

環境影響評価法

Environmental Impact Assessment Act

(平成九年六月十三日法律第八十一号)
(Act No. 81 of June 13, 1997)

目次

Table of Contents

第一章 総則（第一条—第三条）

Chapter I General Provisions (Article 1 to 3)

第二章 方法書の作成前の手続

Chapter II Procedures Prior to Preparation of a Scoping Document

第一節 配慮書（第三条の二—第三条の十）

Section 1 Document on Primary Environmental Impact Consideration

(Article 3-2 to 3-10)

第二節 第二種事業に係る判定（第四条）

Section 2 Judgement of Class-2 Project (Article 4)

第三章 方法書（第五条—第十条）

Chapter III Scoping Documents (Article 5 to 10)

第四章 環境影響評価の実施等（第十一条—第十三条）

Chapter IV Conducting an Environmental Impact Assessment (Article 11 to 13)

第五章 準備書（第十四条—第二十条）

Chapter V Draft Environmental Impact Statement (draft EIS) (Article 14 to 20)

第六章 評価書

Chapter VI Environmental Impact Statement

第一節 評価書の作成等（第二十一条—第二十四条）

Section 1 Preparation of Environmental Impact Statement (Article 21 to 24)

第二節 評価書の補正等（第二十五条—第二十七条）

Section 2 Correction of Environmental Impact Statement (Article 25 to 27)

第七章 対象事業の内容の修正等（第二十八条—第三十条）

Chapter VII Revising the Contents of a Relevant Project (Article 28 to 30)

第八章 評価書の公告及び縦覧後の手続（第三十一条—第三十八条の五）

Chapter VIII Procedures after Public Notice and Public Inspection of

Environmental Impact Statement (Article 31 to 38-5)

第九章 環境影響評価その他の手続の特例等

Chapter IX Special Provisions for Environmental Impact Assessment and

Other Procedures

第一節 都市計画に定められる対象事業等に関する特例（第三十八条の六一—第四十六
六条）

Section 1 Special Provisions for Relevant Project stipulated in City Plan

(Article 38-6 to 46)

第二節 港湾計画に係る環境影響評価その他の手続（第四十七条・第四十八条）

Section 2 Environmental Impact Assessment and Other Procedures
pertaining to Port Plan (Article 47 and 48)

第十章 雑則（第四十九条―第六十二条）

Chapter X Miscellaneous Provisions (Article 49 to 62)

附 則

Supplementary Provisions

第一章 総則

Chapter I General Provisions

(目的)

(Purposes)

第一条 この法律は、土地の形状の変更、工作物の新設等の事業を行う事業者がその事業の実施に当たりあらかじめ環境影響評価を行うことが環境の保全上極めて重要であることにかんがみ、環境影響評価について国等の責務を明らかにするとともに、規模が大きく環境影響の程度が著しいものとなるおそれがある事業について環境影響評価が適切かつ円滑に行われるための手続その他所要の事項を定め、その手続等によって行われた環境影響評価の結果をその事業に係る環境の保全のための措置その他のその事業の内容に関する決定に反映させるための措置をとること等により、その事業に係る環境の保全について適正な配慮がなされることを確保し、もって現在及び将来の国民の健康で文化的な生活の確保に資することを目的とする。

Article 1 The purpose of this Act is, in recognition of the fact that it is extremely important, in terms of protecting the environment, that the project proponent conduct an environmental impact assessment in advance of a project that changes the shape of the terrain or that involves the construction of a new structure, or that is engaging in other similar activities, to set forth procedures and other provisions designed to define clearly the responsibilities of the government, etc., regarding environmental impact assessments and to ensure that the environmental impact assessments are conducted properly and smoothly with respect to large-scale projects that could have a serious impact on the environment, and to ensure proper consideration for environmental conservation in related to the project, by prescribing process to reflect the result of the environmental impact assessment in determining the measures for environmental conservation in implementing the project and in determining the other contents of the project, thereby contributing to the healthy and cultural life of the Japanese people, both now and in the future.

(定義)

(Definitions)

第二条 この法律において「環境影響評価」とは、事業（特定の目的のために行われる一連の土地の形状の変更（これと併せて行うしゅんせつを含む。）並びに工作物の新設及び増改築をいう。以下同じ。）の実施が環境に及ぼす影響（当該事業の実施後の土地又は工作物において行われることが予定される事業活動その他の人の活動が当該事業の目的に含まれる場合には、これらの活動に伴って生ずる影響を含む。以下単に「環境影響」という。）について環境の構成要素に係る項目ごとに調査、予測及び評価を行うとともに、これらを行う過程においてその事業に係る環境の保全のための措置を検討し、この措置が講じられた場合における環境影響を総合的に評価することをいう。

Article 2 (1) In this Act, "environmental impact assessment" means conducting survey, forecast and evaluation of the possible changes (the environmental impact in association of the activities is included, if the purpose of the project includes business activities and other human activities scheduled in the land or the structure after the implementation of a project; hereinafter referred to simply as "environmental impact") in environment caused by implementation of a project (changes in the shape of the terrain (including dredging being conducted simultaneously) and the newly establishment, extension and reconstruction of a structure for specific purpose; the same applies hereinafter) in individual components of the environment; considering measures for environmental conservation related to the implementation of the project in the process of assessment; and evaluating comprehensively the environmental impact when the measures are taken

2 この法律において「第一種事業」とは、次に掲げる要件を満たしている事業であつて、規模（形状が変更される部分の土地の面積、新設される工作物の大きさその他の数値で表される事業の規模をいう。次項において同じ。）が大きく、環境影響の程度が著しいものとなるおそれがあるものとして政令で定めるものをいう。

(2) In this Act, "class-1 project" means a project that meets the following requirements, including a scale (an area of land to be altered in which the shape is expressed numerically, the size of any new structures to be built or other projects expressed numerically; the same applies in the following paragraph) is large, and is specified by cabinet order to have a serious impact on the environment.

一 次に掲げる事業の種類の内いずれかに該当する一の事業であること。

(i) a project that falls under any of the following types of projects;

イ 高速自動車国道、一般国道その他の道路法（昭和二十七年法律第百八十号）第二条第一項に規定する道路その他の道路の新設及び改築の事業

(a) a project to construct or reconstruct a national expressway, a national road, any other type of road as specified in Article 2, paragraph (1) of the Road Act (Act No. 180 of 1947), or any other type of road;

ロ 河川法（昭和三十九年法律第百六十七号）第三条第一項に規定する河川に関するダムの新築、堰の新築及び改築の事業（以下この号において「ダム新築等事

- 業」という。)並びに同法第八条の河川工事の事業でダム新築等事業でないもの
- (b) a project (hereinafter referred to as "a new-dam, etc. construction project" in this item) to construct a dam or to construct or reconstruct a weir across a river, as specified in Article 3, paragraph (1) of the River Act (Act No. 167 of 1964), and a project of river works specified in Article 8 of the River Act and which is not a new-dam, etc. construction project;
- ハ 鉄道事業法（昭和六十一年法律第九十二号）による鉄道及び軌道法（大正十年法律第七十六号）による軌道の建設及び改良の事業
- (c) a project to construct or improve a railway as specified in the Railway Business Act (Act No. 92 of 1986) or tramway as specified in the Act on Rail Tracks (Act No. 76 of 1921);
- ニ 空港法（昭和三十一年法律第八十号）第二条に規定する空港その他の飛行場及びその施設の設置又は変更の事業
- (d) a project to construct or reconstruct an airport, or other airfield and airport facility as specified in Article 2 of the Airport Act (Act No. 80 of 1956);
- ホ 電気事業法（昭和三十九年法律第七十号）第三十八条に規定する事業用電気工作物であって発電用のものの設置又は変更の工事の事業
- (e) a construction project to install or modify a power generating structure which are electric facilities for business use as specified in Article 38 of the Electricity Business Act (Act No. 170 of 1964);
- ヘ 廃棄物の処理及び清掃に関する法律（昭和四十五年法律第一百三十七号）第八条第一項に規定する一般廃棄物の最終処分場及び同法第十五条第一項に規定する産業廃棄物の最終処分場の設置並びにその構造及び規模の変更の事業
- (f) a project to construct a final domestic-waste disposal site as specified in Article 8, paragraph (1) of the Waste Disposal and Public Cleansing Act (Act No. 137 of 1970) or a final industrial-waste disposal site as specified in Article 15, paragraph (1) of the same Act or to modify the structure and the scale of the facility;
- ト 公有水面埋立法（大正十年法律第五十七号）による公有水面の埋立て及び干拓その他の水面の埋立て及び干拓の事業
- (g) a project to reclaim or empolder public water bodies as specified in the Public Water Body Reclamation Act (Act No. 57 of 1921) or to reclaim or empolder other water body;
- チ 土地区画整理法（昭和二十九年法律第百十九号）第二条第一項に規定する土地区画整理事業
- (h) a land readjustment project as specified in Article 2, paragraph (1) of the Land Readjustment Act (Act No. 119 of 1954);
- リ 新住宅市街地開発法（昭和三十八年法律第百三十四号）第二条第一項に規定する新住宅市街地開発事業
- (i) a new housing and urban development project as specified in Article 2,

paragraph (1) of the New Housing and Urban Development Act (Act No. 134 of 1963);

ヌ 首都圏の近郊整備地帯及び都市開発区域の整備に関する法律（昭和三十三年法律第九十八号）第二条第五項に規定する工業団地造成事業及び近畿圏の近郊整備区域及び都市開発区域の整備及び開発に関する法律（昭和三十九年法律第四百四十五号）第二条第四項に規定する工業団地造成事業

(j) an industrial park development project as specified in Article 2, paragraph (5) of the Act Concerning the Development of Suburban Consideration Zone and Urban Development Zones of the National Capital Region (Act No. 98 of 1958) and in Article 2, paragraph (4) of the Act Concerning Development of Suburban Consideration Zone and Urban Development Zones of the Kinki Region (Act No. 145 of 1964);

ル 新都市基盤整備法（昭和四十七年法律第八十六号）第二条第一項に規定する新都市基盤整備事業

(k) a new city foundation development project as specified in Article 2, paragraph (1) of the New Urban Infrastructure Act (Act No. 86 of 1972);

ヲ 流通業務市街地の整備に関する法律（昭和四十一年法律第一百十号）第二条第二項に規定する流通業務団地造成事業

(l) a project to construct a distribution-business center as specified in Article 2, paragraph (2) of the Act Concerning the Improvement of Urban Distribution Centers (Act No. 110 of 1966);

ワ イからヲまでに掲げるもののほか、一の事業に係る環境影響を受ける地域の範囲が広く、その一の事業に係る環境影響評価を行う必要の程度がこれらに準ずるものとして政令で定める事業の種類

(m) beyond what is listed in (a) through (l), a type of project specified by cabinet order as the degree of need to conduct an environmental impact assessment regarding to a project is equivalent to those, and having an environmental impact over a broad area regarding a project.

二 次のいずれかに該当する事業であること。

(ii) a project that falls under any of the following;

イ 法律の規定であって政令で定めるものにより、その実施に際し、免許、特許、許可、認可、承認若しくは同意又は届出（当該届出に係る法律において、当該届出に関し、当該届出を受理した日から起算して一定の期間内に、その変更について勧告又は命令をすることができることが規定されているものに限る。ホにおいて同じ。）が必要とされる事業（ホに掲げるものを除く。）

(a) a project (excluding those listed below in (e)) when license, special permission, permission, authorization, approval or consent or notification (notification is limited only to the projects subject to specific laws containing legal provisions to enable to issue a recommendation or order to modify the relevant notification within a specified time following the filing of the relevant notification; this limitation also applies to (e) below) is

required in accordance with the provisions of laws that are specified by cabinet order;

ロ 国の補助金等（補助金等に係る予算の執行の適正化に関する法律（昭和三十年法律第百七十九号）第二条第一項第一号の補助金、同項第二号の負担金及び同項第四号の政令で定める給付金のうち政令で定めるものをいう。以下同じ。）の交付の対象となる事業（イに掲げるものを除く。）

(b) a project (excluding those listed above in (a)) that is subject to government subsidies, etc. (a subsidy provided for Article 2, paragraph (1), item (i) of the Act on Regulation of Execution of Budget Pertaining to Subsidies (Act No. 179 of 1955), dues prescribed in item (ii) of the same paragraph and benefits as prescribed in item (iv) of the same paragraph and is specified by cabinet order among those; the same applies hereinafter);

ハ 特別の法律により設立された法人（国が出資しているものに限る。）がその業務として行う事業（イ及びロに掲げるものを除く。）

(c) a project (excluding those referred to in (a) and (b)) carried out as business by a corporation incorporated under a special law (limited to corporations to which the national government contributes capital);

ニ 国が行う事業（イ及びホに掲げるものを除く。）

(d) a project carried out by the national government (excluding those referred to (a) and (e));

ホ 国が行う事業のうち、法律の規定であつて政令で定めるものにより、その実施に際し、免許、特許、許可、認可、承認若しくは同意又は届出が必要とされる事業

(e) a project that is carried out by the national government, in which implementation license, special permission, permission, authorization, approval or consent or notification is essential at the implementation by a fine pursuant to the provisions of laws and specified by cabinet order.

3 この法律において「第二種事業」とは、前項各号に掲げる要件を満たしている事業であつて、第一種事業に準ずる規模（その規模に係る数値の第一種事業の規模に係る数値に対する比が政令で定める数値以上であるものに限る。）を有するもののうち、環境影響の程度が著しいものとなるおそれがあるかどうかの判定（以下単に「判定」という。）を第四条第一項各号に定める者が同条の規定により行う必要があるものとして政令で定めるものをいう。

(3) In this Act, "class-2 project" means a project that satisfied requirements listed in the items of the preceding paragraph and is based on the scale (limited to projects whose level representing the ratio of its scale to that of a class-1 project is beyond the level specified by cabinet order) equivalent to a class-1 project, and it is necessary specified by cabinet order to be made a judgment (referred to simply as "judgment" hereinafter) to whether it will have a serious impact on the environment by a person specified in the items of

Article 4, paragraph (1), in accordance with the provisions of the same Article.

4 この法律において「対象事業」とは、第一種事業又は第四条第三項第一号（第三十九条第二項の規定により読み替えて適用される場合を含む。）の措置がとられた第二種事業（第四条第四項（第三十九条第二項の規定により読み替えて適用される場合を含む。）及び第二十九条第二項（第四十条第二項の規定により読み替えて適用される場合を含む。）において準用する第四条第三項第二号の措置がとられたものを除く。）をいう。

(4) In this Act, "target project" means a class-1 or class-2 project (excluding those in which a measure specified in Article 4, paragraph (3), item (ii) is applied mutatis mutandis in Article 4, paragraph (4) (including the case with applied by replacing the terms and phrases under the provisions of Article 39, paragraph (2)) and Article 29, paragraph (2) (including the case applied by replacing the terms and phrases under the provisions of Article 40, paragraph (2)) has been taken) which a measure of Article 4, paragraph (3), item (i) is made

5 この法律（この章を除く。）において「事業者」とは、対象事業を実施しようとする者（国が行う対象事業にあつては当該対象事業の実施を担当する行政機関（地方支分部局を含む。）の長、委託に係る対象事業にあつてはその委託をしようとする者）をいう。

(5) In this Act (excluding this Chapter), "project proponent" means a person who intends to implement a target project (the head of the administrative organ (including local branch office) which intends to implement the target project for a target project carried out by the national government) or the person who intends to entrust for a target project entrusted).

（国等の責務）

(Responsibilities of the National Government)

第三条 国、地方公共団体、事業者及び国民は、事業の実施前における環境影響評価の重要性を深く認識して、この法律の規定による環境影響評価その他の手続が適切かつ円滑に行われ、事業の実施による環境への負荷をできる限り回避し、又は低減することその他の環境の保全についての配慮が適正になされるようにそれぞれの立場で努めなければならない。

Article 3 Fully recognizing that it is important for an environmental impact assessment to be conducted before a project is carried out, the national government, local governments, project proponents, and citizens must endeavor from their respective positions to ensure that such an environmental impact assessment and other procedures specified in this Act are conducted appropriately and smoothly, to avoid or to reduce as much as possible the environmental burden by the implementation of the project, and to ensure that the consideration for environmental conservation is performed properly.

第二章 方法書の作成前の手続

Chapter II Procedures Prior to Preparation of a Scoping Document

第一節 配慮書

Section 1 Document on Primary Environmental Impact Consideration

(計画段階配慮事項についての検討)

(Review for items for Primary Environmental Impact Consideration at the Early Stage)

第三条の二 第一種事業を実施しようとする者（国が行う事業にあつては当該事業の実施を担当する行政機関（地方支分部局を含む。）の長、委託に係る事業にあつてはその委託をしようとする者。以下同じ。）は、第一種事業に係る計画の立案の段階において、当該事業が実施されるべき区域その他の第二条第二項第一号イからワまでに掲げる事業の種類ごとに主務省令で定める事項を決定するに当たっては、同号イからワまでに掲げる事業の種類ごとに主務省令で定めるところにより、一又は二以上の当該事業の実施が想定される区域（以下「事業実施想定区域」という。）における当該事業に係る環境の保全のために配慮すべき事項（以下「計画段階配慮事項」という。）についての検討を行わなければならない。

Article 3-2 (1) At the planning stage of a class-1 project, a person who intends to implement a project (for a project carried out by the national government, the head of the administrative organ (including a local branch office) which intends to implement the target project for a target project carried out by the national government) or the person who intends to entrust for a target project in the case of entrustment; the same applies hereinafter), in determining the area in which the relevant project will be carried out and other matters specified by the order of the competent ministry in each type of project listed in Article 2, paragraph (2), item (i), (a) through (m), must review the items (hereinafter referred to as "the items for primary environmental impact consideration at the early stage") should be considered for environmental conservation related to the relevant project in the one or more areas (hereinafter referred to as "the possible project implementation area") in which the relevant project will be carried out in each type of project listed in Article 2, paragraph (2), item (i), (a) through (m), as prescribed by order of the competent ministry.

2 前項の事業が実施されるべき区域その他の事項を定める主務省令は、主務大臣（主務大臣が内閣府の外局の長であるときは、内閣総理大臣）が環境大臣に協議して定めるものとする。

(2) The order of the competent ministry is to specify the area in which a project in the preceding paragraph will be carried out and other items, are issued by the competent minister (if the competent minister is the head of external bureau of Cabinet Office, then the Prime Minister) in consultation with the Minister of the Environment.

3 第一項の主務省令（事業が実施されるべき区域その他の事項を定める主務省令を除

く。)は、計画段階配慮事項についての検討を適切に行うために必要であると認められる計画段階配慮事項の選定並びに当該計画段階配慮事項に係る調査、予測及び評価の手法に関する指針につき主務大臣（主務大臣が内閣府の外局長であるときは、内閣総理大臣）が環境大臣に協議して定めるものとする。

(3) The order of the competent ministry in paragraph (1) (excluding the order of the competent ministry to specify the area in which a project in the preceding paragraph will be implemented and other items) is issued by the competent minister (if the competent minister is the head of external bureau of Cabinet Office, then the Prime Minister) in consultation with the Minister of the Environment, in order to establish guidelines for both the selection of the items for primary environmental impact consideration at the early stage as found to be necessary for the proper review of items for primary environmental impact consideration at the early stage, and the methods for survey, forecast and evaluation, relating to the relevant items for primary environmental impact consideration at the early stage

(配慮書の作成等)

(Preparation of a Document on Primary Environmental Impact Consideration)

第三条の三 第一種事業を実施しようとする者は、計画段階配慮事項についての検討を行った結果について、次に掲げる事項を記載した計画段階環境配慮書（以下「配慮書」という。）を作成しなければならない。

Article 3-3 (1) a person who intends to implement a class-1 project must prepare a document on primary environment impact consideration at the early stage (hereinafter referred to as "a document on primary environment impact consideration") that describes the following matters about the results of the review of the items for primary environmental impact consideration at the early stage;

一 第一種事業を実施しようとする者の氏名及び住所（法人にあってはその名称、代表者の氏名及び主たる事務所の所在地）

(i) the name and address of the person who intends to implement a class-1 project (in the case of a corporation, its name, the name of its representative, and the location of its principal office);

二 第一種事業の目的及び内容

(ii) the purpose and contents of the class-1 project;

三 事業実施想定区域及びその周囲の概況

(iii) the general conditions of the area for possible implementation of the project and its surrounding area;

四 計画段階配慮事項ごとに調査、予測及び評価の結果をとりまとめたもの

(iv) a summary of the results of survey, forecast and evaluation for each items for primary environmental impact consideration at the early stage;

五 その他環境省令で定める事項

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

2 相互に関連する二以上の第一種事業を実施しようとする場合は、当該第一種事業を実施しようとする者は、これらの第一種事業について、併せて配慮書を作成することができる。

(2) If two or more class-1 projects relating to each other will be carried out, a project proponent who intends to carry out these class-1 projects is able to prepare one document on primary environment impact consideration for these class-1 projects together.

(配慮書の送付等)

(Submission of a Document on Primary Environmental Impact Consideration)

第三条の四 第一種事業を実施しようとする者は、配慮書を作成したときは、速やかに、環境省令で定めるところにより、これを主務大臣に送付するとともに、当該配慮書及びこれを要約した書類を公表しなければならない。

Article 3-4 (1) When preparing a document on primary environmental impact consideration, the person who intends to implement a class-1 project must promptly submit the document to the competent minister and make the relevant document on primary environmental impact consideration and the summary document made public, pursuant to the provisions of Order of the Ministry of the Environment.

2 主務大臣（環境大臣を除く。）は、配慮書の送付を受けた後、速やかに、環境大臣に当該配慮書の写しを送付して意見を求めなければならない。

(2) After receiving a document on primary environmental impact consideration, the competent minister (excluding the Minister of the Environment) must promptly send a copy of the relevant document to the Minister of the Environment and request the opinions.

(環境大臣の意見)

(Opinions of the Minister of the Environment)

第三条の五 環境大臣は、前条第二項の規定により意見を求められたときは、必要に応じ、政令で定める期間内に、主務大臣（環境大臣を除く。）に対し、配慮書について環境の保全の見地からの意見を書面により述べることができる。

Article 3-5 The Minister of the Environment, when requested for opinions pursuant to the provisions of paragraph (2) of the preceding Article, may state the opinions in writing to the competent minister (except the Minister of the Environment), within the period designated by cabinet order, from the standpoint of the environment conservation for the document on primary environmental impact consideration.

(主務大臣の意見)

(Opinions of the Competent Minister)

第三条の六 主務大臣は、第三条の四第一項の規定による送付を受けたときは、必要に応じ、政令で定める期間内に、第一種事業を実施しようとする者に対し、配慮書について環境の保全の見地からの意見を書面により述べることができる。この場合において、前条の規定による環境大臣の意見があるときは、これを勘案しなければならない。

Article 3-6 When receiving the submission specified in Article 3-4, paragraph (1), the competent minister may state the opinions in writing to a person who intends to implement the class-1 project, within the period designated by cabinet order, from the standpoint of the environment conservation for the document on primary environmental impact consideration. In doing case, where the Minister of the Environment has stated any opinions pursuant to the provisions of the preceding Article, such opinions must be taken into consideration.

(配慮書についての意見の聴取)

(Asking of Opinions on a Document on Primary Environmental Impact Consideration)

第三条の七 第一種事業を実施しようとする者は、第二条第二項第一号イからワまでに掲げる事業の種類ごとに主務省令で定めるところにより、配慮書の案又は配慮書について関係する行政機関及び一般の環境の保全の見地からの意見を求めるように努めなければならない。

Article 3-7 (1) A person who intends to implement a class-1 project, in accordance with the order of the competent ministry in each types of projects specified by Article 2, paragraph (2), item (i),(a) through (m), must endeavor to ask the opinions of the relevant administrative organs and the public on a draft or a document on primary environmental impact consideration, from the standpoint of the environmental conservation.

2 前項の主務省令は、計画段階配慮事項についての検討に当たって関係する行政機関及び一般の環境の保全の見地からの意見を求める場合の措置に関する指針につき主務大臣（主務大臣が内閣府の外局長であるときは、内閣総理大臣）が環境大臣に協議して定めるものとする。

(2) The order of the competent ministry referred to in the preceding paragraph is established by the competent minister (if the competent minister is the head of external bureau of Cabinet Office, then the Prime Minister) in consultation with the Minister of the Environment, in order to establish guidelines for measures for asking the opinions of the relevant administrative organs and the public on items for primary environmental impact consideration at the early stage, from the standpoint of environmental conservation.

(基本的事項の公表)

(Publication of Basic Matters)

第三条の八 環境大臣は、関係する行政機関の長に協議して、第三条の二第三項及び前

条第二項の規定により主務大臣（主務大臣が内閣府の外局長であるときは、内閣総理大臣）が定めるべき指針に関する基本的事項を定めて公表するものとする。

Article 3-8 In consultation with the heads of the relevant administrative organs, the Minister of the Environment is to establish the basic matters relating to the guidelines to be issued by the competent minister (where the competent minister is the head of external bureau of Cabinet Office, then the Prime Minister) pursuant to the provisions of Article 3-2, paragraph (3) and paragraph (2) of the preceding Article, and is to make them public.

（第一種事業の廃止等）

(Abandonment of Class-1 Project)

第三条の九 第一種事業を実施しようとする者は、第三条の四第一項の規定による公表を行ってから第七条の規定による公告を行うまでの間において、次の各号のいずれかに該当することとなった場合には、配慮書の送付を当該第一種事業を実施しようとする者から受けた者にその旨を通知するとともに、環境省令で定めるところにより、その旨を公表しなければならない。

Article 3-9 (1) When a person who intends to implement a class-1 project becomes as defined by any of the following items, the person, between publication as required by Article 3-4, paragraph (1) and a public notice issued as required by Article 7, must provide notice thereof to the person receiving a document on primary environmental impact consideration from the person who intends to implement the relevant class-1 project and make this public in accordance with the Order of the Ministry of the Environment;

一 第一種事業を実施しないこととしたとき。

(i) the class-1 project will not be implemented;

二 第三条の三第一項第二号に掲げる事項を修正した場合において当該修正後の事業が第一種事業又は第二種事業のいずれにも該当しないこととなったとき。

(ii) in a case of the revision of the matters listed in Article 3-3, paragraph (1), item (ii), the project revised becomes to fall under neither a class-1 project nor a class-2 project;

三 第一種事業の実施を他の者に引き継いだとき。

(iii) the implementation of the class-1 project is transferred to another person.

2 前項第三号の場合において、当該引継ぎ後の事業が第一種事業であるときは、同項の規定による公表の日以前に当該引継ぎ前の第一種事業を実施しようとする者が行った計画段階配慮事項についての検討その他の手続は新たに第一種事業を実施しようとする者となった者が行ったものとみなし、当該引継ぎ前の第一種事業を実施しようとする者について行われた計画段階配慮事項についての検討その他の手続は新たに第一種事業を実施しようとする者となった者について行われたものとみなす。

(2) In the case of item (iii) of the preceding paragraph, if a project transferred to another person is a class-1 project, any examination of the items for primary environmental impact consideration at the early stage and any other

procedures that were conducted as referred to the same items by the person who intended to implement the class-1 project prior to the transfer and before the publication date referred to in the same paragraph is deemed to have been implemented by another person who newly intends to implement the relevant class-1 project, and any examination of the items for primary environmental impact consideration at the early stage conducted and other procedures which were made about the person who intended to implement the class-1 project before the transfer is deemed to be made about another person who newly intends to implement the relevant project.

