is established or transferred to provide cropland or meadow/pastureland serving the purpose defined in the promotion plan for the transfer of ownership, etc. on which a public notice under Article 8, paragraph (1) of the same Act has been issued as prescribed in the promotion

- plan for the transfer of ownership, etc.;
- (v) a case where cropland or meadow/pastureland, or rights related thereto are expropriated or used under the Act on Condemnation of Land or other laws;
 - (vi) a case where rights to cropland or meadow/pastureland within an urbanization promotion area provided for in paragraph (1), item (vii) of the preceding Article are acquired to convert the land to non-cropland and non-meadow/pastureland with prior notice to the agricultural commission pursuant to the provisions of Cabinet Order;
 - (vii) any other case specified by Order of the Ministry of Agriculture, Forestry and Fisheries.
- (2) Permission referred to in the preceding paragraph may not be granted if any of the following items applies; provided, however, that this does not apply, as far as the cases set forth in item (i) and item (ii) are concerned, when the applicant intends to acquire rights set forth in the main clause of Article 3, paragraph (1) for the purpose of the business on which a public notice under Article 26, paragraph (1) of the Act on Condemnation of Land has been issued; when the applicant intends to acquire those rights to cropland or meadow/pastureland set forth in item (i), (a) in order to serve the purpose designated in the agricultural land use plan; and when there are reasonable grounds specified by Cabinet Order:
- (i) a case where the applicant intends to acquire a right set forth in the main clause of Article 3, paragraph (1) to the following croplands or meadows/pasturelands:
 - (a) cropland or meadow/pastureland within an area of agricultural land;
 - (b) cropland or meadow/pastureland other than cropland or meadow/pastureland set forth in (a) that is specified by Cabinet Order as cropland or meadow/pastureland that exists collectively or cropland or meadow/pastureland that otherwise possesses favorable agricultural management conditions (excluding the following croplands or meadows/pasturelands in the case of cropland or meadow/pastureland other than cropland or meadow/pastureland specified by Cabinet Order that is located in an urbanization control area):
 1. cropland or meadow/pasture that is located in a built-up area or an area that is significantly becoming built-up and is specified by Cabinet Order;
 2. cropland or meadow/pastureland that is located in an area adjacent to the area referred to in 1. or in any other area expected to become built-up and is specified by Cabinet Order;
 - (ii) a case where the applicant intends to acquire rights set forth in the main clause of Article 3, paragraph (1) in order to convert cropland other than cropland set forth in (a) and (b) of the preceding item (including cropland set

- forth in (b), 1. of the preceding item) to non-cropland or to convert meadow/pastureland other than meadow/pastureland set forth in (a) and (b) of the same item (including meadow/pastureland set forth in (b), 1. of the same item) to non-meadow/pastureland and is found to be capable of achieving the purpose of the business pertaining to the application by providing, in place of the cropland or meadow/pastureland pertaining to the application, other land in its vicinity;
- (iii) a case where the person who intends to acquire a right set forth in the main clause of Article 3, paragraph (1) is not found certain to use all cropland or meadow/pastureland pertaining to the application for housing, facilities to be used for the business, or other purposes pertaining to the application because the person is not found to have the financial resources and credit necessary to conduct the act of converting the cropland pertaining to the application to non-cropland or the act of converting the meadow/pastureland pertaining to the application to non-meadow/pastureland, because they have not obtained the consent of the person who has the right that may impede the act of converting cropland pertaining to the application to non-cropland or the act of converting the meadow/pastureland pertaining to the application to non-meadow/pastureland, or on any other ground specified by Order of the Ministry of Agriculture, Forestry and Fisheries;
 - (iv) a case where the conversion of cropland in a non-cropland application or the conversion of meadow/pastureland pertaining in a non-meadow/pastureland application is found to pose the risk of triggering sediment discharge, landslide or other disasters, impeding the functionality of agricultural irrigation and drainage facilities, or otherwise affecting the agricultural management conditions pertaining to the surrounding cropland or meadow/pastureland;
 - (v) a case where the applicant intends to acquire the ownership for the purpose of installing a temporary structure or other temporary purposes;
 - (vi) a case where the applicant intends to acquire rights set forth in the main clause of Article 3, paragraph (1) for the purpose of installing a temporary structure or for other temporary purposes and where the land is not confirmed to be used for cultivation after being used for that purpose, or a case where the applicant intends to acquire those rights to meadow/pastureland and where the land is not confirmed to be used for cultivation or chiefly for collecting grass or livestock grazing for livestock farming-related business after being used for that purpose;
 - (vii) a case where the applicant intends to acquire a right set forth in the main clause of Article 3, paragraph (1) to convert cropland to meadow/pastureland and where the acquisition is found applicable to any of the cases where

permission referred to in paragraph (1) of the same Article may not be granted under paragraph (2) of the same Article.

- (3) The provisions of Article 3, paragraphs (5) and (7) and paragraphs (2) to (5) of the preceding Article apply mutatis mutandis to the case referred to in paragraph (1). In this case, the term "the written application referred to in the same paragraph concerns the act of converting cropland with an area of more than 30 ares to non-cropland for the purpose of the same business" in paragraph (4) of the same Article is deemed to be replaced with "the written application referred to in the same paragraph concerns the act of acquiring rights set forth in the main clause of Article 3, paragraph (1) for cropland with an area of more than 30 ares or meadow/pastureland therewith in order to convert cropland to non-cropland or convert meadow/pastureland to non-meadow/pastureland (excluding cropland) for the purpose of the same business".
- (4) When the State or a prefecture, etc. intends to acquire, for the purpose of converting cropland to non-cropland or converting meadow/pastureland to non-meadow/pastureland, a right set forth in the main clause of Article 3, paragraph (1) for that land (excluding in a case that falls under any of the items of paragraph (1)), permission referred to in paragraph (1) is deemed to have been granted upon agreement between the State or a prefecture, etc. and the head of the prefecture, etc.
- (5) The provisions of paragraphs (9) and (10) of the preceding Article apply mutatis mutandis to the case where the head of the prefecture, etc. intends to reach an agreement referred to in the preceding paragraph. In this case, the term "pursuant to the provisions of the preceding paragraph" is deemed to be replaced with "pursuant to the provisions of the preceding paragraph. In this case, the phrase 'the written application referred to in the same paragraph concerns the act of converting cropland with an area of more than 30 ares to non-cropland for the purpose of the same business' in paragraph (4) is deemed to be replaced with 'the written application referred to in the same paragraph concerns the act of acquiring rights set forth in the main clause of Article 3, paragraph (1) for cropland with an area of more than 30 ares or meadow/pastureland therewith in order to convert cropland to non-cropland or convert meadow/pastureland to non-meadow/pastureland (excluding cropland) for the purpose of the same business.'"

(Reporting by Corporations Qualified to Own Cropland)

Article 6 (1) A corporation qualified to own cropland that owns cropland or meadow/pastureland (excluding a case where the land was not cropland or meadow/pastureland when the corporation acquired a right set forth in the main clause of Article 3, paragraph (1) for the land and cases specified by

Cabinet Order; hereinafter the same applies in this paragraph) or uses cropland or meadow/pastureland owned by a person other than the corporation (excluding land pertaining to a right for use by loan or a right of lease that has been established for the corporation with permission under paragraph (1) of the same Article subject to the provisions of paragraph (3) of the same Article) for the cultivation or livestock farming-related business of the corporation must report every year to the agricultural commission on the state of the business and other matters specified by Order of the Ministry of Agriculture, Forestry and Fisheries pursuant to the provisions of Order of the Ministry of Agriculture, Forestry and Fisheries. The same applies to a corporation that was a corporation qualified to own cropland but is no longer a corporation qualified to own cropland (including the case where a corporation qualified to own cropland dissolved by merger or split and the corporation that has been established as a result of the merger or has survived the merger or the corporation that, following the split, succeeded the right to that cropland or meadow/pastureland as set forth in the same paragraph is not a corporation qualified to own cropland; the same applies in paragraph (1) of the following Article) and its general successor.

- (2) If the agricultural commission finds that a corporation qualified to own cropland might become unable to satisfy the requirements set forth in the items of Article 2, paragraph (3) based on the reporting under the first sentence of the preceding paragraph, the commission may recommend to the corporation that it take necessary measures.
- (3) In a case where the agricultural commission has made a recommendation under the preceding paragraph, upon receipt of notification from the corporation that has received the recommendation that it will assign the ownership of the cropland or meadow/pastureland it owns, the agricultural commission must endeavor to make arrangements for the assignment of the ownership of that land.

(Buyouts in Cases Where a Corporation Qualified to Own Cropland Ceases to Qualify)

Article 7 (1) In a case where a corporation qualified to own cropland has ceased to qualify to own cropland, if the corporation or its general successor owns cropland or meadow/pastureland, or if cropland or meadow/pastureland owned by a person other than the corporation or its general successor is used for the cultivation or livestock farming-related business of the corporation or its general successor, the State will purchase that land; provided, however, that this does not apply to cases where the land was land other than cropland and meadow/pastureland when the corporation acquired a right set forth in the main clause of Article 3, paragraph (1), other cases specified by Cabinet Order,

and cases pertaining to the right for use by loan or the right of lease that has been established for the corporation with permission under paragraph (1) of the same Article subject to paragraph (3) of the same Article.

- (2) If the agricultural commission recognizes that there is cropland or meadow/pastureland that is to be purchased pursuant to the provisions of the preceding paragraph, the commission must issue a public notice of the particulars set forth in the following items and make a document stating these particulars available for public inspection at its office for a period of one month from the day following the date of public notice:
 - (i) the name and address of the owner of the cropland or meadow/pastureland;
 - (ii) the location, parcel number, land category, and area of the cropland or meadow/pastureland;
 - (iii) any other necessary particular.
- (3) If the agricultural commission has issued a public notice under the preceding paragraph, the commission must notify the land owner of the particulars set forth in the items of the same paragraph without delay; provided, however, that this does not apply if the commission is unable to ascertain the land owner without negligence on its part.
- (4) If the cropland or meadow/pastureland that is to be purchased pursuant to the provisions of paragraph (1) concerns a recommendation under paragraph (2) of the preceding Article, the agricultural commission is not to issue a public notice under paragraph (2) for a period of three months from the day following the date of the recommendation (if it receives a notification under paragraph (3) of the same Article, the date of the notification) (if a request for permission under Article 3, paragraph (1) or Article 18, paragraph (1) has been made during that period and no disposition thereof has been made by the time of termination of the period, then until the time when the disposition is made).
- (5) In a case where the agricultural commission has issued a public notice pursuant to the provisions of paragraph (2) on the cropland or meadow/pastureland that is to be purchased under paragraph (1), if that corporation has, within a period of three months from the day following the date of the public notice, made a notification that it has come to satisfy all the requirements set forth in the items of Article 2, paragraph (3) pursuant to the provisions of Order of the Ministry of Agriculture, Forestry and Fisheries, and the notification is confirmed to be true as a result of an examination, the agricultural commission must revoke the public notice without delay.
- (6) If a notification under the preceding paragraph has been made and if the notification fails to be confirmed to be true as a result of an examination, the agricultural commission must issue a public notice to that effect without delay.
- (7) If the public notice has been revoked pursuant to paragraph (5), the State will not purchase, pursuant to the provisions of paragraph (1), the cropland or

meadow/pastureland on which the public notice has been issued.

- (8) If the owner of the cropland or meadow/pastureland on which a public notice has been issued pursuant to paragraph (2) or the person who allows another person to use and derive profit from that land under a title other than ownership, with regard to the cropland or meadow/pastureland on which the public notice has been issued, within a period of three months from the day following the expiration date of the period provided for in paragraph (5) (if a notification under the same paragraph has been made by that date and if a public notice under paragraph (6) has been issued on this, the date of the public notice for the cropland or meadow/pastureland on which the public notice has been issued), pursuant to the provisions of Order of the Ministry of Agriculture, Forestry and Fisheries, has assigned the ownership; extinguished the superficies or farming right; canceled or terminated by agreement the loan for use or demanded the return thereof; canceled, offered the termination of, terminated by agreement the lease, or placed a notice not to renew the lease; or extinguished any other right to use and derive profit from that land, purchase under paragraph (1) of that cropland or meadow/pastureland are not made. In a case where a request for permission under Article 3, paragraph (1) or Article 18, paragraph (1) within that period and no disposition thereof has been made by the time of termination of that period, the same applies until the time when the disposition is made.
- (9) The agricultural commission must, upon receipt of notification from the corporation or its general successor referred to in paragraph (1) that it will assign the ownership of the cropland or meadow/pastureland it owns, endeavor to make arrangements for the assignment of the ownership of that land until the time of termination of the period referred to in the preceding paragraph.

(Sending of Relevant Documentation by the Agricultural Commission)

Article 8 (1) When the State is to purchase cropland or meadow/pastureland pursuant to paragraph (1) of the preceding Article, the agricultural commission must send a document stating the particulars set forth in the following items to the Minister of Agriculture, Forestry and Fisheries without delay:

- (i) the name and address of the owner of the cropland or meadow/pastureland;
- (ii) the location, parcel number, land category, and area of the cropland or meadow/pastureland;
- (iii) in a case where a statutory lien, pledge or mortgage is placed on the cropland or meadow/pastureland or where a right under a provisional registration or a right regarding the execution of provisional disposition exists pertaining to ownership in relation to the cropland or meadow/pastureland, the type of the right and the name and address of the person who owns the right.

(2) In sending a document referred to in the preceding paragraph, the agricultural commission must, if a statutory lien, pledge or mortgage is placed on the cropland or meadow/pastureland that is to be purchased or if a right regarding the execution of provisional disposition exists pertaining to ownership in relation to the cropland or meadow/pastureland, notify the person who owns those rights that they should report to the Minister of Agriculture, Forestry and Fisheries on whether they need the deposit with an official depository of consideration within 20 days pursuant to the provisions of Order of the Ministry of Agriculture, Forestry and Fisheries.

(Issuance and Public Inspection of Written Purchase Orders)

Article 9 (1) The Minister of Agriculture, Forestry and Fisheries must, in accordance with the descriptions in the document that has been sent pursuant to paragraph (1) of the preceding Article, prepare a written purchase order stating the particulars set forth in the following items and deliver it to the owner of the cropland or meadow/pastureland and a transcript thereof to the agricultural commission without delay (or in the case where the notice under paragraph (2) of the same Article has been issued, without delay after the passage of the period referred to in the same paragraph):

- (i) the particulars set forth in the items of paragraph (1) of the preceding Article;
- (ii) the date of purchase;
- (iii) consideration;
- (iv) the means of payment of the consideration (in the case where the payment is deposited with an official depository pursuant to paragraph (2) of the following Article, a statement to that effect);
- (v) any other necessary particular.

(2) The Minister of Agriculture, Forestry and Fisheries may, if they are unable to deliver a written purchase order under the preceding paragraph, issue a public notice on its content in lieu of the delivery.

(3) Upon receipt of a transcript of the written purchase order, the agricultural commission must without delay issue a public notice to that effect and make it available for public inspection at its office for a period of 20 days from the day following the date of the public notice.

(Consideration)

Article 10 (1) Consideration referred to in paragraph (1), item (iii) of the preceding Article is the amount calculated pursuant to the provisions of Cabinet Order.

(2) In a case where a statutory lien, pledge or mortgage is placed on the cropland or meadow/pastureland that is to be purchased or where a right under a

provisional registration or a right regarding the execution of provisional disposition exists pertaining to ownership in relation to the cropland or meadow/pastureland, the State must deposit consideration thereof with an official depository except in a case where the person who owns those rights has made a notification that the deposit of the consideration with an official depository may not be necessary.

- (3) Beyond the cases provided for in the preceding paragraph, the State may deposit consideration with an official depository in the following cases:
 - (i) a case where the person to whom the payment of the consideration is to be made refuses or is unable to receive it;
 - (ii) a case where, without negligence on their part, it is impossible to ascertain the person to whom the payment of the consideration is to be made;
 - (iii) the payment of the consideration is prohibited on account of a seizure or provisional seizure.
- (4) Depositing consideration under the preceding two paragraphs is to be made with an official depository in the area where the cropland or meadow/pastureland that is to be purchased is located.

(Effect)

- Article 11 (1) If the State has made the payment or deposit with an official depository of the consideration stated in a written purchase order by the date of purchase stated in the written purchase order, on that date, the statutory lien, pledge and mortgage placed on the cropland or meadow/pastureland and the right under a provisional registration pertaining to ownership in relation to the cropland or meadow/pastureland is extinguished, the execution of provisional disposition pertaining to ownership in relation to the cropland or meadow/pastureland ceases to be effective, and the State acquires the ownership of the cropland or meadow/pastureland.
- (2) A person who owns statutory lien, pledge or mortgage to be extinguished pursuant to the provisions of the preceding paragraph may exercise those rights with regard to the consideration deposited with an official depository pursuant to paragraph (2) or (3) of the preceding Article.
 - (3) When the State fails to pay or deposit the consideration stated in the written purchase order with an official depository by the date of purchase stated in the written purchase order, the written purchase order ceases to be effective.
 - (4) For the purpose of the application of the provisions of paragraph (1) and the preceding paragraph, when the State, pursuant to Article 21, paragraph (1) of the Public Accounting Act (Act No. 35 of 1947), delivers funds necessary for the payment of consideration to the Bank of Japan to have it perform the remittance procedure and issues a notice to that effect to the owner of the cropland or meadow/pastureland, the time of the arrival of that notice is

deemed to be the time of the payment of consideration by the State.

(Purchase of Incidental Facilities)

Article 12 (1) In the case of purchase under Article 7, paragraph (1), the State may also purchase the land (excluding cropland and meadow/pastureland), standing timber, buildings, other structures or the right of use of water (hereinafter referred to as "incidental facilities") owned by the owner of the cropland or meadow/pastureland to be purchased, if the agricultural commission finds it particularly necessary for the use of cropland in agriculture or meadow/pastureland.

(2) The provisions of Article 8 to the preceding Article apply mutatis mutandis to a case where purchase under the preceding paragraph is made. In this case, the term "the location, parcel number, land category, and area of the cropland or meadow/pastureland" in Article 8, paragraph (1), item (ii) is deemed to be replaced with "the location, parcel number, land category, and area of the land; the tree species, numbers, and locations of the standing timber; the type and locations of the structures; and the content of the right of use of water".

(Special Provisions for Registration)

Article 13 With regard to the registration of the land or building that the State purchases pursuant to Article 7, paragraph (1) or paragraph (1) of the preceding Article, special provisions for the Real Property Registration Act (Act No. 123 of 2004) may be established by Cabinet Order.

(On-Site Inspections)

Article 14 (1) The agricultural commission may have its members, promoters (as provided for in the same Act Article 17, paragraph (1); the same applies in the following paragraph) or staff members enter the office and other places of business of a corporation to conduct inspections if it is necessary for making a purchase under Article 7, paragraph (1), in addition on-site inspections under Article 35, paragraph (1) of the Act on Agricultural Commission.

(2) Commission members, promoters or staff members who conduct on-site inspections pursuant to the provisions of the preceding paragraph must carry their identification cards and present them to the relevant persons concerned.

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

(Validity against Successors)

Article 15 The issuance of a notice under Article 8, paragraph (2) (including as applied mutatis mutandis pursuant to Article 12, paragraph (2)) and a written purchase order under Article 9 (including as applied mutatis mutandis

pursuant to Article 12, paragraph (2)) is also effective against the successor of the person who has received the notice or order.

Chapter III Management of Relations over Cropland Use

(Perfection of the Right of Lease of Cropland or Meadow/Pastureland)

Article 16 (1) The lease of cropland or meadow/pastureland may, even if it is not registered, upon transfer of the cropland or meadow/pastureland, be asserted against a third party who subsequently acquires a real right to that cropland or meadow/pastureland.

(2) The provisions of Article 566, paragraphs (1) and paragraph (3) of the Civil Code (Seller's Warranty in Cases Where There Are Restrictions by Usufructuary Rights) apply mutatis mutandis to a case where the cropland or meadow/pastureland that is the object of an unregistered lease is the subject matter of a sale.

(3) The provisions of Article 533 of the Civil Code (Defense for Simultaneous Performance) apply mutatis mutandis to the cases referred to in the preceding paragraph.

(Renewal of Cropland or Meadow/Pastureland Leases)

Article 17 In the case of a lease of cropland or meadow/pastureland with a prescribed term, if either of the parties therein fails to notify the other party of their intention not to renew the lease from one year to six months prior to the expiration of that term (or in a case where it is clear that a temporary lease has been entered into because cultivation, collecting grass or livestock grazing on the land is impossible due to the death of the lessor or their household members or their equivalent or for any of the grounds set forth in the items of Article 2, paragraph (2), from six months to one month prior to the expiration of the term thereof), it deemed that a further lease has been entered into under conditions identical to those of the previous lease; provided, however, that this does not apply to leases with a term of less than one year for paddy intercropping, leases pertaining to the cropland intermediary right that has been established pursuant to the provisions of Articles 37 to 40, leases pertaining to the right of use provided for in Article 4, paragraph (4), item (i) of the Act on Reinforcement of the Agricultural Management Framework that has been established or transferred as prescribed in the plan for use and integration of agricultural land on which a public notice under Article 19 of the same Act has been issued, and leases by the right of lease that has been established or transferred as prescribed by the plan for distribution and integration of agricultural land on which a public notice under Article 18, paragraph (5) of the Act on Promotion of the Cropland Intermediary

Management Program has been issued.