(第二種事業に係る計画段階配慮事項についての検討)

(Review for items for Primary Environmental Impact Consideration at the Early Stage on Class-2 Project)

第三条の十 第二種事業を実施しようとする者（国が行う事業にあつては当該事業の実施を担当する行政機関（地方支分部局を含む。）の長、委託に係る事業にあつてはその委託をしようとする者。以下同じ。）は、第二種事業に係る計画の立案の段階において、第三条の二第一項の事業が実施されるべき区域その他の主務省令で定める事項を決定するに当たっては、一又は二以上の当該事業の実施が想定される区域における当該事業に係る環境の保全のために配慮すべき事項についての検討その他の手続を行うことができる。この場合において、当該第二種事業を実施しようとする者は、当該事業の実施が想定される区域における環境の保全のために配慮すべき事項についての検討その他の手続を行うこととした旨を主務大臣に書面により通知するものとする。

Article 3-10 (1) At the planning stage of a class-2 project, a person who intends to implement a class-2 project (for a project implemented by the national government, the head of the administrative organ (including local branch office) which intends to implement the target project for a target project carried out by the national government) or a person who intends to entrust for a target project in the case of entrustment; the same applies hereinafter), in determining the area in which the project specified in Article 3-2 paragraph (1) will be carried out and other matters specified by order of the competent ministry is to review the items that should be considered for environmental conservation related to the project in the one or more areas in which the relevant project will be carried out and other procedures. In this case, a person who intends to implement the relevant class-2 project is to notify the competent minister in writing to conduct review of the items that should be considered for environmental conservation related to the project in the areas in which the relevant project will be carried out and follow other procedures.

2 前項の規定による通知をした第二種事業を実施しようとする者については、第一種事業を実施しようとする者とみなし、第三条の二から前条までの規定を適用する。

(2) When a person who intends to implement a class-2 project make notification pursuant to the provisions of the preceding paragraph, the person is deemed to

be a person who intends to implement a class-1 project and thereupon the provisions of Articles 3-2 through the preceding Article is applied.

第二節 第二種事業に係る判定

Section 2 Judgement of Class-2 Project

第四条 第二種事業を実施しようとする者は、第二条第二項第一号イからワまでに掲げる事業の種類ごとに主務省令で定めるところにより、その氏名及び住所（法人にあってはその名称、代表者の氏名及び主たる事務所の所在地）並びに第二種事業の種類及び規模、第二種事業が実施されるべき区域その他第二種事業の概要（以下この項において「氏名等」という。）を次の各号に掲げる第二種事業の区分に応じ当該各号に定める者に書面により届け出なければならない。この場合において、第四号又は第五号に掲げる第二種事業を実施しようとする者が第四号又は第五号に定める主任の大臣であるときは、主任の大臣に届け出ることによって、氏名等を記載した書面を作成するものとする。

Article 4 (1) A person who intends to implement a class-2 project gives a written notice, in each type of the project listed in Article 2, paragraph (2), item (1), (a) through (m), hereunder pursuant to order of the competent ministry, on the name and location (in the case of a corporation, its name and the name of its representative, the location of its principal office), the type and scale of the class-2 project, the zone where the class-2 project will be carried out, and other general information concerning the class-2 project (hereinafter in this paragraph referred to as "name, etc.") to the person specified in each item according to the respective categories of a class-2 project listed in the following items. In this case, when the project proponent of a class-2 project listed in item (iv) or (v) is the competent minister listed in item (iv) or (v), the minister must prepare a document describing the name, etc. in lieu of submitting to the competent minister;

一 第二条第二項第二号イに該当する第二種事業 同号イに規定する免許、特許、許可、認可、承認若しくは同意（以下「免許等」という。）を行い、又は同号イに規定する届出（以下「特定届出」という。）を受理する者

(i) a class-2 project that falls under Article 2, paragraph (2), item (ii), (a): a person who issues the license, special permission, permission, authorization, approval, or consent (hereinafter referred to as "license, etc.") as prescribed in the same item (ii), (a), and who receives a notification as prescribed in the same item (ii), (a) (hereinafter referred to as a "special notification");

二 第二条第二項第二号ロに該当する第二種事業 同号ロに規定する国の補助金等の交付の決定を行う者（以下「交付決定権者」という。）

(ii) a class-2 project that falls under Article 2, paragraph (2), item (ii), (b): a person who makes a decision on whether to grant a national government subsidy, etc. as prescribed in the provisions of the same item (ii), (b)

(hereinafter referred to as "grant decision-maker");

三 第二条第二項第二号ハに該当する第二種事業 同号ハに規定する法律の規定に基づき同号ハに規定する法人を当該事業に関して監督する者（以下「法人監督者」という。）

(iii) a class-2 project that falls under Article 2, paragraph (2), item (ii), (c): a person (hereinafter referred to as "corporate supervisor") who supervises the corporation as prescribed in the same item (ii), (c) relating the relevant project in accordance with the provisions of the acts as prescribed in the same item (ii), (c);

四 第二条第二項第二号ニに該当する第二種事業 当該事業の実施に関する事務を所掌する主任の大臣

(iv) a class-2 project that falls under Article 2, paragraph (2), item (ii), (d): the competent minister who has jurisdiction over processes relating to the implementation of the relevant project;

五 第二条第二項第二号ホに該当する第二種事業 当該事業の実施に関する事務を所掌する主任の大臣及び同号ホに規定する免許、特許、許可、認可、承認若しくは同意を行う者又は同号ホに規定する届出の受理を行う者

(v) a class-2 project that falls under Article 2, paragraph (2), item (ii), (e): the competent minister who has jurisdiction over processes relating to the implementation of the relevant project, and a person who issues the license, special permission, permission, authorization, approval, or consent as prescribed in the same item (ii), (e) or a person who receives a notification as prescribed in the same item (ii), (e).

2 前項各号に定める者は、同項の規定による届出（同項後段の規定による書面の作成を含む。以下この条及び第二十九条第一項において「届出」という。）に係る第二種事業が実施されるべき区域を管轄する都道府県知事に届出に係る書面の写しを送付し、三十日以上を指定してこの法律（この条を除く。）の規定による環境影響評価その他の手続が行われる必要があるかどうかについての意見及びその理由を求めなければならない。

(2) The person specified in each item of the preceding paragraph must send a copy of the notification (including documents provided for in the latter half of the same paragraph, hereinafter in this Article and in Article 29, paragraph (1) referred to as "notification") to the prefectural governor(s) who have jurisdiction over the area in which the class-2 project relating notification pursuant to the preceding paragraph will be implemented, and ask the prefectural governor by designating the period over 30 days for submission of the opinions and the reasons, as to whether it is necessary that an environmental impact assessment and other procedures are conducted followed pursuant to this Act (excluding this Article).

3 第一項各号に定める者は、前項の規定による都道府県知事の意見が述べられたときはこれを勘案して、第二条第二項第一号イからワまでに掲げる事業の種類ごとに主務

省令で定めるところにより、届出の日から起算して六十日以内に、届出に係る第二種事業についての判定を行い、環境影響の程度が著しいものとなるおそれがあると認めるときは第一号の措置を、おそれがないと認めるときは第二号の措置をとらなければならない。

(3) The person specified in each of the items of paragraph (1) of this Article, after giving due consideration to the opinions of the prefectural governor, submitted as prescribed in the preceding paragraph (2), must make a judgment for the relevant class-2 project within 60 days from the date of notification, pursuant to the provisions of the order of the competent ministry in each type of projects listed in Article 2, paragraph (2), item (i), (a) through (m), when the relevant person find that the degree of environmental impact is likely to be serious, the person must take a measure referred to in item (i); when the relevant person find that the degree of environmental impact is likely not to be serious, the person must take a measure referred to in item (ii);

一 この法律（この条を除く。）の規定による環境影響評価その他の手続が行われる必要がある旨及びその理由を、書面をもって、届出をした者及び前項の都道府県知事（第一項後段の場合にあっては、前項の都道府県知事）に通知すること。

(i) notify the person in writing who filed the notification and the prefectural governor referred to in the preceding paragraph (2) (regarding the latter half of paragraph (1), the prefectural governor referred to in the preceding paragraph (2)) that an environmental impact assessment is necessary or that other procedures must be followed pursuant to the provisions of this Act (except this Article), setting forth the reasons for such opinion;

二 この法律（この条を除く。）の規定による環境影響評価その他の手続が行われる必要がない旨及びその理由を、書面をもって、届出をした者及び前項の都道府県知事（第一項後段の場合にあっては、前項の都道府県知事）に通知すること。

(ii) notify in writing the person who filed the notification and the prefectural governors referred to in the preceding paragraph (2) (regarding the second sentence of paragraph (1), the prefectural governor(s) referred to in the preceding paragraph (2)) that an environmental impact assessment and other procedures pursuant to the provisions of this Act (except this Article) are not necessary, setting forth the reasons for such opinion.

4 届出をした者で前項第一号の措置がとられたものが当該第二種事業の規模又はその実施されるべき区域を変更して当該事業を実施しようとする場合において、当該変更後の当該事業が第二種事業に該当するときは、その者は、当該変更後の当該事業について、届出をすることができる。この場合において、前二項の規定は、当該届出について準用する。

(4) When the person who has filed a notification and has received the notification of the judgment described in the preceding paragraph (3), item (i) intends to implement the relevant project by modifying the scale or the area of the relevant class-2 project, if the project after such modification falls within the

definition of class-2 project, the person may file a notification concerning the relevant project after such modification. In this case, the provisions of the two preceding paragraphs apply *mutatis mutandis* to the relevant notification.

5 第二種事業（対象事業に該当するものを除く。）を実施しようとする者は、第三項第二号（前項及び第二十九条第二項において準用する場合を含む。）の措置がとられるまで（当該第二種事業に係る第一項各号に定める者が二以上である場合にあっては、当該各号に定める者のすべてにより当該措置がとられるまで）は、当該第二種事業を実施してはならない。

(5) A person who intends to implement a class-2 project (other than a relevant project), until a measure (including the cases applying *mutatis mutandis* in the preceding paragraph and Article 29, paragraph (2)) is taken pursuant to paragraph (3), item (ii) (when persons prescribed in each item of paragraph (1) relating to the relevant class-2 project are two or more, until the required measures are taken by all of all persons prescribed in the relevant items), may not implement the relevant class-2 project.

6 第二種事業を実施しようとする者は、第一項の規定にかかわらず、判定を受けることなくこの法律（この条を除く。）の規定による環境影響評価その他の手続を行うことができる。この場合において、当該第二種事業を実施しようとする者は、同項第四号又は第五号に定める主任の大臣以外の者にあつてはこの法律（この条を除く。）の規定による環境影響評価その他の手続を行うこととした旨を同項各号に掲げる第二種事業の区分に応じ当該各号に定める者に書面により通知し、これらの主任の大臣にあつてはその旨の書面を作成するものとする。

(6) A person who intends to implement a class-2 project may conduct, notwithstanding the provisions of paragraph (1), without receiving a judgment, an environmental impact assessment and other procedures pursuant to the provisions of this Act (except this Article). In this case, if the person who intends to implement such class-2 project is someone other than the competent minister as prescribed in item (iv) or (v) of the same paragraph, that person is to notify in writing a document that the person conducted an environmental impact assessment and the other procedures to a person set forth in each item of the same paragraph in accordance with the provisions of this Act (except this Article), and when the person is the competent minister, the minister is to prepare a document to that effect.

7 前項の規定による通知を受け、又は同項の規定により書面を作成した者は、当該通知又は書面の作成に係る第二種事業が実施されるべき区域を管轄する都道府県知事に当該通知又は作成に係る書面の写しを送付しなければならない。

(7) A person receiving a notice pursuant to the preceding paragraph or preparing a document pursuant to the preceding paragraph must send the relevant notice or a copy of the document regarding the preparation to the prefectural governors who have jurisdiction over the area in which the class-2 project should be implemented.

8 第六項の規定による通知又は書面の作成に係る第二種事業は、当該通知又は書面の作成の時に第三項第一号の措置がとられたものとみなす。

(8) The class-2 project relating to the notice or preparation of a document pursuant to paragraph (6), is deemed to be taken measures pursuant to paragraph (3), item (i) at the time of the relevant notice or preparation of the document.

9 第三項の主務省令は、第二種事業の種類及び規模、第二種事業が実施されるべき区域及びその周辺の区域の環境の状況その他の事情を勘案して判定が適切に行われることを確保するため、判定の基準につき主務大臣（主務大臣が内閣府の外局長であるときは、内閣総理大臣）が環境大臣に協議して定めるものとする。

(9) In order to ensure that a judgment is made properly concerning the type and scale of a class-2 project and the environmental conditions and the other conditions of the area in which the class-2 project will be implemented and surrounding area, the competent minister (when the competent minister is the head of external bureau of Cabinet Office, then the Prime Minister) is to consult with the Minister of the Environment on the criteria to be used in making the judgment and is to establish the order of the competent ministry.

第三章 方法書

Chapter III Scoping Documents

(方法書の作成)

(Preparation of a Scoping Document)

第五条 事業者は、配慮書を作成しているときはその配慮書の内容を踏まえるとともに、第三条の六の意見が述べられたときはこれを勘案して、第三条の二第一項の事業が実施されるべき区域その他の主務省令で定める事項を決定し、対象事業に係る環境影響評価を行う方法（調査、予測及び評価に係るものに限る。）について、第二条第二項第一号イからワまでに掲げる事業の種類ごとに主務省令で定めるところにより、次に掲げる事項（配慮書を作成していない場合においては、第四号から第六号までに掲げる事項を除く。）を記載した環境影響評価方法書（以下「方法書」という。）を作成しなければならない。

Article 5 (1) The project proponent must determine the area where the project set forth in the Article 3-2, paragraph (1), will be implemented and other items pursuant to the order of the competent ministry, based on the content of the a document on primary environment impact consideration when a document on primary environment impact consideration has been prepared, and considering the opinions when they were stated pursuant to Article 3-6, and prepare the scoping document on environmental impact assessment (hereinafter referred to as a "scoping document") regarding the methods to conduct the environmental impact assessment (limited to the methods relating to survey, forecast, and evaluation) relating to the relevant projects, giving the following items

(excluding the matters listed in items (iv) through (vi), when a document on primary environment impact consideration has not been prepared) pursuant to order of the competent ministry for each type of projects listed in Article 2, paragraph (2), item (i), (a) through (m):

一 事業者の氏名及び住所（法人にあってはその名称、代表者の氏名及び主たる事務所の所在地）

(i) the name and location of the project proponent (if it is a corporation, its name, the name of its representative, and the address of its principal office);

二 対象事業の目的及び内容

(ii) the purpose and contents of the target project;

三 対象事業が実施されるべき区域（以下「対象事業実施区域」という。）及びその周囲の概況

(iii) the general conditions of the area in which the target project will be implemented (hereinafter referred to as the "target project implementation area") and of its surrounding area;

四 第三条の三第一項第四号に掲げる事項

(iv) items listed in Article 3-3, paragraph (1), item (iv);

五 第三条の六の主務大臣の意見

(v) opinions of the competent minister pursuant to Article 3-6;

六 前号の意見についての事業者の見解

(vi) views of the project proponent in response to the opinions prescribed in the preceding item;

七 対象事業に係る環境影響評価の項目並びに調査、予測及び評価の手法（当該手法が決定されていない場合にあっては、対象事業に係る環境影響評価の項目）

(vii) the items to be considered in an environmental impact assessment of the target project as well as the survey, forecast and evaluation methods to be employed (when such methods have not yet been determined, then the items to be considered in the environmental impact assessment of the target project);

八 その他環境省令で定める事項

(viii) other matters prescribed in Order of the Ministry of the Environment.

2 相互に関連する二以上の対象事業を実施しようとする場合は、当該対象事業に係る事業者は、これらの対象事業について、併せて方法書を作成することができる。

(2) When a project proponent intends to implement two or more target projects that are related to each other, the project proponent of those target projects may prepare one scoping document covering all the projects.

（方法書の送付等）

(Submission of a Scoping Document)

第六条 事業者は、方法書を作成したときは、第二条第二項第一号イからワまでに掲げる事業の種類ごとに主務省令で定めるところにより、対象事業に係る環境影響を受け

る範囲であると認められる地域を管轄する都道府県知事及び市町村長（特別区の区長を含む。以下同じ。）に対し、方法書及びこれを要約した書類（次条において「要約書」という。）を送付しなければならない。

Article 6 (1) When a project proponent preparing a scoping document, the project proponent, pursuant to order of the competent ministry prescribed for each type of projects listed in Article 2, paragraph (2), item (i), (a) through (m), must submit the scoping document and a summary thereof (referred to as the "summary" in the next Article) to the prefectural governor and the mayors of the municipalities (including the heads of special wards; the same applies hereinafter) who have jurisdiction over the area where considered to be within the range received environmental impact by the target project.

2 前項の主務省令は、同項に規定する地域が対象事業に係る環境影響評価につき環境の保全の見地からの意見を求める上で適切な範囲のものとなることを確保するため、その基準となるべき事項につき主務大臣（主務大臣が内閣府の外局長であるときは、内閣総理大臣）が環境大臣に協議して定めるものとする。

(2) In order to ensure that the area prescribed in the preceding paragraph is within proper range for asking opinions from the standpoint of environment conservation, regarding the environmental impact assessment of the target project, the competent minister (when the competent minister is the head of external bureau of Cabinet Office, then the Prime Minister), in consultation with the Minister of the Environment, is to establish the basic matters relating to the criteria for ensure that such area is proper.

（方法書についての公告及び縦覧）

(Making a Scoping Document Public and Available for Public Inspection)

第七条 事業者は、方法書を作成したときは、環境影響評価の項目並びに調査、予測及び評価の手法について環境の保全の見地からの意見を求めるため、環境省令で定めるところにより、方法書を作成した旨その他環境省令で定める事項を公告し、公告の日から起算して一月間、方法書及び要約書を前条第一項に規定する地域内において縦覧に供するとともに、環境省令で定めるところにより、インターネットの利用その他の方法により公表しなければならない。

Article 7 When the project proponent prepares a scoping document, for the purpose of inviting opinions regarding both the items to be considered in an environmental impact assessment of the target project as well as the survey, forecast and evaluation methods to be employed, from the standpoint of environmental conservation, the project proponent must make public the fact that a scoping document has been prepared and other matters pursuant to the Order of the Ministry of the Environment, and make the scoping document and its summary available for public inspection in the area specified in paragraph (1) of the preceding Article for one month from the date of the public notice, and make public also through using the internet or other means according to

the Order of the Ministry of the Environment.

(説明会の開催等)

(Holding Explanatory Meetings)

第七条の二 事業者は、環境省令で定めるところにより、前条の縦覧期間内に、第六条第一項に規定する地域内において、方法書の記載事項を周知させるための説明会（以下「方法書説明会」という。）を開催しなければならない。この場合において、当該地域内に方法書説明会を開催する適当な場所がないときは、当該地域以外の地域において開催することができる。

Article 7-2 (1) The project proponent must hold explanatory meetings to make public the matters written in the scoping document (hereinafter referred to as "scoping document explanatory meetings") in the area prescribed in Article 6, paragraph (1), in accordance with the provisions of the Order of the Ministry of the Environment, during the period of public inspection referred to in the preceding Article. If there is no appropriate place for holding such scoping document explanatory meeting within the relevant area, the meeting may be held outside the relevant area.

2 事業者は、方法書説明会を開催するときは、その開催を予定する日時及び場所を定め、環境省令で定めるところにより、これらを方法書説明会の開催を予定する日の一週間前までに公告しなければならない。

(2) When the project proponent holds the scoping document explanatory meetings, the project proponent determines the date, time, and place of a scoping document explanatory meetings beforehand, and must make a public notification of the specified information by one week prior to the date when the scoping document explanatory meetings are held pursuant to the Order of the Ministry of the Environment.

3 事業者は、方法書説明会の開催を予定する日時及び場所を定めようとするときは、第六条第一項に規定する地域を管轄する都道府県知事の意見を聴くことができる。

(3) When the project proponent determines the plan of the date, time, and place of the scoping document explanatory meetings, the project proponent may ask the opinion of the governor who has jurisdiction over the area specified in Article 6, paragraph (1)

4 事業者は、その責めに帰することができない事由であつて環境省令で定めるものにより、第二項の規定による公告をした方法書説明会を開催することができない場合には、当該方法書説明会を開催することを要しない。

(4) When the project proponent cannot hold scoping document explanatory meetings that has issued a public notification pursuant to paragraph (2), due to reasons not attributable to the project proponent and specified in the Order of the Ministry of the Environment, the project proponent is not required to hold the relevant scoping document explanatory meetings.

5 前各項に定めるもののほか、方法書説明会の開催に関し必要な事項は、環境省令で

定める。

- (5) The matters that are essential in holding a scoping document explanatory meetings are, other than those specified in the each preceding paragraph, specified by Order of the Ministry of the Environment.

(方法書についての意見書の提出)

(Submission of Opinions Regarding a Scoping Document)

第八条 方法書について環境の保全の見地からの意見を有する者は、第七条の公告の日から、同条の縦覧期間満了の日の翌日から起算して二週間を経過する日までの間に、事業者に対し、意見書の提出により、これを述べることができる。

Article 8 (1) A person who has opinions regarding a scoping document from the standpoint of environmental conservation may state the opinions by submission of document to the project proponent, during a period that from the date of public notice as prescribed in Article 7 to the date of two weeks after the next day of termination of the period for public inspection of the scoping document specified in the same Article.

2 前項の意見書の提出に関し必要な事項は、環境省令で定める。

- (2) The matters that are essential in submission of opinions in the preceding paragraph are specified by Order of the Ministry of the Environment.

(方法書についての意見の概要の送付)

(Submission of Outline of Opinions Regarding a Scoping Document)

第九条 事業者は、前条第一項の期間を経過した後、第六条第一項に規定する地域を管轄する都道府県知事及び当該地域を管轄する市町村長に対し、前条第一項の規定により述べられた意見の概要を記載した書類を送付しなければならない。

Article 9 After termination of the period specified in paragraph (1) of the preceding Article, the project proponent must submit to the prefectural governor and the mayors of municipalities who have jurisdiction over the area stipulated in Article 6, paragraph (1), a document written the outline of the opinions stated pursuant to the provisions of paragraph (1) of the preceding Article.

(方法書についての都道府県知事等の意見)

(Opinions of Prefectural Governor on a Scoping Document)

第十条 前条に規定する都道府県知事は、同条の書類の送付を受けたときは、第四項に規定する場合を除き、政令で定める期間内に、事業者に対し、方法書について環境の保全の見地からの意見を書面により述べるものとする。

Article 10 (1) When a prefectural governor specifies in the preceding Article receives the document specified in the same Article, prefectural governor is to send to the project proponent the opinions in written document for the scoping document from the standpoint of environmental conservation within a time

period designated by cabinet order, except in the case prescribed in paragraph (4).

2 前項の場合において、当該都道府県知事は、期間を指定して、方法書について前条に規定する市町村長の環境の保全の見地からの意見を求めるものとする。

(2) In the case of the preceding paragraph, the relevant prefectural governor asks the mayors of the municipalities prescribed in the preceding Article opinions for the scoping document, from the standpoint of environmental conservation, by designating the period for submission.

3 第一項の場合において、当該都道府県知事は、前項の規定による当該市町村長の意見を勘案するとともに、前条の書類に記載された意見に配慮するものとする。

(3) In the case of paragraph (1), the relevant prefectural governor is to take into account the opinions stated by the relevant mayors of the municipalities pursuant to the preceding paragraph, as well as the opinions in written document of the preceding Article.

4 第六条第一項に規定する地域の全部が一の政令で定める市の区域に限られるものである場合は、当該市の長が、前条の書類の送付を受けたときは、第一項の政令で定める期間内に、事業者に対し、方法書について環境の保全の見地からの意見を書面により述べるものとする。

(4) When the entirety of the area prescribed in Article 6, paragraph (1) is located within the limits of a city designated by one cabinet order, the mayor of the relevant city, upon receiving the document referred to in the preceding Article, is to submit to the project proponent the opinions in writing on the scoping document, from the standpoint of environmental conservation, within a period designated by the Cabinet Order prescribed in paragraph (1).

5 前項の場合において、前条に規定する都道府県知事は、同条の書類の送付を受けたときは、必要に応じ、第一項の政令で定める期間内に、事業者に対し、方法書について環境の保全の見地からの意見を書面により述べることができる。

(5) In the case referred to in the preceding paragraph, a prefectural governor prescribed in the preceding Article, upon receiving the documents referred to in the same Article, may state to the project proponent the opinions in writing for the scoping document, from the standpoint of environmental conservation, within a period designated by the cabinet order prescribed in paragraph (1).

6 第四項の場合において、当該市の長は、前条の書類に記載された意見に配慮するものとする。

(6) In the case referred to in paragraph (4), the mayor of the relevant city is to take into account the opinions written in the document referred to in the preceding Article.

第四章 環境影響評価の実施等

Chapter IV Conducting an Environmental Impact Assessment

(環境影響評価の項目等の選定)

(Selection of Items to Be Considered in the Environmental Impact Assessment)

第十一条 事業者は、前条第一項、第四項又は第五項の意見が述べられたときはこれを勘案するとともに、第八条第一項の意見に配意して第五条第一項第七号に掲げる事項に検討を加え、第二条第二項第一号イからワまでに掲げる事業の種類ごとに主務省令で定めるところにより、対象事業に係る環境影響評価の項目並びに調査、予測及び評価の手法を選定しなければならない。

Article 11 (1) When the opinions pursuant to paragraph (1), paragraph (4), or (5) of the preceding Article are stated, the project proponent, while taking into account the opinions, as well as the opinions stated pursuant to Article 8, paragraph (1), must review the matters listed in Article 5, paragraph (1), item (vii), and must select both the items to be considered in an environmental impact assessment of the target project as well as the survey, forecast and evaluation methods, pursuant to order of the competent ministry prescribed for each type of projects listed in Article 2, paragraph (2), item (1), (a) through (m).

2 事業者は、前項の規定による選定を行うに当たり必要があると認めるときは、主務大臣に対し、技術的な助言を記載した書面の交付を受けたい旨の申出を書面によりすることができる。

(2) When the project proponent finds it necessary for making selections pursuant to the preceding paragraph, the project proponent may submit in writing a request for issuance of documents stating the technical advice to the competent minister.

3 主務大臣は、前項の規定による事業者の申出に応じて技術的な助言を記載した書面の交付をしようとするときは、あらかじめ、環境大臣の意見を聴かなければならない。

(3) The competent minister must ask opinions to the Minister of the Environment in advance, when the competent minister issues a document that provides technical advice in response to the request of the project proponent as prescribed in the preceding paragraph.