(Restrictions on the Termination of Cropland or Meadow/Pastureland Leases)

Article 18 (1) The parties in a lease of cropland or meadow/pastureland must not place a notice that they will cancel, offer the termination of, or terminate by agreement the lease, or place a notice not to renew the lease, without obtaining permission from the prefectural governor pursuant to the provisions of Cabinet Order; provided, however, that this does not apply to a case that falls under any of the following items:

- (i) a case where they offer the termination of or terminate by agreement the lease or place a notice not to renew the lease with regard to a trust property pertaining to trust business (excluding in cases where the lease existed before the acceptance of the trust pertaining to the trust property, and where, in the case of the offer of termination or the termination by agreement, the date when the lease terminates by that act, or, in the case of the notice not to renew the lease, the date when the term of the lease expires, does not fall within one year prior to the date when the trust terminates by the act of trust pertaining to the trust);
- (ii) a case where the termination by agreement is made based on an agreement that is reached within six months prior to the time limit for the transfer of the cropland or meadow/pastureland by the termination and the fact of which is evident in writing, or by agricultural conciliation under the Civil Conciliation Act;
- (iii) a case where a notice not to renew a lease is placed with regard to a lease with a prescribed term of more than 10 years (excluding a lease with the right to terminate reserved and a lease whose term has been changed prior to the date of its expiration with a remaining term of less than 10 years) or with regard to a lease for paddy intercropping;
- (iv) a case where the lease by the right of lease that has been established with permission under Article 3, paragraph (1) subject to paragraph (3) of the same Article is cancelled with prior notice to the agricultural commission pursuant to the provisions of Order of the Ministry of Agriculture, Forestry and Fisheries when it is found that the lessee does not use the cropland or meadow/pastureland appropriately;
- (v) a case where, as prescribed in the plan for use and integration of agricultural land on which a public notice under Article 19 of the Act on Reinforcement of the Agricultural Management Framework has been issued, the lease by the right of lease that has been established for a person as provided for in Article 18, paragraph (2), item (vi) of the same Act is cancelled with prior notice to the agricultural commission pursuant to the provisions of Order of the Ministry of Agriculture, Forestry and Fisheries

- when it is found that the person does not the cropland or meadow/pastureland appropriately;
- (vi) a case where the lease of cropland or meadow/pasture either to a cropland intermediary management institution through the activities set forth in Article 2, paragraph (3), item (i) of the Act on Promotion of the Cropland Intermediary Management Program, or from that institution through the activities set forth in item (ii) of the same paragraph is cancelled with the approval of the prefectural governor pursuant to Article 20 or Article 21, paragraph (2) of the same Act.
- (2) Permission referred to in the preceding paragraph must not be granted except in the following cases:
- (i) where the lessee has committed an act that goes against good faith;
 - (ii) where the conversion of the cropland or meadow/pastureland to land other than cropland or non-meadow/pastureland is regarded reasonable;
 - (iii) where, in consideration of such factors as the livelihood of the lessee (or the management of the corporation) and the management ability of the lessor, the use of the cropland or meadow/pastureland for cultivation or livestock farming-related business is regarded reasonable;
 - (iv) where the lessee has received a recommendation under Article 36, paragraph (1) with regard to the cropland;
 - (v) where the corporation qualified to own cropland that is the lessee has ceased to qualify to own cropland, and the lessor who was a member of the corporation qualified to own cropland that is the lessee has ceased to be a member of that corporation, and where the lessor or their household members or their equivalent is found to be capable of operating cultivation or livestock farming-related business with the effective use of all the cropland and meadow/pastureland that is to be used for cultivation or livestock farming-related business after obtaining permission thereof and to be regularly engaged in farmwork necessary for that business; or
 - (vi) where there are other justifiable grounds.
- (3) The prefectural governor must, when they intend to grant permission pursuant to paragraph (1), must hear the opinions of the prefectural agency in advance; provided, however, that this does not apply if no designation by the prefectural governor under Article 42, paragraph (1) of the Act on Agricultural Commission has been made.
- (4) Permission referred to in paragraph (1) may be granted with conditions attached.
- (5) Any act without permission referred to in paragraph (1) is invalid.
- (6) If a person has offered the termination of a lease of cropland or meadow/pastureland, terminated it by agreement, or placed a notice not to renew it without the need for permission referred to in paragraph (1) pursuant

to the proviso to the same paragraph, they must notify the agricultural commission to that effect pursuant to the provisions of Order of the Ministry of Agriculture, Forestry and Fisheries.

(7) Lease conditions that are different from the provisions of the preceding Article or Article 617 (Offers to Terminate Leases with Indefinite Terms) or Article 618 (Reservation of Rights to Terminate Leases with Definite Terms) of the Civil Code and unfavorable to the lessee compared with these provisions are deemed to not be established.

(8) Conditions subsequent (excluding conditions provided for in Article 3, paragraph (3), item (i), Article 18, paragraph (2), item (vi) of the Act on Reinforcement of the Agricultural Management Framework, and Article 18, paragraph (2), item (v) of the Act on Promotion of the Cropland Intermediary Management Program) or an uncertain due date that is attached to a lease on cropland or meadow/pastureland is deemed to have no effect.

(Duration of Cropland or Meadow/Pastureland Leases)

Article 19 For the purpose of the application of the provisions of Article 604 of the Civil Code (Duration of Lease) to a lease of cropland or meadow/pastureland, the term "20 years" in the same Article are deemed to be replaced with "50 years".

(The Right to Request Increase or Decrease in Rent)

Article 20 (1) When the amount of rent, etc. (meaning rent or rent payable by a superficiary where a right of lease or a superficies is established for cropland for the purpose of cultivation (including, if, in association with the establishment of the right of lease or the superficies, a right of lease or a superficies of non-cropland or a right of lease of a structure such as a building is established and if its rent or its rent payable by a superficiary is inseparable from the rent or the rent payable by a superficiary of cropland, the rent or rent payable by a superficiary of the non-cropland or structure) and rent payable by a farming right holder where a farming right is established for cropland; the same applies hereinafter) becomes unreasonable due to an increase or decrease in the price or production cost of agricultural produce or other changes in the economic situation or in comparison to the rent, etc. of similar cropland in the vicinity, the parties concerned may, notwithstanding the contract conditions, request an increase or decrease in the amount of rent, etc. for the future; provided, however, that when special provisions exist to the effect that the rent, etc. will not be increased for a fixed period, those provisions apply.

(2) If the parties concerned fail to reach an agreement on an increase in the amount of rent, etc. through consultation, it is sufficient for the party who has received that request to pay the amount of rent, etc. that is found to be

reasonable, until the judicial decision upholding the validity of the increase becomes final and binding; provided, however, that when that judicial decision becomes final and binding, the party must, if the amount it has already paid is insufficient, pay the shortfall amount with the addition of an interest on late payments at the rate of ten percent per year.

- (3) If the parties concerned fail to reach an agreement on a decrease in the amount of rent, etc. through consultation, the party which has received that request may request the payment of the amount of rent, etc. that is found to be reasonable, until the judicial decision upholding the validity of the decrease becomes final and binding; provided, however, that when that judicial decision becomes final and binding, the party must, if the amount it has already received exceeds the amount of rent, etc. that is found to be valid, repay the excess amount with the addition of an interest at the rate of ten percent per year from the time it received the payment.

(Documentation of Contracts)

Article 21 The parties to a lease contract for cropland or meadow/pastureland must clearly state in writing the duration, the amount of rent, etc. and the terms of payment and other details of the contract and any other contract incidental thereto.

(Special Provisions for Compulsory and Other Auctions)

Article 22 (1) No permissible purchase offer was made on the date when a tender or auction was to be held for the cropland or meadow/pastureland on which a commencement order for a compulsory or other auction for the exercise of security rights has been issued (including an auction held under the same rule as that applicable thereto; hereinafter simply referred to as "auction"), the person who requested a compulsory auction or other auction may, in accordance with the procedures as specified by Order of the Ministry of Agriculture, Forestry and Fisheries, suggest to the Minister of Agriculture, Forestry and Fisheries that the State should buy the land.

- (2) Upon receipt of a suggestion referred to in the preceding paragraph, the Minister of Agriculture, Forestry and Fisheries must notify the court that they will buy the land by the date when the next tender or auction is to be made for the price calculated pursuant to the provisions of Cabinet Order referred to in Article 10, paragraph (1), except in the following cases:
- (i) where the minimum purchase price as provided for in Article 60, paragraph (3) of the Civil Execution Act (Act No. 4 of 1979) exceeds the amount calculated pursuant to the provisions of Cabinet Order referred to in Article 10, paragraph (1);
 - (ii) where if the State becomes the purchaser, it needs to pay the claims

secured by any right of retention, statutory lien, pledge or mortgage on the land;

(iii) where the terms of sale has been changed so that they are unfavorable to the State; or

(iv) where even after the State becomes the purchaser, a right under a provisional registration or a right regarding the execution of provisional disposition will be retained with regard to the ownership of the land.

(3) Upon receipt of the notification referred to in the preceding paragraph, it is deemed that the State has become the highest-bidding purchase offeror through the compulsory or other auction. The purchase offer price in this case is the amount calculated pursuant to the provisions of Cabinet Order referred to in Article 10, paragraph (1).

(Special Provisions for Public Auctions)

Article 23 (1) In a case where there is no purchaser of the cropland or meadow/pastureland put out to public auction based on a disposition of delinquency under the National Tax Collection Act (Act No. 147 of 1959) (including a disposition of delinquency made under the same rule as that applicable thereto) if, in accordance with the procedures specified by Order of the Ministry of Agriculture, Forestry and Fisheries, the administrative authority that makes the disposition of delinquency suggests to the Minister of Agriculture, Forestry and Fisheries that the State should buy the land for the amount calculated pursuant to the provisions of Cabinet Order referred to in Article 10, paragraph (1), the Minister of Agriculture, Forestry and Fisheries must notify the administrative authority that they will buy the land, except in cases set forth in paragraph (2), items (ii) to (iv) of the preceding Article.

(2) Upon receipt of the notification referred to in the preceding paragraph, it is deemed that the State has become the purchaser through the public auction.

(Notice to the Agricultural Commission)

Article 24 If the State has acquired cropland or meadow/pastureland pursuant to the preceding two Articles, the Minister of Agriculture, Forestry and Fisheries must notify the agricultural commission to that effect.

(Intermediation for Settlements by the Agricultural Commission)

Article 25 (1) Upon receipt of a request for intermediation for a settlement to a dispute regarding use relations concerning cropland or meadow/pastureland from either one or both of the parties in accordance with the procedures specified by Order of the Ministry of Agriculture, Forestry and Fisheries, the agricultural commission intermediates for a settlement; provided, however, that the agricultural commission may, if it finds it difficult or inappropriate to

intermediate for a settlement to the dispute, suggest that the prefectural governor should intermediate for a settlement, with the consent of the persons who made the request.

- (2) Intermediation for a settlement by the agricultural commission are conducted by three intermediation commissioners who are designated by the chairperson of the agricultural commission from among the members of the agricultural commission for each case.

(Hearing of the Opinions of the Prefectural Chief of Sharecropping)

Article 26 (1) In intermediating a settlement with regard to the particulars provided for in the main clause of Article 18, paragraph (1), the intermediation commissioners must hear the opinions of the prefectural chief of sharecropping.

- (2) The intermediation commissioners, if they find it necessary for the intermediation for a settlement, may seek the opinions of the prefectural chief of sharecropping.

(Duties of Intermediation Commissioners)

Article 27 Intermediation commissioners must endeavor to investigate the facts of the disputes in detail and have the case settled in a fair manner.

(Intermediation for a Settlement by the Prefectural Governor)

Article 28 (1) The prefectural governor, upon receipt of a suggestion under the proviso to Article 25, paragraph (1), intermediates for a settlement.

- (2) The prefectural governor may, if they find it necessary, designate a prefectural chief of sharecropping or other official and have that official intermediate for a settlement.
- (3) The provisions of the preceding Article apply mutatis mutandis to intermediation for a settlement under the preceding two paragraphs.

(Delegation to Cabinet Order)

Article 29 Beyond what is specified in Article 25 to the preceding Article, any matter necessary for intermediation for a settlement is specified by Cabinet Order.

Chapter IV Measures for Idle Cropland

(Usage Survey)

Article 30 (1) The agricultural commission must conduct a survey on the usage of cropland within the area for which it is responsible (hereinafter referred to as a "usage survey") once a year pursuant to the provisions of Order of the Ministry of Agriculture, Forestry and Fisheries.

(2) The agricultural commission may conduct a usage survey whenever it finds it necessary.

(Request to the Agricultural Commission)

Article 31 (1) Any party set forth in the following items may, if that party recognizes that there is cropland that falls under any of the items of paragraph (1) of the following Article, may notify the agricultural commission to that effect and request that it takes appropriate measures:

- (i) an agricultural cooperative all or a part of whose area covers all or a part of the area of the municipality in which the cropland is located, a land improvement district, or other organizations of farmers specified by Order of the Ministry of Agriculture, Forestry and Fisheries;
- (ii) a person who engages in agriculture in the area that surrounds the cropland (limited to a person whose agricultural management conditions is or could be significantly affected by the cropland);
- (iii) the cropland intermediary management institution.

(2) The agricultural commission must, upon receipt of a request under the preceding paragraph, conduct a usage survey or take other appropriate measures with regard to that cropland.

(Surveys on Intended Use)

Article 32 (1) If a usage survey under Article 30 finds that there is cropland that falls under any of the following items, the agricultural commission is to conduct a survey on the owner of the cropland (or in a case where a person uses and derives profit from the cropland under a title other than ownership, that person; hereinafter referred to as "owner, etc.") as to how they intend to use that cropland in the context of agriculture (hereinafter referred to as a "survey on intended use") pursuant to the provisions of Order of the Ministry of Agriculture, Forestry and Fisheries:

- (i) cropland that is not actually used for cultivation and is expected to continue not to be used for cultivation;
- (ii) cropland whose agricultural use is found to be significantly inferior compared to cropland in the surrounding areas (excluding cropland set forth in the preceding item).

(2) In the case referred to in the preceding paragraph, if the cropland (or in a case where one or more persons use and derive profit from the cropland under a title other than ownership, their right) is shared by two or more persons and if, without negligence, it is impossible to ascertain one or more of the owners, etc. of the cropland, the agricultural commission is to, only when the owners, etc. who have been identified account for more than half of the cropland, conduct a survey on intended use under the same paragraph on the ascertained

owners, etc. of the cropland.

- (3) In a case a usage survey under Article 30 finds that there is cropland that falls under any of the items of paragraph (1), the agricultural commission is to issue a public notice of the particulars set forth in the following items if it is unable, without negligence on its part, to ascertain the owner, etc. of the cropland (or in a case if the cropland (or in a case where one or more persons use and derive profit from the cropland under a title other than ownership, their right) is shared by two or more persons, the person or persons who account for more than half of the cropland; the same applies in item (i), Article 53, paragraph (1), and Article 55, paragraph (2)). In this case, if the cropland (or in a case where one or more persons use and derive profit from the cropland under a title other than ownership, their right) is shared by two or more persons and if one or more of the owners, etc. of the cropland has been identified, the agricultural commission is to notify the person or persons to that effect:
- (i) that the owners, etc. of the cropland cannot be ascertained;
 - (ii) the location, parcel number, land category, and area of the cropland, as well as which item of paragraph (1) the cropland falls under;
 - (iii) that the owners, etc. of the cropland should notify the agricultural commission with a document certifying their title thereto within a period of six months from the date of the public notice pursuant to the provisions of Order of the Ministry of Agriculture, Forestry and Fisheries;
 - (iv) any other particular specified by Order of the Ministry of Agriculture, Forestry and Fisheries.
- (4) If the owners, etc. of the cropland on which a public notice under the preceding paragraph has been issued make a notification under item (iii) of the same paragraph within the period provided for in the same item, the agricultural commission is to conduct a survey on intended use under paragraph (1) on that person.
- (5) In the case referred to in the preceding paragraph, if the cropland (or in a case where one or more persons use and derive profit from the cropland under a title other than ownership, their right) is shared by two or more persons, the agricultural commission is to, only when notification under paragraph (3), item (iii) shows that the owners, etc. who have been identified accounts for more than half of the cropland, conduct a survey on intended use under paragraph (1) on the identified owners, etc. of the cropland.
- (6) The provisions of the preceding paragraphs does not apply to cropland for which permission referred to in Article 4, paragraph (1) or Article 5 paragraph (1) has been granted and other cropland specified by Order of the Ministry of Agriculture, Forestry and Fisheries.

- Article 33 (1) If there is cropland from which the person engaged in cultivation business is absent or confirmed to be absent as specified by Order of the Ministry of Agriculture, Forestry and Fisheries, the agricultural commission is to conduct a survey on intended use on the owner, etc. of that cropland.
- (2) The provisions of paragraphs (2) to (5) of the preceding Article apply mutatis mutandis to the case where cropland provided for in the preceding paragraph exists. In this case, the term "the preceding paragraph" in paragraph (2) of the same Article are deemed to be replaced with "paragraph (1) of the following Article"; the term "and area of the cropland, as well as which item of paragraph (1) the cropland falls under" in paragraph (3), item (ii) of the same Article are deemed to be replaced with "and area of the cropland"; and the term "paragraph (1)" in paragraphs (4) and (5) of the same Article are deemed to be replaced with "paragraph (1) of the following Article".
- (3) The provisions of the preceding two paragraphs do not apply to cropland for which permission referred to in Article 4, paragraph (1) or Article 5 paragraph (1) has been granted and other cropland specified by Order of the Ministry of Agriculture, Forestry and Fisheries.

(Management of Relations over Cropland Use)

Article 34 The agricultural commission is to, if it has conducted a survey on intended use under Article 32, paragraph (1) or paragraph (1) of the preceding Article, make arrangements necessary to promote the use of cropland in agriculture and manage relations over the use of the cropland while taking into consideration the content of the intent as stated by the owner, etc. of the cropland on which the survey on intended use has been conducted, as to how they intend to use that cropland for agriculture.

(Requests for Consultation by Cropland Intermediary Management Institutions)

- Article 35 (1) The agricultural commission is to, in a case where it has conducted a survey on intended use under Article 32, paragraph (1) or Article 33, paragraph (1), if the owner, etc. of the cropland (limited to cropland located in the area covered by the cropland intermediary management program; the same applies in paragraph (1) of the following Article and Article 43, paragraph (1)) on which the survey on intended use has been conducted has stated their intent to use the cropland intermediary management program, notify the cropland intermediary management institutions to that effect.
- (2) Upon receipt of a notification under the preceding paragraph, the cropland intermediary management institution is to promptly request the owner, etc. of the cropland to enter into consultation on the acquisition of the cropland intermediary management right to the cropland; provided, however, that this

does not apply in a case where the cropland fails to conform with the standards that are stipulated by the rules of the cropland intermediary management program provided for in Article 8, paragraph (1) of the Act on Promotion of the Cropland Intermediary Management Program and provided for in paragraph (2), item (ii) of the same Article and if the cropland intermediary management institution notifies the agricultural commission and the owner, etc. of the cropland to that effect.

- (3) In a case where the agricultural commission has conducted a survey on intended use under Article 32, paragraph (1) or Article 33, paragraph (1), if the owner of the cropland (limited to cropland located in the area covered by the cropland use and integration facilitating program provided for in Article 4, paragraph (3) of the Act on Reinforcement of the Agricultural Management Framework) on which the survey on intended use has been conducted has stated their intent to use the program for acting as an agent for cropland owners (as provided for in Article 4, paragraph (3), item (i), (a) of the same Act), the agricultural commission is to notify the organization to facilitate the use and integration of cropland to that effect.
- (4) The provisions of the main clause of paragraph (2) apply mutatis mutandis to any organization to facilitate the use and integration of cropland that has received a notification under the preceding paragraph. In this case, "the acquisition of the cropland intermediary management right" in the main clause of paragraph (2) is deemed to be replaced with "the implementation of the program for acting as an agent for cropland owners provided for in the following paragraph".