4 第一項の主務省令は、環境基本法（平成五年法律第九十一号）第十四条各号に掲げる事項の確保を旨として、既に得られている科学的知見に基づき、対象事業に係る環境影響評価を適切に行うために必要であると認められる環境影響評価の項目並びに当該項目に係る調査、予測及び評価を合理的に行うための手法を選定するための指針につき主務大臣（主務大臣が内閣府の外局長であるときは、内閣総理大臣）が環境大臣に協議して定めるものとする。

(4) With a view to ensuring the matters set forth in the items under Article 14 of the Basic Environment Act (Act No. 91 of 1993), order of the competent ministry referred to in paragraph (1) is established by the competent minister (if the competent minister is the head of external bureau of Cabinet Office, then the Prime Minister) in consultation with the Minister of the Environment, in order to establish guidelines for both the selection of the items for environmental impact assessment as found to be necessary for the proper

implementation of environmental impact assessment for the target project and the methods for the reasonable performance of survey, forecast and evaluation relating to the relevant items, based on the already existing scientific knowledge.

(環境影響評価の実施)

(Conducting an Environmental Impact Assessment)

第十二条 事業者は、前条第一項の規定により選定した項目及び手法に基づいて、第二条第二項第一号イからワまでに掲げる事業の種類ごとに主務省令で定めるところにより、対象事業に係る環境影響評価を行わなければならない。

Article 12 (1) The project proponent, based on the items and methods selected pursuant to the provisions of paragraph (1) of the preceding Article, must conduct an environmental impact assessment for the target project in accordance with an order of the competent ministry in each type of project specified by Article 2, paragraph (2), item (i), (a) through (m).

2 前条第四項の規定は、前項の主務省令について準用する。この場合において、同条第四項中「環境影響評価の項目並びに当該項目に係る調査、予測及び評価を合理的に行うための手法を選定するための指針」とあるのは、「環境の保全のための措置に関する指針」と読み替えるものとする。

(2) The provisions of paragraph (4) of the preceding Article apply mutatis mutandis to order of the competent ministry referred to in the preceding paragraph. In this case, the phrase "guidelines for the both selection of the items for environmental impact assessment and the methods for the reasonable performance of survey, forecast and evaluation" is deemed to be replaced with "guidelines relating to measures for environmental conservation."

(基本的事項の公表)

(Publication of Basic Matters)

第十三条 環境大臣は、関係する行政機関の長に協議して、第十一条第四項（前条第二項において準用する場合を含む。）の規定により主務大臣（主務大臣が内閣府の外局長であるときは、内閣総理大臣）が定めるべき指針に関する基本的事項を定めて公表するものとする。

Article 13 The Minister of the Environment, in consultation with the head of the relevant administrative organs, must establish the basic matters relating to the guidelines to be issued by the competent minister (when the competent minister is the head of external bureau of Cabinet Office, the Prime Minister) pursuant to the provisions of Article 11, paragraph (4) (including as applied to mutatis mutandis pursuant to paragraph (2) of the preceding Article), and is to make them public.

第五章 準備書

Chapter V Draft Environmental Impact Statement (Draft EIS)

(準備書の作成)

(Preparation of Draft Environmental Impact Statement)

第十四条 事業者は、第十二条第一項の規定により対象事業に係る環境影響評価を行った後、当該環境影響評価の結果について環境の保全の見地からの意見を聴くための準備として、第二条第二項第一号イからワまでに掲げる事業の種類ごとに主務省令で定めるところにより、当該結果に係る次に掲げる事項を記載した環境影響評価準備書（以下「準備書」という。）を作成しなければならない。

Article 14 (1) After conducting an environmental impact assessment relating to the target project pursuant to the provisions of Article 12, paragraph (1), the project proponent, in preparation for asking opinions from the standpoint of environmental conservation, regarding the results of the environmental impact assessment, must prepare a draft environmental impact statement (hereinafter referred to as a "draft EIS") in which the following matters relating the relevant result are to be written, in accordance by order of the competent ministry applicable to the types of projects referred to in Article 2, paragraph (2), item (i), (a) through (m):

一 第五条第一項第一号から第六号までに掲げる事項

(i) matters listed in Article 5, paragraph (1), items (i) through (vi);

二 第八条第一項の意見の概要

(ii) an outline of the opinions referred to in Article 8, paragraph (1);

三 第十条第一項の都道府県知事の意見又は同条第四項の政令で定める市の長の意見及び同条第五項の都道府県知事の意見がある場合にはその意見

(iii) opinions of the prefectural governors as referred to in Article 10, paragraph (1), or opinions by the mayor of the city designated by cabinet order referred to in paragraph (4) of the same Article, and the opinions that the prefectural governor state, if any, as referred to in paragraph (5) of the same Article;

四 前二号の意見についての事業者の見解

(iv) views of the project proponent relating to the opinions referred to in the preceding two items;

五 環境影響評価の項目並びに調査、予測及び評価の手法

(v) items for the environmental impact assessment and the methods for the survey, forecast and evaluation;

六 第十一条第二項の助言がある場合には、その内容

(vi) the contents of the technical advice received, if any, referred to in Article 11, paragraph (2);

七 環境影響評価の結果のうち、次に掲げるもの

(vii) among of the results of the environmental impact assessment, the following matters:

イ 調査の結果の概要並びに予測及び評価の結果を環境影響評価の項目ごとにとりまとめたもの（環境影響評価を行ったにもかかわらず環境影響の内容及び程度が明らかとならなかった項目に係るものを含む。）

(a) a summary classifying the outline of the results of survey and the results of forecast and evaluation into each item in the environmental impact assessment (including those relating to items in which the content and extent of the environmental impact did not become clear even though an environmental impact assessment was conducted);

ロ 環境の保全のための措置（当該措置を講ずることとするに至った検討の状況を含む。）

(b) measures for environmental conservation (including details of consideration why the relevant measures were taken);

ハ ロに掲げる措置が将来判明すべき環境の状況に応じて講ずるものである場合には、当該環境の状況の把握のための措置

(c) measures for understanding the concerned situation of the environment, when the measures described in (b) are taken in accordance with environmental conditions that are to appear in the future;

ニ 対象事業に係る環境影響の総合的な評価

(d) an overall evaluation of the environmental impact relating to the target project.

八 環境影響評価の全部又は一部を他の者に委託して行った場合には、その者の氏名及び住所（法人にあってはその名称、代表者の氏名及び主たる事務所の所在地）

(viii) when the environmental impact assessment has been consigned in whole or in part to another person, the name and address of that person (if the person is a corporation, its name, the name of its representative, and the location of the principal office);

九 その他環境省令で定める事項

(ix) other particulars specified in Order of the Ministry of the Environment.

2 第五条第二項の規定は、準備書の作成について準用する。

(2) The provisions of Article 5, paragraph (2) apply mutatis mutandis pursuant to the preparation of the draft EIS.

（準備書の送付等）

(Submission of a Draft EIS)

第十五条 事業者は、準備書を作成したときは、第六条第一項の主務省令で定めるところにより、対象事業に係る環境影響を受ける範囲であると認められる地域（第八条第一項及び第十条第一項、第四項又は第五項の意見並びに第十二条第一項の規定により行った環境影響評価の結果にかんがみ第六条第一項の地域に追加すべきものと認められる地域を含む。以下「関係地域」という。）を管轄する都道府県知事（以下「関係都道府県知事」という。）及び関係地域を管轄する市町村長（以下「関係市町村長」という。）に対し、準備書及びこれを要約した書類（次条において「要約書」とい

う。)を送付しなければならない。

Article 15 If a project proponent prepares a draft EIS, the project proponent, pursuant to order of the competent ministry prescribed in Article 6, paragraph (1), must submit a draft EIS and a summary thereof (referred to as the "summary" in the next Article) to a prefectural governor (hereinafter referred to as "related prefectural governor") and to mayors of municipalities (hereinafter referred to as "related mayors") who have jurisdiction over the area (including such area, hereinafter referred to as "related area," where is recognized to be added to the area, prescribed in Article 6, paragraph (1), on the basis of opinions stated pursuant to Article 8, paragraph (1) and Article 10, paragraph (1), (4) or (5) and also on the basis of the results of the environmental impact assessment conducted pursuant to Article 12, paragraph (1)), where considered to be within the range received environmental impact by the target project.

(準備書についての公告及び縦覧)

(Making a Draft EIS Public and Available for Public Inspection)

第十六条 事業者は、前条の規定による送付を行った後、準備書に係る環境影響評価の結果について環境の保全の見地からの意見を求めるため、環境省令で定めるところにより、準備書を作成した旨その他環境省令で定める事項を公告し、公告の日から起算して一月間、準備書及び要約書を関係地域内において縦覧に供するとともに、環境省令で定めるところにより、インターネットの利用その他の方法により公表しなければならない。

Article 16 After the project proponent submits a draft EIS pursuant to the preceding Article, for the purpose of inviting opinions regarding the results of the environmental impact assessment related to the draft EIS, from the standpoint of environmental conservation, the project proponent must make a public notice on the fact that a draft EIS has been prepared and other matters pursuant to the Order of the Ministry of the Environment, and make a draft EIS and the summary available for public inspection in the related area for one month from the date of the public notice, and make public also through using the internet or other means according to the Order of the Ministry of the Environment.

(説明会の開催等)

(Holding Explanatory Meetings)

第十七条 事業者は、環境省令で定めるところにより、前条の縦覧期間内に、関係地域内において、準備書の記載事項を周知させるための説明会（以下「準備書説明会」という。）を開催しなければならない。この場合において、関係地域内に準備書説明会を開催する適当な場所がないときは、関係地域以外の地域において開催することができる。

Article 17 (1) The project proponent must hold an explanatory meeting to make public the matters written in the draft EIS (hereinafter referred to as a "draft EIS explanatory meeting") in the area, during the period of public inspection referred to in the preceding Article. If within the relevant area there is no appropriate place for holding such a draft EIS explanatory meeting, the meeting may be held outside the relevant area.

2 第七条の二第二項から第五項までの規定は、前項の規定により事業者が準備書説明会を開催する場合について準用する。この場合において、同条第三項中「第六条第一項に規定する地域」とあるのは「第十五条に規定する関係地域」と、同条第四項中「第二項」とあるのは「第十七条第二項において準用する第二項」と、同条第五項中「前各項」とあるのは「第十七条第一項及び第二項において準用する前三項」と読み替えるものとする。

(2) The provisions of Article 7-2, paragraphs (2) through (5) apply mutatis mutandis pursuant to the case in which the project proponent holds a draft EIS explanatory meeting pursuant to the provisions of the preceding paragraph. In this case, the phrase "the area prescribed in Article 6, paragraph (1)" in paragraph (3) of the relevant Article is deemed to be replaced with "related area prescribed in Article 15"; the phrase "paragraph (2)" in paragraph (4) of the relevant Article is deemed to be replaced with "paragraph (2) as applied mutatis mutandis pursuant to Article 7-2, paragraph (2)"; and the phrase "the preceding paragraphs" in paragraph (5) of the relevant Article is deemed to be replaced with "the preceding paragraph (3) as applied mutatis mutandis pursuant to Article 17, paragraphs (1) and (2)."

(準備書についての意見書の提出)

(Submission of Opinions regarding a Draft EIS)

第十八条 準備書について環境の保全の見地からの意見を有する者は、第十六条の公告の日から、同条の縦覧期間満了の日の翌日から起算して二週間を経過する日までの間に、事業者に対し、意見書の提出により、これを述べることができる。

Article 18 (1) A person who has opinions regarding a draft EIS from the standpoint of environmental conservation may submit such opinions to the project proponent during a period that is to commence on the date that the public notice is made as prescribed in Article 16 and that is to end two weeks after the day following the date of termination of the period for public inspection of the draft EIS as set forth in the same Article.

2 前項の意見書の提出に関し必要な事項は、環境省令で定める。

(2) The necessary matters in respect of the submission of opinions as prescribed in the preceding paragraph are specified by Order of the Ministry of the Environment.

(準備書についての意見の概要等の送付)

(Submission of Outline of Opinions on the Draft EIS)

第十九条 事業者は、前条第一項の期間を経過した後、関係都道府県知事及び関係市町村長に対し、同項の規定により述べられた意見の概要及び当該意見についての事業者の見解を記載した書類を送付しなければならない。

Article 19 After termination of the period referred to in paragraph (1) of the preceding Article, the project proponent must submit to the related prefectural governor and related mayors, a document outlining both the opinions stated pursuant to the same paragraph and proponent's views for the relevant opinions.

(準備書についての関係都道府県知事等の意見)

(Opinions of Related Prefectural Governors and Others on the Draft EIS)

第二十条 関係都道府県知事は、前条の書類の送付を受けたときは、第四項に規定する場合を除き、政令で定める期間内に、事業者に対し、準備書について環境の保全の見地からの意見を書面により述べるものとする。

Article 20 (1) When a document has been submitted pursuant to the preceding Article, the related prefectural governor is to state in writing the opinions for the draft EIS to the project proponent, from the standpoint of environmental conservation, within a period to be designated by cabinet order, except in the case prescribed in paragraph (4).

2 前項の場合において、当該関係都道府県知事は、期間を指定して、準備書について関係市町村長の環境の保全の見地からの意見を求めるものとする。

(2) In the case of the preceding paragraph, the related prefectural governors are to ask opinions for the draft EIS, from the standpoint of environmental conservation, to the mayors of the municipalities, by designating the period for submission.

3 第一項の場合において、当該関係都道府県知事は、前項の規定による当該関係市町村長の意見を勘案するとともに、前条の書類に記載された意見及び事業者の見解に配意するものとする。

(3) In the case of the paragraph (1), the related prefectural governor is to take into account the opinions submitted by the relevant related mayors pursuant to the preceding paragraph, as well as the opinions and project proponent's view written in the documents referred to in the preceding Article.

4 関係地域の全部が一の第十条第四項の政令で定める市の区域に限られるものである場合は、当該市の長が、前条の書類の送付を受けたときは、第一項の政令で定める期間内に、事業者に対し、準備書について環境の保全の見地からの意見を書面により述べるものとする。

(4) When the entirety of the area is located within the limits of one city designated by one cabinet order prescribed in Article 10, paragraph (4), the mayor of the relevant city, upon receiving the document referred to in the preceding Article, is to submit to the project proponent the opinions in writing

on the draft EIS, from the standpoint of environmental conservation, within a period designated by the cabinet order prescribed in paragraph (1).

5 前項の場合において、関係都道府県知事は、前条の書類の送付を受けたときは、必要に応じ、第一項の政令で定める期間内に、事業者に対し、準備書について環境の保全の見地からの意見を書面により述べることができる。

(5) In the case of the preceding paragraph, the related prefectural governor, upon receiving the documents referred to in the preceding Article, may state to the proponent the opinions in writing for the draft EIS, from the standpoint of environmental conservation, within a period designated by the cabinet order prescribed in paragraph (1).

6 第四項の場合において、当該市の長は、前条の書類に記載された意見及び事業者の見解に配慮するものとする。

(6) In the case of paragraph (4), the related mayor of the city is to take into account the opinions and project proponent's view written in the documents of the preceding Article.

第六章 評価書

Chapter VI Environmental Impact Statement

第一節 評価書の作成等

Section 1 Preparation of an Environmental Impact Statement

(評価書の作成)

(Preparation of an Environmental Impact Statement)

第二十一条 事業者は、前条第一項、第四項又は第五項の意見が述べられたときはこれを勘案するとともに、第十八条第一項の意見に配慮して準備書の記載事項について検討を加え、当該事項の修正を必要とすると認めるとき（当該修正後の事業が対象事業に該当するときに限る。）は、次の各号に掲げる当該修正の区分に応じ当該各号に定める措置をとらなければならない。

Article 21 (1) The project proponent must review the matters written in a draft EIS, when the opinions are submitted pursuant to paragraph (1), (4) or (5) of the preceding Article, while taking into account these opinions given as well as the opinions given under Article 18, paragraph (1), and when the project proponent finds it necessary to revise the relevant matters (limited to when the project after such revision falls under the target project) the project proponent must take measurements specified in the relevant items in accordance to the criteria of revision listed in the following items:

一 第五条第一項第二号に掲げる事項の修正（事業規模の縮小、政令で定める軽微な修正その他の政令で定める修正に該当するものを除く。） 同条から第二十七条までの規定による環境影響評価その他の手続を経ること。

(i) revision of the matters referred to in Article 5 paragraph (1), item (ii)
(except reduction of the scale of the project, minor revisions as defined by

cabinet order, and other revisions as defined by cabinet order): to go through environmental impact assessment and other procedures as provided for in Articles 5 through 27;

二 第五条第一項第一号又は第十四条第一項第二号から第四号まで、第六号若しくは第八号に掲げる事項の修正（前号に該当する場合を除く。）次項及び次条から第二十七条までの規定による環境影響評価その他の手続を行うこと。

(ii) revision of the matters referred to in Article 5, paragraph (1) item (i), or in Article 14, paragraph (1), items (ii) through (iv), item (vi), or (viii) (except the cases that fall under the preceding item): to conduct an environmental impact assessment and other procedures as provided for in the following paragraph and in provision of the following Article through Article 27;

三 前二号に掲げるもの以外のもの 第十一条第一項及び第十二条第一項の主務省令で定めるところにより当該修正に係る部分について対象事業に係る環境影響評価を行うこと。

(iii) other than those prescribed in the two preceding items: to conduct an environmental impact assessment for the relevant revised parts of the target project, pursuant to order of the competent ministry referred to in Article 11, paragraph (1) and in Article 12, paragraph (1).

2 事業者は、前項第一号に該当する場合を除き、同項第三号の規定による環境影響評価を行った場合には当該環境影響評価及び準備書に係る環境影響評価の結果に、同号の規定による環境影響評価を行わなかった場合には準備書に係る環境影響評価の結果に係る次に掲げる事項を記載した環境影響評価書（以下第二十六条まで、第二十九条及び第三十条において「評価書」という。）を、第二条第二項第一号イからワまでに掲げる事業の種類ごとに主務省令で定めるところにより作成しなければならない。

(2) The project proponent, except for cases to which the provisions of item (i) of the preceding paragraph are to be applied, must prepare the environmental impact statement (hereinafter referred to as "EIS" in Article 26 and in Articles 29 and 30), in accordance with order of the competent ministry applicable to the types of projects referred to in Article 2, paragraph (2), item (i), (a) through (m), describing the following matters related to the results of the environmental impact assessment conducted and one relating to the draft EIS in where an environmental impact assessment was conducted pursuant to the provisions of item (iii) of the preceding paragraph; and describing the following matters related to the results of environmental impact assessment relating to the draft EIS in case an environmental impact assessment was not conducted pursuant to the provisions of the same item:

一 第十四条第一項各号に掲げる事項

(i) matters listed in items (i) through (viii) in Article 14, paragraph (1);

二 第十八条第一項の意見の概要

(ii) an outline of opinions referred to in Article 18, paragraph (1);

三 前条第一項の関係都道府県知事の意見又は同条第四項の政令で定める市の長の意

- 見及び同条第五項の関係都道府県知事の意見がある場合にはその意見
- (iii) opinions of a related prefectural governor referred in the preceding Article, paragraph (1), or opinions of the mayor of the cities designated by the cabinet order referred to in paragraph (4) of the same Article, and when the related prefectural governor stated any opinions referred to in paragraph (5) of the same Article, such opinions;
- 四 前二号の意見についての事業者の見解
- (iv) the project proponent's views for the opinions referred to in the two preceding item.

(免許等を行う者等への送付)

(Submission to Issuers of License)

第二十二條 事業者は、評価書を作成したときは、速やかに、次の各号に掲げる評価書の区分に応じ当該各号に定める者にこれを送付しなければならない。

Article 22 (1) After preparing an EIS, the project proponent must promptly submit it to persons designated in the following items, according to the category of the EIS listed in the relevant items:

- 一 第二条第二項第二号イに該当する対象事業（免許等に係るものに限る。）に係る評価書 当該免許等を行う者
- (i) an EIS relating to a target project falling under Article 2, paragraph (2), item (ii), (a) (limited only related to license, etc.): the issuer of the relevant license, etc.;
- 二 第二条第二項第二号イに該当する対象事業（特定届出に係るものに限る。）に係る評価書 当該特定届出の受理を行う者
- (ii) an EIS relating to a target project falling under Article 2, paragraph (2), item (ii), (a) (limited only related to special notification): the recipient of a special notification;
- 三 第二条第二項第二号ロに該当する対象事業に係る評価書 交付決定権者
- (iii) an EIS relating to a target project falling under Article 2, paragraph (2), item (ii), (b): the grant decision-maker;
- 四 第二条第二項第二号ハに該当する対象事業に係る評価書 法人監督者
- (iv) an EIS relating to a target project falling under Article 2, paragraph (2), item (ii), (c): the corporate supervisor;
- 五 第二条第二項第二号ニに該当する対象事業に係る評価書 第四条第一項第四号に定める者
- (v) an EIS relating to a target project falling under Article 2, paragraph (2), item (ii), (d): the person specified in Article 4, paragraph (1), item (iv);
- 六 第二条第二項第二号ホに該当する対象事業に係る評価書 第四条第一項第五号に定める者
- (vi) an EIS relating to a target project falling under Article 2, paragraph (2), item (ii), (e): the person specified in Article 4, paragraph (1), item (v).

2 前項各号に定める者（環境大臣を除く。）が次の各号に掲げる者であるときは、その者は、評価書の送付を受けた後、速やかに、当該各号に定める措置をとらなければならない。

(2) When the person designated in the preceding paragraph (except for the Minister of the Environment) is a person listed in the following items, that person, after receiving the EIS, must promptly take the measures specified in the following items:

一 内閣総理大臣若しくは各省大臣又は委員会の長である国務大臣 環境大臣に当該評価書の写しを送付して意見を求めること。

(i) the Prime Minister or the minister of a ministry, or a minister of state serving as the head of a committee: to submit a copy of the relevant EIS to the Minister of the Environment and to seek the opinions thereon;

二 委員会の長（国務大臣を除く。）若しくは庁の長又は国の行政機関の地方支分部局の長 その委員会若しくは庁又は地方支分部局が置かれている内閣府若しくは省又は委員会の長である内閣総理大臣又は各省大臣を経由して環境大臣に当該評価書の写しを送付して意見を求めること。

(ii) the head of a committee or an agency (excluding the minister of state), or the head of a local branch of the administrative organ of the national government: to seek the opinions of the Minister of the Environment by submitting the copy of the relevant EIS to the Minister of the Environment through the Prime Minister or another minister that serves as the head of Cabinet Office, Ministry or committee which the committee or the agency or the local branch is establishing thereunder.

（環境大臣の意見）

(Opinions of the Minister of the Environment)

第二十三条 環境大臣は、前条第二項各号の措置がとられたときは、必要に応じ、政令で定める期間内に、同項各号に掲げる者に対し、評価書について環境の保全の見地からの意見を書面により述べることができる。この場合において、同項第二号に掲げる者に対する意見は、同号に規定する内閣総理大臣又は各省大臣を経由して述べるものとする。

Article 23 When measures are taken pursuant to the provisions of items of paragraph (2) of the preceding Article, the Minister of the Environment may state, as necessary, within a period designated by cabinet order, the opinions in writing for the EIS, from the standpoint of environmental conservation, to the persons listed in the items of the same paragraph. In this case, the opinions to be stated to the person referred to in item (ii) of the same paragraph are stated through the Prime Minister or other minister as stipulated in the same item.

（環境大臣の助言）

(Advice of the Minister of the Environment)

第二十三条の二 第二十二条第一項各号に定める者が地方公共団体その他公法上の法人で政令で定めるもの（以下この条において「地方公共団体等」という。）であるときは、当該地方公共団体等の長は、次条の規定に基づき環境の保全の見地からの意見を書面により述べる必要があると認める場合には、評価書の送付を受けた後、環境大臣に当該評価書の写しを送付して助言を求めるように努めなければならない。

Article 23-2 When a person referred to the items of Article 22, paragraph (1) is a local government or other corporation defined by public law as well as specified by cabinet order (hereinafter in this Article referred to as "local government etc."), the relevant head of local government, after receiving an EIS, when the the head finds it is necessary to express opinions in writing, pursuant to the following Article, from the standpoint of environmental conservation, must endeavor to seek advice from the Minister of the Environment by sending a copy of the relevant EIS.

(免許等を行う者等の意見)

(Opinions of the Issuers of License)

第二十四条 第二十二条第一項各号に定める者は、同項の規定による送付を受けたときは、必要に応じ、政令で定める期間内に、事業者に対し、評価書について環境の保全の見地からの意見を書面により述べるができる。この場合において、第二十三条の規定による環境大臣の意見があるときは、これを勘案しなければならない。

Article 24 When receiving an EIS submitted pursuant to the provisions of Article 22, paragraph (1), the person listed in items of the Article 22, paragraph (1) may, as necessary, and within a period designated by cabinet order, to the project proponent, state the opinions for the EIS in writing, from the standpoint of environmental conservation. In this case, when the Minister of the Environment has expressed any opinions pursuant to Article 23, the relevant person must take the opinions into account.

第二節 評価書の補正等

Section 2 Correction of an Environmental Impact Statement

(評価書の再検討及び補正)

(Review and Correction of the EIS)

第二十五条 事業者は、前条の意見が述べられたときはこれを勘案して、評価書の記載事項に検討を加え、当該事項の修正を必要とすると認めるとき（当該修正後の事業が対象事業に該当するときに限る。）は、次の各号に掲げる当該修正の区分に応じ当該各号に定める措置をとらなければならない。

Article 25 (1) When the opinions referred to in the preceding Article are stated, the project proponent must take them into account and review the matters dealt within the EIS, and if the project proponent agrees such matters need to

be revised (limited in the case that the project would fall in a target project after such revision), the project proponent must take measures stipulated in items according to the classifications of the relevant revision listed in the following items:

一 第五条第一項第二号に掲げる事項の修正（事業規模の縮小、政令で定める軽微な修正その他の政令で定める修正に該当するものを除く。） 同条から第二十七条までの規定による環境影響評価その他の手続を経ること。

(i) revising matters listed in Article 5, paragraph (1), item (ii) (excluding reduction of the scale of the project, and those falling under the minor revisions as defined by cabinet order and other revisions as defined by cabinet order): to take the step of conducting an environmental impact assessment and other procedures prescribed in Articles 5 through 27;

二 第五条第一項第一号、第十四条第一項第二号から第四号まで、第六号若しくは第八号又は第二十一条第二項第二号から第四号までに掲げる事項の修正（前号に該当する場合を除く。） 評価書について所要の補正をすること。

(ii) revising matters listed in Article 5, paragraph (1), item (i), in Article 14, paragraph (1), items (ii) through (iv), (vi) or (viii), or in Article 21, paragraph (2), items (ii) through (iv) (excluding those falling under the preceding item): to make necessary corrections on the EIS;

三 前二号に掲げるもの以外のもの 第十一条第一項及び第十二条第一項の主務省令で定めるところにより当該修正に係る部分について対象事業に係る環境影響評価を行うこと。

(iii) other than those listed in the two preceding items: to conduct an environmental impact assessment for the part related to the relevant revision in the target project, pursuant to the provisions of the order of the competent ministry referred to in Article 11, paragraph (1) and in Article 12, paragraph (1).