(Recommendation for Consultation on the Acquisition of a Cropland Intermediary Management Right)

Article 36 (1) The agricultural commission is to, in a case where it has conducted a survey on intended use under Article 32, paragraph (1) or Article 33, paragraph (1), if any of the following items applies, recommend that the owner, etc. of the cropland on which the a survey on intended use has been conducted, should consult with the cropland intermediary management institution upon it acquiring the cropland intermediary management right; provided, however, that this does not apply in a case where any of the following items applies on justifiable grounds:

- (i) a case where the owner, etc. of the cropland stated their intent to cultivate the cropland but failed to promote the use of cropland in agriculture even after six months elapsed from the date of that statement;
- (ii) a case where the owner, etc. of the cropland stated their intent to transfer the ownership of the cropland or establish or transfer the right of lease or any other right to use and derive profit from the cropland (including the

- statement of the intent as provided for in paragraph (1) of the preceding Article or paragraph (3)) but failed to establish or transfer those rights after six months elapsed from the date of that statement;
- (iii) a case where the owner, etc. of the cropland has not intent to make agricultural use of the cropland;
 - (iv) a case where the owner, etc. of the cropland failed to state their intent as to how they plan to use the cropland in the context of agriculture after six months elapsed from the date of the survey on intended use;
 - (v) beyond cases set forth in the preceding items, cases where it is confirmed that the agricultural use of the cropland will not be promoted.
- (2) The agricultural commission is to, if it has made a recommendation under the preceding paragraph, notify the cropland intermediary management institution (or in a case where a person uses and derives profit from the cropland under a title other than ownership, the cropland intermediary management institution and the owner of the cropland) to that effect.

(Application for Awards)

Article 37 In a case where the agricultural commission has made a recommendation under paragraph (1) of the preceding Article, the cropland intermediary management institution may apply to the prefectural governor for an award regarding the establishment of the cropland intermediary management right (limited to a right of lease; the same applies in Article 39, paragraphs (1) and (2) and Article 40, paragraph (2)) to the cropland on which the recommendation has been made within a period of six months from the date of the recommendation, pursuant to the provisions of Order of the Ministry of Agriculture, Forestry and Fisheries, if it fails to reach an agreement through consultation with the person who has received the recommendation or is unable to consult with that person within a period of two months from the date of the recommendation.

(Submission of Written Opinions)

- Article 38 (1) Upon receipt of an application under the preceding Article, the prefectural governor must issue a public notice of the particulars specified by Order of the Ministry of Agriculture, Forestry and Fisheries and, by giving a notice thereof to the owner, etc. of the cropland pertaining to the application, provide that person with an opportunity to submit a written opinion within a designated period of not less than two weeks.
- (2) A person who submits a written opinion referred to in the preceding paragraph must clearly state in the written opinion the type and content of the right owned by the person, the reason why the person has failed to reach an agreement on the cropland pertaining to the application under the preceding

Article through consultation with the cropland intermediary management institution or is unable to consult with that institution, and any other particular specified by Order of the Ministry of Agriculture, Forestry and Fisheries.

- (3) The prefectural governor must not make an award until after the period referred to in paragraph (1) has elapsed.

(Awards)

Article 39 (1) In a case where it is expected to be certain that no effort will continue to be made to promote the use of cropland in agriculture pertaining to the application under Article 37 in consideration the content of the written opinion referred to in paragraph (1) of the preceding Article and other circumstances surrounding the use of that cropland, if the cropland intermediary management institution finds it necessary and appropriate to implement the cropland intermediary management program for the cropland in order to promote the agricultural use of the cropland, the prefectural governor is to, to the extent necessary, make an award to the effect that the cropland intermediary management right is to be established.

- (2) In an award referred to in the preceding paragraph, the particulars set forth in the following items must be stated:

- (i) the location, parcel number, land category, and area of the cropland to which the cropland intermediary management right is to be established;
- (ii) the content of the cropland intermediary management right;
- (iii) the commencement time and duration of the cropland intermediary management right;
- (iv) the rent;
- (v) the method of payment of the rent.

- (3) An award referred to in paragraph (1) must not exceed the scope of the application as far as the particulars set forth in item (i) to item (iii) of the preceding paragraph are concerned; the duration provided for in the same item must be five years or less.

- (4) The prefectural governor must, when they intend to make an award referred to in paragraph (1), hear the opinions of the prefectural agency in advance; provided, however, that this does not apply if no designation by the prefectural governor under Article 42, paragraph (1) of the Act on Agricultural Commission has been made.

(Effect of Awards)

Article 40 (1) The prefectural governor must, if they have made an award referred to in paragraph (1) of the preceding Article, notify the cropland intermediary management institution and the owner, etc. of the cropland

pertaining to the application for the award and issue a public notice thereof without delay pursuant to the provisions of Order of the Ministry of Agriculture, Forestry and Fisheries. The same applies to a case where the content of the award has been changed by a determination on the application for examination of the award.

- (2) If a public notice under the preceding paragraph on the award referred to in paragraph (1) of the preceding Article has been issued, it are deemed that, as prescribed by the award, a contract has been reached between the cropland intermediary management institution and the owner, etc. of the cropland pertaining to the award on the establishment of the cropland intermediary management right to that cropland.
- (3) The provisions of the proviso to Article 272 (prohibition of a transfer or lease of farming right) and Article 612 (Restrictions on Assignment and Subleasing of Leasehold) of the Civil Code do not apply to the case referred to in the preceding paragraph.

Articles 41 and 42 Deleted

(Use of Cropland When the Owner Cannot Be Ascertained)

Article 43 (1) The agricultural commission is to, in a case where it has issued a public notice under Article 32, paragraph (3) (including as applied mutatis mutandis pursuant to Article 33, paragraph (2) following the deemed replacement of terms; hereinafter the same applies in this paragraph), if the owner, etc. of the cropland on which a public notice has been issued (excluding cropland that falls under paragraph (1), item (ii) of the same Article) fails to place a notification under Article 32, paragraph (3), item (iii) within the period provided for in the same item (including cases where the cropland (or in a case where one or more persons use and derive profit from the cropland under a title other than ownership, their right) is shared by two or more persons and when the notification shows that the owners, etc. of the cropland accounts for a half or less of the cropland), notify the cropland intermediary management institution to that effect. In this case, the cropland intermediary management institution may apply to the prefectural governor for an award regarding the right to use that cropland (hereinafter referred to as "right of use") within a period of four months from the date of the notice pursuant to the provisions of Order of the Ministry of Agriculture, Forestry and Fisheries.

- (2) The provisions of Articles 38 and Article 39 apply mutatis mutandis to a case where an application under the preceding paragraph is made.

In this case, the term "to the owner, etc. of" in Article 38, paragraph (1) are deemed to be replaced with "to any identified owner, etc. of"; the term "cropland intermediary management right" in the provisions of Article 39,

paragraph (1) and paragraph (2), items (i) to item (iii) are deemed to be replaced with "right of use"; the term "the rent" in item (iv) of the same paragraph are deemed to be replaced with "the a mount of compensation equivalent to the rent"; and the term "rent" in item (v) of the same paragraph are deemed to be replaced with "compensation".

- (3) The prefectural governor must, if it has made an award referred to in Article 39, paragraph (1), as applied mutatis mutandis pursuant to the preceding paragraph following the deemed replacement of terms, notify the cropland intermediary management institution (or in a case where there are identified owners, etc. of the cropland pertaining to the application for the award, those persons and the cropland intermediary management institution) and issue a public notice thereof without delay pursuant to the provisions of Order of the Ministry of Agriculture, Forestry and Fisheries. The same applies to a case where the content of the award has been changed by a determination on the application for examination of the award.
- (4) If a public notice under the preceding paragraph has been issued on an award referred to in Article 39, paragraph (1), as applied mutatis mutandis pursuant to paragraph (2) following the deemed replacement of terms, the cropland intermediary management institution acquires the right of use as prescribed by the award.
- (5) The cropland intermediary management institution must deposit the compensation as prescribed by an award referred to in Article 39, paragraph (1), as applied mutatis mutandis pursuant to paragraph (2) following the deemed replacement of terms for the relevant cropland owner, etc. with an official depository, by the time of commencement of the right of use as prescribed by the award.
- (6) The deposit of compensation under the preceding paragraph with an official depository is to be made with an official depository in the area where the cropland is located.
- (7) The provisions of Article 16 apply mutatis mutandis to the right of use that the cropland intermediary management institution acquires pursuant to paragraph (4). In this case, the term "even if it is not registered, upon transfer of the cropland or meadow/pastureland" in paragraph (1) of the same Article is deemed to be replaced with "when the person for whom it has been established begins to possess the cropland".

(Orders to Take Measures)

Article 44 (1) The mayor of the municipality may, if they acknowledge that agricultural management conditions in areas surrounding cropland that fall under any of the items of Article 32, paragraph (1) is or could be significantly affected due to pest infestation or the depositing of earth, rocks and any other

material similar thereto in the cropland, or any ground specified by Cabinet Order, order, to the extent necessary, the owner, etc. of the cropland to take measures necessary to remove or prevent those unfavorable effects (hereinafter referred to as "measures for the removal, etc. of unfavorable effects" in this Article) by a defined time limit.

- (2) When making an order under the preceding paragraph, a written order stating the particulars specified by Order of the Ministry of Agriculture, Forestry and Fisheries must be issued.
- (3) In a case where provided for in paragraph (1), the mayor of the municipality may, if they acknowledge that any of the following items applies, may take all or a part of the measures for the removal, etc. of unfavorable effects on their own. In this case, the mayor of the municipality must, if they acknowledge that item (ii) applies, issue a public notice in advance to the effect that the measures for the removal, etc. of unfavorable effects is to be taken by a defined reasonable time limit and that if none of those measures for the removal, etc. of unfavorable effects has been taken by that time limit, they will take the measures for the removal, etc. of unfavorable effects on their own and collect the costs required for the measures:
 - (i) a case where the owner, etc. of the cropland who was ordered to take measures for the removal, etc. of unfavorable effects pursuant to paragraph (1) failed to take measures prescribed in the order by the time limit prescribed in the order, a case where the measures he or her took were inadequate, or a case where there is no prospect that they will take those measures at all;
 - (ii) a case where the mayor of the municipality cannot, when they intend to issue an order for measures for the removal, etc. of unfavorable effects to be taken pursuant to paragraph (1), ascertain the owner, etc. of the cropland to whom the order for the measures for the removal, etc. of unfavorable effects to be taken is to be addressed;
 - (iii) a case where the mayor of the municipality has no time to spare to order for measures for the removal, etc. of unfavorable effects to be taken pursuant to paragraph (1) when they need to urgently take measures for the removal, etc. of unfavorable effects.
- (4) The mayor of the municipality may, if they have taken all or a part of the measures for the removal, etc. of unfavorable effects referred to in the preceding paragraph pursuant to the provisions of the same paragraph, have the owner, etc. of the cropland bear the costs required for the measures for the removal, etc. of unfavorable effects pursuant to the provisions of Order of the Ministry of Agriculture, Forestry and Fisheries.
- (5) The provisions of Articles 5 and 6 of the Act on Substitute Execution by Administration (Act No. 43 of 1948) apply mutatis mutandis to the collection of

the costs to be borne pursuant to the provisions of the preceding paragraph.

Chapter V Miscellaneous Provisions

(Management of Purchased Land and Standing Timber)

Article 45 (1) Land, standing timber and structures that the State has bought pursuant to Article 7, paragraph (1) or Article 12, paragraph (1) or with the notification pursuant to Article 22, paragraph (1) or Article 23, paragraph (1) as well as the rights thereto are managed by the Minister of Agriculture, Forestry and Fisheries pursuant to the provisions of Cabinet Order.

(2) The handling of ledgers that must be kept pursuant to Article 32, paragraph (1) of the National Property Act (Act No. 73 of 1948) for the national property that is managed by the Minister of Agriculture, Forestry and Fisheries pursuant to the provisions of the preceding paragraph may be provided for in Cabinet Order.

(Selling Off)

Article 46 (1) Pursuant to the provisions of Order of the Ministry of Agriculture, Forestry and Fisheries, the Minister of Agriculture, Forestry and Fisheries is to sell off the cropland and meadow/pastureland that it manages pursuant to paragraph (1) of the preceding Article to persons, organizations to facilitate the use and integration of croplands and cropland intermediary management institutions that it acknowledges will, after obtaining the cropland or meadow/pastureland, operate cultivation or livestock farming-related business with the effective use of all the cropland or meadow/pastureland that is to be used for cultivation or livestock farming-related business, as well as to persons specified by Order of the Ministry of Agriculture, Forestry and Fisheries; provided, however, that this does not apply if the land is sold off pursuant to the following Article.

(2) Any incidental facility that has been purchased pursuant to Article 12, paragraph (1) together with the purchase of the cropland or meadow/pastureland to be sold off pursuant to the provisions of the preceding paragraph for the agricultural use thereof is also to be sold off to the purchasers of the cropland or meadow/pastureland.

Article 47 The Minister of Agriculture, Forestry and Fisheries may, if they find it reasonable not to use the land, standing timber, and structures that they manage pursuant to Article 45, paragraph (1) or the rights thereto for the purpose of promoting cropland use pursuant to the provisions of Cabinet Order, may sell them off or transfer the jurisdiction thereover between or within ministries etc. pursuant to the provisions of Order of the Ministry of

Agriculture, Forestry and Fisheries.

(Inspection of Official Registers)

Article 48 As far as purchasing, buying or awards under this Act are concerned, officials at the national or prefectural governments may inspect necessary books and documents or receive a transcript thereof or certificates of registered information without compensation at registry or municipal offices.

(On-Site Inspections)

Article 49 (1) The Minister of Agriculture, Forestry and Fisheries, the prefectural governor or the mayor of the designated municipality may have their officials enter the land or a structure of another party in order to conduct an inspection or survey and remove or transfer trees, bamboo and other objects that stand in the way of an inspection or survey if this is necessary for buying out or other dispositions under this Act.

- (2) Officials referred to in the preceding paragraph must carry their identification cards and present them to the interested persons such as the owner and possessor of the land or a structure.
- (3) In the case referred to in paragraph (1), the Minister of Agriculture, Forestry and Fisheries, the prefectural governor or the mayor of the designated municipality must notify the possessor of the land or a structure to that effect in advance in accordance with the procedures specified by Order of the Ministry of Agriculture, Forestry and Fisheries; provided, however, that if they are unable to issue a notice or if there are other special circumstances, they may issue a public notice thereof in lieu of the notification.
- (4) Entry under paragraph (1) may be made only during daylight hours with regard to structures, residential land, and land surrounded by a fence, railing, etc. are concerned.
- (5) If the owner or possessor of the land or structure referred to in paragraph (1) suffers losses due to an inspection, survey or the removal or transfer of an object under the same paragraph, the State or a prefecture, etc., pursuant to the provisions of Cabinet Order, compensates for the losses that would ordinarily arise.
- (6) The authority to conduct an on-site inspection under paragraph (1) must not be construed as being granted for criminal investigation purposes.

(Reporting)

Article 50 The Minister of Agriculture, Forestry and Fisheries, the prefectural governor or the mayor of the designated municipality may request the agricultural commission or an agency provided for in Article 44, paragraph (1) of the Act on Agricultural Commission to report on necessary information on

the conditions, etc. of the land if it is necessary for the enforcement of this Act.

(Dispositions against Illegal Conversion)

- Article 51 (1) The head of the prefecture, etc. may, if they find it particularly necessary after weighing the securing of the agricultural use of the land as well as other public interests and those of interested persons, revoke permission that has been granted pursuant to the provisions of Article 4 or 5, change the conditions therefor or attach new conditions thereto, issue an order for work or other acts to be halted or for measures necessary to carry out restoration and otherwise rectify violations (hereinafter referred to as "measures for restoration, etc." in this Article) to be taken within a defined reasonable period of time, with regard to a person who falls under any of the following items (hereinafter referred to as "illegal converter, etc." in this Article), to the extent necessary pursuant to the provisions of Cabinet Order:
- (i) a person who has violated the provisions of Article 4, paragraph (1) or Article 5, paragraph (1) or their general successor;
 - (ii) a person who is in violation of the conditions attached to permission referred to in Article 4, paragraph (1) or Article 5, paragraph (1);
 - (iii) a person who has contracted with the person set forth in the preceding two items to conduct work and other acts for the land pertaining to the violation or subcontractor of the work and other acts;
 - (iv) a person who has obtained permission referred to in Article 4, paragraph (1) or Article 5, paragraph (1) through deception or other wrongful means.
- (2) When making an order under the preceding paragraph, a written order stating the particulars specified by Order of the Ministry of Agriculture, Forestry and Fisheries must be issued.
- (3) In a case where provided for in paragraph (1), the head of the prefecture, etc., if they acknowledge that any of the following items applies, may take all or a part of the measures for restoration, etc. In this case, the head of the prefecture, etc. must, if they acknowledge that item (ii) applies, issue a public notice in advance to the effect that the measures for restoration, etc. is to be taken by a defined reasonable time limit and that if none of those measures for restoration, etc. has not been taken by that time limit, they will take the measures for restoration, etc. on their own and collect the costs required for the measures:
- (i) a case where the illegal converter, etc. who was ordered to take measures for restoration, etc. pursuant to paragraph (1) failed to take measures prescribed in the order by the time limit prescribed in the order, a case where the measures he or her took were inadequate, or a case where there is no prospect that they will take those measures at all;
 - (ii) a case where the head of the prefecture, etc. cannot, when they intend to

- issue an order for measures for restoration, etc. to be taken pursuant to paragraph (1), ascertain the illegal converter, etc. to whom the order for the measures for restoration, etc. to be taken is to be addressed;
- (iii) a case where the head of the prefecture, etc. no time to spare to order for measures for restoration, etc. to be taken pursuant to paragraph (1) when they need to urgently take measures for restoration, etc.
- (4) The head of the prefecture, etc. may, if they have taken all or a part of the measures for restoration, etc. referred to in the preceding paragraph pursuant to the provisions of the same paragraph, have the illegal converter, etc. bear the costs required for the measures for restoration, etc. pursuant to the provisions of Order of the Ministry of Agriculture, Forestry and Fisheries.
- (5) The provisions of Articles 5 and 6 of the Act on Substitute Execution by Administration apply mutatis mutandis to the collection of the costs to be borne pursuant to the provisions of the preceding paragraph.

(Use of Information on Cropland)

- Article 51-2 (1) The prefectural governor, the mayor of the municipality, and the agricultural commission may, to the extent necessary for the fulfillment of the functions under their jurisdiction, internally use the information they maintain on cropland or exchange the information among themselves for purposes other than those that have been identified for the maintenance.
- (2) The prefectural governor, the mayor of the municipality, and the agricultural commission may, to the extent necessary for the fulfillment of the functions under their jurisdictions, request the relevant local governments, cropland intermediary management institutions, and other persons to provide information on cropland

(Provision of Information)

- Article 52 The agricultural commission is to collect, organize, analyze, and provide information on cropland, including the possession and usage status of cropland and trends in rent, etc. thereof in order to contribute to promoting the agricultural use of cropland and managing relations over cropland use as well as to appropriately fulfilling the functions under its jurisdiction.

(Preparation of Cropland Ledgers)

- Article 52-2 (1) The agricultural commission is to prepare a cropland ledger that records the particulars set forth in the following items for each parcel of cropland as part of the organizing of information on cropland under the preceding Article in order to appropriately fulfill the functions under its jurisdiction:
- (i) the name and address of the owner of the cropland;

- (ii) the location, parcel number, land category, and area of the cropland;
 - (iii) a case where a right to use and derive profit from the cropland, such as a superficies, farming right, pledge, a right for use by loan, and a right of lease, is established, the type and duration of those rights, the name and address of the person who owns those rights, and the amount of the rent, etc. (including compensation as prescribed by an award referred to in Article 39, paragraph (1), as applied mutatis mutandis pursuant to Article 43, paragraph (2) following the deemed replacement of terms);
 - (iv) any other particular specified by Order of the Ministry of Agriculture, Forestry and Fisheries.
- (2) Cropland ledgers are all kept in the form of a magnetic disk (including media capable of reliably recording certain particulars by means equivalent thereto).
- (3) The recording of information in cropland ledgers or the correction or deletion of the records are based on the information that has been obtained from applications or notification under this Act or through the collection of information on cropland under the preceding Article; and the agricultural commission is to endeavor to maintain accurate records in cropland ledgers.
- (4) Beyond what is provided for in the preceding three paragraphs, any matter necessary for cropland ledgers is specified by Order of the Ministry of Agriculture, Forestry and Fisheries.

(Publication of Cropland Ledgers and Maps of Cropland)

- Article 52-3 (1) The agricultural commission is to publicize the particulars recorded in cropland ledgers (excluding records the publication of which is identified by Order of the Ministry of Agriculture, Forestry and Fisheries as being detrimental to the rights and interests of individuals or otherwise inappropriate) via the Internet or other means to promote the utilization of information on cropland as part of the provision of information on cropland under Article 52.
- (2) The agricultural commission is to prepare cropland ledgers and maps and publicize them via the Internet or other means to contribute to the promotion of the utilization of information on cropland.
- (3) The provisions of paragraphs (2) to (4) of the preceding Article apply mutatis mutandis to maps referred to in the preceding paragraph.