2 事業者は、前項第三号の規定による環境影響評価を行った場合には、当該環境影響評価及び評価書に係る環境影響評価の結果に基づき、第二条第二項第一号イからワまでに掲げる事業の種類ごとに主務省令で定めるところにより評価書の補正をしなければならない。

(2) When an environmental impact assessment was conducted pursuant to the provisions of item (iii) of the preceding paragraph, the project proponent must correct the EIS, pursuant to the order of the competent ministry in the each type of projects referred to in Article 2, paragraph (2), item (i), (a) through (m), based on the results of the relevant environmental impact assessment and the environmental impact assessment relating to EIS.

3 事業者は、第一項第一号に該当する場合を除き、同項第二号又は前項の規定による補正後の評価書の送付（補正を必要としないと認めるときは、その旨の通知）を、第二十二条第一項各号に掲げる評価書の区分に応じ当該各号に定める者に対してしなければならない。

- (3) The project proponent, except when falling under paragraph (1), item (i), must send an EIS after the correction pursuant to the provisions of item (ii) of the same paragraph or the preceding paragraph (when it is found that corrections are not necessary, then a notice to that effect), according to the categories of the EIS listed in items of Article 22, paragraph 1, to the persons specified in the relevant items.

(環境大臣等への評価書の送付)

(Submission of the EIS to the Minister of the Environment)

第二十六条 第二十二条第一項各号に定める者（環境大臣を除く。）が次の各号に掲げる者であるときは、その者は、前条第三項の規定による送付又は通知を受けた後、当該各号に定める措置をとらなければならない。

Article 26 (1) When the person designated in the items of Article 22, paragraph (1) (excluding the Minister of the Environment) is a person listed in the following items, that person, after receiving a submission or notice pursuant to the provisions of paragraph (3) of the preceding Article, must take the measures specified in the following items:

一 内閣総理大臣若しくは各省大臣又は委員会の長である国務大臣 環境大臣に前条第三項の規定による送付を受けた補正後の評価書の写しを送付し、又は同項の規定による通知を受けた旨を通知すること。

(i) the Prime Minister or the minister of a ministry, or a minister of state serving as the head of a committee: To send to the Minister of the Environment a copy of the corrected EIS pursuant to the provisions of paragraph (3) of the preceding Article, and inform receiving the notice pursuant to the provisions of the same paragraph;

二 委員会の長（国務大臣を除く。）若しくは庁の長又は国の行政機関の地方支分部局の長 その委員会若しくは庁又は地方支分部局が置かれている内閣府若しくは省又は委員会の長である内閣総理大臣又は各省大臣を経由して環境大臣に前条第三項の規定による送付を受けた補正後の評価書の写しを送付し、又は同項の規定による通知を受けた旨を通知すること。

(ii) the head of a committee (excluding a minister of state) or the head of agency or the head of a local branch of an administrative organ of the national government is to: (a) submit to the Minister of the Environment a copy of the corrected EIS pursuant to the provisions of paragraph (3) of the preceding Article, through the Prime Minister or the minister of ministry who serves as the head of the Cabinet Office, or Ministry or committee which the committee or the agency or the local branch is establishing thereunder, and to inform receiving the notice pursuant to the provisions of the same paragraph.

2 事業者は、前条第三項の規定による送付又は通知をしたときは、速やかに、関係都道府県知事及び関係市町村長に評価書（同条第一項第二号又は第二項の規定による評

価書の補正をしたときは、当該補正後の評価書。次条及び第三十三条から第三十八条までにおいて同じ。)、これを要約した書類及び第二十四条の書面(次条並びに第四十一条第二項及び第三項において「評価書等」という。)を送付しなければならない。

(2) When making a submission or notice pursuant to the provisions of paragraph (3) of the preceding Article, the project proponent must promptly submit to the related prefectural governors and related mayors the EIS (the corrected EIS, when the EIS is corrected pursuant to the provisions of paragraph (1), item (ii) or paragraph (2) of the same Article, the same applies to the following Article and Articles 33 through 38), a document summarizing the EIS, and the documents specified in Article 24 (in the following Article and Article 41, paragraphs (2) and (3), referred to as "EIS, etc.")

(評価書の公告及び縦覧)

(Making an EIS Public and Available for Public Inspection)

第二十七条 事業者は、第二十五条第三項の規定による送付又は通知をしたときは、環境省令で定めるところにより、評価書を作成した旨その他環境省令で定める事項を公告し、公告の日から起算して一月間、評価書等を関係地域内において縦覧に供するとともに、環境省令で定めるところにより、インターネットの利用その他の方法により公表しなければならない。

Article 27 The project proponent, when making a submission or notice pursuant to the provisions of Article 25, paragraph (3), must make a public notice, pursuant to the Order of the Ministry of the Environment, on the fact that an EIS has been prepared and other items pursuant to the Order of the Ministry of the Environment, and must make the EIS, etc. available for public inspection in the related area for one month from the date of the public notice, and make public also through the use of the internet or other means, according to the Order of the Ministry of the Environment

第七章 対象事業の内容の修正等

Chapter VII Revising the Contents of a Target Project

(事業内容の修正の場合の環境影響評価その他の手続)

(Environmental Impact Assessment and Other Procedures When the Contents of a Project Are Amended)

第二十八条 事業者は、第七条の規定による公告を行ってから前条の規定による公告を行うまでの間に第五条第一項第二号に掲げる事項を修正しようとする場合(第二十一条第一項又は第二十五条第一項の規定の適用を受ける場合を除く。)において、当該修正後の事業が対象事業に該当するときは、当該修正後の事業について、第五条から前条までの規定による環境影響評価その他の手続を経なければならない。ただし、当該事項の修正が事業規模の縮小、政令で定める軽微な修正その他の政令で定める修正に該当する場合は、この限りでない。

Article 28 When a project proponent intends to revise the matters listed in Article 5, paragraph (1), item (ii) during the period between a public notice provided by Article 7 and a public notice provided by the preceding Article (excluding for the case where the provisions of Article 21, paragraph (1) or of Article 25, paragraph (1) are applied), and if the project falls under the target project after such revision, the project proponent must pass through an environmental impact assessment for the project after the relevant revision, and other procedures pursuant to Articles 5 through 27; provided, however, that this provisions do not apply when the relevant revision falls under the category of reducing the scale, minor revisions as defined by cabinet order, or other revisions of the project as defined by cabinet order.

(事業内容の修正の場合の第二種事業に係る判定)

(Judgment Relating to a Class-2 Project in the Case of Revision of the Project Content)

第二十九条 事業者は、第七条の規定による公告を行ってから第二十七条の規定による公告を行うまでの間において、第五条第一項第二号に掲げる事項を修正しようとする場合において、当該修正後の事業が第二種事業に該当するときは、当該修正後の事業について、第四条第一項の規定の例により届出をすることができる。

Article 29 (1) When a project proponent intends to revise the matters listed in Article 5, paragraph (1), item (ii), during the period between a public notice provided by Article 7 and a public notice provided by Article 27, in the case the project falls under a class-2 project after revision, the project proponent may submit a notification concerning the project after revision, in accordance with the provisions of Article 4, paragraph (1).

2 第四条第二項及び第三項の規定は、前項の規定による届出について準用する。この場合において、同条第三項第一号中「その他の手続」とあるのは、「その他の手続（当該届出の時までに行ったものを除く。）」と読み替えるものとする。

(2) The provisions of Article 4, paragraphs (2) and (3) apply mutatis mutandis to a notification under the preceding paragraph. In this case, the term "other procedures" in the same Article, paragraph (3), item (i) is deemed to be replaced with "other procedures (except those conducted by the time of the relevant notification)".

3 第一項の規定による届出をした者は、前項において準用する第四条第三項第二号に規定する措置がとられたときは、方法書、準備書又は評価書の送付を当該事業者から受けた者にその旨を通知するとともに、環境省令で定めるところによりその旨を公告しなければならない。

(3) When the measures under provisions of Article 4, paragraph (3), item (ii) as applied mutatis mutandis as provided for by the preceding paragraph, the person filing a notification in accordance with paragraph (1) must provide notice thereof to the person who received the scoping document, a draft EIS, or

an EIS from the relevant project proponent, and must make a public notice in accordance with the Order of the Ministry of the Environment.

(対象事業の廃止等)

(Abandonment of a Target Project)

第三十条 事業者は、第七条の規定による公告を行ってから第二十七条の規定による公告を行うまでの間において、次の各号のいずれかに該当することとなった場合には、方法書、準備書又は評価書の送付を当該事業者から受けた者にその旨を通知するとともに、環境省令で定めるところにより、その旨を公告しなければならない。

Article 30 (1) When a project proponent falls under the following cases during the period between a public notice provided by Article 7 and a public notice provided by the Article 27, the project proponent must provide notice thereof to the person receiving a scoping document, a draft EIS, or an EIS from the relevant project proponent, and must make a public notice thereof in accordance with the Order of the Ministry of the Environment:

一 対象事業を実施しないこととしたとき。

(i) when the project proponent decided not to implement the target project;

二 第五条第一項第二号に掲げる事項を修正した場合において当該修正後の事業が第一種事業又は第二種事業のいずれにも該当しないこととなったとき。

(ii) as a result of the revision of the matters listed in Article 5, paragraph (1), item (ii), the project does not fall under either a class-1 project or a class-2 project;

三 対象事業の実施を他の者に引き継いだとき。

(iii) the implementation of the target project is transferred to another person.

2 前項第三号の場合において、当該引継ぎ後の事業が対象事業であるときは、同項の規定による公告の日以前に当該引継ぎ前の事業者が行った環境影響評価その他の手続は新たに事業者となった者が行ったものとみなし、当該引継ぎ前の事業者について行われた環境影響評価その他の手続は新たに事業者となった者について行われたものとみなす。

(2) In the case of item (iii) of the preceding paragraph, when a project transferred to another person is a target project, any environmental impact assessment and any other procedures that were conducted by the project proponent prior to the transfer before the public notice date referred to in the same paragraph are deemed to have been implemented by the new project proponent, and any environmental impact assessment and other procedures that were conducted for the prior project proponent before the transfer are deemed to be implemented for the new project proponent.

第八章 評価書の公告及び縦覧後の手続

Chapter VIII Procedures after Public Notice and Public Inspection of an Environmental Impact Statement

(対象事業の実施の制限)

(Restrictions on the Implementation of a Target Project)

第三十一条 事業者は、第二十七条の規定による公告を行うまでは、対象事業（第二十一条第一項、第二十五条第一項又は第二十八条の規定による修正があった場合において当該修正後の事業が対象事業に該当するときは、当該修正後の事業）を実施してはならない。

Article 31 (1) A project proponent must not implement a target project (in the case of the revision pursuant to the provisions of Article 21 paragraph (1), or Article 25, paragraph (1), or Article 28, when the revised project fall under a target project, the relevant revised project) until the relevant project proponent issues a public notice prescribed in Article 27.

2 事業者は、第二十七条の規定による公告を行った後に第五条第一項第二号に掲げる事項を変更しようとする場合において、当該変更が事業規模の縮小、政令で定める軽微な変更その他の政令で定める変更該当するときは、この法律の規定による環境影響評価その他の手続を経ることを要しない。

(2) When a project proponent intends to modify matters referred to in Article 5, paragraph (1), item (ii) after the relevant project proponent has issued a public notice prescribed in Article 27, the project proponent is not required to conduct an environmental impact assessment or follow other procedures pursuant to the provisions of this Act, when the relevant modification falls under the category of reduction of the scale of the project, minor modification as defined by cabinet order, or other modification as defined by cabinet order.

3 第一項の規定は、第二十七条の規定による公告を行った後に第五条第一項第二号に掲げる事項を変更して当該事業を実施しようとする者（前項の規定により環境影響評価その他の手続を経ることを要しないこととされる事業者を除く。）について準用する。この場合において、第一項中「公告」とあるのは、「公告（同条の規定による公告を行い、かつ、この法律の規定による環境影響評価その他の手続を再び経た後に行うものに限る。）」と読み替えるものとする。

(3) The provisions of paragraph (1) are applied mutatis mutandis to a person (except a project proponent who, pursuant to the provisions of the preceding paragraph (2), is not required to go through an environmental impact assessment or other procedures) who intends to implement a target project after modifying matters listed in Article 5, paragraph (1), item (ii) after the relevant project proponent has issued a public notice under the provisions of Article 27. In this case, the term "public notice" in paragraph (1) is deemed to be replaced with "public notice (limited to a public notice that the relevant project proponent issues in pursuant to the provisions of the same Article and also after going through an environmental impact assessment and following other procedures pursuant to the provisions of this Act)."

4 事業者は、第二十七条の規定による公告を行った後に対象事業の実施を他の者に引

き継いだ場合には、環境省令で定めるところにより、その旨を公告しなければならない。この場合において、前条第二項の規定は、当該引継ぎについて準用する。

(4) When a project proponent transfers the implementation of a target project to another person after the relevant project proponent has issued a public notice under the provisions of Article 27, the project proponent must issue the public notice of this in accordance with the Order of the Ministry of the Environment. In this case, the provisions of paragraph (2) of the preceding Article are applied mutatis mutandis to the relevant transfer.

(評価書の公告後における環境影響評価その他の手続の再実施)

(Additional Environmental Impact Assessment and Other Procedures After a Public Notice on an EIS)

第三十二条 事業者は、第二十七条の規定による公告を行った後に、対象事業実施区域及びその周囲の環境の状況の変化その他の特別の事情により、対象事業の実施において環境の保全上の適正な配慮をするために第十四条第一項第五号又は第七号に掲げる事項を変更する必要があると認めるときは、当該変更後の対象事業について、更に第五条から第二十七条まで又は第十一条から第二十七条までの規定の例による環境影響評価その他の手続を行うことができる。

Article 32 (1) Upon making a public notice under the provisions of Article 27, due to changes in the environmental conditions of the target project implementation, and the surrounding area or other due to special circumstances, when the project proponent finds it necessary to modify the matters listed in Article 14, paragraph (1), item (v) or (vii) in order to ensure due consideration for environmental conservation in implementing the target project, the project proponent may conduct an additional environmental impact assessment and other procedures relating to the target project after modification, pursuant to the provisions of Articles 5 through 27 or Articles 11 through 27.

2 事業者は、前項の規定により環境影響評価その他の手続を行うこととしたときは、遅滞なく、環境省令で定めるところにより、その旨を公告するものとする。

(2) When a project proponent intends to conduct an environmental impact assessment or other procedures pursuant to the preceding paragraph, the project proponent must issue public notice of this without delay in accordance with the Order of the Ministry of the Environment.

3 第二十八条から前条までの規定は、第一項の規定により環境影響評価その他の手続が行われる対象事業について準用する。この場合において、同条第一項中「公告」とあるのは、「公告（次条第一項に規定する環境影響評価その他の手続を行った後に行うものに限る。）」と読み替えるものとする。

(3) The provisions of Articles 28 through the preceding Article are applied mutatis mutandis to a target project for which an environmental impact assessment and other procedures are conducted pursuant to the provisions of

the paragraph (1). In this case, the term "public notice" in paragraph (1) of the same Article is deemed to be replaced with "public notice (limited to public notices made after an environmental impact assessment and other procedures are conducted pursuant to the paragraph (1) of the following Article)".

(免許等に係る環境の保全の配慮についての審査等)

(Review for a License on the Consideration for the Environmental Conservation)

第三十三条 対象事業に係る免許等を行う者は、当該免許等の審査に際し、評価書の記載事項及び第二十四条の書面に基づいて、当該対象事業につき、環境の保全についての適正な配慮がなされるものであるかどうかを審査しなければならない。

Article 33 (1) The issuer granting the license, etc., for a target project must, in examining the relevant license, etc., based on the matters described in the EIS and the documents specified by Article 24, whether due consideration will be given to the environmental conservation in the target project.

2 前項の場合においては、次の各号に掲げる当該免許等（次項に規定するものを除く。）の区分に応じ、当該各号に定めるところによる。

(2) In the case referred to in the preceding paragraph, in accordance with the classification of the relevant licenses, etc. (excluding those specified in the following paragraph) listed in the following items, those are defined pursuant to the provisions of each relevant item:

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

(i) a license, etc. pertaining to provisions of act to the effect that license, etc. is to be granted where certain criteria are satisfied and also pertaining to what are specified by cabinet order: Notwithstanding the provisions relating to the relevant license, etc., issuer granting such license, etc. is to make a determination, based on the results of both reviews for the relevant standards set forth in the relevant provisions and for the environmental conservation pursuant to the provisions of the preceding paragraph. In even if that fall under the relevant standards, the issuer may issue the disposition refusing such license, etc., based on the relevant determination, or may attach any necessary conditions to the relevant license, etc.;

二 一定の基準に該当している場合には免許等を行わないものとする旨の法律の規定であって政令で定めるものに係る免許等 当該免許等を行う者は、当該免許等に係る当該規定にかかわらず、当該規定に定める当該基準に該当している場合のほか、対象事業の実施による利益に関する審査と前項の規定による環境の保全に関する審

査の結果を併せて判断するものとし、当該判断に基づき、当該免許等を拒否する処分を行い、又は当該免許等に必要な条件を付することができるものとする。

(ii) a license, etc. pertaining to provisions of act to the effect that license, etc. is to not be granted where certain criteria are satisfied and also pertaining to what are specified by cabinet order : Notwithstanding the provisions relating to the relevant license, etc., issuer granting such license, etc. makes a determination, falling under the relevant standards set forth in the relevant provisions, based on results of both reviews of the benefits of implementing the target project and for the environment conservation pursuant to the provisions of the preceding paragraph. Even if it falls under the relevant standards, the issuer may issue the disposition refusing such license, etc., based on the relevant determination, or may attach any necessary conditions to the relevant license, etc.;

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

(iii) a license, etc. pertaining to provisions of act to the effect that license, etc. (limited to the license, etc. related to the provisions of act pertaining to the relevant license, etc.; these provisions are specified by cabinet order) is to be granted or not be granted where certain criteria are not satisfied and also pertaining to what are specified by order: The issuer granting such license, etc. makes a determination, based on results of both reviews of the benefits of implementing the target project and for the environment conservation pursuant to the provisions of the preceding paragraph, and may issue the disposition refusing such license, etc., based on the relevant determination, or may attach any necessary conditions to the relevant license, etc.

3 対象事業に係る免許等であつて対象事業の実施において環境の保全についての適正な配慮がなされるものでなければ当該免許等を行わないものとする旨の法律の規定があるものを行う者は、評価書の記載事項及び第二十四条の書面に基づいて、当該法律の規定による環境の保全に関する審査を行うものとする。

(3) A person responsible for issuing license, etc. pertaining to a target project in accordance with the provisions of an act designating that the relevant license, etc. must not be issued, unless proper care is taken regarding environmental conservation in implementing the target project, on the basis of the items in an EIS and the documents referred to in Article 24, is to conduct an review regarding environmental conservation in accordance with the relevant provisions of the act.

4 前各項の規定は、第二条第二項第二号ホに該当する対象事業に係る免許、特許、許可、認可、承認又は同意（同号ホに規定するものに限る。）について準用する。

- (4) The provisions in the preceding items apply mutatis mutandis to any license, special permission, permission, authorization, approval, or consent relating to a target project that is referred to in Article 2, paragraph (2), item (ii), (e) (limited only to projects referred to in the same item (ii), (e)).

(特定届出に係る環境の保全の配慮についての審査等)

(Review for the Consideration for Environmental Conservation in a Special Notification)

第三十四条 対象事業に係る特定届出を受理した者は、評価書の記載事項及び第二十四条の書面に基づいて、当該対象事業につき、環境の保全についての適正な配慮がなされるものであるかどうかを審査し、この配慮に欠けると認めるときは、当該特定届出に係る法律の規定にかかわらず、当該特定届出をした者に対し、当該規定によって勧告又は命令をすることができることとされている期間（当該特定届出の受理の時に評価書の送付を受けていないときは、その送付を受けた日から起算する当該期間）内において、当該特定届出に係る事項の変更を求める旨の当該規定による勧告又は命令をすることができる。

Article 34 (1) A person receiving a special notification of a target project is to, based on the matters described in the EIS and the documents referred to in Article 24, review whether due consideration is given for environmental conservation to the target project, and when the person finds that such consideration is lacking, notwithstanding the provisions of the act concerning the special notification, the person may issue a recommendation or an order which requires to modify the matters in the relevant special notification, within a period which such recommendation or order may be issued as specified by the relevant provisions (if an EIS has not been received at the time of receiving the special notification, within the relevant period from the notification date), to the person filed the relevant special notification.

2 前項の規定は、第二条第二項第二号ホに該当する対象事業に係る同号ホの届出について準用する。

- (2) The provisions of the preceding paragraph applied mutatis mutandis to a notification of the same item (e), relating to a target project falling under Article 2, paragraph (2), item (ii), (e).

(交付決定権者の行う環境の保全の配慮についての審査等)

(Review by the Grant Decision-Maker for the Environmental Conservation)

第三十五条 対象事業に係る交付決定権者は、評価書の記載事項及び第二十四条の書面に基づいて、当該対象事業につき、環境の保全についての適正な配慮がなされるものであるかどうかを審査しなければならない。この場合において、当該審査は、補助金等に係る予算の執行の適正化に関する法律第六条第一項の規定による調査として行うものとする。

Article 35 The grant decision-maker responsible for a target project based on the

matters described in an EIS and the documents referred to in Article 24, must review whether due consideration is given to environmental conservation in the target project. In this case, the relevant review is made as an investigation pursuant to Article 6, paragraph (1) of the Act on Regulation of Execution of Budget Pertaining to Subsidies.

(法人監督者の行う環境の保全の配慮についての審査等)

(Review by a Corporate Supervisor for Environmental Conservation)

第三十六条 対象事業に係る法人監督者は、評価書の記載事項及び第二十四条の書面に基づいて、当該対象事業につき、環境の保全についての適正な配慮がなされるものであるかどうかを審査し、当該法人に対する監督を通じて、この配慮がなされることを確保するようにしなければならない。

Article 36 A corporate supervisor responsible for a target project must, based on the matters described in an EIS and the documents referred to in Article 24, review whether due consideration is given to environmental conservation in the target project, and must ensure that such due consideration is given, through supervision of the relevant corporation.

(主任の大臣の行う環境の保全の配慮についての審査等)

(Review by the Competent Minister for Environmental Conservation)

第三十七条 対象事業に係る第四条第一項第四号又は第五号に定める主任の大臣は、評価書の記載事項及び第二十四条の書面に基づいて、当該対象事業につき、環境の保全についての適正な配慮がなされるものであるかどうかを審査し、この配慮がなされることを確保するようにしなければならない。

Article 37 A competent minister responsible for a target project specified in Article 4, paragraph (1), item (iv) or (v) must, based on the matters described in an EIS and the documents referred to in Article 24, review whether due consideration is given to environmental consideration in the target project, and must ensure that such due consideration is given.

(事業者の環境の保全の配慮等)

(Consideration to be Given by the Project Proponent for Environmental Conservation)

第三十八条 事業者は、評価書に記載されているところにより、環境の保全についての適正な配慮をして当該対象事業を実施するようにしなければならない。

Article 38 (1) The project proponent must implement a target project giving due consideration for environmental conservation in accordance with the contents described in the EIS.

2 この章の規定による環境の保全に関する審査を行うべき者が事業者の地位を兼ねる場合には、当該審査を行うべき者は、当該審査に係る業務に従事するその者の職員を当該事業の実施に係る業務に従事させないように努めなければならない。

(2) When a person responsible for the review for environmental conservation under this Chapter serves concurrently as the project proponent, the relevant person must endeavor the employees engaging in the business relating the relevant review procedure, to engage in business relating to the implementation of the relevant project.

(環境保全措置等の報告等)

(Report on Measures for Environmental Conservation)

第三十八条の二 第二十七条の規定による公告を行った事業者（当該事業者が事業の実施前に当該事業を他の者に引き継いだ場合には、当該事業を引き継いだ者）は、第二条第二項第一号イからワまでに掲げる事業の種類ごとに主務省令で定めるところにより、第十四条第一項第七号ロに掲げる措置（回復することが困難であるためその保全が特に必要であると認められる環境に係るものであって、その効果が確実でないものとして環境省令で定めるものに限る。）、同号ハに掲げる措置及び同号ハに掲げる措置により判明した環境の状況に応じて講ずる環境の保全のための措置であって、当該事業の実施において講じたものに係る報告書（以下「報告書」という。）を作成しなければならない。

Article 38-2 (1) The project proponent who issued a public notice under the provisions of Article 27 (when the relevant project proponent transferred the project prior to the implementation of the business, the relevant new project proponent) must, pursuant to order of the competent ministry specified in each type of projects set forth in Article 2, paragraph (2), item (i), (a) through (m) prepare a report (hereinafter referred to as "report") that describes measures taken in the implementation of the project, referred to in Article 14, paragraph (1), item (vii), (b) (limited to those relating to the environment where it is found that the conservation is necessary because it is difficult to be recovered, but the effectiveness is not certain, stipulated in Order of the Ministry of the Environment), the measures referred to in item (vii), (c), and measures taken in the implementation of the relevant project, in accordance with the environmental situation that has become known as a result of the measure referred to in item (vii), (c).

2 前項の主務省令は、報告書の作成に関する指針につき主務大臣（主務大臣が内閣府の外局の長であるときは、内閣総理大臣）が環境大臣に協議して定めるものとする。

(2) The order of the competent ministry, referred to in the preceding paragraph, is established by the competent minister (when the competent minister is the head of Cabinet Office's external bureau, the Prime Minister) in consultation with the Minister of the Environment, in order to establish guidelines for preparing a report.

3 環境大臣は、関係する行政機関の長に協議して、前項の規定により主務大臣（主務大臣が内閣府の外局の長であるときは、内閣総理大臣）が定めるべき指針に関する基本的事項を定めて公表するものとする。

(3) In consultation with the heads of relevant administrative organs, the Minister of the Environment is to define and publish basic matters relating to the guidelines to be established by the competent minister (if the competent cabinet minister is the head of Cabinet Office's external bureau, the Prime Minister) pursuant to the provisions of the preceding paragraph.

(報告書の送付及び公表)

(Submission and Publication of a Report)

第三十八条の三 前条第一項に規定する事業者は、報告書を作成したときは、環境省令で定めるところにより、第二十二条第一項の規定により第二十一条第二項の評価書の送付を受けた者にこれを送付するとともに、これを公表しなければならない。

Article 38-3 (1) When the project proponent referred to in the preceding Article, paragraph (1) prepares a report, the project proponent must send the report to the person receiving the EIS specified by Article 21, paragraph (2), pursuant to Article 22, paragraph (1), and must publish the report in accordance with the Order of the Ministry of the Environment.

2 第二十二条第二項の規定は、前項の規定により同条第一項各号に定める者（環境大臣を除く。）が報告書の送付を受けた場合について準用する。

(2) The provisions of Article 22, paragraph (2) are applied mutatis mutandis to the case in which a person designated in any of the items in the paragraph (1) of same Article, (except for the Minister of the Environment) pursuant to the provisions of the preceding paragraph receives the report.

(環境大臣の意見)

(Opinions of the Minister of the Environment)

第三十八条の四 環境大臣は、前条第二項において準用する第二十二条第二項各号に定める措置がとられたときは、必要に応じ、政令で定める期間内に、同項各号に掲げる者に対し、報告書について環境の保全の見地からの意見を書面により述べることができる。この場合において、同項第二号に掲げる者に対する意見は、同号に規定する内閣総理大臣又は各省大臣を経由して述べるものとする。

Article 38-4 When measures are taken pursuant to the provisions of each item of Article 22, paragraph (2) that are applied mutatis mutandis in the preceding Article, paragraph (2), the Minister of the Environment may state the opinions for the report in writing express, as necessary, and within a period to be designated by cabinet order, from the standpoint of the environmental conservation, to the person listed in each items of the same paragraph. In this case, the opinions to the person referred to in item (ii) of the same paragraph are stated through the Prime Minister or another minister as specified by the same item.

(免許等を行う者等の意見)

(Opinions of the Issuers of Licenses)

第三十八条の五 第二十二条第一項各号に定める者は、第三十八条の三第一項の規定による送付を受けたときは、必要に応じ、政令で定める期間内に、第三十八条の二第一項に規定する事業者に対し、報告書について環境の保全の見地からの意見を書面により述べることができる。この場合において、前条の規定による環境大臣の意見があるときは、これを勘案しなければならない。

Article 38-5 Upon receiving a written report submitted pursuant to the provisions of Article 38-3, paragraph (1), the persons listed in each item of Article 22, paragraph (1) may, as necessary, and within a period designated by cabinet order, state the opinions in writing to the project proponent referred to in Article 38-2, paragraph (1), item (i), from the standpoint of environmental conservation, regarding the report. In this case, when the Minister of the Environment has stated any opinions pursuant to the preceding Article, the persons must take into consideration such opinions.

第九章 環境影響評価その他の手続の特例等

Chapter IX Special Provisions for an Environmental Impact Assessment and Other Procedures

第一節 都市計画に定められる対象事業等に関する特例

Section 1 Special Provisions for Target Project Specified in City Plan

(都市計画に定められる第一種事業等又は第二種事業等)

(Class-1 or Class-2 Projects Stipulated in the City Plan)

第三十八条の六 第一種事業が都市計画法（昭和四十三年法律第百号）第四条第七項に規定する市街地開発事業（以下「市街地開発事業」という。）として同法の規定により都市計画に定められる場合における当該第一種事業又は第一種事業に係る施設が同条第五項に規定する都市施設（以下「都市施設」という。）として同法の規定により都市計画に定められる場合における当該都市施設に係る第一種事業については、第三条の二から第三条の九までの規定により行うべき計画段階配慮事項についての検討その他の手続及び第五条から第三十八条までの規定により行うべき環境影響評価その他の手続は、第三項、第四十条第二項、第四十一条、第四十三条、第四十四条第一項、第二項及び第五項から第七項まで並びに第四十六条に定めるところにより、同法第十五条第一項の都道府県若しくは市町村若しくは同法第八十七条の二第一項の指定都市（同法第二十二条第一項の場合にあっては、同項の国土交通大臣（同法第八十五条の二の規定により同法第二十二条第一項に規定する国土交通大臣の権限が地方整備局長又は北海道開発局長に委任されている場合にあつては、当該地方整備局長又は北海道開発局長）又は市町村）又は都市再生特別措置法（平成十四年法律第二十二号）第五十一条第一項の規定に基づき都市計画の決定若しくは変更をする市町村（以下「都市計画決定権者」と総称する。）で当該都市計画の決定又は変更をするものが当該第一種事業を実施しようとする者に代わるものとして、当該第一種事業又は第一種事業に係る施設に関する都市計画の決定又は変更をする手続と併せて行うものとする。この

場合において、第三条の三第二項、第三条の九第一項第三号及び第二項、第五条第二項、第十四条第二項並びに第三十条第一項第三号及び第二項の規定は、適用しない。

Article 38-6 (1) Regarding a class-1 project stipulated in a city plan pursuant to the City Planning Act (Act No. 100 of 1968) as an urban development project prescribed in the provisions of Article 4, paragraph (7) of the same Act (hereinafter referred to as "urban development project"), or a class-1 project which urban facilities are stipulated in the city plan pursuant to the provisions of the same Act as the urban facilities prescribed in Article 4, paragraph (5) of the same Act (hereinafter referred to as "urban facilities"), the examination of items for a primary environmental impact consideration at the early stage and other procedures pursuant to the provisions of Article 3-2 through Article 3-9 as well as environment impact assessment and other procedures pursuant to the provisions of Articles 5 through Article 38 is conducted, pursuant to paragraph (3), Article 40 paragraph (2), Article 41, Article 43, Article 44 paragraphs (1), (2) and (5) through (7), and Article 46, instead of the project proponent who intends to implement the class-1 project, in conjunction with making a decision or revision of the city plan relating to the relevant class-1 project or the relevant urban facilities, by the person who makes the decision or revision in the relevant city plan, (hereinafter collectively referred to as "city plan stipulator") in the prefectures and municipalities referred to in Article 15, paragraph (1), or in the designated cities referred to in Article 87-2, paragraph (1) (in the case of Article 22, paragraph (1) of the same Act, the Minister of Land, Infrastructure, Transport and Tourism prescribed in the same paragraph or the municipalities (pursuant to the provisions of Article 85-2 of the same Act, when the authority of the Minister of Land, Infrastructure, Transport and Tourism referred to in Article 22, paragraph (1) of the same Act is delegated to either the director of the Regional Development Bureau or the director of the Hokkaido Regional Development Bureau, the director of the relevant Regional Development Bureau or the director of the Hokkaido Regional Development Bureau)), or in the municipalities making the decision or revision in city plan with the provisions of Article 51, paragraph (1) of the Act on Special Measures Concerning Urban Renaissance (Act No. 22 of 2002). In this case, the provisions in Article 3-3, paragraph (2), Article 3-9, paragraph (1) item (iii) and paragraph (2), Article 5, paragraph (2), Article 14, paragraph (2), and Article 30, paragraph (1) , item (iii) and paragraph (2) do not apply.

2 第二種事業が市街地開発事業として都市計画法の規定により都市計画に定められる場合における当該第二種事業又は第二種事業に係る施設が都市施設として同法の規定により都市計画に定められる場合における当該都市施設に係る第二種事業については、第二章第一節の規定による計画段階配慮事項についての検討その他の手続は、次項並びに第四十四条第三項及び第四項に定めるところにより、当該都市計画に係る都市計画決定権者が当該第二種事業を実施しようとする者に代わるものとして行うことがで

きる。この場合において、第三条の十第二項の規定により適用される第三条の三第二項並びに第三条の九第一項第三号及び第二項の規定は、適用しない。

(2) Regarding a class-2 project stipulated in city plan pursuant to the City Planning Act as an urban development project prescribed in the provisions of the same Act, or a class-2 project which urban facilities are stipulated in city plan pursuant to the provisions of the same Act as the urban facilities, the examination of items for a primary environmental impact consideration at the early stage and other procedures referred to in Chapter II, Section 1, may be performed by a city plan stipulator relating to the relevant city plan instead of the project proponent who intends to implement the relevant class-2 project, pursuant to the following paragraph, Article 44, paragraphs (3) and (4). In this case, Article 3-3, paragraph (2), and Article 3-9, paragraph (1), item (iii) and paragraph (2), which are applied pursuant to the provisions of Article 3-10, paragraph (2), are not applied.

3 第一項又は前項の規定により都市計画決定権者が計画段階配慮事項についての検討その他の手続を行う場合における第二章第一節（第三条の三第二項並びに第三条の九第一項第三号及び第二項を除く。）の規定の適用については、第三条の二第一項中「第一種事業を実施しようとする者（国が行う事業にあつては当該事業の実施を担当する行政機関（地方支分部局を含む。）の長、委託に係る事業にあつてはその委託をしようとする者。以下同じ。）は、第一種事業」とあるのは「第三十八条の六第一項の都市計画決定権者（以下「都市計画決定権者」という。）は、第一種事業又は第一種事業に係る施設を都市計画法（昭和四十三年法律第百号）の規定により都市計画に定めようとする場合における当該都市計画に係る第一種事業（以下「都市計画第一種事業」という。）」と、第三条の三第一項中「第一種事業を実施しようとする者」とあるのは「都市計画決定権者」と、同項第一号中「氏名及び住所（法人にあつてはその名称、代表者の氏名及び主たる事務所の所在地）」とあるのは「名称」と、同項第二号中「第一種事業」とあるのは「都市計画第一種事業」と、第三条の四第一項、第三条の六、第三条の七第一項及び第三条の九第一項中「第一種事業を実施しようとする者」とあるのは「都市計画決定権者」と、同項第一号中「第一種事業を実施しない」とあるのは「都市計画第一種事業を都市計画に定めない」と、第三条の十第一項中「第二種事業を実施しようとする者（国が行う事業にあつては当該事業の実施を担当する行政機関（地方支分部局を含む。）の長、委託に係る事業にあつてはその委託をしようとする者。以下同じ。）」とあるのは「第三十八条の六第二項に規定する都市計画決定権者（以下この条において「第二種事業都市計画決定権者」という。）」と、「当該第二種事業を実施しようとする者」とあるのは「当該第二種事業都市計画決定権者」と、同条第二項中「第二種事業を実施しようとする者」とあるのは「第二種事業都市計画決定権者」と、「第一種事業を実施しようとする者」とあるのは「都市計画決定権者」と、「第三条の二から前条までの規定を適用する」とあるのは「第三十八条の六第三項の規定により読み替えて適用される第三条の二から前条までの規定を適用する。この場合において、同項の規定により読み替えて適用される第三条の二第一項中「第一種事業又は第一種事業に係る施設」とあるのは「第四十条第一項に

規定する第二種事業等」と、「第一種事業（）」とあるのは「第二種事業（）」と、「都市計画第一種事業」とあるのは「都市計画第二種事業」と、第三十八条の六第三項の規定により読み替えて適用される第三条の三第一項第二号中「都市計画第一種事業」とあるのは「都市計画第二種事業」と、第三十八条の六第三項の規定により読み替えて適用される第三条の九第一項第一号中「都市計画第一種事業」とあるのは「都市計画第二種事業とする」とする。

- (3) Regarding the application of the provisions of Chapter 2II, Section 1 (except Article 3-3, paragraph (2), and Article 3-9, paragraph (1) item (iii) and paragraph (2)) if a city plan stipulator conducts the examination of items for a primary environmental impact consideration at the early stage and other procedures pursuant to the provisions of paragraph (1) or the preceding paragraph, the phrase "...a class-1 project, a person who intends to implement a project (for a project carried out by the national government, the head of the administrative organ (including local branch office) which intends to implement the target project for a target project carried out by the national government) or the person who intends to entrust for a target project in the case of entrustment; the same applies hereinafter)" in Article 3-2, paragraph (1), is deemed to be replaced with "a class-1 project related to a city plan where the relevant class-1 project or related urban facilities are stipulated in the relevant city plan pursuant to the provisions of the City Planning Act (Act No. 100 of 1968) (hereinafter referred to as "class-1 project in a city plan"), a city plan stipulator referred to in Article 38-6, paragraph 1 (hereinafter referred to as a "city plan stipulator")"; the phrase "a person who intends to implement a class-1 project" in Article 3-3, paragraph (1), is deemed to be replaced with "a city plan stipulator"; the phrase "The name and address of the person who intends to implement a class-1 project (in the case of a corporation, its name, the name of its representative, and the address of its principal office)" in the same paragraph is deemed to be replaced with "its name"; the term "a class-1 project" in item (ii) of the same paragraph is deemed to be replaced with "class-1 project in city plan"; the phrase "a person intends to implement a class-1 project" in Article 3-4, paragraph (1), Article 3-6, Article 3-7 paragraph (1), and Article 3-9, paragraph (1) is deemed to be replaced with "a city plan stipulator"; the phrase "the class-1 project will not be implemented" in the same paragraph is deemed to be replaced with "the class-1 project in a city plan will not be stipulated into a city plan"; the phrase "a person who intends to implement a class-2 project (for a project implemented by the national government, the head of the administrative organ (including local branch office) which intends to implement the target project for a target project carried out by the national government) or a person who intends to entrust for a target project in the case of entrustment; the same applies hereinafter)" in Article 3-10, paragraph (1) is deemed to be replaced with "a city plan stipulator

prescribed in Article 38-6, paragraph (2) (hereinafter in this Article referred to as "city plan stipulator regarding class-2 project"); the phrase "the person intends to implement the relevant class-2 project" is deemed to be replaced with "the relevant city plan stipulator regarding class-2 project"; the phrase "the person intends to implement the class-2 project" in the paragraph (2) of the same article is deemed to be replaced with "city plan stipulator regarding class-2 project"; the phrase "a person who is intends to implement a class-1 project" is deemed to be replaced with "a city plan stipulator"; the phrase "the provisions of Articles 3-2 through the preceding Article are applied" is deemed to be replaced with "the provisions of Article 3-2 through the preceding Article as applied by replacing terms and phrases pursuant to the provisions of Article 3-8, paragraph (3) are applied. In this case, the phrase "a class-1 project or facilities related to the class-1 project" in Article 3-2, paragraph (1) as applied by replacing the phrases pursuant to the provisions of the same paragraph are deemed to be replaced with "a class-2 project referred to in Article 40, paragraph (1),"; the phrase "a class-1 project" is deemed to be replaced with "a class-2 project,"; the phrase "a class-1 project in city plan" is deemed to be replaced with "a class-2 project,"; the phrase "a class-1 project in city plan" is deemed to be replaced with "a class-2 project in city plan,"; the term "a class-1 project in a city plan" in Article 3-3, paragraph (1), item (ii) as applied by replacing terms and phrases pursuant to the provisions of Article 38-6, paragraph (3), is deemed to be replaced with "a class-2 project in a city plan," and the phrase "a class-1 project in city plan" in Article 3-9, paragraph (1), item (i) as applied by replacing term and phrases pursuant to the provisions of Article 38-6, paragraph (3)" is deemed to be replaced with "a class-2 project in a city plan."

第三十九条 第二種事業が市街地開発事業として都市計画法の規定により都市計画に定められる場合における当該第二種事業又は第二種事業に係る施設が都市施設として同法の規定により都市計画に定められる場合における当該都市施設に係る第二種事業については、第四条第一項の規定による届出（同項後段の規定による書面の作成を含む。次項において同じ。）は、次項から第四項までに定めるところにより、当該都市計画に係る都市計画決定権者が当該第二種事業を実施しようとする者に代わるものとして行うものとする。

Article 39 (1) Regarding a class-2 project stipulated in city plan pursuant to the provisions of the City Planning Act as an urban development project prescribed in the same Act, or a class-2 project whose urban facilities are stipulated in city plan pursuant to the provisions of the same Act, submission of a notification pursuant to the provisions of Article 4, paragraph (1), (including the preparation of a document pursuant to the provisions of the latter half of this paragraph. The same applies to the following paragraph) is conducted,

pursuant to the provisions of the following paragraph through paragraph (4), by a city plan stipulator related to the relevant city plan instead of the person who intends to implement the relevant class-2 project.

- 2 前項の規定により都市計画決定権者が届出を行う場合における第四条の規定の適用については、同条第一項中「第二種事業を実施しようとする者は」とあるのは「都市計画決定権者は、第二種事業又は第二種事業に係る施設を都市計画法の規定により都市計画に定めようとするときは」と、「主務省令」とあるのは「主務省令・国土交通省令」と、「その氏名及び住所（法人にあってはその名称、代表者の氏名及び主たる事務所の所在地）」とあるのは「都市計画決定権者の名称」と、「氏名等」とあるのは「名称等」と、「第二種事業の区分」とあるのは「当該都市計画に係る第二種事業の区分」と、「定める者」とあるのは「定める者（当該都市計画が都市計画法第十八条第三項（同法第二十一条第二項において準用する場合を含む。）、同法第十九条第三項（同法第二十一条第二項において準用する場合及び同法第二十二条第一項又は第八十七条の二第四項の規定により読み替えて適用される場合を含む。）又は都市再生特別措置法（平成十四年法律第二十二号）第五十一条第二項の規定による同意（以下「都市計画同意」という。）を要するものである場合にあつては、都市計画同意を行う国土交通大臣（都市計画法第八十五条の二又は都市再生特別措置法第二百六条の規定により都市計画同意に関する国土交通大臣の権限が地方整備局長又は北海道開発局長に委任されている場合にあつては、当該地方整備局長又は北海道開発局長）又は都道府県知事（以下「都市計画同意権者」という。）及び次の各号に掲げる当該都市計画に係る第二種事業の区分に応じ当該各号に定める者）」と、「第四号又は第五号に掲げる第二種事業を実施しようとする者が第四号又は第五号に定める主任の大臣であるときは、主任の大臣」とあるのは「都市計画同意を要しない都市計画に係る都市計画決定権者は、次の各号に定める者」と、「代えて」とあるのは「併せて」と、同条第二項中「定める者」とあるのは「定める者及び都市計画同意権者又は同項後段の都市計画決定権者」と、「第二十九条第一項」とあるのは「第四十条第二項の規定により読み替えて適用される第二十九条第一項」と、同条第三項中「定める者」とあるのは「定める者及び都市計画同意権者又は同項後段の都市計画決定権者」と、「主務省令」とあるのは「主務省令・国土交通省令」と、同項第一号及び第二号中「及び前項の都道府県知事（第一項後段の場合にあつては、前項の都道府県知事）」とあるのは「前項の都道府県知事及び当該第二種事業を実施しようとする者（第一項後段の場合にあつては、前項の都道府県知事及び当該第二種事業を実施しようとする者）」と、同条第四項中「当該事業を実施しよう」とあるのは「当該事業又は当該事業に係る施設を都市計画法の規定により都市計画に定めよう」と、同条第五項中「第三項第二号」とあるのは「第一項各号に定める者及び都市計画同意権者又は同項後段の都市計画決定権者の全てにより第三項第二号」と、「第二十九条第二項」とあるのは「第四十条第二項の規定により読み替えて適用される第二十九条第二項」と、「とられるまで（当該第二種事業に係る第一項各号に定める者が二以上である場合にあつては、当該各号に定める者のすべてにより当該措置がとられるまで）」とあるのは「とられるまで」と、同条第六項中「第二種事業を実施しようとする者」とあるのは「都市計画決定権者」と、「同項第四号又は第五号に定める主任の大臣以外の者にあつてはこの

法律」とあるのは「この法律」と、「同項各号」とあるのは「、届出に係る都市計画が都市計画同意を要するものであるときは同項各号」と、「定める者に書面により通知し、これらの主任の大臣にあってはその旨の書面を作成」とあるのは「定める者及び都市計画同意権者に、都市計画同意を要しないものであるときは同項各号に掲げる第二種事業の区分に応じ当該各号に定める者に書面により通知」と、同条第七項中「受け、又は同項の規定により書面を作成した者は、当該通知又は書面の作成」とあるのは「受けた者は、当該通知」と、「都道府県知事に当該通知又は作成」とあるのは「都道府県知事及び当該第二種事業を実施しようとする者に当該通知」と、同条第八項中「通知又は書面の作成」とあるのは「通知」と、同条第九項中「主務省令」とあるのは「主務省令・国土交通省令」と、「が環境大臣」とあるのは「及び国土交通大臣が環境大臣」と、同条第十項中「が定めるべき」とあるのは「及び国土交通大臣が定めるべき」とする。

- (2) Regarding the application of the provision of Article 4 in the case where a city plan stipulator submits a notification pursuant to the provisions of the preceding paragraph, the term "A person who intends to implement a class-2 project" in paragraph (1) in the same Article is deemed to be replaced with "a city plan stipulator, when stipulating a class-2 project or facilities related to a class-2 project in city plan in accordance with the provisions of the City Planning Act"; the term "order of the competent ministry" is deemed to be replaced with "order of the competent ministry or Order of the Ministry of Land, Infrastructure, Transport and Tourism"; the term "the name and location (in the case of a corporation, its name and the name of its representative, the location of its principal office)" is deemed to be replaced with "the name of the city plan stipulator"; the term "name, etc." is deemed to be replaced with "name, etc. of organization"; the term "the respective categories of class-2 project" is deemed to be replaced with "the respective categories of a class-2 project related to the relevant city plan"; the term "the person specified in" is deemed to be replaced with "the person (if the relevant city plan requires an consent pursuant to the provisions of Article 18, paragraph (3) of the City Planning Act (including as applied mutatis mutandis pursuant to Article 21, paragraph (2) of the same Act), Article 19, paragraph (3) (including as applied mutatis mutandis pursuant to Article 21, paragraph (2) of the same Act, and as applied by replacing terms and phrases pursuant to the provisions of Article 22, paragraph (1) or Article 87-2, paragraph (4) of the same Act), or an consent required by the provisions of Article 51, paragraph (2) of the Act on Special Measures concerning Urban Renaissance (Act No. 22 of 2002) (hereinafter referred to as "consent to a city plan"), the Minister of Land, Infrastructure, Transport and Tourism who issues an consent to a city plan (in a case where, pursuant to the provisions of Article 85-2 in the City Planning Act or of Article 126 in the Act on Special Measures concerning Urban Renaissance, the authority, regarding consent to a city plan, of the Minister of

Land, Infrastructure, Transport and Tourism is delegated to either the director of the Regional Development Bureau or the director of the Hokkaido Regional Development Bureau, then the relevant director of the Regional Development Bureau or the director of the Hokkaido Regional Development Bureau), or prefectural governor(s) (hereinafter referred to as "a person authorized to give consent to city plan") and the person(s) responsible for the type of class-2 project related to the relevant city plan according to the categories listed in each items"); the phrase "when the person intends to implement a class-2 project set forth in item (iv) or (v) is the competent minister as set forth in the item (iv) or (v), the competent minister" is deemed to be replaced with "the city plan stipulator related to a city plan that does not require consent to city plan, then a person referred to in the following items"; the phrase "instead of" is deemed to be replaced with "in conjunction with"; the term "The person(s) identified" in paragraph (3) of the same Article is deemed to be replaced with "The person(s) identified, and a person authorized to give consent to city plan, or a city plan stipulator referred to in the latter half of the same paragraph"; the term "order of the competent ministry" is deemed to be replaced with "order of the competent ministry or Order of the Ministry of Land, Infrastructure, Transport and Tourism, "; the phrase "and the prefectural governors referred to in the preceding paragraph (regarding the latter half of paragraph (1), the prefectural governors referred to in the preceding paragraph)" in items (i) and (ii) in the same paragraph is deemed to be replaced with "the prefectural governor(s) referred to in the preceding paragraph and the person intends to implement the relevant class-2 project (in the case of the latter half of paragraph (1), the prefectural governor(s) referred to in the preceding paragraph and the person intends to implement the relevant class-2 project"; the phrase "intends to implement the relevant project" in the paragraph 4 of the same Article, is deemed to be replaced with "intends to stipulate the relevant project or the facilities related to the relevant project into a city plan pursuant to the provisions of the City Planning Act"; the phrase "paragraph (3), item (ii)" is deemed to be replaced with "Article 29, paragraph (2) as applied by replacing terms and phrases pursuant to the provisions of Article 40, paragraph (2)"; the phrase "Article 3, paragraph (2)" in paragraph (5) of the same Article is deemed to be replaced with "By all of a person specified in each item of paragraph (1) and a person authorized to give consent to a city plan, or a city plan stipulator in the latter half of the same paragraph, Article 3, paragraph (2)"; the phrase "Article 29, paragraph (2)" is deemed to be replaced with "Article 29, paragraph (2) as applied by replacing terms and phrases pursuant to the provisions of Article 40, paragraph (2)"; the phrase "until a measure...is taken... (when persons prescribed in each item of paragraph (1) relating to the relevant class-2 project are two or more, until the

required measures are taken by all of all persons prescribed in the relevant items)" is deemed to be replaced with "until... are taken"; the phrase "A person intends to implement a class-2 project" in paragraph (6) of the same Article is deemed to be replaced with "a city plan stipulator"; the phrase "when the person ... is not the responsible minister as prescribed in item (iv) or (v) of the same paragraph...this Act" is deemed to be replaced with "this Act,,"; the phrase "the items of the same paragraph" is deemed to be replaced with "the items of the same paragraph when the city plan related to the notification requires to obtain consent to a city plan"; the phrase "notify in writing...the persons set forth in...and when the person is the competent minister, the minister must prepare a document to that effect." is deemed to be replaced with "notify in writing the persons set forth in...and the person authorized to give consent to a city plan, and if consent to a city plan is not required, then notify in writing the persons set forth in the items of the same paragraph according to the types of class-2 project referred to in the relevant items"; the phrase "a person receiving....preparing a document pursuant to the same paragraphrelating to that notice or document" is deemed to be replaced with "a person receiving... the relevant notice"; the phrase "send ... the notice or the document to the prefectural governors" is deemed to be replaced with "send the notice to the prefectural governors and the person intends to implement the relevant class-2 project"; the phrase "preparation of the relevant notice or document" in paragraph (8) of the same Article 4 is deemed to be replaced with "the notice"; the term "order of the competent ministry" in paragraph (9) of the same Article is deemed to be replaced with "order of the competent ministry or Order of the Ministry of Land, Infrastructure, Transport and Tourism,,"; the phrase "with the Minister of the Environment" is deemed to be replaced with "and the Minister of Land, Infrastructure, Transport and Tourismwith the Minister of the Environment"; the phrase "to be adopted by" in paragraph (10) of the same Article is deemed to be replaced with "to be adopted by ... and also by the Minister of Land, Infrastructure, Transport and Tourism."

3 前項の規定により読み替えて適用される第四条第三項第一号の措置がとられた第二種事業（前項の規定により読み替えて適用される同条第四項及び次条第二項の規定により読み替えて適用される第二十九条第二項において準用する第四条第三項第二号の措置がとられたものを除く。）について第二種事業を実施しようとする者が作成した配慮書があるときは、当該第二種事業を実施しようとする者は、都市計画決定権者に当該配慮書を送付するものとする。

(3) When there is a document on a primary environmental impact consideration prepared by a person who intends to implement a class-2 project for which measures referred to in Article 4, paragraph (3), item (i) as applied by replacing words and phrases pursuant to the provisions of the preceding paragraph have been taken (except class-2 projects for which measures

referred to in Article 4, paragraph (3), item (ii) as applied mutatis mutandis pursuant to the provisions of the same Article 4, paragraph (4) as applied by replacing words and phrases pursuant to the provisions of the preceding paragraph and to the provisions of Article 29, paragraph (2) as applied by replacing terms and phrases pursuant to the provisions of the following Article, paragraph (2)), the person who intends to implement the relevant class-2 project is to send the relevant document on a primary environmental impact consideration to the city plan stipulator.

4 前項の場合において、配慮書を送付する前に第二種事業を実施しようとする者が行った計画段階配慮事項についての検討その他の手続は都市計画決定権者が行ったものとみなし、当該第二種事業を実施しようとする者に対して行われた計画段階配慮事項についての検討その他の手続は都市計画決定権者に対して行われたものとみなす。

(4) In the case of the preceding paragraph, any examination of the items for a primary environmental impact consideration at the early stage and other procedures conducted by a person who intends to implement a class-2 project before submission of a document on a primary environmental impact consideration is deemed to have been conducted by the city plan stipulator, and any examination of the items for a primary environmental impact consideration at the early stage and other procedures conducted against the person who intends to implement the class-2 project is deemed to have been conducted against the city plan stipulator.