(Request for Measures against Illegal Conversion)

- Article 52-4 The agricultural commission may, if it is found to necessary, request that the head of the prefecture, etc. should issue an order and take other necessary measures under Article 51, paragraph (1).

(Appeal)

- Article 53 (1) In the issuance of a written purchase order under Article 9, paragraph (1) (including as applied mutatis mutandis pursuant to Article 12, paragraph (2)) or the application for examination of an award referred to in Article 39, paragraph (1) (including as applied mutatis mutandis pursuant to Article 43, paragraph (2) following the deemed replacement of terms), an objection to the amount of the consideration, rent or compensation may not be used as grounds for dissatisfaction with the disposition; provided, however, that this does not apply if a person who has received an award referred to in Article 39, paragraph (1), as applied mutatis mutandis pursuant to Article 43, paragraph (2) following the deemed replacement of terms is unable to file an action referred to in Article 55, paragraph (1) because that they are unable ascertain the owner, etc. of the cropland pertaining to the award.
- (2) A person who is dissatisfied with the disposition regarding the permission under Article 4, paragraph (1) or Article 5, paragraph (1) may apply to the Environmental Dispute Coordination Commission for an award if the grounds for the dissatisfaction relate to coordination with the business of mining, quarrying, or gravel collection.
- (3) An application for examination may not be made with regard to a public notice under Article 7, paragraph (2) or (6). The same applies to a disposition for which an application for examination may be made pursuant to the provisions of the preceding paragraph.
- (4) The provisions of Article 22 of the Administrative Appeal Act (Act No. 68 of 2014) apply mutatis mutandis to a case where the administrative authority has erroneously announced that examination or reinvestigation may be requested with regard to the disposition that it has made under the second sentence of the preceding paragraph.

Article 54 Deleted

(Action for an Increase or Decrease in the Amount of Consideration)

Article 55 (1) A person who is dissatisfied with the amount of consideration, rent or compensation set forth in the following items may request for an increase or decrease in that amount by filing an action; provided, however, that this does not apply if six months has elapsed from the date of disposition regarding the consideration, rent or compensation:

- (i) consideration provided for in Article 9, paragraph (1), item (iii) (including as applied mutatis mutandis pursuant to Article 12, paragraph (2));
- (ii) rent provided for in Article 39, paragraph (2), item (iv);
- (iii) compensation provided for in Article 39, paragraph (2), item (iv), as applied mutatis mutandis pursuant to Article 43, paragraph (2) following the deemed replacement of terms.

- (2) The defendant in an action referred to in the preceding paragraph over the amount of consideration set forth in item (i) of the same paragraph is the State; the defendant in an action referred to in the same paragraph over the amount of rent set forth in item (ii) of the same paragraph is the cropland intermediary management institution or the owner, etc. of the cropland pertaining to the application under Article 37; and the defendant in an action referred to in the same paragraph over the amount of compensation set forth in item (iii) of the same paragraph is the cropland intermediary management institution or the owner, etc. of the cropland pertaining to the application under Article 43, paragraph (1).
- (3) In a case where a judgment upholding an increase in the amount of consideration set forth in paragraph (1), item (i) has become final and binding, if the consideration before that increase has been deposited with an official depository pursuant to Article 10, paragraph (2) (including as applied mutatis mutandis pursuant to Article 12, paragraph (2)), the State must deposit the amount of consideration equivalent to that increase with an official depository. The provisions of Article 10, paragraph (3) apply mutatis mutandis to this case.
- (4) The provisions of Article 11, paragraph (2) apply mutatis mutandis to consideration that has been deposited with an official depository pursuant to the provisions of the preceding paragraph.

(Area of Land)

Article 56 For the purpose of the application of this Act, the area of land represents the area of land recorded in the register; provided, however, that if the area of land recorded in the register is significantly different from the actual area or if the area of land is not recorded in the register at all, the area of land represents the actual measurement certified by the agricultural commission.

(Designation of Original Land Corresponding to Land Reserved For Replotting)

Article 57 (1) In a case where a purchase under Article 7, paragraph (1) is made, if it is necessary for identifying the cropland that is to be subject to that purchase, the Minister of Agriculture, Forestry and Fisheries may designate the original land or a part thereof that corresponds to the land that is designated, before the disposition for replotting takes effect, as land that one can use or derive profit from in place of original land or a part thereof in consideration of its land category, area of land, soil texture, and the like, in accordance with the rules for arable land readjustment under the former Arable Land Readjustment Act (Act No. 30 of 1909), land readjustment provided for in Article 3, paragraph (1) or Article 4, paragraph (1) of the Act for Enforcement of the Land Readjustment Act (Act No. 120 of 1954) or land

improvement projects under the Land Improvement Act, or pursuant to the provisions of Article 53-5, paragraph (1) of the same Act (including as applied mutatis mutandis pursuant to Article 96 and Article 96-4, paragraph (1) of the same Act) or Article 89-2, paragraph (6) or Article 98, paragraph (1) of the Land Readjustment Act (Act No. 119 of 1954).

- (2) The Minister of Agriculture, Forestry and Fisheries must, if they have made a designation under the preceding paragraph, notify the agricultural commission of the details of that designation without delay.

(Instruction and Substitution)

Article 58 (1) The Minister of Agriculture, Forestry and Fisheries may, if they find it particularly necessary for achieving the purpose of this Act, give necessary instructions to the agricultural commission with regard to the management of the functions of the agricultural commission provided for in this Act (excluding those set forth in Article 63, paragraph (1), items (ii) to (v), items (vii) to (xi), items (xiii), (xiv), (xviii) and (xix), and the items of paragraph (2)).

- (2) The Minister of Agriculture, Forestry and Fisheries may, if they find it particularly necessary for achieving the purpose of this Act, may give necessary instructions to the prefectural governor or the mayor of the designated municipality with regard to the administrative functions of the prefectural governor or the mayor of the designated municipality provided for in this Act (excluding those set forth in Article 63, paragraph (1), items (ii), (vi), (viii), (xii), and (xvi) to (xviii); the same applies in the following paragraph).

- (3) The Minister of Agriculture, Forestry and Fisheries may, if the prefectural governor or the mayor of the designated municipality fails to follow the instruction referred to in the preceding paragraph, manage the administrative functions of the prefectural governor or the mayor of the designated municipality provided for in this Act.

- (4) The Minister of Agriculture, Forestry and Fisheries must, if they manage the functions on their own pursuant to the provisions of the preceding paragraph, must issue a public notice to that effect.

(Means of Requesting Rectification)

Article 59 (1) The Minister of Agriculture, Forestry and Fisheries is to, when they make a request under Article 245-5 paragraph (1) of the Local Autonomy Act on the grounds that the prefectural governor's management of the administrative functions set forth in the following items is clearly affecting the securing of cropland or meadow/pastureland, do so by showing the details of the measures to be taken by the prefectural governor:

- (i) administrative functions that are to be handled by the prefectural governor

- pursuant to Article 4, paragraphs (1) and (8) (excluding those pertaining to the act of converting cropland with an area of more than four hectares to non-cropland for the purpose of the same business);
- (ii) administrative functions that are to be handled by the prefectural governor pursuant to Article 5, paragraphs (1) and (4) (excluding those pertaining to the act of acquiring a right set forth in the main clause of Article 3, paragraph (1) for cropland with an area of more than four hectares or meadow/pastureland therewith for the purpose of the same business).
- (2) The Minister of Agriculture, Forestry and Fisheries is to, when they make a request under Article 245-5 paragraph (2) of the Local Autonomy Act on the grounds that the management of the administrative functions set forth in the following items by the municipality is clearly affecting the securing of cropland or meadow/pastureland, do so by showing the details of the measures to be taken by the municipality:
- (i) administrative functions that are to be handled by the mayor of the designated municipality pursuant to Article 4, paragraphs (1) and (8) (excluding those pertaining to the act of converting cropland with an area of more than four hectares to non-cropland for the purpose of the same business);
 - (ii) administrative functions that are to be handled by the mayor of the designated municipality pursuant to Article 5, paragraphs (1) and (4) (excluding those pertaining to the act of acquiring a right set forth in the main clause of Article 3, paragraph (1) for cropland with an area of more than four hectares or meadow/pastureland therewith for the purpose of the same business);
 - (iii) administrative functions of the prefectural governor set forth in the items of the preceding paragraph that are to be handled by the municipality as prescribed by ordinance referred to in Article 252-17-2, paragraph (1) of the Local Autonomy Act, if any.

(Special Provisions for Large Cities)

Article 59-2 Of the administrative functions that are to be handled by the prefecture pursuant to Article 18, paragraphs (1) and (3) as well as the administrative functions that are to be handled by the prefecture pursuant to Article 49, paragraphs (1), (3) and (5), and Article 50 pertaining to the administrative functions, those that concern cropland or meadow/pastureland within the area of the designated city are handled by the designated city. In this case, the provisions concerning the prefectural government or the prefectural governor in relation to the administrative functions provided for in the first sentence in this Act apply to the designated city or the mayor of the designated city as if they were the provisions concerning the designated city or

the mayor of the designated city.

(Special Provisions for the Agricultural Commission)

Article 60 (1) With regard to the application of this Act (excluding Article 25; hereinafter the same applies in this paragraph) to a municipality that does not have an agricultural commission, pursuant to the proviso to Article 3, paragraph (1), or paragraph (5) of the same Article of the Act on Agricultural Commission, the term "the agricultural commission" in this Act is deemed to be replaced with "the mayor of the municipality".

(2) For the purpose of this Act to a municipality that has two or more agricultural commissions pursuant to Article 3, paragraph (2) of the Act on Agricultural Commission, the term "the area of the municipality" in this Act are deemed to be replaced with "the area covered by the agricultural commission".

(Special Provisions for Special Wards)

Article 61 In this Act, the provisions concerning a municipality or the mayor of a municipality (excluding Article 3, paragraph (4) as far as a designated city is concerned) apply to a special ward or the mayor of a special ward where a special ward exists and to a ward or the director of a ward (including the director of an administratively consolidated ward) in a designated city (excluding a designated city that does not have an agricultural commission for each ward (including an administratively consolidated ward; the same applies in this Article) pursuant to Article 41, paragraph (2) of the Act on Agricultural Commission).

(Delegation of Authority)

Article 62 Part of the authority of the Minister of Agriculture, Forestry and Fisheries provided for in this Act may be delegated to the director of a regional agricultural administration office pursuant to the provisions of Order of the Ministry of Agriculture, Forestry and Fisheries.

(Classification of Administrative Functions)

Article 63 (1) The administrative functions to be handled by the prefecture or municipality pursuant to this Act other than those set forth in the following items and the items of the following paragraph are Item I statutorily-entrusted functions provided for in Article 2, paragraph (9), item (i) of the Local Autonomy Act:

(i) administrative functions to be handled by the municipality pursuant to Article 3, paragraph (excluding those to be handled by the agricultural commission pursuant to the same paragraph);

- (ii) administrative functions to be handled by the prefecture, etc. pursuant to Article 4, paragraphs (1), (2) and (8) (excluding those pertaining to the act of converting cropland with an area of more than four hectares to non-cropland for the purpose of the same business);
- (iii) administrative functions to be handled by the municipality pursuant to Article 4, paragraph (3) (limited to the functions of attaching its opinions);
- (iv) administrative functions to be handled by the municipality (limited to the designated municipality) pursuant to Article 4, paragraph (3) (limited to the functions of sending written applications (excluding those pertaining to the act of converting cropland with an area of more than four hectares to non-cropland for the purpose of the same business));
- (v) administrative functions to be handled by the municipality pursuant to Article 4, paragraphs (4) and (5) (including cases where these provisions are applied mutatis mutandis pursuant to paragraph (10) of the same Article);
- (vi) administrative functions to be handled by the prefecture, etc. pursuant to Article 4, paragraph (9) (limited to the functions of hearing opinions (excluding those pertaining to the act of converting cropland with an area of more than four hectares to non-cropland for the purpose of the same business));
- (vii) administrative functions to be handled by the municipality pursuant to Article 4, paragraph (9) (limited to the functions of stating its opinions);
- (viii) administrative functions to be handled by the prefecture, etc. pursuant to Article 5, paragraphs (1) and (4) as well as paragraph (3) of the same Article as applied mutatis mutandis pursuant to Article 4, paragraph (2) (excluding those pertaining to the act of acquiring a right set forth in the main clause of Article 3, paragraph (1) for cropland with an area of more than four hectares or meadow/pastureland therewith for the purpose of the same business);
- (ix) administrative functions to be handled by the municipality pursuant to Article 4, paragraph (3) as applied mutatis mutandis pursuant to Article 5, paragraph (3) (limited to the functions of attaching their opinions);
- (x) administrative functions to be handled by the municipality (limited to the designated municipality) pursuant to Article 4, paragraph (3) as applied mutatis mutandis pursuant to Article 5, paragraph (3) (limited to the functions of sending written applications (excluding those pertaining to the act of acquiring a right set forth in the main clause of Article 3, paragraph (1) for cropland with an area of more than four hectares or meadow/pastureland therewith for the purpose of the same business));
- (xi) administrative functions to be handled by the municipality pursuant to Article 4, paragraphs (4) and (5) as applied mutatis mutandis pursuant to Article 5, paragraph (3) following the deemed replacement of terms, as well as those to be handled by the municipality pursuant to Article 4, paragraphs

- (4) and (5) of the same Article as applied mutatis mutandis pursuant to paragraph (10) following the deemed replacement of terms as applied mutatis mutandis pursuant to Article 5, paragraph (5) following the deemed replacement of terms;
- (xii) administrative functions to be handled by the prefecture, etc. pursuant to Article 4, paragraph (9) as applied mutatis mutandis pursuant to Article 5, paragraph (5) (limited to the functions of hearing opinions (excluding those pertaining to the act of acquiring a right set forth in the main clause of Article 3, paragraph (1) for cropland with an area of more than four hectares or meadow/pastureland therewith for the purpose of the same business));
 - (xiii) administrative functions to be handled by the municipality pursuant to Article 4, paragraph (9) as applied mutatis mutandis pursuant to Article 5, paragraph (5) (limited to the functions of stating its opinions);
 - (xiv) administrative functions to be handled by the municipality pursuant to Articles 30 and 31, Article 32, paragraph (1), paragraphs (2) to (5) of the same Article (including cases where these provisions are applied mutatis mutandis pursuant to Article 33, paragraph (2)), Article 33, paragraph (1), Article 34, Article 35, paragraphs (1) and (3), Article 36, and Article 43, paragraph (1);
 - (xv) administrative functions to be handled by the municipality pursuant to Article 44;
 - (xvi) administrative functions to be handled by the prefecture, etc. pursuant to Article 49, paragraphs (1), (3) and (5) and Article 50 (limited to the functions pertaining to those set forth in items (ii) and (viii) and the following paragraph);
 - (xvii) administrative functions to be handled by the prefecture, etc. pursuant to Article 51 (limited to the functions set forth in items (ii) and (viii));
 - (xviii) administrative functions to be handled by the prefecture or municipality pursuant to Article 51-2;
 - (xix) administrative functions to be handled by the municipality pursuant to Articles 52 to Article 52-3.
- (2) Of the administrative functions to be handled by the municipality pursuant to this Act, those set forth in the following items are Item II statutorily-entrusted functions provided for in Article 2, paragraph (9), item (ii) of the Local Autonomy Act:
- (i) administrative functions to be handled by the municipality (excluding the designated municipality) pursuant to Article 4, paragraph (1), item (vii) (excluding those pertaining to the act of converting cropland with an area of more than four hectares to non-cropland for the purpose of the same business);
 - (ii) administrative functions to be handled by the municipality (excluding the

- designated municipality) pursuant to Article 4, paragraph (3) (limited to the functions of sending written applications (excluding those pertaining to the act of converting cropland with an area of more than four hectares to non-cropland for the purpose of the same business));
- (iii) administrative functions to be handled by the municipality (limited to the designated municipality) pursuant to Article 5, paragraph (1), item (vi) (excluding those pertaining to the act of acquiring a right set forth in the main clause of Article 3, paragraph (1) for cropland with an area of more than four hectares or meadow/pastureland therewith for the purpose of the same business);
- (iv) administrative functions to be handled by the municipality (limited to the designated municipality) pursuant to Article 4, paragraph (3) as applied *mutatis mutandis* pursuant to Article 5, paragraph (3) (limited to the functions of sending written application (excluding those pertaining to the act of acquiring a right set forth in the main clause of Article 3, paragraph (1) for cropland with an area of more than four hectares or meadow/pastureland therewith for the purpose of the same business)).

(Consideration of Operations)

Article 63-2 In the application of this Act, given that Japan's agriculture is operated by, or in cooperation among, various farmers who differ in type and scale of management, including households and corporations, consideration to ensuring that various agricultural efforts based on independent decisions by farmers regarding the type, scale, etc. of agricultural management are respected and that cropland, which provides precious resources for local areas, is put to effective agricultural use in harmony with local areas must be given.

Chapter VI Penal Provisions

Article 64 A person who falls under any of the following items is subject to either imprisonment for up to three years or a fine of up to three million yen:

- (i) a person who has violated the provisions of Article 3, paragraph (1), Article 4, paragraph (1), Article 5, paragraph (1), or Article 18, paragraph (1);
- (ii) a person who has obtained permission referred to in Article 3, paragraph (1), Article 4, paragraph (1), Article 5, paragraph (1), or Article 18, paragraph (1) through deception or other wrongful means;
- (iii) a person who has violated an order issued by the head of the prefecture, etc. under Article 51, paragraph (1).

Article 65 A person who has refused, obstructed or evaded the inspection, survey, removal or transfer by officials under Article 49, paragraph (1) is subject to

either imprisonment for up to six months or a fine of up to 300,000 yen.

Article 66 A person who has violated an order issued by the mayor of the municipality under Article 44, paragraph (1) is subject to a fine of up to 300,000 yen.

Article 67 If the representative of a corporation or the agent, employee or other worker of a corporation or an individual has committed any violation set forth in the following items with regard to the business or property of the corporation or individual, not only the offender but also the corporation or individual are subject to a fine prescribed in those items:

- (i) Article 64, item (i) or item (ii) (limited to the part of these provisions that pertains to Article 4, paragraph (1) or Article 5, paragraph (1)) or item (iii): a fine of up to 100 million yen;
- (ii) Article 64 (excluding the part that pertains to the preceding item) or the preceding two Articles: a fine prescribed in the respective Articles.

Article 68 A person who has failed to make a report in violation of Article 6, paragraph (1) or made a false report is subject to a civil fine of up to 300,000 yen.

Article 69 A person who has failed to make a notification in violation of Article 3-3 or made a false notification is subject to a civil fine of up to 100,000 yen.

Supplementary Provisions

(Effective Date)

- (1) The effective date of this Act is specified by Cabinet Order within a period not exceeding six months from the date of promulgation.

(Consultation with the Minister of Agriculture, Forestry and Fisheries)

- (2) The head of the prefecture, etc. must, for the time being, consult the Minister of Agriculture, Forestry and Fisheries in advance in any of the cases set forth in the following items:
 - (i) a case where the head of the prefecture, etc. intends to grant permission referred to in Article 4, paragraph (1) with regard to the act of converting cropland with an area of more than four hectares to non-cropland for the purpose of the same business (excluding the act of converting cropland to non-cropland pursuant to the Act on the Promotion of Introduction of Industry into Agricultural Regions (Act No. 112 of 1971) or any other act concerning regional development or improvement specified by Cabinet Order

(referred to as "regional development act" in item (iii)) that meets the requirements specified by Cabinet Order; the same applies in the following item);

(ii) a case where the head of the prefecture, etc. intends to reach an agreement referred to in Article 4, paragraph (8) with regard to the act of converting cropland with an area of more than four hectares to non-cropland for the purpose of the same business;

(iii) a case where the head of the prefecture, etc. intends to grant permission referred to in Article 5, paragraph (1) with regard to the act of acquiring rights set forth in the main clause of Article 3, paragraph (1) for cropland with an area of more than four hectares or meadow/pastureland therewith for the purpose of the same business (excluding the act of acquiring those rights pursuant to a regional development act that meets the requirements specified by Cabinet Order; the same applies in the following item);

(iv) a case where the head of the prefecture, etc. intends to reach an agreement referred to in Article 5, paragraph (4) with regard to the act of acquiring rights set forth in the main clause of Article 3, paragraph (1) for cropland with an area of more than four hectares or meadow/pastureland therewith for the purpose of the same business.

**Supplementary Provisions [Act No. 194 of August 10, 1953 Extract]
[Extract]**

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

**Supplementary Provisions [Act No. 213 of August 15, 1953 Extract]
[Extract]**

(1) This Act comes into effect as of September 1, 1953.

(2) Dispositions such as permission and authorization or procedures such as application and notification undertaken pursuant to the provisions of former laws and regulations prior to the enforcement of this Act are deemed to be, respectively, dispositions or procedures undertaken under the corresponding provisions after the amendment.