第四十条 第二種事業（対象事業であるものに限る。以下この項及び第四十四条第三項において同じ。）が市街地開発事業として都市計画法の規定により都市計画に定められる場合における当該第二種事業又は第二種事業に係る施設が都市施設として同法の規定により都市計画に定められる場合における当該都市施設に係る第二種事業については、第五条から第三十八条までの規定により行うべき環境影響評価その他の手続は、次項、第四十一条、第四十三条、第四十四条及び第四十六条に定めるところにより、当該都市計画に係る都市計画決定権者が当該第二種事業に係る事業者に代わるものとして、当該第二種事業又は第二種事業に係る施設（以下「第二種事業等」という。）に関する都市計画の決定又は変更をする手続と併せて行うものとする。この場合において、第五条第二項、第十四条第二項並びに第三十条第一項第三号及び第二項の規定は、適用しない。

Article 40 (1) Regarding a class-2 project (limited to a target project; hereinafter the same applies in this paragraph and Article 44, paragraph (3)) stipulated in a city plan pursuant to the provisions of the City Planning Act as urban development project prescribed in the same Act, or a class-2 project whose facilities are stipulated as urban facilities in city plan pursuant to the provisions of the same Act, any procedures of the environmental impact assessment and other procedures required by the provisions of Articles 5 through 38 are conducted, pursuant to the provisions of the following

paragraph, Article 41, Article 43, Article 44 and Article 46, by the city plan stipulator related to the relevant city plan, instead of the project proponent related to the relevant class-2 project, in conjunction with the procedure for making decision or revision of the city plan related to the relevant class-2 project or the related urban facilities (hereinafter referred to as "class-2 project, etc."). In this case, the provisions of Article 5, paragraph (2), Article 14, paragraph (2), Article 30, paragraph (1), item (iii) and Article 30, paragraph (1), item (iii) and paragraph (2) are not applied.

- 2 第三十八条の六第一項又は前項の規定により都市計画決定権者が環境影響評価その他の手続を行う場合における第五条から第三十八条まで（第五条第二項、第十四条第二項並びに第三十条第一項第三号及び第二項を除く。）の規定の適用については、第五条第一項中「事業者は」とあるのは「都市計画決定権者は」と、「対象事業に係る環境影響評価を」とあるのは「第三十八条の六第一項の第一種事業若しくは第一種事業に係る施設又は第四十条第一項の第二種事業等（第二十八条及び第三十条第一項第一号において「対象事業等」という。）を都市計画法の規定により都市計画に定めようとする場合における当該都市計画に係る第一種事業又は第二種事業（以下「都市計画対象事業」という。）に係る環境影響評価を」と、「ごとに主務省令」とあるのは「ごとに主務省令・国土交通省令」と、同項第一号中「事業者の氏名及び住所（法人にあってはその名称、代表者の氏名及び主たる事務所の所在地）」とあるのは「都市計画決定権者の名称」と、同項第二号中「対象事業」とあるのは「都市計画対象事業」と、同項第三号中「対象事業が」とあるのは「都市計画対象事業が」と、同項第六号中「事業者」とあるのは「都市計画決定権者」と、同項第七号中「対象事業に係る環境影響評価の」とあるのは「都市計画対象事業に係る環境影響評価の」と、第六条第一項中「事業者」とあるのは「都市計画決定権者」と、「対象事業」とあるのは「都市計画対象事業」と、第七条から第十条まで及び第十一条第一項中「事業者」とあるのは「都市計画決定権者」と、同項中「対象事業」とあるのは「都市計画対象事業」と、同条第二項及び第三項中「事業者」とあるのは「都市計画決定権者」と、第十二条第一項及び第十四条第一項中「事業者」とあるのは「都市計画決定権者」と、「対象事業」とあるのは「都市計画対象事業」と、同項中「主務省令」とあるのは「主務省令・国土交通省令」と、第十五条中「事業者」とあるのは「都市計画決定権者」と、「対象事業」とあるのは「都市計画対象事業」と、第十六条から第二十条まで及び第二十一条第一項中「事業者」とあるのは「都市計画決定権者」と、同項第三号中「対象事業」とあるのは「都市計画対象事業」と、同条第二項中「事業者」とあるのは「都市計画決定権者」と、「主務省令」とあるのは「主務省令・国土交通省令」と、第二十二條第一項中「事業者」とあるのは「都市計画決定権者」と、「定める者に」とあるのは「定める者（評価書に係る都市計画が都市計画同意を要するものである場合にあっては、都市計画同意権者及び次の各号に掲げる評価書の区分に応じ当該各号に定める者）に」と、同条第二項中「環境大臣を除く。）」とあるのは「環境大臣を除く。）又は都市計画同意権者若しくは都市計画同意を要しない都市計画に係る都市計画決定権者」と、「受けた」とあるのは「受け、又はした」と、第二十四条中「定める者」とあるのは「定める者及び都市計画同意権者」と、「事業者に対

し」とあるのは「都市計画決定権者に対し、第二十三条の規定による環境大臣の意見があるときはこれを勘案して」と、「第二十三条の規定による環境大臣の意見があるときは、」とあるのは「第二十二条第一項各号に定める者は都市計画同意権者を經由して意見を述べるものとし、当該都市計画同意権者が意見を述べるときは」と、第二十五条第一項中「事業者」とあるのは「都市計画決定権者」と、「を勘案」とあるのは「（都市計画決定権者が国土交通大臣又は地方整備局長若しくは北海道開発局長である場合にあっては、同条の意見及び第二十三条の規定により環境大臣が当該都市計画決定権者に対し述べた意見）を勘案」と、同項第三号中「対象事業」とあるのは「都市計画対象事業」と、同条第二項中「事業者」とあるのは「都市計画決定権者」と、「主務省令」とあるのは「主務省令・国土交通省令」と、同条第三項中「事業者」とあるのは「都市計画決定権者」と、「定める者に対してしなければならない」とあるのは「定める者（評価書に係る都市計画が都市計画同意を要するものである場合にあっては、都市計画同意権者及び同項各号に掲げる評価書の区分に応じ当該各号に定める者）に対してしなければならない。この場合において、都市計画決定権者が国土交通大臣若しくは地方整備局長若しくは北海道開発局長又は都道府県であるときは都道府県都市計画審議会の議を、市町村であるときは市町村都市計画審議会（当該市町村に市町村都市計画審議会が置かれていないときは、当該市町村の存する都道府県の都道府県都市計画審議会）の議を経るものとする」と、第二十六条第一項中「環境大臣を除く。）」とあるのは「環境大臣を除く。）又は都市計画同意権者若しくは都市計画同意を要しない都市計画に係る都市計画決定権者」と、「受けた」とあるのは「受け、又はした」と、同条第二項中「事業者」とあるのは「都市計画決定権者」と、「及び関係市町村長」とあるのは「、関係市町村長及び第三十八条の六第一項の第一種事業を実施しようとする者又は第四十条第一項の事業者」と、「同条第一項第二号」とあるのは「前条第一項第二号」と、第二十七条及び第二十八条中「事業者」とあるのは「都市計画決定権者」と、同条中「修正しよう」とあるのは「修正して対象事業等を都市計画法の規定により都市計画に定めよう」と、第二十九条第一項中「事業者」とあるのは「都市計画決定権者」と、「修正しよう」とあるのは「修正して当該修正後の事業又は当該修正後の事業に係る施設を都市計画法の規定により都市計画に定めよう」と、「第四条第一項」とあるのは「第三十九条第二項の規定により読み替えて適用される第四条第一項」と、同条第二項中「第四条第二項」とあるのは「第三十九条第二項の規定により読み替えて適用される第四条第二項」と、「同条第三項第一号」とあるのは「第三十九条第二項の規定により読み替えて適用される第四条第三項第一号」と、同条第三項中「第四条第三項第二号」とあるのは「第三十九条第二項の規定により読み替えて適用される第四条第三項第二号」と、「事業者」とあるのは「都市計画決定権者」と、第三十条第一項中「事業者」とあるのは「都市計画決定権者」と、同項第一号中「対象事業を実施しない」とあるのは「対象事業等を都市計画に定めない」と、第三十一条第一項中「を行う」とあるのは「が行われる」と、同条第二項及び第三項中「を行った」とあるのは「が行われた」と、同項中「を行い」とあるのは「が行われ」と、同条第四項中「を行った」とあるのは「が行われた」と、「前条第二項」とあるのは「第三十条第二項」と、第三十二条第一項中「を行った」とあるのは「が行われた」とする。

(2) Regarding the application of the provisions of Articles 5 through 38 (except Article 5, paragraph (2), Article 14, paragraph (2), Article 30, paragraph (1), item (iii) and paragraph (2)) if a city plan stipulator conducts an environmental impact assessment and other procedures in pursuant to the provisions of Article 38-6, paragraph (1) or the preceding paragraph, the term "the project proponent" in Article 5, paragraph (1) is deemed to be replaced with "the city plan stipulator"; the phrase "the environmental impact assessment ... relating to the target project" is deemed to be replaced with "the environmental impact assessment relating to a class-1 project or class-2 project related to a city plan where the relevant class-1 project or related facilities referred to in Article 38-6, paragraph (1) or class-2 project, etc. referred to in Article 40, paragraph (1) (in Article 28 and Article 30, paragraph (1), item (i), referred to as a "target project, etc.") is stipulated in the relevant city plan pursuant to the provisions of the City Planning Act (hereinafter referred to as a "target project in a city plan"); the phrase "order of the competent ministry according to" is deemed to be replaced with "order of the competent ministry or Order of the Ministry of Land, Infrastructure, Transport and Tourism according to"; the phrase "The name and location of the project proponent (in the case of a corporation, its name, the name of its representative, and the address of its principal office)" in the same paragraph, item (i) is deemed to be replaced with "the name of the city plan stipulator"; the term "the target project" in the same paragraph, item (ii) is deemed to be replaced with "the target project in city planning"; the phrase "in which the target project" in the same paragraph, item (iii) is deemed to be replaced with "in which the target project in city plan"; the term "the project proponent" in the same paragraph, item (vi) is deemed to be replaced with "the city plan stipulator"; the phrase "an environmental impact assessment of the target project" in the same paragraph, item (vii) is deemed to be replaced with "an environmental impact assessment of the target project in city plan"; the term "the project proponent" and also the term "the target project" in Article 6, paragraph (1) are deemed to be replaced with "the city plan stipulator " and with "the target project in a city plan," respectively; the term "the project proponent" in Articles 7 through 10 and Article 11, paragraph (1) is deemed to be replaced with "the city plan stipulator"; the term "the target project" in the same paragraph of Article 11 is deemed to be replaced with "the target project in a city plan"; the term "the project proponent" in the same Article, paragraph (2) and (3) is deemed to be replaced with "the city plan stipulator"; the terms "the project proponent" and "the target project" in Article 12, paragraph (1) and in Article 14, paragraph (1) are deemed to be replaced with "the city plan stipulator" and "the target project in a city plan, "respectively; the term "order of the competent ministry" in the same paragraph is deemed to be replaced with "order of the competent ministry or

Order of the Ministry of Land, Infrastructure, Transport and Tourism"; the terms "the project proponent" and "the target project" in Article 15 are deemed to be replaced with "the city plan stipulator" and "the target project in a city plan," respectively; the term "the project proponent" in Articles 16 through 20, and Article 21, paragraph (1), is deemed to be replaced with "the city plan stipulator"; the term "the target project" in the same paragraph, item (iii), is deemed to be replaced with "the target project in a city plan"; the terms "the project proponent" and "order of the competent ministry" in the same Article, paragraph (2), are deemed to be replaced with "the city plan stipulator" and "order of the competent ministry or Order of the Ministry of Land, Infrastructure, Transport and Tourism," respectively; the terms "the project proponent" and "the persons designated in" in Article 22, paragraph (1), are deemed to be replaced with "the city plan stipulator" and "the persons (if a city plan related to an EIS requires consent to a city plan, a person authorized to give consent to city plan and the persons designated in the following items, according to the category of the EIS)" respectively; the phrases "(except the Minister of the Environment)" and "after receiving" in the same Article, paragraph (2), are deemed to be replaced with "(except the Minister of the Environment), or a person authorized to give consent to a city plan or a city plan stipulator related to a city plan which does not require consent to a city plan" and "after receiving or sending;" respectively; the phrases "the persons listed in," "to the project proponent" and "when the Minister of the Environment has expressed any opinions pursuant to Article 23" in Article 24 are deemed to be replaced with "the persons listed in...and also a person authorized to give consent to city plan," "to the city plan stipulator... and when the Minister of the Environment has expressed any opinions pursuant to Article 23, such opinions must be taken into consideration by the relevant person," and "the person designated in each item in Article 22, paragraph (1), is to express their opinions via the person authorized to give consent to a city plan, and when the relevant person authorized to give consent to a city plan has any opinion," respectively; the terms "the project proponent" and "take them into consideration" in Article 25, paragraph (1), are deemed to be replaced with "the city plan stipulator" and "take them (if the city plan stipulator is the Minister of Land, Infrastructure, Transport and Tourism, or the director of the Regional Development Bureau or the director of the Hokkaido Regional Development Bureau, then the opinions expressed pursuant to the provisions of the same Article as well as the opinions of the Minister of the Environment expressed to the relevant city plan stipulator pursuant to the provisions of Article 23) into consideration," respectively; the term "the target project" in the same paragraph, item (iii), is deemed to be replaced with "the target project in city plan"; the terms "the project proponent" and "order of the

competent ministry" in the same Article, paragraph (2), are deemed to be replaced with "the city plan stipulator" and "order of the competent ministry or Order of the Ministry of Land, Infrastructure, Transport and Tourism," respectively; the terms and phrases "the project proponent" and "must ... to the persons listed in" in the same Article, paragraph (3), are deemed to be replaced with "the city plan stipulator" and "must.....to the persons (if a city plan related to an EIS requires consent to a city plan, the person authorized to give consent to a city plan and the persons designated in the following items of the same paragraph, according to the categories of the EIS). In this case, when the city plan stipulator is the Minister of Land, Infrastructure, Transport and Tourism or the director of the Regional Development Bureau or the director of the Hokkaido Regional Development Bureau, or prefectures, then such procedure is taken through the deliberation of Prefectural City Planning Councils, and when the city plan stipulator is comprised of municipalities, such a procedure is then followed through the deliberation of Municipal City Planning Councils (when such a Municipal City Planning Council is not established in the relevant municipalities, then the relevant procedure is followed through the deliberation of Prefectural City Planning Council of the prefecture to which the relevant municipalities belong) is listed in," respectively; the terms "(except the Minister of the Environment)" and "after receiving" in Article 26, paragraph (1), are deemed to be replaced with "(except the Minister of the Environment), or a person authorized to give consent to city plan or a city plan stipulator related to a city plan which does not require consent to city plan" and "after receiving or sending;" respectively; the terms "the project proponent," "and the related mayors" and "paragraph (1), item (ii)...of the same Article" are deemed to be replaced with "the city plan stipulator," "...the related mayors and the person who intends to implement a class-1 project referred to in Article 38-6, paragraph (1), or the project proponent referred to in Article 40, paragraph (1)," and "paragraph (1), item (ii)...of the preceding Article," respectively; the term "the project proponent" in Article 27 and 28 is deemed to be replaced with "the city plan stipulator"; the phrase "seeks to revise" in the same Article is deemed to be replaced with "seeks to incorporate the target project, etc. into a city plan pursuant to the provisions of the City Planning Act by revising the relevant target project, etc.;" the terms and phrases "the project proponent," "intends to revise" and "Article 4, paragraph (1)" in Article 29, paragraph (1), are deemed to be replaced with "the city plan stipulator," "intends to incorporate a project or facilities related to such project into a city plan pursuant to the provisions of the City Planning Act after revising the relevant project" and "Article 4, paragraph (1) as applied by replacing terms and phrases pursuant to the provisions of Article 39, paragraph (2)," respectively; the phrases "Article 4,

paragraph (2), " and "the same Article, paragraph (3), item (i)" in the same Article 29, paragraph (2), are deemed to be replaced with "Article 4, paragraph (2) as applied by replacing terms and phrases pursuant to the provisions of Article 39, paragraph (2)," and "Article 4, paragraph (3), item (i) as applied by replacing terms and phrases pursuant to the provisions of Article 39, paragraph (2)," respectively; the terms and phrases "Article 4, paragraph (3), item (ii)" and "the proponent" in the same Article 4, paragraph (3), are deemed to be replaced with "the city plan stipulator" and "Article 4, paragraph (3), item (ii) as applied by replacing terms and phrases pursuant to the provisions of Article 39, paragraph (2)," respectively; the term "the project proponent" in Article 30, paragraph (1), is deemed to be replaced with "the city plan stipulator"; the phrase "the target project will not be implemented" in Article 30, paragraph (1), item (i) is deemed to be replaced with "the target project, etc. will not be incorporated into a city plan"; the term "issues" in Article 31, paragraph (1), is deemed to be replaced with "is issued"; the term "has issued" in the same Article 31, paragraph (2) and (3), is deemed to be replaced with "has been issued"; the term "issues" in the same paragraph, is deemed to be replaced with "is issued"; the terms "has issued" and "paragraph (2) of the preceding Article" in the same Article, paragraph (4), are deemed to be replaced with "has been issued" and "Article 30, paragraph (2)," respectively; the term "has issued" in Article 32, paragraph (1), is deemed to be replaced with "has been issued."

(都市計画対象事業の環境保全措置等の報告等)

(Report on Environmental Conservation Measures for Target Project in a City Plan)

第四十条の二 前条第二項の規定により都市計画決定権者が環境影響評価その他の手続を行う場合における第三十八条の二から第三十八条の五までの規定の適用については、第三十八条の二第一項中「第二十七条の規定による公告を行った事業者（当該事業者が事業の実施前に当該事業を他の者に引き継いだ場合には、当該事業を引き継いだ者）」とあるのは「第四十条第二項の規定により読み替えて適用される第二十六条第二項に規定する評価書等の送付を受けた第三十八条の六第一項の第一種事業を実施しようとする者又は第四十条第一項の事業者（これらの者が事業の実施前に当該事業を他の者に引き継いだ場合には、当該事業を引き継いだ者。以下「都市計画事業者」という。）」と、第三十八条の三第一項中「前条第一項に規定する事業者」とあるのは「都市計画事業者」と、第三十八条の五中「第三十八条の二第一項に規定する事業者」とあるのは「都市計画事業者」とする。

Article 40-2 Regarding the application of the provisions of Articles 38-2 through 38-5, if a city plan stipulator conducts an environment impact assessment and other procedures pursuant to the provisions of the preceding Article, paragraph (2), the phrase "The project proponent who issued a public notice under the

provisions of Article 27 (when the relevant project proponent transferred the project prior to the implementation of the business, then the new project proponent)" in Article 38-2, paragraph (1), is deemed to be replaced with "the person intends to implement the class-1 project referred to in Article 38-6, paragraph (1) who has received an EIS referred to in Article 26, paragraph (2), applied as replacement pursuant to the provisions of Article 40, paragraph (2), or the project proponent referred to in Article 40, paragraph (1) (if the project has been transferred to a new project proponent prior to the implementation of the relevant project, then the new project proponent; hereinafter referred to as a "city planning proponent"); the phrase "the project proponent referred to in the preceding Article, paragraph (1)" in Article 38-3, paragraph (1), is deemed to be replaced with "the city planning proponent"; the phrase "the project proponent referred to in Article 38-2, paragraph (1)" in Article 38-5, is deemed to be replaced with "the city planning proponent."

(都市計画に係る手続との調整)

(Adjustment to Procedures Pertaining to a City Plan)

第四十一条 第四十条第二項の規定により読み替えて適用される第十六条又は第二十七条の規定により都市計画決定権者が行う公告は、これらの者が定める都市計画についての都市計画法第十七条第一項（同法第二十一条第二項において準用する場合及び同法第二十二条第一項の規定により読み替えて適用される場合を含む。以下同じ。）の規定による公告又は同法第二十条第一項（同法第二十一条第二項において準用する場合及び同法第二十二条第一項の規定により読み替えて適用される場合を含む。）の規定による告示と併せて行うものとする。

Article 41 (1) A public notice to be issued by a city plan stipulator pursuant to the provisions of Article 16 or Article 27 applied as replacement pursuant to the provisions of Article 40, paragraph (2), is made in conjunction with a public notice to be issued, pursuant to the provisions of Article 17, paragraph (1) of the City Planning Act (including the cases where applied mutatis mutandis pursuant to Article 21, paragraph (2) of the same Act and also the cases where it is applied by replacing terms and phrases pursuant to the provisions of Article 22, paragraph (1) of the same Act), related to the city plan stipulated by those persons, or with a public notice to be issued pursuant to the provisions of Article 20, paragraph (1) of the same Act (including the cases where applied mutatis mutandis pursuant to Article 21, paragraph (2) of the same Act and also the cases where it is applied by replacing terms and phrases pursuant to the provisions of Article 22, paragraph (1) of the same Act).

2 都市計画決定権者（国土交通大臣（都市計画法第八十五条の二の規定により同法第二十二条第一項に規定する国土交通大臣の権限が地方整備局長又は北海道開発局長に委任されている場合にあつては、当該地方整備局長又は北海道開発局長。次項において同じ。）を除く。）は、第四十条第二項の規定により読み替えて適用される第十六

条の規定により準備書及び同条の要約書を縦覧に供する場合には、これらの者が定める都市計画についての都市計画法第十七条第一項の都市計画の案と併せて縦覧に供し、第四十条第二項の規定により読み替えて適用される第二十七条の規定により評価書等を縦覧に供する場合には、これらの者が定める都市計画についての同法第二十条第二項（同法第二十一条第二項において準用する場合を含む。）に規定する同法第十四条第一項の図書と併せて縦覧に供するものとする。

(2) In making a draft EIS and its summary available for public inspection pursuant to the provisions of Article 16 applied as replacement pursuant to the provisions of Article 40, paragraph (2), the city plan stipulator (except the Minister of Land, Infrastructure, Transport and Tourism (in a case where, pursuant to the provisions of Article 85-2 of the City Planning Act, the authority of the Minister of Land, Infrastructure, Transport and Tourism referred to in Article 22, paragraph (1) of the same Act is delegated to either the director of the Regional Development Bureau or the director of the Hokkaido Regional Development Bureau, the relevant director of the Regional Development Bureau or the Hokkaido Regional Development Bureau, the same applies in the following paragraph)) also is to make available for public inspection with a proposed city plan referred to in Article 17, paragraph (1) of the City Planning Act, regarding a city plan stipulated by these persons, and in the case of making the EIS, etc. available for public inspection pursuant to the provisions of Article 27 as applied by replacing terms and phrases pursuant to the provisions of Article 40, paragraph (2), is to also make available for public inspection with drawings and documents referred to in Article 14, paragraph (1) of the City Planning Act, pursuant to the provisions of Article 20, paragraph (2) of the same Act (including the cases where applied mutatis mutandis pursuant to Article 21, paragraph (2) of the same Act) regarding the city plan stipulated by these persons.

3 対象事業に係る都市計画を定める国土交通大臣は、第四十条第二項の規定により読み替えて適用される第十六条の規定により準備書及び同条の要約書を縦覧に供する場合には、国土交通大臣が定める都市計画についての都市計画法第十七条第一項の都市計画の案と併せて縦覧に供し、第四十条第二項の規定により読み替えて適用される第二十七条の規定により評価書等を縦覧に供する場合には、当該評価書等を都道府県知事に送付し、当該都道府県知事に、国土交通大臣が定める都市計画についての同法第二十条第二項（同法第二十一条第二項において準用する場合を含む。）に規定する同法第十四条第一項の図書の写しと併せてこれらを縦覧に供させるものとする。

(3) In the case of making a draft EIS and its summary available for public inspection pursuant to the provisions of Article 16 applied as replacement pursuant to the provisions of Article 40, paragraph (2), The Minister of Land, Infrastructure, Transport and Tourism stipulating a city plan related to a target project, also is to make available for public inspection with a proposed city plan, referred to in Article 17, paragraph (1) of the City Planning Act,

regarding the city plan stipulated by the Minister of Land, Infrastructure, Transport and Tourism, or in the case of making an EIS, etc. available for public inspection pursuant to the provisions of Article 27 applied as replacement pursuant to the provisions of Article 40, paragraph (2), is to send the relevant EIS, etc. to prefectural governors, and also to make available for inspection by the relevant prefectural governor(s) the relevant EIS, etc., with copies of drawings and documents referred to in Article 14, paragraph (1) of the City Planning Act, pursuant to the provisions of Article 20, paragraph (2) of the same Act (including the cases where applied mutatis mutandis pursuant to Article 21, paragraph (2) of the same Act), regarding the city plan stipulated by the Minister of Land, Infrastructure, Transport and Tourism.

4 都市計画決定権者は、前二項の規定により準備書を都市計画の案と併せて縦覧に供した場合において述べられた意見の内容が、当該準備書についての意見書と、当該準備書に係る都市計画の案についての都市計画法第十七条第二項（同法第二十一条第二項において準用する場合及び同法第二十二条第一項の規定により読み替えて適用される場合を含む。）の規定による意見書のいずれに係るものであるかを判別することができないときは、そのいずれでもあるとみなしてそれぞれの法律を適用する。

(4) The city plan stipulator, if it is difficult to determine whether the opinions expressed, in the case where the draft EIS was made available for public inspection along with the proposed city plan pursuant to the provisions of the preceding two paragraphs, are regarding either to the written opinions on the relevant draft EIS or to the written opinions on the city plan pursuant to the provisions of Article 17, paragraph (2) of the City Planning Act (including the when applied mutatis mutandis pursuant to Article 21, paragraph (2) of the same Act and also the cases when it is applied as replacement pursuant to the provisions of Article 22, paragraph (1) of the same Act), is to deem the opinions regarding to both cases and apply each relevant act.

5 都市計画決定権者は、第四十条第一項の規定により環境影響評価その他の手続を行う場合には、同条第二項の規定により読み替えて適用される第二十五条第三項の規定による都道府県都市計画審議会又は市町村都市計画審議会への付議を、都市計画法第十八条第二項（同法第二十一条第二項において準用する場合及び同法第二十二条第一項の規定により読み替えて適用される場合を含む。）の規定による都道府県都市計画審議会への付議又は同法第十九条第二項（同法第二十一条第二項において準用する場合を含む。）の規定による市町村都市計画審議会若しくは都道府県都市計画審議会への付議と併せて行うものとする。

(5) When the city plan stipulator is in process of conducting an environmental impact assessment and other procedures pursuant to Article 40, paragraph (1), the city plan stipulator is to submit city plan drafts to the Prefectural City Planning Council or the Municipal City Planning Council pursuant to Article 25, paragraph (3) applied as a replacement pursuant to the provisions of Article 40, paragraph (2), in conjunction with a submission to the Prefectural

City Planning Council pursuant to the provisions of Article 18, paragraph (2) of the City Planning Act (including cases where applied mutatis mutandis pursuant to Article 21, paragraph (2) of the same Act and also cases where it is applied as replacement pursuant to the provisions of Article 22, paragraph (1) of the same Act), or to the Municipal City Planning Council or the Prefectural City Planning Council pursuant to the provisions of Article 19, paragraph (2) (including cases where applied mutatis mutandis pursuant to the provisions of Article 21, paragraph (2) of the same Act).