Supplementary Provisions [Act No. 120 of May 20, 1954 Extract] [Extract]

(1) This Act comes into effect as of the date of enforcement of the New Act.

**Supplementary Provisions [Act No. 185 of June 15, 1954 Extract]
[Extract]**

(1) This Act comes into effect as of July 20, 1954.

Supplementary Provisions [Act No. 148 of June 12, 1956]

- (1) This Act comes into effect as of the date of enforcement of the Act Partially Amending the Local Autonomy Act (Act No. 147 of 1956).
- (2) Transitional measures necessary for the prohibition of persons who sit on the sea-area fisheries regulation commission or the agricultural commission at the time of enforcement of this Act from holding another concurrent post and those necessary for the transfer of administrative functions handled, managed or executed by a prefecture or the governor or a commission or other organizations of the prefecture to a designated city referred to in Article 252-19, paragraph (1) of the Local Autonomy Act (hereinafter referred to as "designated city") or the major or a commission or other organizations of the designated city upon enforcement of this Act are as prescribed in paragraph (4) and paragraphs (9) to (15), respectively, of the Supplementary Provisions to the Act Partially Amending the Local Autonomy Act (Act No. 147 of 1956).

Supplementary Provisions [Act No. 69 of April 20, 1957 Extract] [Extract]

- (1) The effective date of this Act is specified by Cabinet Order within a period not exceeding 90 days from the date of promulgation; provided, however, that the amended provisions of Article 88-2 and Article 94, paragraph (1) of the Land Improvement Act and the provisions of paragraphs (12) to (15) of the Supplementary Provisions (hereinafter referred to as "provisions related to land improvement property") comes into effect as of the date of promulgation.
- (13) Prior laws continue to govern the management and disposition of those set forth in the following items even after the enforcement of the provisions related to land improvement property:
- (i) land that is created prior to the enforcement of the provisions related to land improvement property;
 - (ii) land that is to be created after the enforcement of the provisions related to land improvement property by a project referred to in Article 87-2, item (ii) of the Land Improvement Act that the State implements pursuant to paragraph (1) of the same paragraph, but only if a public notice under Article 62, paragraph (3) of the Cropland Act has been issued with regard to the district that includes that land prior to the enforcement of the provisions related to land improvement property.
- (14) The land and the rights thereto that are under the management of the Minister of Agriculture, Forestry and Fisheries pursuant to Article 78,

paragraph (1) of the Cropland Act at the time of enforcement of the provisions related to land improvement property and that have been acquired by the State for a project referred to in Article 87-2, paragraph (1), item (ii) of the Land Improvement Act that is to be implemented pursuant to the same paragraph (excluding the land on which the state-run land improvement project pertaining to the area that includes that land has been completed prior to the enforcement of the provisions related to land improvement property, as well as the land on which a public notice under Article 62, paragraph (3) of the Cropland Act has been issued with regard to the district that includes that land) are deemed to be the land and the rights thereof referred to in Article 94, paragraph (1), item (iii) of the Land Improvement Act (or Article 94, item (iii) after the application of this Act) and thus be managed and disposed of by the Minister of Agriculture, Forestry and Fisheries pursuant to the same Article.

(15) The land provided for in the preceding paragraph that has been purchased pursuant to Article 44, paragraph (1) of the Cropland Act and for which the Minister of Agriculture, Forestry and Fisheries finds it reasonable not to develop a land distribution plan referred to in Article 94-8, paragraph (1) of the Land Improvement Act must be sold off to the pre-purchase owner or their general successor unless otherwise provided for by Cabinet Order. In this case, the consideration for the sale are pursuant to Article 2 of the Act on Special Measures concerning Sale of National Cropland, etc. (Act No. 50 of 1971).

Supplementary Provisions [Act No. 72 of April 20, 1957 Extract] [Extract]

(1) This Act comes into effect as of July 20, 1957; provided, however, that the amended provisions of Article 3 and the provisions of the following paragraph, paragraphs (3), (5), (6), (9) and (11) come into effect as of the date of promulgation.

**Supplementary Provisions [Act No. 148 of April 20, 1959 Extract]
[Extract]**

(Effective Date)

(1) This Act comes into effect as of the date of enforcement of the National Tax Collection Act (Act No. 147 of 1959).

(Transitional Measures Concerning Revision of the Priority Order of Statutory Liens of Public Charges)

(7) The provisions of laws and regulations (limited to the parts relating to the priority order of a statutory lien of a surcharge) as amended by the provisions of Chapter II apply to the case where a distribution procedure through the

compulsory selling-out procedure prescribed in Article 2, item (xxii) of the National Tax Collection Act is commenced after the enforcement of this Act; prior laws continue to govern the priority order of a statutory lien of a surcharge as prescribed in the provisions of those laws and regulations in the case where the distribution procedure is commenced prior to the enforcement of this Act.

**Supplementary Provisions [Act No. 14 of March 31, 1960 Extract]
[Extract]**

(Effective Date)

Article 1 This Act comes into effect as of April 1, 1960.

Supplementary Provisions [Act No. 67 of April 2, 1962 Extract] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of April 1, 1962.

Supplementary Provisions [Act No. 126 of May 11, 1962 Extract] [Extract]

(1) This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding 90 days from the date of promulgation.

Supplementary Provisions [Act No. 140 of May 16, 1962 Extract] [Extract]

- (1) This Act comes into effect as of October 1, 1962.
- (2) The provisions amended by this Act also apply to particulars that have arisen prior to the enforcement of this Act, except as otherwise provided by these Supplementary Provisions; provided, however, that those provisions do not hinder effects which have arisen pursuant to the provisions prior to amendment by this Act.
- (3) Prior laws continue to govern litigation actually pending at the time of enforcement of this Act, notwithstanding the provisions amended by this Act stipulating that the litigation may not be filed.
- (4) Prior laws continue to govern the jurisdiction concerning litigation actually pending at the time of enforcement of this Act, notwithstanding the provisions amended by this Act making the jurisdiction an exclusive jurisdiction.
- (5) Prior laws continue to govern the statute of limitations for filing an action concerning a disposition or determination for which the statute of limitations for filing an action under the provisions prior to amendment by this Act is actually running at the time of enforcement of this Act; provided, however, that

this is limited to the case where the statute of limitations for filing an action under the provisions amended by this Act is shorter than that under the provisions prior to amendment by this Act.

- (6) With regard to a public law related action concerning a disposition or determination made prior to the enforcement of this Act for which the statute of limitations has been introduced by amendments to this Act, the statute of limitations is counted from the date of enforcement of this Act.
- (7) Prior laws continue to govern an action for rescission of a disposition or determination which is actually pending at the time of enforcement of this Act, notwithstanding the provisions amended by this Act stipulating that either of the parties in the relevant legal relationship is to be the defendant; provided, however, that the court may, upon motion by the plaintiff, permit changing the action to a public law related action by an order.
- (8) The provisions of the second sentence of Article 18 and Article 21, paragraphs (2) to (5) of the Administrative Case Litigation Act apply mutatis mutandis to the case referred to in the proviso to the preceding paragraph.

**Supplementary Provisions [Act No. 161 of September 15, 1962 Extract]
[Extract]**

- (1) This Act comes into effect as of October 1, 1962.
- (2) The provisions amended by this Act also apply to dispositions made by an administrative authority prior to the enforcement of this Act, an inaction by an administrative authority pertaining to an application filed prior to the enforcement of this Act, or other particulars that have arisen prior to the enforcement of this Act, except as otherwise provided by these Supplementary Provisions; provided, however, that those provisions do not hinder effects which have arisen pursuant to the provisions prior to amendment by this Act.
- (3) Prior laws continue to govern a petition, request for an examination, objection or other appeals (hereinafter referred to as a "petition, etc.") filed prior to the enforcement of this Act even after the enforcement of this Act. The same applies to a determination, ruling, or other dispositions on a petition, etc. made prior to the enforcement of this Act (hereinafter referred to as a "determination, etc."), or a further petition, etc. filed in the case of dissatisfaction with a determination, etc. made after the enforcement of this Act with regard to a petition, etc. filed prior to the enforcement of this Act.
- (4) The petition, etc. prescribed in the preceding paragraph, which pertains to dispositions against which an appeal under the Administrative Appeal Act may be filed after the enforcement of this Act, is deemed to be an appeal under the Administrative Appeal Act with regard to the application of Acts other than the same Act.

- (5) No appeal under the Administrative Appeal Act may be filed against a determination, etc. on a request for an examination, objection, or other appeals filed after the enforcement of this Act pursuant to paragraph (3).
- (6) With regard to a disposition rendered by an administrative authority prior to the enforcement of this Act, against which a petition, etc. may be filed pursuant to the provisions prior to amendment by this Act and for which the period for filing a petition, etc. has not been set, the period for filing an appeal under the Administrative Appeal Act is counted from the date of the enforcement of this Act.
- (8) Prior laws continue to govern the application of penal provisions to acts committed prior to the enforcement of this Act.
- (9) Beyond what is specified in the preceding eight paragraphs, other transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

**Supplementary Provisions [Act No. 134 of July 11, 1963 Extract]
[Extract]**

(Effective Date)

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

Supplementary Provisions [Act No. 94 of June 2, 1964 Extract] [Extract]

- (1) This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation.

**Supplementary Provisions [Act No. 170 of July 11, 1964 Extract]
[Extract]**

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

**Supplementary Provisions [Act No. 41 of March 31, 1966 Extract]
[Extract]**

- (1) This Act comes into effect as of April 1, 1966.

**Supplementary Provisions [Act No. 100 of June 15, 1968 Extract]
[Extract]**

(Effective Date)

(1) This Act comes into effect as of the date specified separately by law.

Supplementary Provisions [Act No. 8 of March 28, 1970 Extract] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of May 1, 1970.

Supplementary Provisions [Act No. 55 of May 15, 1970 Extract] [Extract]

(1) This Act comes into effect as of the day on which 90 days have elapsed from the date of promulgation.

Supplementary Provisions [Act No. 56 of May 15, 1970 Extract] [Extract]

(Effective Date)

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

(Transitional Measures)

(2) A disposition, procedure or other act undertaken prior to the enforcement of this Act pursuant to the provisions of Article 3, paragraph (1) or Article 5, paragraph (1) of the Cropland Act prior to amendment (hereinafter referred to as the "Former Act") or the provisions of an order pursuant to these provisions is deemed to have been undertaken pursuant to the corresponding provisions of Article 3, paragraph (1) or Article 5, paragraph (1) of the Cropland Act after the amendment (hereinafter referred to as the "New Act") or the provisions of an order pursuant to these provisions.

(3) Prior laws continue to govern the purchase of tenant cropland or tenant meadow/pastureland on which a public notice under Article 8, paragraph (1) of the former Act has been issued prior to the enforcement of this Act.

(4) Prior laws continue to govern the purchase of the land, standing timber, the structure or the right of use of water on which a written purchase order or a public notice in lieu of that order under Article 14, paragraph (2) of the former Act or Article 11, paragraph (1) or (2) of the former Act as applied mutatis mutandis pursuant to Article 15, paragraph (2) has been issued prior to the enforcement of this Act.

(5) Prior laws continue to govern the purchase of the cropland or meadow/pastureland on which the public notice under Article 15-2, paragraph (3) of the former Act has been issued prior to the enforcement of this Act.

(6) The land, standing timber, structure or the right of use of water that the State has purchased in accordance with prior laws pursuant to the preceding

three paragraphs are deemed to have been purchased by the State pursuant to Article 9, paragraph (1) or paragraph (2), Article 14, paragraph (1), Article 15, paragraph (1), or Article 15-2, paragraph (1) or (2) of the new Act for the purpose of the application of the provisions of Chapter II, Section 5 and Articles 78 and 80 of the new Act.

- (7) Prior laws continue to govern termination by agreement under an agreement reached prior to the enforcement of this Act as well as a notice to the effect that the renewal of a lease with a definite term of ten years or more whose remaining term is less than ten years on the date of enforcement of this Act that is to be made before the expiration of the remaining term will not be made, notwithstanding the provisions of the proviso to Article 20, paragraph (1) of the new Act.
- (8) With regard to the rent payable by a farming right holder who is an individual for whom the superficies, farming right or the right of lease (including the lease by the right of lease that has been renewal, if any) that is actually established at the time of enforcement of this Act, the provisions of Articles 21 to Article 24-3 and Article 85, paragraph (7) of the new Act do not apply, and the provisions of Articles 21 to 24 and Article 85, paragraph (7) of the former Act remain in force until the day specified by Cabinet Order within a period not exceeding ten years from the date of enforcement of this Act.
- (9) The Minister of Agriculture, Forestry and Fisheries is to review every year the standards referred to in Article 21, paragraph (1) of the former Act that remain in force pursuant to the provisions of the preceding paragraph, in consideration of the economic situation, etc., and change these standards if the results of the review suggest the need for the changes.
- (10) Prior laws continue to govern the application of penal provisions to acts committed prior to the enforcement of this Act and to acts committed after the enforcement of this Act that are deemed to be governed by prior laws pursuant to paragraph (7) of the Supplementary Provisions and those that violate the provisions of Article 23 of the former Act that are deemed to be remain in force pursuant to paragraph (8) of the Supplementary Provisions.

Supplementary Provisions [Act No. 78 of May 20, 1970 Extract] [Extract]

(Effective Date)

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

Supplementary Provisions [Act No. 50 of April 26, 1971 Extract] [Extract]

(Effective Date)

(1) This Act comes into effect as of the day specified by Cabinet Order within a

period not exceeding 30 days from the date of promulgation.

(Application)

- (2) This Act applies to the land, etc. that is sold off pursuant to Article 80, paragraph (2) of the Cropland Act on and after the date of enforcement of this Act.

(Transitional Measures)

- (3) Prior laws continue to govern land, etc. sold off pursuant to the provisions of Article 80, paragraph (2) of the Cropland Act prior to amendment by this Act if, pursuant to the provisions of Cabinet Order, a local government, etc. has applied, prior to the date of enforcement of this Act, to the Minister of Agriculture, Forestry and Fisheries or the prefectural governor who manages the land, etc. for a lease on the land, etc. for public or government use and if the land, etc. is undergoing the procedure of being sold off to the pre-purchase owner or their general successor at the time of enforcement of this Act, notwithstanding the provisions of the preceding paragraph.

Supplementary Provisions [Act No. 52 of June 3, 1972 Extract] [Extract]

(Effective Date)

- Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding 30 days from the date of promulgation.

(Transitional Measures Concerning Dispositions by the Land Coordination Commission or the Central Public Pollution Examination Commission)

- Article 16 (1) Unless otherwise provided for by Cabinet Order, an act such as disposition that has been undertaken prior to the enforcement of this Act by the Land Coordination Commission or the Central Pollution Examination Commission pursuant to laws prior to amendment by this Act is deemed to have been undertaken by the Environmental Dispute Coordination Commission pursuant to the corresponding provisions of this Act or the Act amended by this Act.

- (2) Unless otherwise provided by Cabinet Order, an application or other procedures that are actually being undertaken at the time of enforcement of this Act with regard to the Land Coordination Commission or the Central Pollution Examination Commission pursuant to the provisions of laws prior to amendment by this Act is deemed to be being undertaken with regard to the Environmental Dispute Coordination Commission pursuant to the corresponding provisions of this Act or the Act amended by this Act.

Supplementary Provisions [Act No. 43 of May 2, 1974 Extract] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the date of promulgation; provided, however, that the provisions of Articles 16 to 27 of the Supplementary Provisions comes into effect as of the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation.

Supplementary Provisions [Act No. 39 of June 13, 1975 Extract] [Extract]

(Effective Date)

(1) This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation.

Supplementary Provisions [Act No. 87 of July 5, 1978 Extract] [Extract]

(Effective Date)

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

Supplementary Provisions [Act No. 5 of March 30, 1979 Extract] [Extract]

(Effective Date)

(1) This Act comes into effect as of the date on which the Civil Execution Act (Act No. 4 of 1979) comes into effect (October 1, 1980).

(Transitional Measures)

- (2) Prior laws continue to govern the cases of civil execution, exercise of enterprise security rights, and bankruptcy filed before the enforcement of this Act.
- (3) The amount of fees and payment to be received by or the amount of expenses to be reimbursed to a court execution officer concerning the cases referred to in the preceding paragraph are prescribed by the Rules of the Supreme Court, notwithstanding the provisions of the same paragraph.

Supplementary Provisions [Act No. 65 of May 28, 1980 Extract] [Extract]

(Effective Date)

(1) This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation.

Supplementary Provisions [Act No. 66 of May 28, 1980 Extract] [Extract]

(Effective Date)

- (1) This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation.

(Transitional Measures)

- (2) A disposition, procedure or any other act undertaken prior to the enforcement of this Act pursuant to the provisions of Article 3, paragraph (1), Article 4, paragraph (1), or Article 5, paragraph (1) prior to amendment or the provisions of an order pursuant to these provisions is deemed to have been undertaken pursuant to the provisions of Article 3, paragraph (1), Article 4, paragraph (1), or Article 5, paragraph (1) after the amendment or the corresponding provisions of an order pursuant to these provisions.
- (3) Prior laws continue to govern the purchase of cropland or meadow/pastureland on which a public notice under Article 15-2, paragraph (3) has been issued prior to the enforcement of this Act.
- (4) Prior laws continue to govern the purchase of cropland or meadow/pastureland pertaining to notification referred to in Article 33, paragraph (1), or Article 34, paragraph (1) prior to amendment that has been made by the State prior to the enforcement of this Act.
- (5) Prior laws continue to govern the application of penal provisions to acts committed prior to the enforcement of this Act.

Supplementary Provisions [Act No. 67 of May 28, 1980 Extract] [Extract]

(Effective Date)

- (1) This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation.

Supplementary Provisions [Act No. 90 of July 12, 1985 Extract] [Extract]

(Effective Date)

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

(Transitional Measures Associated with Partial Amendments to the Cropland Act)

Article 9 Reports that the prefectural reclamation council, which existed prior to the enforcement of the provisions of Article 30, submitted under the Cropland Act prior to the amendment under the same Article are deemed to be reports that the prefectural agricultural council submits under the Cropland Act after the amendment under the same Article.

**Supplementary Provisions [Act No. 109 of December 26, 1986 Extract]
[Extract]**

(Effective Date)

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

(Transitional Measures for Other Dispositions and Applications)

Article 6 An act such as the disposition of permission, etc. that has been undertaken pursuant to respective laws prior to amendment (hereinafter referred to as "act of disposition, etc." in this Article) prior to the enforcement of this Act (or the applicable provisions set forth in the items of Article 1 of the Supplementary Provisions; hereinafter the same applies in this Article and Article 8 of the Supplementary Provisions) or an act such as the application for permission, etc. that is actually being undertaken pursuant to respective laws prior to amendment (hereinafter referred to as "act of application, etc." in this Article) at the time of enforcement of this Act is, for the purpose of the application of respective laws after amendment on and after the date of enforcement of this Act, be deemed to be an act of disposition, etc. or an act of application, etc. undertaken pursuant to the corresponding provisions of respective laws after amendment, if the person who should undertake administrative functions for the act is different on date of enforcement of this Act, unless otherwise stipulated in the provisions of Article 2 to the preceding Article of the Supplementary Provisions or the provisions for transitional measures in respective laws after amendment (including orders pursuant thereto).

(Transitional Measures Concerning Penal Provisions)

Article 8 Prior laws continue to govern the application of penal provisions to acts committed prior to the enforcement of this Act and to acts committed after the enforcement of this Act that are deemed to be governed by prior laws pursuant to Article 2, paragraph (1) of the Supplementary Provisions.

Supplementary Provisions [Act No. 63 of June 2, 1987 Extract] [Extract]

(Effective Date)

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

Supplementary Provisions [Act No. 44 of May 17, 1988 Extract] [Extract]

(Effective Date)

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

Supplementary Provisions [Act No. 45 of June 28, 1989 Extract] [Extract]

(Effective Date)

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

Supplementary Provisions [Act No. 21 of May 7, 1990 Extract] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of April 1, 1991.

(Transitional Measures Associated with Partial Amendments to the Cropland Act)

Article 26 Prior laws continue to govern the application of penal provisions under the Cropland Act and to acts committed prior to the date of enforcement.

Supplementary Provisions [Act No. 44 of June 22, 1990 Extract] [Extract]

(Effective Date)

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

Supplementary Provisions [Act No. 79 of May 21, 1991 Extract] [Extract]

(Effective Date)

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

(Transitional Measures for Other Dispositions and Applications)

Article 6 An act such as the disposition of permission, etc. that has been undertaken pursuant to respective laws prior to amendment (hereinafter referred to as "act of disposition, etc." in this Article) prior to the enforcement of this Act (or the applicable provisions set forth in the items of Article 1 of the Supplementary Provisions; hereinafter the same applies in this Article and the following Article) or an act such as the application for permission, etc. that is actually being undertaken pursuant to respective laws prior to amendment (hereinafter referred to as "act of application, etc." in this Article) at the time of enforcement of this Act is, for the purpose of the application of respective

laws after amendment on and after the date of enforcement of this Act, be deemed to be an act of disposition, etc. or an act of application, etc. undertaken pursuant to the corresponding provisions of respective laws after amendment, if the person who should undertake administrative functions for the act is different on date of enforcement of this Act, unless otherwise stipulated in the provisions of Article 2 to the preceding Article of the Supplementary Provisions or the provisions for transitional measures in respective laws after amendment (including orders pursuant thereto).

(Transitional Measures Concerning Penal Provisions)

Article 7 Prior laws continue to govern the application of penal provisions to acts committed prior to the enforcement of this Act and to acts committed after the enforcement of this Act that are deemed to be governed by prior laws pursuant to Article 2, paragraph (1) of the Supplementary Provisions.

Supplementary Provisions [Act No. 70 of June 16, 1993 Extract] [Extract]

(Effective Date)

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

(Transitional Measures Associated with Partial Amendments to the Cropland Act)

Article 3 (1) A disposition, procedure or any other act undertaken prior to the enforcement of this Act pursuant to the provisions of Article 3, paragraph (1) of the Cropland Act prior to amendment under Article 2 (hereinafter referred to as the "Former Cropland Act") or the provisions of an order pursuant to these provisions is deemed to have been undertaken pursuant to the provisions of Article 3, paragraph (1) of the Cropland Act after amendment under Article 2 (hereinafter referred to as the "New Cropland Act") or the corresponding provisions of an order pursuant to these provisions.

(2) Prior laws continue to govern the implementation of a cropland holding rationalization promotion project provided for in the proviso to Article 3, paragraph (2) of the former Cropland Act that is undertaken by the corporation specified by Cabinet Order provided for in the proviso to the same paragraph (hereinafter referred to as the "former cropland holding rationalization corporation") that exists at the time of enforcement of this Act (hereinafter referred to as a "former cropland holding rationalization promotion project") for a period from the date of enforcement of this Act through, for the former cropland holding rationalization corporation that is the corporation provided for in Article 5, paragraph (2), item (iv), (b) of the Act on Reinforcement of the

Agricultural Management Framework, the date on which the basic policy referred to in paragraph (1) of the same Article is first established pursuant to the same paragraph; or through, for the other former cropland holding rationalization corporation, the day on which three months have elapsed from the date on which the basic concept is first established pursuant to Article 6, paragraph (1) of the Act on Reinforcement of the Agricultural Management Framework (or, for the implementation policy deemed to be the basic concept pursuant to paragraph (1) of the preceding Article, the date on which the supplement is approved pursuant to paragraph (2) of the same Article) (or, in a case where the approval referred to in Article 7, paragraph (1) of the Act on Reinforcement of the Agricultural Management Framework is obtained prior to the day, the date on which the approval is obtained), unless otherwise provided for in the following paragraph.

- (3) Prior laws continue to govern the sharecropping land that the former cropland holding rationalization corporation leases from the lessor through the implementation of a former cropland holding rationalization promotion project as well as the sharecropping land that the organization owns and leases to a lessee temporarily until it sells or exchanges the land through the implementation of a former cropland holding rationalization promotion project.
- (4) Prior laws continue to govern the purchase that has been made, prior to the enforcement of this Act, of cropland or meadow/pastureland on which a public notice under Article 15-2, paragraph (3) of the former Cropland Act has been issued.

(Transitional Measures Concerning Penal Provisions)

Article 5 Prior laws continue to govern the application of penal provisions to acts committed prior to the enforcement of this Act and to acts committed after the enforcement of this Act that are deemed to be governed by prior laws pursuant to Article 3, paragraph (2) of the Supplementary Provisions or the preceding Article.

(Delegation to Cabinet Order)

Article 12 Beyond what is provided for in these Supplementary Provisions, any transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

Supplementary Provisions [Act No. 72 of June 16, 1993 Extract] [Extract]

(Effective Date)

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

(Review)

Article 2 With regard to specified rural areas, the government is to consider, inter alia, the situation that surrounds, after this Act comes into effect, the lives of farmers and foresters and other local residents as well as the conservation of the national land and the environment through the promotion of agriculture and forestry and the conservation of agricultural land and forests, study necessary ways to build rural areas that are affluent and comfortable to live in, and take necessary measures as appropriate.

**Supplementary Provisions [Act No. 89 of November 12, 1993 Extract]
[Extract]**

(Effective Date)

Article 1 This Act comes into effect as of the date of enforcement of the Administrative Procedure Act (Act No. 88 of 1993).

(Transitional Measures Concerning Adverse Dispositions on Which Advice Is Sought)

Article 2 In a case where, before this Act comes into effect, a council or any other council organization is asked, pursuant to laws and regulations, to give advice or other guidance to the effect that procedures equivalent to procedures for granting an opportunity for a hearing or explanation or other procedures for the statement of opinions provided for in Article 13 of the Administrative Procedure Act is to be undertaken, prior laws continue to govern the procedures for adverse dispositions pertaining to the advice or other guidance, notwithstanding the provisions of the relevant laws amended by this Act.

(Transitional Measures Concerning Penal Provisions)

Article 13 Prior laws continue to govern the application of penal provisions to acts committed prior to the enforcement of this Act.

(Transitional Measures Associated with the Arrangement of Provisions for Hearings)

Article 14 Hearings (excluding those that concern adverse dispositions) or procedures therefor that have been held or undertaken pursuant to the provisions of laws before this Act comes into effect are deemed to have been held or undertaken pursuant to the corresponding provisions of the relevant laws amended by this Act.

(Delegation to Cabinet Order)

Article 15 Beyond what is specified in Article 2 to the preceding Article of the Supplementary Provisions, any transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

Supplementary Provisions [Act No. 75 of April 21, 1995 Extract] [Extract]

(Effective Date)

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

Supplementary Provisions [Act No. 56 of May 8, 1998]

(Effective Date)

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

(Transitional Measures)

Article 2 A disposition, procedure or any other act undertaken prior to the enforcement of this Act pursuant to the provisions of Article 4, paragraph (1), Article 5, paragraph (1), or Article 73, paragraph (1) prior to amendment or the provisions of an order pursuant to these provisions is deemed to have been undertaken pursuant to the provisions of Article 4, paragraph (1), Article 5, paragraph (1), or Article 73, paragraph (1) after the amendment or the corresponding provisions of an order pursuant to these provisions.

Article 3 Prior laws continue to govern the application of penal provisions to acts committed prior to the enforcement of this Act.

Supplementary Provisions [Act No. 135 of October 19, 1998 Extract] [Extract]

(Effective Date)

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

Supplementary Provisions [Act No. 50 of May 21, 1999 Extract] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of March 21, 2000.

Supplementary Provisions [Act No. 70 of June 11, 1999 Extract] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of October 1, 1999.

Supplementary Provisions [Act No. 87 of July 16, 1999 Extract] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2000; provided, however, that the provisions set forth in the following items come into effect as of the dates prescribed respectively in those items:

- (i) the provisions in Article 1 to revise the Local Autonomy Act (limited, however, to the part concerning Article 250-9, paragraph (1) of the same Act (limited, however, to the part concerning the requirement of consent of both Houses)) by adding five Articles, a Section title, and two Subsections and their titles following Article 250; the provisions of Article 40 to revise paragraph (9) and paragraph (10) of the Supplementary Provisions of the Natural Parks Act (limited, however, to the part concerning paragraph (10) of the Supplementary Provisions of the same Act); the provisions of Article 244 (excluding, however, the part concerning the provisions to revise Article 14-3 of the Agricultural Improvement and Promotion Act); the provisions of Article 472 (excluding, however, the part concerning the provisions to revise Article 6, Article 8, and Article 17 of the Act on Special Provisions Concerning Mergers of Municipalities); and the provisions of Article 7, Article 10, Article 12, the proviso in Article 59, Article 60, paragraph (4) and paragraph (5), Article 73, Article 77, Article 157, paragraph (4) through paragraph (6), Article 160, Article 163, Article 164, and Article 202 of the Supplementary Provisions: the date of the promulgation of this Act.

(Administrative Functions of the National Government)

Article 159 Beyond what is provided for in the respective laws prior to amendment by this Act, the administrative functions of the national government, other local governments and other public entities that were managed or executed by local government organs in accordance with laws or Cabinet Orders thereunder before this Act comes into effect (referred to in Article 161 of the Supplementary Provisions as "administrative functions of the national government, etc.") are to, after this Act comes into effect, be handled by local governments as the administrative functions of the local governments in accordance with laws or Cabinet Orders thereunder.

(Provisional Measures Concerning Dispositions and Applications)

Article 160 (1) An act such as the disposition of permission, etc. that has been undertaken pursuant to respective laws prior to amendment (hereinafter

referred to as "act of disposition etc." in this Article) prior to the enforcement of this Act (or the applicable provisions set forth in the items of Article 1 of the Supplementary Provisions; hereinafter the same applies in this Article and Article 163) or an act such as the application for permission, etc. that is actually being undertaken pursuant to respective laws prior to amendment (hereinafter referred to as "act of application, etc." in this Article) at the time of enforcement of this Act is, for the purpose of the application of respective laws after amendment on and after the date of enforcement of this Act, be deemed to be an act of disposition etc. or an act of application, etc. undertaken pursuant to the corresponding provisions of respective laws after amendment, if the person who should undertake administrative functions for the act is different on date of enforcement of this Act, unless otherwise stipulated in the provisions of Article 2 to the preceding Article of the Supplementary Provisions or the provisions for transitional measures in respective laws after amendment (including orders pursuant thereto).

- (2) Particulars for which procedures such as reporting, notification, and submission with regard to a central or local government organ must be undertaken pursuant to the provisions of respective laws prior to amendment prior to the enforcement of this Act but the procedures have not been undertaken before the date of enforcement of this Act are deemed to be particulars for which procedures such as reporting, notification, and submission with regard to a central or local government organ must be undertaken pursuant to the corresponding provisions of respective laws after amendment but the procedures have not been undertaken, to which the provisions of respective laws amended by this Act apply, unless otherwise provided for in this Act or Cabinet Order thereunder.

(Transitional Measures Concerning Appeals)

Article 161 (1) Appeals under the Administrative Appeal Act against dispositions concerning administrative functions of the national government, etc. that were undertaken before the date of enforcement by an administrative authority (hereafter referred to as "administrative agency reaching the disposition" in this Article) which had a higher administrative authority as prescribed in the same Act (hereafter referred to as "higher administrative authority" in this Article) before the date of enforcement are subject to the provisions of the Administrative Appeal Act by deeming the administrative agency reaching the disposition as continuing to have a higher administrative authority even after the date of enforcement. In this case, the administrative authority deemed to be the higher administrative authority of the administrative agency reaching the disposition is the administrative authority that was the higher administrative authority of the administrative agency

reaching the disposition prior to the date of enforcement.

(2) In the case referred to in the preceding paragraph, if the administrative authority that is deemed to be the higher administrative authority is an agency of a local government, the administrative functions to be handled by the agency pursuant to the Administrative Appeal Act are Item I statutorily-entrusted functions provided for in Article 2, paragraph (9), item (i) of the new Local Autonomy Act.

(Transitional Measures Concerning Fees)

Article 162 Prior laws continue to govern any fee that should have been paid pursuant to the provisions of respective laws (including orders pursuant thereto) prior to amendment by this Act prior to the date of enforcement, unless otherwise provided for in this Act or Cabinet Order thereunder.

(Transitional Measures Concerning Penal Provisions)

Article 163 Prior laws continue to govern the application of penal provisions to acts committed prior to the enforcement of this Act.

(Delegation of Other Transitional Measures to Cabinet Order)

Article 164 Beyond what is provided for in these Supplementary Provisions, any necessary transitional measure in association with the enforcement of this Act (including transitional measures concerning penal provisions) is specified by Cabinet Order.

(Reviews)

Article 250 While efforts are made to avoid, as much as is possible, creating additional Item I statutorily-entrusted functions provided for in Article 2, paragraph (9), item (i) of the new Local Autonomy Act, the functions set forth in Appended Table 1 of the new Local Autonomy Act and those specified in Cabinet Order under the new Local Autonomy Act are reviewed and amended as appropriate with a view to promoting decentralization.

Article 251 In order to allow local governments to execute their administrative functions and programs in an autonomous and independent manner, the government is to study ways to secure and enhance local tax revenues in accordance with the division of roles between the national and local governments, while taking account of the trends in the economic situation in particular, and take necessary measures based on the results thereof.

Supplementary Provisions [Act No. 91 of May 31, 2000 Extract] [Extract]

(Effective Date)

- (1) This Act comes into effect as of the date of enforcement of the Act Partially Amending the Commercial Code (Act No. 90 of 2000).

**Supplementary Provisions [Act No. 143 of December 6, 2000 Extract]
[Extract]**

(Effective Date)

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

(Transitional Measures)

- Article 2 The area of land that has been separately defined by the prefectural governor for part of the area of the prefecture pursuant to Article 3, paragraph (2), item (v) of the Cropland Act prior to amendment by this Act (hereinafter referred to as the "former Act") prior to the enforcement of this Act with the approval of the Minister of Agriculture, Forestry and Fisheries is deemed to have been defined in accordance with the standards specified by Order of the Ministry of Agriculture, Forestry and Fisheries referred to in Article 3, paragraph (2), item (v) of the Cropland Act amended by this Act.

- Article 3 Prior laws continue to govern a purchase that has been made, prior to the enforcement of this Act, of cropland or meadow/pastureland on which a public notice under Article 15-2, paragraph (3) of the former Act has been issued.

- Article 4 Prior laws continue to govern the compensation for the losses incurred due to an inspection, survey or the removal or transfer of an object pursuant to Article 82, paragraph (1) of the former Act prior to the enforcement of this Act.

- Article 5 Prior laws continue to govern appeals that have been filed under the Administrative Appeal Act (Act No. 160 of 1962) against the dispositions set forth in the following items that have been undertaken prior to the enforcement of this Act:

- (i) dispositions by the prefectural governor under Article 4, paragraph (1) of the former Act (excluding those pertaining to the act of converting cropland with an area of more than two hectares to non-cropland for the purpose of the same business);
- (ii) dispositions by the prefectural governor under Article 5, paragraph (1) of the former Act (excluding those pertaining to the act of acquiring a right set forth in the main clause of Article 3, paragraph (1) of the former Act for

cropland with an area of more than two hectares or meadow/pastureland therewith for the purpose of the same business);
(iii) dispositions by the prefectural governor under Article 83-2 of the former Act (limited to those pertaining to the dispositions set forth in the preceding two items).

Article 6 Prior laws continue to govern the application of penal provisions to acts committed prior to the enforcement of this Act.

(Review)

Article 7 The government is to, approximately five years after the enforcement of this Act, considers, inter alia, the status of implementation of the provisions amended by this Act, study ways to secure various business-minded farmers, including further promoting the incorporation of agricultural management as well as ways to secure good cropland, including considering how better to restrict cropland conversion, with a view to boosting domestic agricultural production, and take necessary measures based on the results thereof.

Supplementary Provisions [Act No. 39 of June 6, 2001 Extract] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of January 1, 2002.

**Supplementary Provisions [Act No. 130 of December 4, 2002 Extract]
[Extract]**

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2003; provided, however, that the provisions of Articles 10 to 14 and Articles 16 to 22 of the Supplementary Provisions come into effect on October 1 of the same year.

Supplementary Provisions [Act No. 84 of June 9, 2004 Extract] [Extract]

(Effective Date)

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

**Supplementary Provisions [Act No. 124 of June 18, 2004 Extract]
[Extract]**

(Effective Date)

Article 1 This Act comes into effect as of the date of enforcement of the new Real Property Registration Act.

**Supplementary Provisions [Act No. 147 of December 1, 2004 Extract]
[Extract]**

(Effective Date)

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

**Supplementary Provisions [Act No. 152 of December 3, 2004 Extract]
[Extract]**

(Effective Date)

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

(Transitional Measures Concerning the Application of Penal Provisions)

Article 39 Prior laws continue to govern the application of penal provisions to acts committed prior to the enforcement of this Act and to acts committed after the enforcement of this Act that are deemed to continue to be governed by prior laws pursuant to these Supplementary Provisions.

(Delegation to Cabinet Order)

Article 40 Beyond what is provided for in Articles 3 to 10 and Article 29 of the Supplementary Provisions as well as the preceding two Articles, any transitional measure necessary for the enforcement of this Act is specified by Cabinet Order.

Supplementary Provisions [Act No. 53 of June 10, 2005 Extract] [Extract]

(Effective Date)

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

(Transitional Measures Associated with Partial Amendments to the Cropland Act)

Article 3 Prior laws continue to govern the special provisions of the Cropland Act on the specified right of use that are deemed to continue to be governed by prior laws pursuant to paragraph (2) or (3) of the following Article.

Article 4 (2) Prior laws continue to govern the specified right of use provided for in Article 15-7 paragraph (1) of the former Act on the Establishment of Regions for Promotion of Agriculture that has been established in an agreement prior to the enforcement of this Act with approval referred to in Article 15-7 paragraph (1) of the former Act on the Establishment of Regions for Promotion of Agriculture (including cases where an agreement is deemed to have been reached pursuant to Article 15-11 paragraph (2) of the former Act on the Establishment of Regions for Promotion of Agriculture).

(3) Prior laws continue to govern both the procedure for establishing the specified right of use provided for in Article 15-7 paragraph (1) of the former Act on the Establishment of Regions for Promotion of Agriculture and the specified right of use that is established by the procedure if an application for approval referred to in the same paragraph is filed prior to the enforcement of this Act.

(Transitional Measures Concerning the Application of Penal Provisions)

Article 5 Prior laws continue to govern the application of penal provisions to acts committed prior to the enforcement of this Act and to acts committed after the enforcement of this Act that are deemed to be governed by prior laws pursuant to this Act.

(Delegation to Cabinet Order)

Article 6 Beyond what is specified in these Supplementary Provisions, any transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

Supplementary Provisions [Act No. 48 of May 16, 2007 Extract] [Extract]

(Effective Date)

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

Supplementary Provisions [Act No. 8 of March 31, 2008 Extract] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2008.

Supplementary Provisions [Act No. 57 of June 24, 2009 Extract] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation;

provided, however, that the provisions set forth in the following items come into effect as of the dates prescribed respectively in those items:

- (i) the provisions of Article 43 of the Supplementary Provisions: the date of promulgation.

(Transitional Measures Concerning Restrictions on the Transfer of Rights and Land Conversion)

Article 2 (1) A disposition, procedure or any other act undertaken pursuant to the provisions of Article 3, paragraph (1) of the Cropland Act prior to amendment under Article 1 (hereinafter referred to as the "former Cropland Act") or the provisions of an order pursuant to these provisions is deemed to have been undertaken pursuant to the provisions of Article 3, paragraph (1) of the Cropland Act after amendment under Article 1 (hereinafter referred to as the "new Cropland Act") or the corresponding provisions of an order pursuant to these provisions.

- (2) Prior laws continue to govern the disposition of granting or disapproving permission for an application for permission referred to in Article 3, paragraph (1) of the former Cropland Act that was filed prior to the enforcement of this Act but for which the disposition of granting or disapproving permission has not been rendered by the time of enforcement of this Act.
- (3) The provisions of Article 3-3, paragraph (1) of the new Cropland Act apply to a person who has acquired a right set forth in the main clause of Article 3, paragraph (1) of the new Cropland Act for cropland or meadow/pastureland after the enforcement of this Act.
- (4) The provisions of the main clause of Article 4, paragraph (1), and paragraph (5) of the new Cropland Act do not apply to any act of converting cropland to non-cropland that the national or prefectural government has actually begun to undertake by the time of enforcement of this Act.
- (5) Prior laws continue to govern the restrictions on the conversion of the sharecropping land that has been designated under Article 7, paragraph (1), item (iv) of the former Cropland Act prior to the enforcement of this Act (meaning sharecropping land provided for in Article 2, paragraph (2) the former Cropland Act; the same applies hereinafter).

(Transitional Measures Concerning the Purchase of Sharecropping Land)

Article 3 (1) Prior laws continue to govern the purchase that has been made, prior to the enforcement of this Act, of sharecropping land on which a public notice under Article 8, paragraph (1) of the former Cropland Act has been issued.

- (2) Prior laws continue to govern the purchase of the land, standing timber, structures or the right of use of water on which a written purchase order or a

public notice in lieu of that order under Article 14, paragraph (2) of the former Cropland Act (including as applied mutatis mutandis pursuant to Article 15, paragraph (2), Article 15-3, paragraph (10), and Article 16, paragraph (2) of the former Cropland Act) or Article 11, paragraph (1) or (2) of the former Cropland Act as applied mutatis mutandis pursuant to Article 15, paragraph (2) has been issued prior to the enforcement of this Act.