(対象事業等を定める都市計画に係る手続に関する都市計画法の特例)

(Special Provisions of the City Planning Act pertaining to Procedures Related to a City Plan Stipulating a Target Project)

第四十二条 前条第二項又は第三項の規定により準備書を都市計画の案と併せて縦覧に供する場合における当該都市計画の案についての都市計画法第十七条第一項及び第二項（同法第二十一条第二項において準用する場合及び同法第二十二条第一項の規定により読み替えて適用される場合を含む。）の規定の適用については、同法第十七条第一項中「二週間」とあるのは「一月間」と、同条第二項中「縦覧期間満了の日」とあるのは「縦覧期間満了の日の翌日から起算して二週間を経過する日」とする。

Article 42 (1) Regarding the application of the provisions of Articles 17, paragraph (1) and paragraph (2) of the City Planning Act (including the cases where applied mutatis mutandis pursuant to Article 21, paragraph (2) of the same Act and also the cases where it is applied as replacement pursuant to the provisions of Article 22, paragraph (1) of the same Act) related to a proposed city plan in cases where a draft EIS is made available for public inspection along with the relevant proposed city plan pursuant to the provisions of the preceding Article, paragraphs (2) and (3), the term "two weeks" in Article 17, paragraph (1) of the same Act is deemed to be replaced with "one month," and the phrase "expiration of the period of public inspection" in Article 17, paragraph (2) of the same Act is deemed to be replaced with "the date of two weeks after the next day of expiration of the period of public inspection."

2 都市計画決定権者は、対象事業等を都市計画に定めようとするときは、都市計画法に定めるところによるほか、第四十条第二項の規定により読み替えて適用される第二十七条の評価書（次項において「評価書」という。）に記載されているところにより当該都市計画に係る対象事業の実施による影響について配慮し、環境の保全が図られるようにするものとする。

(2) In stipulating a target project, etc. in a city plan, the city plan stipulator is to give due consideration to a possible impact of the implementation of the target project related to the relevant city plan, and ensure to protect the environment, according to the matters detailed in an EIS referred to in Article 27 as applied by replacing terms and phrases pursuant to the provisions of Article 40, paragraph (2) (referred to in the following paragraph as an "EIS"), beyond

complying with the provisions of the City Planning Act.

- 3 前項の都市計画について、都市計画法第十八条第三項（同法第二十一条第二項において準用する場合を含む。）、同法第十九条第三項（同法第二十一条第二項において準用する場合及び同法第二十二条第一項又は第八十七条の二第四項の規定により読み替えて適用される場合を含む。）又は都市再生特別措置法第五十一条第二項の規定による同意（以下この項及び第四十五条において「都市計画同意」という。）を行うに当たっては、国土交通大臣（都市計画法第八十五条の二又は都市再生特別措置法第二百二十六条の規定により都市計画同意に関する国土交通大臣の権限が地方整備局長又は北海道開発局長に委任されている場合にあつては、当該地方整備局長又は北海道開発局長）又は都道府県知事（第四十五条において「都市計画同意権者」という。）は、評価書の記載事項及び第四十条第二項の規定により読み替えて適用される第二十四条の書面に基づいて、当該都市計画につき、環境の保全についての適正な配慮がなされるものであるかどうかを審査しなければならない。

- (3) Regarding the city plan referred to in the preceding paragraph, in giving consent pursuant to Article 18, paragraph (3) of the City Planning Act (including cases where applied mutatis mutandis pursuant to Article 21, paragraph (2) of the same Act), Article 19, paragraph (3) of the same Act (including cases where applied mutatis mutandis pursuant to Article 21, paragraph (2) of the same Act, and also including the cases where it is applied as replacement pursuant to the provisions of Article 22, paragraph (1), or Article 87, paragraph (2), item (iv) of the same Act), or Article 51, paragraph (2) of the Act on Special Measures concerning Urban Renaissance (in this paragraph and Article 45, referred to as a "consent to a city plan"), the Minister of Land, Infrastructure, Transport and Tourism (in a case where, pursuant to the provisions of Article 85-2 of the City Planning Act or the provisions of Article 126 of the Act on Special Measures concerning Urban Renaissance, the authority concerning consent to a city plan of the Minister of Land, Infrastructure, Transport and Tourism is delegated to either the director of the Regional Development Bureau or the director of the Hokkaido Regional Development Bureau, then the relevant director of the Regional Development Bureau or the director of the Hokkaido Regional Development Bureau), or the prefectural governor (in Article 45, referred to as "a person authorized to give consent to city plan") must review whether due consideration is given to the environmental conservation in the relevant city plan, based on the matters described in the EIS and a document referred to in Article 24 applied as replacement pursuant to the provisions of Article 40, paragraph (2),.

(対象事業の内容の変更を伴う都市計画の変更の場合の再実施)

(Reimplementation in the Case of Changing a City Plan Accompanying any Change in the Contents of a Target Project)

第四十三条 第四十条第二項の規定により読み替えて適用される第二十七条の規定によ

る公告を行った後に、都市計画決定権者が第四十条第二項の規定により読み替えて適用される第五条第一項第二号に掲げる事項の変更に係る都市計画の変更をしようとする場合における当該事項の変更については、第三十一条第二項及び第三項の規定に基づいて経るべき環境影響評価その他の手続は、次項に定めるところにより、当該都市計画決定権者が当該事項の変更に係る事業者に代わるものとして、当該都市計画の変更をする手続と併せて行うものとする。

Article 43 (1) If a city plan stipulator intends to change a city plan in relation to changes in the matters listed in Article 5, paragraph (1), item (ii) applied as replacement pursuant to the provisions of Article 40, paragraph (2), after the public notice has been issued in pursuant to Article 27 applied as replacement pursuant to the provisions of Article 40, paragraph (2), the relevant city plan stipulator, instead of the project proponent related to the changes in the relevant matters, is to conduct an environmental impact assessment and other procedures required by the provisions of Article 31, paragraphs (2) and (3), in conjunction with the procedures for changing the relevant city plan.

2 前項の場合における第三十一条第二項及び第三項の規定の適用については、同条第二項中「事業者は、第二十七条」とあるのは「都市計画決定権者は、第四十条第二項の規定により読み替えて適用される第二十七条」と、「第五条第一項第二号」とあるのは「第四十条第二項の規定により読み替えて適用される第五条第一項第二号」と、「を変更」とあるのは「の変更に係る都市計画の変更を」と、「当該変更」とあるのは「当該事項の変更」と、同条第三項中「第一項の規定は、第二十七条」とあるのは「第三十一条第一項の規定は、都市計画決定権者が第四十条第二項の規定により読み替えて適用される第二十七条」と、「第五条第一項第二号」とあるのは「第四十条第二項の規定により読み替えて適用される第五条第一項第二号」と、「当該事業」とあるのは「当該事業に係る都市計画の変更をしようとする場合における当該都市計画に係る事業」と、「事業者」とあるのは「都市計画に係る事業者」と、「第一項中」とあるのは「第三十一条第一項中「第二十七条」とあるのは「第四十条第二項の規定により読み替えて適用される第二十七条」と、」と、「を行い」とあるのは「が行われ」と、「行うものに限る。）」とあるのは「行われるものに限る。）」と、「を行う」とあるのは「が行われる」と、「第二十一条第一項」とあるのは「第四十条第二項の規定により読み替えて適用される第二十一条第一項」とする。

(2) Regarding the application of the provisions of Article 31, paragraph (2) and (3) in the case referred to in the preceding paragraph, the phrase "a project proponent ...Article 27" in paragraph (2) of the same Article is deemed to be replaced with "the city plan stipulator.....Article 27 applied as replacement pursuant to the provisions of Article 40, paragraph (2)"; the phrase "Article 5, paragraph (1), item (ii)" is deemed to be replaced with "Article 5, paragraph (1), item (ii) applied as replacement pursuant to the provisions of Article 40, paragraph (2)"; the term "modify" is deemed to be replaced with "modify a city plan related to the modification of"; the phrase "the relevant modification" is deemed to be replaced with "the modification of the relevant matters"; the

phrase "The provisions of paragraph 1....Article 27" in paragraph (3) of the same Article is deemed to be replaced with "The provisions of Article 31, paragraph (1)....the city plan stipulator has madepursuant to the provisions of Article 27 applied as replacement pursuant to the provisions of Article 40, paragraph (2)"; the phrase "Article 5, paragraph (1), item (ii)" is deemed to be replaced with "Article 5, paragraph (1), item (ii) applied as replacement pursuant to the provisions of Article 40, paragraph (2)"; the term "the relevant project" is deemed to be replaced with "a project related to a city plan in cases where the relevant city plan, related to the relevant project, will be modified"; the term "a project proponent" is deemed to be replaced with "a project proponent related to a city plan"; the term "in paragraph (1)" is deemed to be replaced with "in Article 31, paragraph (1)"; the term "Article 27" is deemed to be replaced with "Article 27 applied as replacement pursuant to the provisions of Article 40, paragraph (2)"; the term "issues" is deemed to be replaced with "is issued"; the phrase "limited to...issues" is deemed to be replaced with "limited to...to be issued"; the term "issues" is deemed to be replaced with "is issued"; the phrase "Article 21, paragraph (1)" is deemed to be replaced with "Article 21, paragraph (1) applied as replacement pursuant to the provisions of Article 40, paragraph (2)."

(事業者等の行う環境影響評価との調整)

(Coordination with an Environmental Impact Assessment Conducted by a Project Proponent)

第四十四条 第一種事業を実施しようとする者が第三条の四第一項の規定による公表を行ってから第七条の規定による公告を行うまでの間において、当該公表に係る第一種事業を都市計画に定めようとする都市計画決定権者が当該第一種事業を実施しようとする者及び配慮書又は方法書の送付を当該第一種事業を実施しようとする者から受けた者にその旨を通知したときは、第一種事業を実施しようとする者は、当該第一種事業に係る方法書を作成していない場合にあつては当該配慮書及び第三条の六の書面を、方法書を既に作成している場合にあつては当該方法書を当該都市計画決定権者に送付するものとする。この場合において、当該都市計画に係る第一種事業については、第三十八条の六第一項の規定は、都市計画決定権者が当該配慮書及び第三条の六の書面又は当該方法書の送付を受けたときから適用する。

Article 44 (1) During the period between a publication as required by Article 3-4, paragraph (1) and a public notice as required by Article 7 by a person who intends to implement a class-1 project, when a city plan stipulator who intends to stipulate the class-1 project related to the relevant publication in a city plan sent a notice thereof to the project proponent who intends to implement the relevant class-1 project and a person who received a document on primary environmental impact consideration or scooping document from the project proponent who intends to implement the relevant class-1 project, the person

who intends to implement the class-1 project is to send, to the relevant city plan stipulator, the relevant document on primary environmental impact consideration and document referred to in Article 3-6 in case when a scoping document related to the relevant class-1 project has not been prepared, or the relevant scoping document in a case where such a scoping document has already been prepared. In this case, with regard to the class-1 project pertaining to the relevant city plan, the provisions of Article 38-6, paragraph (1), are applied from the time of the receipt of the relevant document on primary environmental impact consideration and the document referred to in Article 3-6 or the relevant scoping document by the city plan stipulator.

2 前項の場合において、その通知を受ける前に第一種事業を実施しようとする者が行った計画段階配慮事項についての検討その他の手続は都市計画決定権者が行ったものとみなし、第一種事業を実施しようとする者に対して行われた手続は都市計画決定権者に対して行われたものとみなす。

(2) In the case of the preceding paragraph, any examination of the items for a primary environmental impact consideration at the early stage and other procedures conducted by the person who intends to implement a class-1 project prior to the receipt of such notice is deemed to have been conducted by the city plan stipulator, and any procedures followed for the person who intends to implement the class-1 project are deemed to have been carried out for the city plan stipulator.

3 第二種事業に係る事業者が第五条の規定により方法書を作成してから第七条の規定による公告を行うまでの間において、当該方法書に係る第二種事業等を都市計画に定めようとする都市計画決定権者が、当該事業者、配慮書の送付を当該事業者から受けた者（当該事業者が第三条の四第一項の規定により配慮書を送付している場合に限る。）並びに第四条第一項の規定による届出を当該事業者から受理した者及び同条第二項の都道府県知事（事業者が既に第六条第一項の規定により当該方法書を送付しているときは、事業者並びに第四条第一項の規定による届出を当該事業者から受理した者及び当該方法書の送付を受けた者）にその旨を通知したときは、当該都市計画に係る対象事業についての第四十条第一項の規定は、事業者がその通知を受けたときから適用する。この場合において、事業者は、その通知を受けた後、直ちに当該方法書を都市計画決定権者に送付しなければならない。

(3) During the period between the preparation of a scoping document by a project proponent related to a class-2 project, pursuant to the provisions of Article 5, and a public notice issued as required by Article 7, when the city plan stipulator who intends to stipulate the class-2 project related to the relevant scoping document in a city plan sent a notice thereof to the relevant project proponent, the person who have received the document on primary environmental impact consideration from the relevant project proponent (limited to the cases where the relevant project proponent has submitted the document on primary environmental impact consideration pursuant to the

provisions of Article 3-4, paragraph), and the person who have received a notification prepared pursuant to the provisions of Article 4, paragraph (1) from the relevant project proponent and the prefectural governor referred to in paragraph (2) of the same Article (in cases where the project proponent has already submitted the relevant scoping document pursuant to the provisions of Article 4, paragraph (1), the project proponent, the person who has received a notification pursuant to the provisions of Article 4, paragraph (1), and the person who has received the scoping document), the provisions of Article 40, paragraph (1) in relation to the target project regarding the relevant city plan is applied from the time the project proponent has received the notification. In this case, the project proponent must promptly submit the relevant scoping document to the city plan stipulator.

4 前項の場合において、その通知を受ける前に事業者が行った環境影響評価その他の手続は都市計画決定権者が行ったものとみなし、事業者に対して行われた手続は都市計画決定権者に対して行われたものとみなす。

(4) In the case of the preceding paragraph, any environmental impact assessment and other procedures conducted by the project proponent prior to the receipt of such notice are deemed to have been conducted by the city plan stipulator, and any procedures followed for the project proponent is deemed to have been carried out for the city plan stipulator.

5 事業者が第七条の規定による公告を行ってから第十六条の規定による公告を行うまでの間において、これらの公告に係る対象事業等を都市計画に定めようとする都市計画決定権者が事業者及び配慮書、方法書又は準備書の送付を当該事業者から受けた者（これらの公告に係る対象事業が第二種事業である場合にあっては、これらの者及び第四条第一項の規定による届出を当該事業者から受理した者）にその旨を通知したときは、事業者は、当該対象事業に係る準備書を作成していない場合にあっては作成した後速やかに、準備書を既に作成している場合にあっては通知を受けた後直ちに、当該準備書を都市計画決定権者に送付するものとする。この場合において、当該都市計画に係る対象事業については、第三十八条の六第一項又は第四十条第一項の規定は、都市計画決定権者が当該準備書の送付を受けたときから適用する。

(5) During the period between a public notice issued as required by Article 7 by a project proponent and a public notice issued as required by the preceding Article 16 by the same project proponent, when the city plan stipulator who intends to incorporate a target project, etc. related to these public notices into city plan has sent a notice thereof to the project proponent and the person who have received the document on a primary environmental impact consideration, a scoping document or a draft EIS from the relevant project proponent (in cases where the relevant target project related to these public notices is a class-2 project, then these persons and the person who have received a notification pursuant to the provisions of Article 4, paragraph (1)), the project proponent is to promptly submit to the city plan stipulator a draft EIS after preparing the

draft EIS in the case where such draft EIS has not been prepared, or in the case where such draft EIS has been prepared, then submit such draft EIS immediately. In this case, with regard to the target project related to the relevant city plan, the application of the provisions of Article 38-6, paragraph (1) or Article 40, paragraph (1), is applied from the time the city plan stipulator has received the relevant draft.

6 第四項の規定は、前項の規定による送付が行われる前の手続について準用する。

(6) The provisions of paragraph (4) is applied mutatis mutandis to the procedures followed prior to the submission pursuant to the provisions of the preceding paragraph.

7 事業者が第十六条の規定による公告を行ってから第二十七条の規定による公告を行うまでの間において、第五項の都市計画につき都市計画法第十七条第一項の規定による公告が行われたときは、当該都市計画に係る対象事業については、引き続き第五章及び第六章の規定による環境影響評価その他の手続を行うものとし、第三十八条の六第一項又は第四十条第一項の規定は、適用しない。この場合において、事業者は、第二十七条の規定による公告を行った後、速やかに、都市計画決定権者に当該公告に係る同条の評価書（次条において「評価書」という。）を送付しなければならない。

(7) During the period between a public notice issued as required by Article 16 by a project proponent and a public notice issued as required by the Article 27 by the same project proponent, when a public notice is issued pursuant to the provisions of Article 17, paragraph (1) of the City Planning Act in relation to the city plan referred to in paragraph (5), an environmental impact assessment and other procedures is subsequently conducted as required by the provisions of Chapter V and VI, and the provisions of Article 38-6, paragraph (1) or Article 40, paragraph (1) does not apply. In this case, the project proponent, after issuing a public notice as required by Article 27, must promptly submit an EIS referred to in the same Article (in the following Article, referred to as an "EIS") regarding the relevant public notice to the city plan stipulator.

（事業者が環境影響評価を行う場合の都市計画法の特例）

(Special Provisions in cases where an Environmental Impact Assessment is conducted by a Project Proponent)

第四十五条 前条第七項の規定により評価書の送付を受けた都市計画決定権者は、同項の都市計画を定めようとするときに都市計画同意を要する場合には、都市計画同意権者に当該評価書を送付しなければならない。

Article 45 (1) The city plan stipulator who has received an EIS, pursuant to the provisions of paragraph (7) of the preceding Article, must send the relevant EIS to the person authorized to give consent to city plan, if consent to a city plan is required when the city plan stipulator intends to stipulate a city plan referred to in the same paragraph.

2 前項の都市計画について都市計画法第十八条（同法第二十一条第二項において準用

する場合を含み、同法第十八条第一項及び第二項にあつては同法第二十二条第一項の規定により読み替えて適用される場合を含む。)又は同法第十九条第一項から第四項まで(同法第二十一条第二項において準用する場合を含み、同法第十九条第三項にあつては同法第二十二条第一項の規定により読み替えて適用される場合を含み、同法第十九条第三項(同法第二十一条第二項において準用する場合を含む。))にあつては同法第八十七条の二第四項の規定により読み替えて適用される場合を含み、同法第十九条第四項にあつては同法第二十二条第一項の規定により読み替えて適用される場合を含む。)の規定が適用される場合には、第四十二条第二項の規定は都市計画決定権者が前条第七項の規定により送付を受けた評価書に係る対象事業等を都市計画に定めようとする場合について、第四十二条第三項の規定は当該都市計画について都市計画同意権者が都市計画同意を行う場合について準用する。この場合において、同条第二項中「第四十条第二項の規定により読み替えて適用される」とあるのは「第四十四条第七項の規定により送付を受けた」と、同条第三項中「前項の都市計画」とあるのは「第四十五条第一項の都市計画」と、「記載事項及び第四十条第二項の規定により読み替えて適用される第二十四条の書面」とあるのは「記載事項」と読み替えるものとする。

- (2) Regarding the city plan referred to in the preceding paragraph, if the provisions of Article 18 of the City Planning Act (including cases when applied mutatis mutandis pursuant to the provisions of Article 21, paragraph (2) of the same Act, and with regard to Article 18, paragraph (1) and (2) of the same Act, including the cases when they are applied by replacing terms and phrases pursuant to the provisions of Article 22, paragraph (1)), or the provisions of Article 19, paragraphs (1) through (4) of the same Act (including the cases where applied mutatis mutandis pursuant to the provisions of Article 21, paragraph (2) of the same Act, and with regard to Article 19, paragraph (3) of the same Act, including cases when it is applied by replacing terms and phrases pursuant to the provisions of Article 22, paragraph (1), and with regard to Article 19, paragraph (3) (including the cases where it is applied mutatis mutandis pursuant to Article 21, paragraph (2) of the same Act), including cases when it is applied by replacing terms and phrases pursuant to the provisions of Article 8-7, paragraph (4), and with regard to Article 19, paragraph (4), including the cases where it is applied by replacing terms and phrases pursuant to the provisions of Article 22, paragraph (1) of the same Act) are applied, the provisions of Article 42, paragraph (2) apply mutatis mutandis to the case where target project, etc. related to the EIS, received by the city plan stipulator pursuant to the provisions of the preceding Article, paragraph (7), will be incorporated into a city plan, and the provisions of Article 42, paragraph (3) apply mutatis mutandis to the case when the person authorized to give consent to a city plan provides consent to a city plan related to the relevant city plan. In this case, the phrase "as applied by replacing terms and phrases pursuant to the provisions of Article 40, paragraph 2" in the same

Article, paragraph 2 is deemed to be replaced with "received the document pursuant to the provisions of Article 44, paragraph (7)"; the phrase "the city plan referred to in the preceding paragraph" in the same Article, paragraph (3), is deemed to be replaced with "the city plan referred to in Article 45, paragraph (1)"; and the phrase "based on the matters described in.....a document referred to in Article 24 applied as replacement pursuant to the provisions of Article 40, paragraph (2)" is deemed to be replaced with "the matters described in."

(事業者の協力)

(Cooperation with the Project Proponent)

第四十六条 都市計画決定権者は、第二種事業を実施しようとする者又は事業者に対し、第三十八条の六から第四十一条まで、第四十三条及び第四十四条に規定する環境影響評価その他の手続を行うための資料の提供、方法書説明会及び準備書説明会への出席その他の必要な協力を求めることができる。

Article 46 (1) The city plan stipulator may request, to the person who intends to implement a class-2 project or project proponent, necessary cooperation including provision of materials for conducting an environmental impact assessment and other procedures, attendance to a scoping document explanatory meeting and a draft EIS explanatory meeting, etc. referred to in Articles 38 through 41, Articles 43 and 44.

2 事業者のうち対象事業の実施を担当する国の行政機関（地方支分部局を含む。）の長、第二条第二項第二号ハに規定する法人その他の政令で定めるものは、都市計画決定権者から要請があったときは、その要請に応じ、必要な環境影響評価を行うものとする。

(2) The project proponent, who is the head of an administrative organ of the national government (including a local branch of the administrative organ) responsible for the implementation of a target project, or a corporation referred to in Article 2, paragraph (2), item (ii), (c), or others specified by cabinet order, is to conduct the necessary environmental impact assessment if the city plan stipulator makes a request thereof.

第二節 港湾計画に係る環境影響評価その他の手続

Section 2 Environmental Impact Assessment and Other Procedures pertaining to Port Plan

(用語の定義)

(Definitions)

第四十七条 この節、次章及び附則において「港湾環境影響評価」とは、港湾法（昭和二十五年法律第二百十八号）第二条第二項に規定する国際戦略港湾、国際拠点港湾又は重要港湾に係る同法第三条の三第一項に規定する港湾計画（以下「港湾計画」という。）に定められる港湾の開発、利用及び保全並びに港湾に隣接する地域の保全（以

下この節において「港湾開発等」という。)が環境に及ぼす影響(以下「港湾環境影響」という。)について環境の構成要素に係る項目ごとに調査、予測及び評価を行うとともに、これらを行う過程においてその港湾計画に定められる港湾開発等に係る環境の保全のための措置を検討し、この措置が講じられた場合における港湾環境影響を総合的に評価することをいう。

Article 47 In this Section, the following Chapter and Supplementary Provisions, "port environmental impact assessment" means the process of conducting survey, forecast and evaluating, according to items pertaining to environmental components, the likely impact of developing, utilization and preservation of a port as well as preservation of the surrounding area of that port (in this Section referred to as "port development, etc.") incorporated into a port plan (hereinafter referred to as a "port plan") prescribed in Article 3, paragraph (3), item (i) of the Port and Harbor Act (Act No. 218 of 1950) pertaining to an International Container Hub Port, International Hub Port, or Major Port prescribed in Article 2, paragraph (2) of the same Act, will have on the environment (hereinafter referred to as "port environmental impact", studying possible environmental protection measures relating to the relevant port development, etc. incorporated into a port plan and assessing the overall port environmental impact when such measures are taken.

(港湾計画に係る港湾環境影響評価その他の手続)

(Port Environmental Impact Assessment and Other Procedures Pertaining to a Port Plan)

第四十八条 港湾法第二条第一項の港湾管理者(以下「港湾管理者」という。)は、港湾計画の決定又は決定後の港湾計画の変更のうち、規模の大きい埋立てに係るものであることその他の政令で定める要件に該当する内容のものを行おうとするときは、当該決定又は変更に係る港湾計画(以下「対象港湾計画」という。)について、次項及び第三項に定めるところにより港湾環境影響評価その他の手続を行わなければならない。

Article 48 (1) In determining a port plan or modifying a port plan, the port management body referred to in Article 2, paragraph (1) of the Port and Harbor Act (hereinafter referred to as a "port management body"), if a port plan falls under a large scale landfill and other conditions prescribed in cabinet order, must conduct a port environment impact assessment and follow other procedures pursuant to the provisions of the following paragraph and paragraph (3), regarding to the relevant determined or modified port plan (hereinafter referred to as a "targeted port plan").