(3) Prior laws continue to govern the purchase of cropland or meadow/pastureland on which the public notice under Article 15-3, paragraph (3) of the former Cropland Act has been issued prior to the enforcement of this Act.

(4) Prior laws continue to govern the purchase of cropland or meadow/pastureland pertaining to the notification under Article 16, paragraph (1) of the former Cropland Act that has been filed prior to the enforcement of this Act.

(Transitional Measures Concerning the Management of Relations over Cropland Use)

Article 4 (1) The provisions of Article 22 of the former Cropland Act remain in force for the rent payable by a farming right holder provided for in Article 2, paragraph (9) of the former Cropland Act that has been established or changed prior to the enforcement of this Act.

(2) Prior laws continue to govern the establishment of the right of use provided for in Article 26, paragraph (1) of the former Cropland Act (including as applied mutatis mutandis pursuant to Article 31 of the former Cropland Act; the same applies hereinafter) if an application for approval referred to in the same paragraph is filed prior to the enforcement of this Act.

(3) Prior laws continue to govern the right of use provided for in Article 26, paragraph (1) of the former Cropland Act (including the right of use that has been established in accordance with prior laws pursuant to the provisions of the preceding paragraph after the enforcement of this Act) that has been established in an agreement prior to the enforcement of this Act with approval referred to in Article 26, paragraph (1) of the former Cropland Act (including cases where an agreement is deemed to have been reached pursuant to Article 30, paragraph (2) of the former Cropland Act (including as applied mutatis mutandis pursuant to Article 31 of the former Cropland Act)).

(4) Prior laws continue to govern the protection of the right of use on which a contract provided for in Article 32 of the former Cropland Act that has been signed prior to the enforcement of this Act.

(Transitional Measures Concerning the Sale of Cropland)

Article 5 Prior laws continue to govern the sale of cropland or

meadow/pastureland and the incidental facilities of the cropland or meadow/pastureland (meaning incidental facilities provided for in Article 36, paragraph (2) of the former Cropland Act; the same applies hereinafter) for which a purchase application has been submitted pursuant to Article 37 of the former Cropland Act prior to the enforcement of this Act.

(Transitional Measures Concerning the Purchase and Sale of Unreclaimed Land)

- Article 6 (1) Prior laws continue to govern the servitude that is deemed to have been established pursuant to Article 54, paragraph (2) of the former Cropland Act prior to the enforcement of this Act.
- (2) Prior laws continue to govern the payment and collection of considerations for land, standing timber, a structure or right (hereinafter referred to as "land, etc.") that has been sold pursuant to Article 61 of the former Cropland Act prior to the enforcement of this Act if the payment and collection have not been completed.
- (3) With regard to the inspection and redemption of the land, etc. that has been sold pursuant to Article 61 of the former Cropland Act prior to the enforcement of this Act, the provisions of Articles 71 and Article 72 of the former Cropland Act as well as the provisions of Article 50, paragraphs (2) and (3), Article 51, paragraphs (2) and (3), and Articles 52 to 55 of the former Cropland Act as applied mutatis mutandis pursuant to Article 72, paragraph (4) of the former Cropland Act; and the provisions of Article 110, paragraph (3) of the Land Improvement Act (Act No. 195 of 1949) prior to amendment under Article 24 of the Supplementary Provisions (including as applied mutatis mutandis pursuant to Article 111 of the same Act; Article 13-5 of the Act on Establishment of Agricultural Promotion Regions prior to amendment under Article 3 (hereinafter referred to as the former Act on the Establishment of Regions for Promotion of Agriculture); Article 11 of the Farming and Residence Association Act (Act No. 86 of 1980) prior to amendment under Article 29 of the Supplementary Provisions; Article 12 of the Community Areas Development Act (Act No. 63 of 1987) prior to amendment under Article 30 of the Supplementary Provisions; and Article 6 of the Act on Promotion of Development of Community Farms (Act No. 44 of 1990) prior to amendment under Article 30 of the Supplementary Provisions) remain in force
- (4) Prior laws continue to govern dispositions for restrictions on the disposition of the land that has been sold pursuant to Article 61 of the former Cropland Act prior to the enforcement of this Act and for violations of the restrictions.
- (5) Until three years have elapsed from the time referred to in Article 67, paragraph (1), item (vi) of the former Cropland Act, the provisions of Articles 3, 3-3, and 5 of the new Cropland Act do not apply to the land that has been sold

pursuant to Article 61 of the former Cropland Act prior to the enforcement of this Act and is cropland or meadow/pastureland.

- (6) Prior laws continue to govern the transfer of land, etc. that actually falls under the items of Article 61 of the former Cropland Act at the time of enforcement of this Act (including land, etc. that has been purchased after the enforcement of this Act pursuant to the provisions of Article 72, paragraph (3) of the former Cropland Act that are deemed to remain in force.
- (7) Prior laws continue to govern the exclusion from application of the restrictive or prohibitive provisions of other laws and regulations with regard to actions for reclamation and other development purposes provided for in Article 75 of the former Cropland Act.

(Transitional Measures Concerning Grassland Use Rights)

Article 7 (1) Prior laws continue to govern the establishment of the grassland use right provided for in Article 75-2, paragraph (1) of the former Cropland Act (hereinafter referred to as "grassland use right") or the renewal, etc. of the duration of the right if an application for approval referred to in Article 75-2, paragraph (1), or Article 75-7 paragraph (1) of the former Cropland Act is filed prior to the enforcement of this Act.

- (2) Prior laws continue to govern the grassland use right (including the grassland use right that has been established in accordance with prior laws pursuant to the provisions of the preceding paragraph after the enforcement of this Act) that has been established in an agreement prior to the enforcement of this Act with approval referred to in Article 75-2, paragraph (1), or Article 75-7 paragraph (1) of the former Cropland Act (including cases where an agreement is deemed to have been reached pursuant to Article 75-7 paragraph (2) of the former Cropland Act (including as applied mutatis mutandis pursuant to Article 75-6 paragraph (2) of the former Cropland Act)).

(Transitional Measures Concerning the Management and Purchase of Land)

Article 8 (1) Prior laws continue to govern the management of the land, etc. that is actually under the management of the Minister of Agriculture, Forestry and Fisheries pursuant to Article 78, paragraph (1) of the former Cropland Act at the time of enforcement of this Act (including the land, etc. that has been purchased in accordance with prior laws pursuant to Article 3 of the Supplementary Provisions after the enforcement of this Act, as well as the land, etc. that has been purchased pursuant to the provisions of Article 72 of the former Cropland Act that are deemed to remain in force pursuant to Article 6, paragraph (3) of the Supplementary Provisions after the enforcement of this Act).

- (2) The land, etc. that is managed in accordance with prior laws pursuant to the

preceding paragraph are sold in accordance with the provisions of Article 46 of the new Cropland Act except in cases where it is sold in accordance with prior laws pursuant to Article 5 of the Supplementary Provisions or where it is sold or the jurisdiction over it is transferred between or within ministries etc. pursuant to the provisions of Article 80 of the former Cropland Act that are deemed to remain in force pursuant to paragraph (4).

- (3) If the cropland or meadow/pastureland to be sold in the case referred to in the preceding paragraph constitutes land provided for in Article 36, paragraph (1), item (i) of the former Cropland Act and if a person set forth in the same item wishes to purchase thereof pursuant to the provisions of Order of the Ministry of Agriculture, Forestry and Fisheries, the Minister of Agriculture, Forestry and Fisheries must sell the cropland or meadow/pastureland and the incidental facilities of the cropland or meadow/pastureland to that person.
- (4) The provisions of the Act on Special Measures concerning Sale of National Cropland, etc. (Act No. 50 of 1971) that have been repealed pursuant to Article 80 of the former Cropland Act and Article 20 of the Supplementary Provisions (including the provisions of orders under these provisions) remain in force with regard to the sale of the land, etc. that is managed in accordance with prior laws pursuant to paragraph (1), the transfer of the jurisdiction over that land, etc. between or within ministries etc., and the conversion thereof for public or government use. In this case, the term "pursuant to Article 78, paragraph (1)" in Article 80, paragraph (1) of the former Cropland Act is deemed to be replaced with "in accordance with prior laws pursuant to Article 8, paragraph (1) of the Supplementary Provisions to the Act Partially Amending the Cropland Act, etc. (Act No. 57 of 2009)"; the term "the establishment of independent farmers" in the same paragraph is deemed to be replaced with "land"; the term "has been purchased" in paragraph (2) of the same Article is deemed to be replaced with "purchased (including what has been purchased pursuant to Article 9 or Article 14 prior to amendment under Article 1 of the Act Partially Amending the Cropland Act, etc. in cases deemed to be subject to prior law pursuant to Article 3, paragraph (1) or (2) of the Supplementary Provisions to the same Act).
- (5) The provisions of Articles 3 and Article 3-3 of the new Cropland Act do not apply to cases where the ownership of cropland or meadow/pastureland is transferred through the sale of land, etc. that is deemed to subject to Article 46 of the new Cropland Act pursuant to paragraph (2) or through the sale of land, etc. under Article 80 of the former Cropland Act that are deemed to remain in force pursuant to the provisions of the preceding paragraph.

(Transitional Measures Concerning Appeals)

Article 9 Prior laws continue to govern appeals that have been filed under the

Administrative Appeal Act (Act No. 160 of 1962) against dispositions under the former Cropland Act that have been rendered prior to the enforcement of this Act or against dispositions that have been rendered in accordance with prior laws pursuant to these Supplementary Provisions after the enforcement of this Act.

(Transitional Measures Concerning Actions for an Increase or Decrease in the Amount of Consideration)

Article 10 Prior laws continue to govern actions for an increase or decrease in the amount of consideration, rent, or compensation set forth in the items of Article 85-3, paragraph (1) of the former Cropland Act.

(Transitional Measures Concerning Penal Provisions)

Article 18 Prior laws continue to govern the application of penal provisions to acts committed prior to the enforcement of this Act and to acts committed after the enforcement of this Act that are deemed to continue to be governed by prior laws pursuant to these Supplementary Provisions.

(Review)

Article 19 (1) The government is to review the organization and management of the agricultural commission in view of the roles to be played by the agricultural commission in the cropland system, and take necessary measures based on the results thereof.

(2) Given the importance of providing accurate information on cropland in a timely manner for the purposes of promoting the agricultural use of cropland, the government is to study ways to better develop basic literature on cropland and take necessary measures based on the results thereof.

(3) The government is to review plans and other systems associated with the use of cropland and take necessary measures based on the results thereof in order to ensure that cropland, which constitutes a basis for agricultural production in the country and provides precious resources for local areas, is put to effective agricultural use in these respective areas.

(4) The government is to, approximately five years after the enforcement of this Act, considers, inter alia, the status of implementation of the new Cropland Act and the new Act on the Establishment of Regions for Promotion of Agriculture, review the aspects as the shape of the entities responsible for undertaking the administrative functions regarding permission referred to in Article 4, paragraph (1) and Article 5, paragraph (1) of the new Cropland Act as well as the shape of strategies designed to secure cropland, and, if it is found to necessary, take necessary measures based on the results thereof, with a view to securing cropland based on an appropriate division of roles between the

national and local governments.

- (5) Beyond what is provided for in the preceding paragraphs, the government is to, approximately five years after the enforcement of this Act, considers the status of implementation of the new Cropland Act, the new Act on Reinforcement of the Agricultural Management Framework, the new Act on the Establishment of Regions for Promotion of Agriculture, and the new Agricultural Cooperatives Act, and, if it is found to necessary, review the provisions of these laws and take necessary measures based on the results thereof.

(Repeal of the Act on Special Measures Concerning the Sale of National Cropland)

Article 20 The Act on Special Measures concerning the Sale of National Cropland is repealed.

(Delegation to Cabinet Order)

Article 43 Beyond what is provided for in these Supplementary Provisions, any transitional measure necessary for the enforcement of this Act is specified by Cabinet Order.

Supplementary Provisions [Act No. 35 of May 2, 2011 Extract] [Extract]

(Effective Date)

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

Supplementary Provisions [Act No. 70 of June 22, 2011 Extract] [Extract]

(Effective Date)

Article 1 (1) This Act comes into effect as of April 1, 2012; provided, however, that the provisions of the following Article comes into effects as of the date of promulgation of the Act on the Development of Related Acts for Promoting Reform with the Aim of Increasing the Autonomy and Independence of Local Authorities (Act No. 105 of 2011) or the date of promulgation of this Act, whichever comes later.

(Date of promulgation of the Act on the Development of Related Acts for Promoting Reform with the Aim of Increasing the Autonomy and Independence of Local Authorities (Act No. 105 of 2011): August 30, 2011)

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

(Effective Date)

Article 1 This Act comes into effect as of the date of promulgation; provided, however, that the provisions set forth in the following items come into effect as of the dates prescribed respectively in those items:

(i) the provisions of Article 10 (excluding the provisions that amend Article 18 of the Act on Special Districts for Structural Reform), Article 12, Article 14 (limited to the provisions that amend the item on the Act on Public Housing (Act No. 193 of 1951) and the item on the Road Transportation Act (Act No. 180 of 1952), both in Appended Table 1 of the Local Autonomy Act), Article 16 (excluding the provisions that amend Articles 2 and 13 of the Act on Assurance of Sound Financial Status of Local Governments), Article 59, Article 65 (limited to the provisions that amend Article 57 the Cropland Act), Article 76, Article 79 (limited to the provisions that amend Article 14 of the Act on the Promotion of the Improvement of Basic Conditions of Agriculture, Forestry and Other Business in Hilly and Mountainous Areas), Article 98 (excluding the provisions that amend Articles 6 and Article 7 of the Act on Public Housing as well as paragraph (2) of the Supplementary Provisions thereto), Article 99 (limited to the provisions that amend Articles 17, 18, 24 and 27, Articles 48-4 to Article 48-7, and Article 97 of the Road Transportation Act), Article 102 (limited to the provisions that amend Articles 3, 4, 8, 10, 12, 14 and Article 17 of the Act on Special Measures concerning Road Construction and Improvement), Article 104, Article 110 (limited to the provisions that amend Article 26 of the Act on Special Measures concerning Preparation, etc. for Common-Use Tunnel), Article 114, Article 121 (limited to the provisions that amend Article 133 of the Urban Renewal Act), Article 125 (limited to the provisions that amend Article 9 of the Act on Advancement of Expansion of Public Lands), Article 131 (limited to the provisions that amend Article 100 the Act on Special Measures concerning Promotion of Supply of Houses and Housing Lands in Urban Districts), Article 133, Article 141, Article 147 (limited to the provisions that amend Article 27 of the Act on Special Measures concerning Preparation, etc. for Common-Use Cable Tunnel), Article 149 (limited to the provisions that amend Articles 13, 277, 291, 293 to 295, and 298 of the Act on Promotion of Improvement of Disaster Control Districts in Populated Urban Districts), Article 153, Article 155 (limited to the provisions that amend Articles 46 and 46-2, and Article 51, paragraph (1) of the Act on Special Measures concerning Urban Reconstruction), Article 156 (limited to the provisions that amend Article 102 of the Act on Facilitation of Reconstruction of Condominiums), Article 159, Article 160 (limited to the provisions that amend Article 6, paragraphs (2) and (3) of the Act on Special Measures concerning

Development of Public Rental Housing, etc. to Accommodate Various Demands of Communities, the provisions that amend paragraph (5) of the same Article (limited to the part that replaces "paragraph (2), item (ii), (a)" with "paragraph (2), item (i), (a)"), and the provisions that amend paragraphs (6) and (7) of the same Article), Article 162 (limited to the provisions that amend Article 25 of the Act on Promotion of Smooth Transportation, etc. of Elderly Persons, Disabled Persons, etc. (excluding the parts that replace the term "A municipality is to, if it intends to develop a basic concept" in paragraph (7) of the same Article with "When a municipality intends to develop a basic concept, if a council referred to in paragraph (1) of the following Article has not been organized", and delete the term "hold discussion at a council referred to in paragraph (1) of the following Article if the council has been organized, and if the council has not been organized"), and the provisions that amend Articles 32, 39 and 54 of the same Act), Article 163, Article 166, Article 167, Article 171 (limited to the provisions that amend Article 5-5, paragraph (2), item (v) of the Waste Management and Public Cleansing Act), Article 175, and Article 186 (limited to the provisions that amend Article 7, paragraph (2), item (iii) of the Act on Special Measures concerning Promotion of Proper Treatment of PCB Wastes); and the provisions of Article 33, Article 50, Article 72, paragraph (4), Article 73, Article 87 (limited to the provisions that amend Article 587-2 of the Local Tax Act (Act No. 226 of 1950) as well as Article 11 of the Supplementary Provisions thereto), Article 91 (limited to the provisions that amend Article 33, Article 34-3, paragraph (2), item (v), and Article 64 of the Act on Special Measures Concerning Taxation (Act No. 26 of 1957)), Article 92 (excluding the provisions that amend Article 25 of the National Highway Act (Act No. 79 of 1957)), Article 93, Article 95, Article 111, Article 113, Article 115, and Article 118 of the Supplementary Provisions: the day on which three months has elapsed from the date of promulgation;

(ii) the provisions of Article 2, Article 10 (limited to the provisions that amend Article 18 of the Act on Special Districts for Structural Reform), Article 14 (limited to the provisions that amend Article 252-19 and 260 of the Local Autonomy Act, as well as the item on the Noise Regulation Act (Act No. 98 of 1968), the item on the City Planning Act (Act No. 100 of 1968), the item on the Urban Renewal Act (Act No. 38 of 1969), referred to in the Basic Environment Act (Act No. 91 of 1993), and the item on the Act on Promotion of Improvement of Disaster Control Districts in Populated Urban Districts (Act No. 49 of 1997) in Appended Table 1 thereof, and the item on the Urban Renewal Act (Act No. 38 of 1969), the item on the Act on Advancement of Expansion of Public Lands (Act No. 66 of 1972), the item on the Act on Special Measures concerning Promotion of Supply of Houses and Housing

Lands in Urban Districts (Act No. 67 of 1975), the item on the Act on Promotion of Improvement of Disaster Control Districts in Populated Urban Districts (Act No. 49 of 1997), the item on the Act on Facilitation of Reconstruction of Condominiums (Act No. 78 of 2002) in Appended Table 2 thereof), Articles 17 to 19, Article 22 (limited to the provisions that amend Articles 21-5-6, 21-5-15, 21-5-23, 24-9, 24-17, 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 that amend Articles 62, 65 and 71 of the Social Welfare Act), Article 35, Article 37, Article 38 (excluding the provisions that amend Articles 46, 48-2, 50 and 50-2 of the Water Supply Act), Article 39, Article 43 (limited to the provisions that amend Articles 19, 23, 28 and 30-2 of the Human Resources Development Promotion Act), Article 51 (limited to the provisions that amend Article 64 of the Act on Prevention of Infectious Diseases and Medical Care for Patients of Infectious Diseases), Article 54 (excluding the provisions that amend Articles 88 and 89 of the Services and Supports for Persons with Disabilities Act), Article 65 (excluding the provisions that amend Article 3, paragraph (1), item (ix), Article 4, Article 5, and Article 57 of the Cropland Act), Articles 87 to 92, Article 99 (limited to the provisions that amend the Articles 24-3 and Article 48-3 of the Road Transportation Act), Article 101 (limited to the provisions that amend Article 76 of the Land Readjustment Act), Article 102 (limited to the provisions that amend Articles 18 to 21, 27, 49 and 50 of the Act on Special Measures concerning Road Construction and Improvement), Article 103, Article 105 (excluding the provisions that amend Article 4 of the Parking Lot Act), Article 107, Article 108, Article 115 (limited to the provisions that amend Articles 15 and 17 of the Urban Green Space Conservation Act), Article 116 (excluding the provisions that amend Article 3-2 of the Act on the Improvement of Urban Distribution Centers), Article 118 (limited to the provisions that amend Articles 16 and 18 of the Act on Arrangement of Conservation Districts in Kinki Area), Article 120 (excluding the provisions that amend Articles 6-2, 7-2, 8, 10-2 to 12-2, 12-4, 12-5, 12-10, 14, 20, 23, 33 and 58-2 of the City Planning Act), Article 121 (limited to the provisions that amend Articles 7-4 to 7-7, 60 to 62, 66, 98, 99-8, 139-3, 141-2 and 142 of the Urban Renewal Act), Article 125 (excluding the provisions that amend Article 9 of the Act on Advancement of Expansion of Public Lands), Article 128 (excluding the provisions that amend Articles 20 and 39 of the Urban Green Space Act), Article 131 (limited to the provisions that amend Articles 7, 26, 64, 67, 104 and 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 that amend Articles 18 and 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 that amend 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 that amend Articles 20, 21, 191, 192, 197, 233, 241, 283, 311 and 318 of the Act on Promotion of Improvement of Disaster Control Districts in Populated Urban Districts), Article 155 (limited to the provisions that amend Article 51, paragraph (4) of the Act on Special Measures concerning Urban Reconstruction), Article 156 (excluding the provisions that amend Article 102 of the Act on Facilitation of Reconstruction of Condominiums), Article 157, Article 158 (limited to the provisions that amend Article 57 of the Landscape Act), Article 160 (limited to the provisions that amend 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 that replaces "paragraph (2), item (ii), (a)" with "paragraph (2), item (i), (a)") and Articles 11 and 13 of the same Act), Article 162 (limited to the provisions that amend Articles 10, 12 and 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 that amend Articles 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 that amend Article 21 of the Waste Management and Public Cleansing Act), Article 174, Article 178, Article 182 (limited to the provisions that amend Articles 16 and 40-2 of the Basic Environment Act), and Article 187 (excluding the provisions that amend Article 15 of the Wildlife Protection and Proper Hunting Act, the provisions that amend Article 28, paragraph (9) of the same Act (excluding the part that replaces "Article 4, paragraph (3)" with "Article 4, paragraph (4)"), the provisions that amend Article 29, paragraph (4) of the same Act (excluding the part that replaces "Article 4, paragraph (3)" with "Article 4, paragraph (4)"), and the provisions that amend Articles 34 and 35 of the same Act); and the provisions of Article 13, Articles 15 to 24, Article 25, paragraph (1), Article 26, Article 27, paragraphs (1) to (3), Articles 30 to Article 32, Article 38, Article 44, Article 46, paragraphs (1) and (4), Article 47 to Article 49, Article 51 to Article 53, Article 55, Article 58, Article 59, Article 61 to Article 69, Article 71, Article 72, paragraphs (1) to paragraph (3), Article 74 to Article 76, Article 78, Article 80, paragraphs (1) and (3), Article 83, Article 87 (excluding the provisions that amend Article 587-2 of the Local Tax Act as well as Article 11 of the Supplementary Provisions thereto), Article 89, Article 90, Article 92 (limited to the provisions that amend Article 25 of the National Highway Act), Article 101, Article 102, Article 105 to Article 107, Article 112, Article

117 (limited to the provisions that amend Article 4, paragraph (8) of the Act on Promotion of Activities for the Conservation of Biological Diversity through Collaboration of Regional Multiple Stakeholders (Act No. 72 of 2010)), Article 119, Article 121-2, and Article 123, paragraph (2) of the Supplementary Provisions: April 1, 2012.

(Transitional Measures Associated with Partial Amendments to the Cropland Act)

Article 38 A disposition, procedure or any other act undertaken prior to the enforcement of the provisions of Article 65 (excluding the provisions that amend of Article 3, paragraph (1), item (ix) and Articles 4, 5 and 57 of the Cropland Act; the same applies in this Article) pursuant to the provisions of Article 3, paragraph (1) or (4) or Article 3-2, paragraph (1) of the Cropland Act prior to amendment under Article 65 or the provisions of an order pursuant to these provisions is deemed to have been undertaken pursuant to the provisions of Article 3, paragraph (1) or (4) or Article 3-2, paragraph (1) of the Cropland Act after amendment under Article 65 or the corresponding provisions of an order pursuant to these provisions.

(Transitional Measures Concerning Penal Provisions)

Article 81 Prior laws continue to govern the application of penal provisions to acts committed prior to the enforcement of this Act (or the applicable provisions set forth in the items of Article 1 of the Supplementary Provisions; the same applies in this Article) and to acts committed after the enforcement of this Act that are deemed to continue to be governed by prior laws pursuant to these Supplementary Provisions.

(Delegation to Cabinet Order)

Article 82 Beyond what is provided for in these Supplementary Provisions, any transitional measures necessary for the enforcement of this Act (including transitional measures concerning penal provisions) are specified by Cabinet Order.

**Supplementary Provisions [Act No. 122 of December 14, 2011 Extract]
[Extract]**

(Effective Date)

Article 1 This Act comes 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 come into effect as of the dates prescribed respectively in those items:

(i) the provisions of Articles 6, 8, 9 and 13 of the Supplementary Provisions: the date of promulgation.

**Supplementary Provisions [Act No. 81 of November 22, 2013 Extract]
[Extract]**

(Effective Date)

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

**Supplementary Provisions [Act No. 101 of December 13, 2013 Extract]
[Extract]**

(Effective Date)

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation.; provided, however, that the provisions set forth in the following items come into effect as of the dates prescribed respectively in those items:

(i) the provisions of Article 8 of the Supplementary Provisions: the date of promulgation.

(Delegation to Cabinet Order)

Article 8 Any transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

**Supplementary Provisions [Act No. 102 of December 13, 2013 Extract]
[Extract]**

(Effective Date)

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding nine months from the date of promulgation; provided, however, that the provisions set forth in the following items come into effect as of the dates prescribed respectively in those items:

(i) the provisions of Article 11 of the Supplementary Provisions: the date of promulgation.

(Transitional Measures Concerning Measures for Idle Cropland)

Article 6 (1) A notice under Article 32 of the Cropland Act prior to amendment under Article 2 (hereinafter referred to as "the former Cropland Act" in this Article) that has been issued prior to the date of enforcement is deemed to be a survey on intended use under Article 32, paragraph (1) of the Cropland Act

after amendment under Article 2 (referred to as "the new Cropland Act" in the following paragraph and paragraph (3)), if a notification under Article 33, paragraph (1) of the former Cropland Act has not been made.

- (2) A public notice under the proviso to Article 32 of the former Cropland Act that has been issued prior to the date of enforcement is deemed to be a public notice made pursuant to Article 32, paragraph (3) of the new Cropland Act.
- (3) A notification under Article 33, paragraph (1) of the former Cropland Act that has been made prior to the date of enforcement is deemed to be the statement of an intent pertaining to a survey on intended use under Article 32, paragraph (1) of the new Cropland Act if the notification falls under either item (i) or (iii) of Article 34, paragraph (1) of the former Cropland Act and if no recommendation under the same paragraph has been made.
- (4) Prior laws continue to govern reporting, conciliation, application for an award, or any other act under Article 34, paragraph (2) as well as Articles 35 to 37 and Article 43, paragraph (1) of the former Cropland Act in relation to a recommendation under Article 34, paragraph (1) of the former Cropland Act that has been made prior to the date of enforcement.
- (5) Prior laws continue to govern the restrictions on the transfer of a right to cropland regarding the transfer of ownership or the establishment or transfer of the right of lease that entails the acceptance of a reconciliation plan pertaining to a conciliation that is deemed to continue to be governed by prior laws pursuant to the provisions of the preceding paragraph.
- (6) Prior laws continue to govern the establishment of the specified right of use (as provided for in Article 37 of the former Cropland Act; the same applies in the following paragraph) or the right to use idle cropland provided for in Article 43, paragraph (1) of the former Cropland Act in a case where an application under Article 37 or Article 43, paragraph (1) of the former Cropland Act has been filed prior to the date of enforcement (including a case where the application has been made in accordance with prior laws pursuant to paragraph (4) after the date of enforcement).
- (7) Prior laws continue to govern the specified right of use that has been established prior to the date of enforcement or the rights to use idle cropland provided for in Article 43, paragraph (1) of the former Cropland Act (including those rights that have been established in accordance with prior laws pursuant to the provisions of the preceding paragraph after the date of enforcement).
- (8) Prior laws continue to govern the measures for the removal, etc. of unfavorable effects referred to in Article 44, paragraph (3) of the former Cropland Act that has been taken by the mayor of the municipality in relation to an order under paragraph (1) of the same Article prior to the date of enforcement as well as the collection of expenses incurred in association with the measures.

(Transitional Measures Concerning Penal Provisions)

Article 10 Prior laws continue to govern the application of penal provisions to acts committed prior to the date of enforcement of this Act and to acts committed after the date of enforcement of this Act that are deemed to continue to be governed by prior laws pursuant to these Supplementary Provisions.

(Delegation to Cabinet Order)

Article 11 Beyond what is provided for in Article 2 to the preceding Article of the Supplementary Provisions, any transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

(Review)

Article 12 The government is to, approximately five years after the enforcement of this Act, consider the status of implementation of respective laws amended by this Act and, if it is found to be necessary, review the provisions of these laws and take necessary measures based on the results thereof.

Supplementary Provisions [Act No. 42 of May 30, 2014 Extract] [Extract]

(Effective Date)

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

Supplementary Provisions [Act No. 51 of June 4, 2014 Extract] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2015.

(Provisional Measures Concerning Dispositions and Applications)

Article 7 (1) An act such as the disposition of permission, etc. that has been undertaken pursuant to respective laws prior to amendment by this Act (hereinafter referred to as "act of disposition, etc." in this paragraph) prior to the enforcement of this Act (or the applicable provisions set forth in the items of Article 1 of the Supplementary Provisions; hereinafter the same applies in this Article and the following Article) or an act such as the application for permission, etc. that is actually being undertaken pursuant to respective laws prior to amendment by this Act (hereinafter referred to as "act of application, etc." in this paragraph) at the time of enforcement of this Act is, for the purpose of the application of respective laws after amendment by this Act on

and after the date of enforcement of this Act, deemed to be an act of disposition, etc. or an act of application, etc. undertaken pursuant to the corresponding provisions of respective laws after amendment by this Act, if the person who should undertake administrative functions for that act is different on date of enforcement of this Act, unless otherwise stipulated in the provisions of Article 2 to the preceding Article of the Supplementary Provisions or the provisions for transitional measures in respective laws after amendment by this Act (including orders pursuant thereto).

(2) Particulars for which procedures such as reporting, notification, and submission with regard to a central or local government organ must be undertaken pursuant to the provisions of respective laws prior to amendment by this Act prior to the enforcement of this Act but the procedures have not been undertaken before the date of enforcement of this Act are deemed to be particulars for which procedures such as reporting, notification, and submission with regard to a central or local government organ must be undertaken pursuant to the corresponding provisions of respective laws after amendment by this Act but the procedures have not been undertaken, to which the provisions of respective laws amended by this Act apply, unless otherwise provided for in this Act or Cabinet Order thereunder.

(Transitional Measures Concerning Penal Provisions)

Article 8 Prior laws continue to govern the application of penal provisions to acts committed prior to the enforcement of this Act.

(Delegation to Cabinet Order)

Article 9 Beyond what is provided for in Article 2 to the preceding Article of the Supplementary Provisions, any transitional measures necessary for the enforcement of this Act (including transitional measures concerning penal provisions) are specified by Cabinet Order.

Supplementary Provisions [Act No. 69 of June 13, 2014 Extract] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the date of enforcement of the Administrative Appeal Act (Act No. 68 of 2014).

(Principles of Transitional Measures)

Article 5 Prior laws continue to govern appeals filed against dispositions or other acts that administrative authorities have undertaken prior to the enforcement of this Act or against inactions by administrative authorities pertaining to applications that have been filed prior to the enforcement of this

Act, unless otherwise provided for in these Supplementary Provisions.

(Transitional Measures Concerning Actions)

Article 6 (1) Prior laws continue to govern the filing of an action for particulars for which it is, pursuant to laws prior to amendment by this Act, deemed able to file an action only after a determination, ruling, or other action is rendered by the administrative authority on an appeal in cases where the appeal has not been filed before the period during which it is to be filed elapses prior to the enforcement of this Act (including cases where, if it is deemed that the appeal may be filed only after a determination, ruling, or other action is rendered by the administrative authority on a different appeal, the different appeal has not been filed before the period during which it is to be filed elapses prior to the enforcement of this Act).

(2) Prior laws continue to govern the filing of an action for rescission of an act such as disposition against which an objection has been filed pursuant to laws prior to amendment under this Act (including cases deemed to be subject to prior laws pursuant to the preceding Article) if it is, pursuant to laws after amendment by this Act, deemed able to file an action against that act only after a determination is rendered on an application for examination.

(3) Prior laws continue to govern the filing of an action for rescission of a determination, ruling, or other action by the administrative authority on an appeal, if that action has been filed prior to the enforcement of this Act.

(Transitional Measures Concerning Penal Provisions)

Article 9 Prior laws continue to govern the application of penal provisions to acts committed prior to the enforcement of this Act and to acts committed after the enforcement of this Act that are deemed to continue to be governed by prior laws pursuant to Article 5 and the preceding two Articles of the Supplementary Provisions.

(Delegation of Other Transitional Measures to Cabinet Order)

Article 10 Beyond what is specified in Article 5 to the preceding Article of the Supplementary Provisions, transitional measures necessary for the enforcement of this Act (including transitional measures concerning penal provisions) are specified by Cabinet Order.

Supplementary Provisions [Act No. 50 of June 26, 2015 Extract] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2016; provided, however, that the provisions set forth in the following items come into effect as of the dates

prescribed respectively in those items:

- (i) the provisions of Article 6, Article 8 (limited to the provisions that amend Article 3-2, and Article 3-3, paragraph (2) of the Act on Establishment of Agricultural Promotion Regions), Article 9 (limited to the provisions that amend Article 4, paragraph (8) of the Act on the Promotion of the Improvement of Basic Conditions of Agriculture, Forestry and Other Business in Hilly and Mountainous Areas), Article 11 (limited to the provisions that add an article after Article 33-17 of the Quarrying Act), and Article 17 (excluding the provisions that delete Article 80 of the Building Standards Act, the provisions that replace Article 80-2 of the same Act with Article 80 of the same Act, the provisions that replaces Article 80-3 of the same Act with Article 80-2 of the same Act, and the provisions that amend Article 83 of the same Act), as well as the provisions of Article 4 and Articles 6 to 8 of the Supplementary Provisions: the date of promulgation.

(Provisional Measures Concerning Dispositions and Applications)

Article 6 (1) An act such as the disposition of permission, etc. that has been undertaken pursuant to respective laws prior to amendment by this Act (hereinafter referred to as "act of disposition, etc." in this paragraph) prior to the enforcement of this Act (or the applicable provisions set forth in the items of Article 1 of the Supplementary Provisions; hereinafter the same applies in this Article and the following Article) or an act such as the application for permission, etc. that is actually being undertaken pursuant to respective laws prior to amendment by this Act (hereinafter referred to as "act of application, etc." in this paragraph) at the time of enforcement of this Act are, for the purpose of the application of respective laws after amendment by this Act on and after the date of enforcement of this Act, be deemed to be an act of disposition, etc. or an act of application, etc. undertaken pursuant to the corresponding provisions of respective laws after amendment by this Act, if the person who should undertake administrative functions for that act is different on date of enforcement of this Act, unless otherwise stipulated in the provisions of Article 2 to the preceding Article of the Supplementary Provisions or the provisions of an order pursuant to Article 8 of the Supplementary Provisions.

- (2) Particulars for which procedures such as reporting, notification, and submission with regard to a central or local government organ must be undertaken pursuant to the provisions of respective laws prior to amendment by this Act prior to the enforcement of this Act but the procedures have not been undertaken before the date of enforcement of this Act are deemed to be particulars for which procedures such as reporting, notification, and submission with regard to a central or local government organ must be

undertaken pursuant to the corresponding provisions of respective laws after amendment by this Act but the procedures have not been undertaken, to which the provisions of respective laws amended by this Act apply, unless otherwise stipulated in the provisions of Article 2 to the preceding Article of the Supplementary Provisions or the provisions of an order pursuant to Article 8 of the Supplementary Provisions.

(Transitional Measures Concerning Penal Provisions)

Article 7 Prior laws continue to govern the application of penal provisions to acts committed prior to the enforcement of this Act.

(Delegation to Cabinet Order)

Article 8 Beyond what is provided for in Article 2 to the preceding Article of the Supplementary Provisions, any transitional measures necessary for the enforcement of this Act (including transitional measures concerning penal provisions) are specified by Cabinet Order.

**Supplementary Provisions [Act No. 63 of September 4, 2015 Extract]
[Extract]**

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2016; provided, however, that the provisions set forth in the following items come into effect as of the dates prescribed respectively in those items:

(i) the provisions of Article 28, Article 29, paragraphs (1) and (3), Article 30 to 40, Article 47 (limited to the parts pertaining to officers of prefectural agricultural councils and the National Chamber of Agriculture), Article 50, Article 109, Article 115 of the Supplementary Provisions: the date on which this Act is promulgated (hereinafter referred to as the "date of promulgation").

(Transitional Measures Associated with Partial Amendments to the Cropland Act)

Article 41 (1) An application for permission referred to in Article 4, paragraph (1) or Article 5, paragraph (1) of the Cropland Act prior to amendment under Article 3 (hereinafter referred to as the "former Cropland Act" in this Article and the following Article) that has been actually filed by the time of enforcement of this Act is deemed to be an application for permission referred to in Article 4, paragraph (1) or Article 5, paragraph (1) of the Cropland Act after amendment under Article 3 (hereinafter referred to as the "new Cropland Act").

- (2) In the case referred to in the preceding paragraph, if the prefectural agricultural council has not stated its opinions pursuant to Article 4, paragraph (3) of the former Cropland Act (including as applied mutatis mutandis pursuant to Article 5, paragraph (3) of the former Cropland Act) and if an application referred to in the preceding paragraph pertains either to the act of converting cropland (meaning land used for cultivation; the same applies hereinafter) with an area of 30 ares to non-cropland for the purpose of the same business or to the act of acquiring rights set forth in the main clause of Article 3, paragraph (1) of the new Cropland Act for that land in order to convert cropland to non-cropland or meadow/pastureland (non-cropland used primarily for the purpose of collecting grass or livestock grazing for cultivation or livestock farming-related business; hereinafter the same applies in this paragraph) to non-meadow/pastureland (excluding cropland) when those rights are acquired for cropland with an area of 30 ares or meadow/pastureland therewith for the purpose of the same business, then the prefectural governor must hear the opinions of the prefectural agency provided for in Article 43, paragraph (1) of the new Agricultural Commission Act (hereinafter referred to as the "prefectural agency"); provided, however, that this does not apply if no designation by the prefectural governor under Article 42, paragraph (1) of the new Agricultural Commission Act has been made.
- (3) The opinions stated by the prefectural agricultural council prior to the date of enforcement pursuant to Article 4, paragraph (6) of the former Cropland Act or Article 4, paragraph (3) of the former Cropland Act as applied mutatis mutandis pursuant to Article 5, paragraph (5) is deemed to be the opinions stated by the agricultural commission pursuant to Article 4, paragraph (9) of the new Cropland Act (including as applied mutatis mutandis pursuant to Article 5, paragraph (5) of the new Cropland Act).

Article 42 The opinions stated by the prefectural agricultural council prior to the date of enforcement pursuant to Article 18, paragraph (3) or Article 39, paragraph (4) of the former Cropland Act is deemed to be the opinions stated by the prefectural agency pursuant to Article 18, paragraph (3) or Article 39, paragraph (4) of the new Cropland Act.

(Promotion and Review of Autonomous Efforts)

Article 51 (1) The government is to ensure that the public well understand the aims and details of the reforms of the systems concerning agricultural cooperatives and agricultural commissions under this Act, encourage the members, officers, and staff members of the cooperatives to have in-depth discussions on the shape of the business and organization of the cooperatives, and urge business-minded farmers and other persons concerned to have in-

depth discussions on the promotion of optimization of the use of cropland, etc. (meaning the promotion of optimization of the use of cropland, etc. provided for in Article 6, paragraph (2) of the new Agricultural Commission Act; the same applies in the following paragraph), thereby raising the awareness of these persons concerned and promoting autonomous efforts in line with the aims of the reforms.

- (2) The government is to, approximately five years after the enforcement of this Act, consider the status of implementation of the reforms concerning the business and organization of cooperatives and Norinchukin (referred to as the "status of implementation of the reforms" in the following paragraph), the status of the promotion of optimization of the use of cropland, etc., and the status of implementation of the provisions amended by this Act, review the systems concerning agricultural cooperatives and agricultural commissions, and, if it is found to necessary, and take necessary measures based on the results thereof.
- (3) The government is to, for a period of five years from the date of enforcement, survey the status of use of the business of cooperatives by full partners (meaning partners under Article 12, paragraph (1), item (i) of the new Agricultural Cooperatives Act or members under paragraph (2), item (i) of the same Article) as well as associate partners (as provided for in the proviso to Article 16, paragraph (1) of the new Agricultural Cooperatives Act; hereinafter the same applies in this paragraph) and the status of implementation of the reforms, with a view to gaining insight into how to better impose restrictions, if any, on the use of the business of cooperatives by associate partners; review the results of the surveys and draw conclusions based on this review.

(Transitional Measures Concerning Penal Provisions)

Article 114 Prior laws continue to govern the application of penal provisions to acts committed prior to the enforcement of this Act and to acts committed after the enforcement of this Act that are deemed to continue to be governed by prior laws pursuant to these Supplementary Provisions as well as those that are deemed to continue to be effective pursuant to these Supplementary Provisions.

(Delegation to Cabinet Order)

Article 115 Beyond what is specified in these Supplementary Provisions, any transitional measures necessary for the enforcement of this Act (including transitional measures concerning penal provisions) are specified by Cabinet Order.