2 第四章から第七章まで(第十四条第一項第四号及び第二項、第二十二條から第二十六條まで、第二十九條並びに第三十條第一項第三号及び第二項を除く。)及び第三十一条第一項から第三項までの規定は、前項の規定による港湾環境影響評価その他の手続について準用する。この場合において、第四章の章名中「環境影響評価」とあるの

は「港湾環境影響評価」と、第十一条の見出し中「環境影響評価」とあるのは「港湾環境影響評価」と、同条第一項中「事業者」とあるのは「第四十八条第一項の港湾管理者（以下「港湾管理者」という。））」と、「前条第一項、第四項又は第五項の意見が述べられたときはこれを勘案するとともに、第八条第一項の意見に配意して第五条第一項第七号に掲げる事項に検討を加え、第二条第二項第一号イからワまでに掲げる事業の種類ごとに主務省令」とあるのは「主務省令」と、「対象事業に係る環境影響評価」とあるのは「同項の対象港湾計画（以下「対象港湾計画」という。）に定められる第四十七条の港湾開発等（以下「港湾開発等」という。）に係る同条の港湾環境影響評価（以下「港湾環境影響評価」という。））」と、同条第二項及び第三項中「事業者」とあるのは「港湾管理者」と、同条第四項中「対象事業」とあるのは「対象港湾計画に定められる港湾開発等」と、「環境影響評価」とあるのは「港湾環境影響評価」と、「主務大臣（主務大臣が内閣府の外局長であるときは、内閣総理大臣）」とあるのは「主務大臣」と、第十二条の見出し中「環境影響評価」とあるのは「港湾環境影響評価」と、同条第一項中「事業者」とあるのは「港湾管理者」と、「第二条第二項第一号イからワまでに掲げる事業の種類ごとに主務省令」とあるのは「主務省令」と、「対象事業に係る環境影響評価」とあるのは「対象港湾計画に定められる港湾開発等に係る港湾環境影響評価」と、同条第二項中「環境影響評価」とあるのは「港湾環境影響評価」と、第十三条中「主務大臣（主務大臣が内閣府の外局長であるときは、内閣総理大臣）」とあるのは「主務大臣」と、第十四条第一項中「事業者」とあるのは「港湾管理者」と、「対象事業」とあるのは「対象港湾計画に定められる港湾開発等」と、「環境影響評価を」とあるのは「港湾環境影響評価を」と、「環境影響評価の」とあるのは「港湾環境影響評価の」と、「第二条第二項第一号イからワまでに掲げる事業の種類ごとに主務省令」とあるのは「主務省令」と、「環境影響評価準備書」とあるのは「港湾環境影響評価準備書」と、同項第一号中「第五条第一項第一号から第六号までに掲げる事項」とあるのは「港湾管理者の名称及び住所」と、同項第二号中「第八条第一項の意見の概要」とあるのは「対象港湾計画の目的及び内容」と、同項第三号中「第十条第一項の都道府県知事の意見又は同条第四項の政令で定める市の長の意見及び同条第五項の都道府県知事の意見がある場合にはその意見」とあるのは「対象港湾計画に定められる港湾開発等が実施されるべき区域及びその周囲の概況」と、同項第七号イ中「環境影響の内容」とあるのは「第四十七条の港湾環境影響（以下「港湾環境影響」という。）の内容」と、同号ニ中「環境影響」とあるのは「港湾環境影響」と、第十五条中「事業者」とあるのは「港湾管理者」と、「第六条第一項の主務省令」とあるのは「対象港湾計画に定められる港湾開発等に係る港湾環境影響評価につき環境の保全の見地からの意見を求める上で適切な範囲の地域の基準となるべき事項につき主務大臣が環境大臣に協議して定める主務省令」と、「対象事業に係る環境影響」とあるのは「対象港湾計画に定められる港湾開発等に係る港湾環境影響」と、「第八条第一項及び第十条第一項、第四項又は第五項の意見並びに第十二条第一項の規定により行った環境影響評価の結果にかんがみ第六条第一項の地域に追加すべきものと認められる地域を含む。以下」とあるのは「以下」と、第十六条中「事業者」とあるのは「港湾管理者」と、「環境影響評価」とあるのは「港湾環境影響評価」と、第十七条、第十八条第一項、第十九条、第二十条第

一項及び第三項から第六項まで並びに第二十一条第一項中「事業者」とあるのは「港湾管理者」と、同項中「事業が対象事業」とあるのは「港湾計画が対象港湾計画」と、同項第一号中「第五条第一項第二号」とあるのは「第十四条第一項第二号」と、「事業規模」とあるのは「港湾計画に定められる港湾開発等の規模」と、「同条から」とあるのは「第十一条から」と、「環境影響評価」とあるのは「港湾環境影響評価」と、同項第二号中「第五条第一項第一号又は第十四条第一項第二号から第四号まで、第六号若しくは第八号」とあるのは「第十四条第一項第一号、第六号又は第八号」と、「次条から第二十七条まで」とあるのは「第二十七条」と、「環境影響評価」とあるのは「港湾環境影響評価」と、同項第三号中「対象事業に係る環境影響評価」とあるのは「対象港湾計画に定められる港湾開発等に係る港湾環境影響評価」と、同条第二項中「事業者」とあるのは「港湾管理者」と、「環境影響評価を」とあるのは「港湾環境影響評価を」と、「当該環境影響評価」とあるのは「当該港湾環境影響評価」と、「環境影響評価の」とあるのは「港湾環境影響評価の」と、「環境影響評価書」とあるのは「港湾環境影響評価書」と、「以下第二十六条まで、第二十九条」とあるのは「第二十七条」と、「第二条第二項第一号イからワまでに掲げる事業の種類ごとに主務省令」とあるのは「主務省令」と、第二十七条中「事業者」とあるのは「港湾管理者」と、「第二十五条第三項の規定による送付又は通知を」とあるのは「第二十一条第二項の規定により評価書を作成」と、「評価書等」とあるのは「評価書及びこれを要約した書類」と、第七章の章名中「対象事業」とあるのは「対象港湾計画」と、第二十八条の見出し中「事業内容」とあるのは「港湾計画の内容」と、「環境影響評価」とあるのは「港湾環境影響評価」と、同条中「事業者」とあるのは「港湾管理者」と、「第七条」とあるのは「第十六条」と、「第五条第一項第二号」とあるのは「第十四条第一項第二号」と、「第二十一条第一項又は第二十五条第一項」とあるのは「第二十一条第一項」と、「事業が対象事業」とあるのは「港湾計画が対象港湾計画」と、「事業に」とあるのは「港湾計画に定められる港湾開発等に」と、「第五条から」とあるのは「第十一条から」と、「環境影響評価」とあるのは「港湾環境影響評価」と、「事業規模」とあるのは「港湾計画に定められる港湾開発等の規模」と、第三十条の見出し中「対象事業の廃止」とあるのは「対象港湾計画の決定等の中止」と、同条第一項中「事業者」とあるのは「港湾管理者」と、「第七条」とあるのは「第十六条」と、「方法書、準備書」とあるのは「準備書」と、同項第一号中「対象事業を実施しない」とあるのは「対象港湾計画の決定又は決定後の対象港湾計画の変更をしない」と、同項第二号中「第五条第一項第二号」とあるのは「第十四条第一項第二号」と、「事業が第一種事業又は第二種事業のいずれにも」とあるのは「港湾計画が対象港湾計画に」と、第三十一条の見出し中「対象事業の実施」とあるのは「対象港湾計画の決定又は決定後の対象港湾計画の変更」と、同条第一項中「事業者」とあるのは「港湾管理者」と、「対象事業」とあるのは「対象港湾計画」と、「、第二十五条第一項又は第二十八条」とあるのは「又は第二十八条」と、「事業が」とあるのは「港湾計画が」と、「事業）を実施」とあるのは「港湾計画。以下この条において同じ。）の決定又は決定後の対象港湾計画の変更を」と、同条第二項中「事業者」とあるのは「港湾管理者」と、「第五条第一項第二号」とあるのは「第十四条第一項第二号」と、「事業規模」とあるのは「港湾計画に定められる港湾開発等の規模」と、

「環境影響評価」とあるのは「港湾環境影響評価」と、同条第三項中「第五条第一項第二号」とあるのは「第十四条第一項第二号」と、「当該事業を実施」とあるのは「当該港湾計画の決定又は決定後の当該港湾計画の変更を」と、「環境影響評価」とあるのは「港湾環境影響評価」と、「事業者」とあるのは「港湾管理者」と読み替えるものとする。

- (2) The provisions of Chapters IV through VII (except Article 14, paragraph (1), item (iv) and paragraph (2), Articles 22 through 26, and Article 30, paragraph (1), item (3) and paragraph (2)) and Article 31, paragraphs (1) through (3) are applied mutatis mutandis to a port environmental impact assessment and other procedures pursuant to the provisions of the preceding paragraph. In this case, the term "environmental impact assessment" in the title of Chapter IV is deemed to be replaced with "port environment impact assessment"; the term "environmental impact assessment" in the title of Article 11 is deemed to be replaced with "port environment impact assessment"; the term "The project proponent" in paragraph (1) of the same Article is deemed to be replaced with "the port management body referred to in Article 48, paragraph (1) (hereinafter referred to as a "port management body)"; the phrase "When the opinions pursuant to paragraph (1), (4), or (5) of the preceding Article are stated, the project proponent, while taking into account the opinions, as well as the opinions stated pursuant to Article 8, paragraph (1), must review the matters listed in Article 5, paragraph (1), item (vii), "...pursuant to order of the competent ministry prescribed for each type of projects listed in Article 2, paragraph (2), item (1), (a) through (m)." is deemed to be replaced with "pursuant to order of the competent ministry"; the term "environmental impact assessment of the target project" is deemed to be replaced with "a port environment impact assessment referred to in Article 47 (hereinafter referred to as a "port environmental impact assessment") relating to port development, etc. (hereinafter referred to as "port development, etc."), prescribed in the same Article 47, incorporated into a targeted port plan referred to in the same paragraph (hereinafter referred to as a "targeted port plan)"; the term "the project proponent" in the same Article, paragraph (2) and (3) is deemed to be replaced with "the port management body"; the term "the target project," in the same Article, paragraph (4) is deemed to be replaced with "port development, etc. incorporated into a targeted port plan"; the term "an environmental impact assessment" is deemed to be replaced with "a port environmental impact assessment"; the phrase "the competent minister (where the competent minister is the head of external bureau of Cabinet Office, then the Prime Minister)" is deemed to be replaced with "the competent minister"; the term "an Environmental Impact Assessment" in the title of Article 12 is deemed to be replaced with "a port environmental impact assessment"; the term "the project proponent" in the same Article, paragraph (1) is deemed to be replaced

with "the port management body"; the phrase "order of the competent ministry in each types of projects specified by Article 2, paragraph (2), items (i), (a) through (m)," is deemed to be replaced with "order of the competent ministry"; the term "an environmental impact assessment of the target project" is deemed to be replaced with "a port environment impact assessment relating to port development, etc. incorporated into a targeted port plan" ; the term "an environmental impact assessment" in the same Article 12, paragraph (2) is deemed to be replaced with "a port environmental impact assessment"; the phrase "the competent minister (where the competent minister is the head of external bureau of Cabinet Office, the Prime Minister)" in Article 13 is deemed to be replaced with "the competent minister"; the term "the project proponent" in Article 14, paragraph (1) is deemed to be replaced with "the port management body"; the term "the target project" is deemed to be replaced with "the relevant port development, etc. incorporated into the targeted port plan"; the term "an environmental impact assessment" is deemed to be replaced with "a port environmental impact assessment"; the phrase "of the environmental impact assessment" is deemed to be replaced with "of the port environmental impact assessment"; the phrase "order of the competent ministry applicable to the types of projects referred to in Article 2, paragraph (2), item (i), (a) through (m)" is deemed to be replaced with "Order of the Competent Ministry"; the term "a draft environmental impact statement" is deemed to be replaced with "a draft port environmental impact statement"; the phrase "Matters listed in Article 5, paragraph (1), items (1) through (6)" in the same paragraph, item (i) is deemed to be replaced with "The name and address of the port management body"; the phrase "An outline of the opinions referred to in Article 8, paragraph (1)" in the same paragraph, item (ii) is deemed to be replaced with "The purpose and content of a targeted port plan"; the phrase "opinions of the prefectural governor as referred to in Article 10, paragraph (1), or opinions by the mayor of the city designated by cabinet order referred to in paragraph (4) of the same Article, and the opinions that the prefectural governor state, if any, as referred to in paragraph (5) of the same Article" in the same paragraph, item (iii) is deemed to be replaced with "The general conditions of the area for possible implementation of port development, etc. incorporated into the targeted port plan and its surroundings"; the phrase "the content....of the environmental impact" in the same paragraph, item (vii) (a) is deemed to be replaced with "the contentof the port environmental impact referred to in Article 47 (hereinafter referred to as "port environmental impact"); the term "the project proponent" in Article 15 is deemed to be replaced with "the port management body"; the phrase "the order of the competent ministry prescribed in Article 6, paragraph (1)" is deemed to be replaced with "the order of the competent ministry to be established by the competent minister in consultation

with the Minister of the Environment regarding the matters that should serve as the standards for determining the scope of an appropriate area in seeking opinions, from the standpoint of environmental conservation, on a port environment impact assessment relating to port development, etc. incorporated into a targeted port plan"; the term "environmental impacted by the target project" is deemed to be replaced with "environmental impacted by the port development, etc. incorporated into the targeted port plan"; the phrase "hereinafter referred to as "related area," where is recognized to be added to the area, prescribed in Article 6, paragraph (1), on the basis of opinions stated pursuant to Article 8, paragraph (1) and Article 10, paragraph (1), (4) or (5) and also on the basis of the results of the environmental impact assessment conducted pursuant to Article 12, paragraph (1)" is deemed to be replaced with "hereinafter referred to as "related area,"; the term "the project proponent" in Article 16 is deemed to be replaced with "the port management body"; the term "an environmental impact assessment" is deemed to be replaced with "a port environmental impact assessment"; the term "the project proponent" in Article 17, Article 18, paragraph (1), Article 19, Article 20, paragraph (1), and paragraphs (3) through (6), and Article 21, paragraph (1) is deemed to be replaced with "the port management body"; the phrase "the project after such revision falls under the target project" in the same paragraph is deemed to be replaced with "the port plan after such revision falls under the targeted port plan"; the term "Article 5 paragraph (1), item (ii)" in the same paragraph, item (i) is deemed to be replaced with "Article 14, paragraph (1), item (ii)"; the term "the scale of the project" is deemed to be replaced with "the scale of the port development, etc. incorporated into the port plan"; the term "Articles 5" is deemed to be replaced with "Article 11"; the term "an environmental impact assessment" is deemed to be replaced with "a port environmental impact assessment"; the phrase "Article 5, paragraph (1) item (i), or in Article 14, paragraph (1) item(ii) through (iv), and item (vi) or item (viii)" in the same paragraph, item (ii) is deemed to be replaced with "Article 14, paragraph (1), item (i), (vi) or (viii)"; the phrase "the following Article through Article 27" is deemed to be replaced with "Article 27"; the term "the environmental impact assessment" is deemed to be replaced with "the port environmental impact assessment"; the phrase "an environmental impact assessment of the target project" in the same paragraph, item (iii) is deemed to be replaced with "a port environment impact assessment of port development, etc. incorporated into a targeted port plan"; the term "the project proponent" in the same Article, paragraph (2) is deemed to be replaced with "the port management body"; the term "an environmental impact assessment" is deemed to be replaced with "a port environmental impact assessment"; the term "the relevant environmental impact assessment" is deemed to be replaced with "the relevant port

environmental impact assessment"; the phrase "an environmental impact assessment ...thereof" is deemed to be replaced with ""a port environmental impact assessment ...thereof"; the term "the environmental impact statement" is deemed to be replaced with "the port environmental impact statement"; the phrase "hereinafter through Article 26 and in Articles 29" is deemed to be replaced with "Article 27"; the phrase "order of the competent ministry applicable to the types of projects referred to in Article 2, paragraph (2), item (i), (a) through (m)" is deemed to be replaced with "order of the competent ministry"; the term "the project proponent" in Article 27 is deemed to be replaced with "the port management body"; the phrase "a submission or notice pursuant to the provisions of Article 25, paragraph (3)" is deemed to be replaced with "preparing an EIS pursuant to the provisions of Article 21, paragraph (2)"; the term "the EIS, etc." is deemed to be replaced with "the EIS and its summary"; the term "a Target Project" in the title of Chapter VII is deemed to be replaced with "a Targeted Port Plan"; the term "the Contents of a Project" in the title of Article 28 is deemed to be replaced with "the contents of a port plan"; the term "Environmental Impact Assessment" is deemed to be replaced with "Port Environmental Impact Assessment"; the term "a project proponent" in the same Article is deemed to be replaced with "a port management body"; the term "Article 7" is deemed to be replaced with "Article 16"; the term "Article 5, paragraph (1), item (ii)" is deemed to be replaced with "Article 14, paragraph (1), item (ii)"; the term "Article 21, paragraph (1) or of Article 25, paragraph (1)" is deemed to be replaced with "Article 21, paragraph (1)"; the phrase "when the projecta target project" is deemed to be replaced with "when the port plan....targeted port plan"; the term "for the project" is deemed to be replaced with "for the port development, etc. incorporated into the port plan"; the term "in Articles 5 through" is deemed to be replaced with "in Article 11 through"; the term "an environmental impact assessment" is deemed to be replaced with "a port environmental impact assessment"; the term "the scale of the project" is deemed to be replaced with "the scale of the port development, etc. incorporated into the port plan"; the term "Abandonment of a Target Project" in the title of Article 30 is deemed to be replaced with "Abandonment of a Decision, etc. concerning a Targeted Port Plan"; the term "the project proponent" in the same Article, paragraph (1) is deemed to be replaced with "the port management body"; the term "Article 7" is deemed to be replaced with "Article 16"; the term "a scoping document, a draft EIS" is deemed to be replaced with "a draft EIS"; the phrase "not to implement the target project" in the same paragraph, item (i) is deemed to be replaced with "not to decide the targeted port plan or modify the targeted port plan after the decision"; the term "Article 5, paragraph (1), item (ii)" in the same paragraph, item (ii) is deemed to be replaced with "Article 14, paragraph

(1), item (ii)"; the phrase "the project has become neither a class-1 project nor a class-2 project" is deemed to be replaced with "the port plan has ceased to become a targeted port plan"; the term "the Implementation of a target project" in the title of Article 31 is deemed to be replaced with "the decision made on a targeted port plan or modification of the targeted port plan after the decision has been made"; the term "a project proponent" in the same Article, paragraph (1) is deemed to be replaced with "a port management body"; the term "a target project" is deemed to be replaced with "a targeted port plan"; the term "or Article 25, paragraph (1), or Article 28" is deemed to be replaced with "or Article 28"; the phrase "the project is" is deemed to be replaced with "the port plan is"; the phrase "implement a target project....)" is deemed to be replaced with "make a decision on a port plan (hereinafter the same applies in this Article) or modify the targeted port plan after the decision has been made"; the term "a project proponent" in the same Article, paragraph (2) is deemed to be replaced with "a port management body;" the term "Article 5, paragraph (1), item (ii)" is deemed to be replaced with "Article 14, paragraph (1), item (ii)"; the term "the scale of the project" is deemed to be replaced with "the scale of the port development, etc. incorporated into the port plan"; the term "an environmental impact assessment" is deemed to be replaced with "a port environmental impact assessment"; the term "Article 5, paragraph (1), item (ii)" in the same Article, paragraph (3) is deemed to be replaced with "Article 14, paragraph (1), item (ii)"; the phrase "implement a target project" is deemed to be replaced with "make a decision on a targeted port plan or modify a targeted port plan the after the decision has been made related to the relevant port plan"; the term "an environmental impact assessment" is deemed to be replaced with "a port environmental impact assessment"; the term "the project proponent" is deemed to be replaced with "the port management body."

3 港湾管理者は、対象港湾計画の決定又は決定後の対象港湾計画の変更を行う場合には、港湾法に定めるところによるほか、前項において準用する第二十一条第二項の港湾環境影響評価書に記載されているところにより、当該港湾計画に定められる港湾開発等に係る港湾環境影響について配慮し、環境の保全が図られるようにするものとする。

(3) In making a decision on a targeted port plan or modifying a targeted port plan after a decision has been made, the port management body is to give due consideration, to a possible port environment impact related to the port development, etc. incorporated into the relevant port plan, and ensure to protect the environment, according to the matters detailed in a port EIS referred to in Article 21, paragraph (2) as applied mutatis mutandis pursuant to the provisions of the preceding paragraph, beyond complying with the provisions of the Port and Harbor Act.

第十章 雑則

Chapter X Miscellaneous Provisions

(地方公共団体との連絡)

(Communication With Local Governments)

第四十九条 事業者等は、この法律の規定による公告若しくは縦覧又は方法書説明会若しくは準備書説明会の開催について、関係する地方公共団体と密接に連絡し、必要があると認めるときはこれに協力を求めることができる。

Article 49 The project proponent and others are to maintain close communication with, and may seek cooperation from, related local governments concerning public notices or public inspections, or the holding of scoping document explanatory meetings or of draft EIS explanatory meetings under the provisions of this Act.

(国の配慮)

(Consideration by the National Government)

第五十条 国は、地方公共団体（港湾管理者を含む。）が国の補助金等の交付を受けて対象事業の実施（対象港湾計画の決定又は変更を含む。）をする場合には、この法律の規定による環境影響評価その他の手続に要する費用について適切な配慮をするものとする。

Article 50 When a local government (including a port management body) implements a target project (including adoption or modification of a targeted port plan) by receiving subsidies, etc. from the national government, the national government is to give proper consideration to the costs likely to be incurred in conducting an environmental impact assessment and following other procedures under the provisions of this Act.

(技術開発)

(Technological Development)

第五十一条 国は、環境影響評価に必要な技術の向上を図るため、当該技術の研究及び開発の推進並びにその成果の普及に努めるものとする。

Article 51 In order to improve technologies required for environmental impact assessments, the national government is to endeavor to promote research and development of such technologies and to disseminate the results thereof.

(適用除外)

(Exemptions)

第五十二条 第二章から前章までの規定は、災害対策基本法（昭和三十六年法律第二百二十三号）第八十七条の規定による災害復旧の事業又は同法第八十八条第二項に規定する事業、建築基準法（昭和二十五年法律第二百一号）第八十四条の規定が適用される場合における同条第一項の都市計画に定められる事業又は同項に規定する事業及び

被災市街地復興特別措置法（平成七年法律第十四号）第五条第一項の被災市街地復興推進地域において行われる同項第三号に規定する事業については、適用しない。

Article 52 (1) The provisions of Chapter II through the preceding Chapter of this Act do not apply to the following: a project to restore an area stricken by natural disasters, prescribed in Article 87 of the Disaster Countermeasures Basic Act (Act No. 223 of 1961) or projects referred to in Article 88, paragraph (2) of the same Act; a project incorporated into an city plan pursuant to Article 84, paragraph (1) of the Building Standards Act (Act No. 201 of 1950) in the cases where the provisions of Article 84 are applied, or a project that is subject to the provisions of the same paragraph; a project implemented in an area designated as urban disaster recovery promotion area pursuant to Article 5, paragraph (1) of Act on Special Measures concerning Reconstruction of Urban Districts Damaged by Disaster (Act No. 14 of 1992) and is specified in Article 5, paragraph (1), item (iii) of the same Act.

2 第二章の規定は、国の利害に重大な関係があり、かつ、災害の発生その他特別の事情により緊急の実施を要すると認められる事業として政令で定めるものについては、適用しない。

(2) The provisions of the Chapter II are not to be applied to projects that have serious relation to the national interests and are specified by cabinet order to be requiring immediate implementation due to occurrence of disaster and other special circumstances.

（命令の制定とその経過措置）

（Establishment of Orders and Transitional Measures）

第五十三条 第二条第二項又は第三項の規定に基づく政令であつてその制定又は改廃により新たに対象事業となる事業（新たに第二種事業となる事業のうち第四条第三項第一号（第三十九条第二項の規定により読み替えて適用される場合を含む。）の措置がとられたものを含む。以下「新規対象事業等」という。）があるもの（以下この条及び次条第一項において「対象事業等政令」という。）の施行の際、当該新規対象事業等について、条例又は行政手続法（平成五年法律第八十八号）第三十六条に規定する行政指導（地方公共団体が同条の規定の例により行うものを含む。）その他の措置（以下「行政指導等」という。）の定めるところに従つて作成された次の各号に掲げる書類（対象事業等政令の施行に際し次項の規定により指定されたものに限る。）があるときは、当該書類は、それぞれ当該各号に定める書類とみなす。

Article 53 (1) In enforcing cabinet order which is based on the provisions of Article 2, paragraph (2), or paragraph (3) and involves a project that newly becomes a target project (including projects which newly become class-2 projects for which measures have been taken pursuant to the provisions of Article 4, paragraph (3), item (i) (including if it is applied by replacing terms and phrases pursuant to the provisions of Article 39, paragraph (2)); hereinafter referred to as "new target project, etc.") because of the

establishment, or revision or abolition of such cabinet order (referred to as "cabinet order on target project, etc." in this Article and the following Article, paragraph (1)), when there is a document (limited to the document designated pursuant to the provisions of the following paragraph at the time of enforcement of cabinet order on target project, etc.), concerning the relevant new target project, etc., which has been prepared, as referred to in the following items, in accordance with a Prefectural or Municipal Ordinance or administrative guidance prescribed in Article 36 of the Administrative Procedure Act (Act No. 88 of 1993) (including those enforced by a local government as prescribed in the provisions of the same Article) and other measures (hereinafter referred to as "administrative guidance, etc."), the relevant document is deemed to fall under one of the categories specified in the following items:

一 第一種事業に係る計画の立案の段階において、当該事業が実施されるべき区域その他の主務省令で定める事項の決定に当たって、一又は二以上の事業実施想定区域における当該事業に係る環境の保全のために配慮すべき事項についての検討を行った結果を記載したものであると認められる書類 第三条の三第一項の配慮書

(i) a document which is recognized, at the stage of planning relating to a class-1 project, in determining an area in which the relevant project will be implemented and other matters specified in order of the competent ministry, to describe the results of examination of items to consider, from the standpoint of environmental conservation, related to the relevant project, in one or two or more areas for possible implementation of the project: a document on a primary environmental impact consideration referred to in Article 3-3, paragraph (1);

二 主務大臣が前号に掲げる書類について環境の保全の見地からの意見を述べたものであると認められる書類 第三条の六の書面

(ii) a document which is recognized to be containing opinions of the competent minister stated, from the standpoint of environmental conservation, on the document referred to in the preceding item: a document referred to in Article 3-6;

三 環境影響評価の項目を記載した書類であって環境影響を受ける範囲であると認められる地域を管轄する地方公共団体の長（以下この項において「関係地方公共団体の長」という。）に対する送付、縦覧その他の第三者の意見を聴くための手続及び第七条の二第一項の規定による周知のための措置に相当する手続を経たものであると認められるもの 第七条及び第七条の二の手続を経た方法書

(iii) a document describing the items of environment impact assessment and which is recognized to follow the procedures such as public inspection to listen to public and other third party opinions, including sending the document to the head of a local government (in this paragraph, referred to as "the head of related local government") who has jurisdiction over the area

that is recognized to fall within the scope of environmental impact and making the document available for public inspection as well as the procedures equivalent of the measures intended to make the matters public, written in the document in accordance with the provisions of Article 7-2, paragraph (1): a scoping document for which the procedures specified in Article 7 and 7-2 have been taken;

四 前号に掲げる書類に対する環境の保全の見地からの意見の概要を記載した書類であって関係地方公共団体の長に対する送付の手続を経たものであると認められるもの 第九条の手続を経た同条の書類

(iv) a document which describes the outline of opinions stated, from the standpoint of environmental conservation, on the document referred to in the preceding item, and which is recognized to have been submitted to the head of the related local government: a document which is referred to in Article 9 and for which the procedure specified in the same Article 9 has been taken;

五 関係地方公共団体の長が第三号に掲げる書類について環境の保全の見地からの意見を述べたものであると認められる書類 第十条第一項又は第四項の書面

(v) a document which is recognized to contain opinions of the head of related local government, stated on the document referred to in item (iii) above from the standpoint of environmental conservation: a document specified in Article 10, paragraph (1) or (4);

六 環境影響評価の結果について環境の保全の見地からの一般の意見を聴くための準備として作成された書類であって第十六条の公告及び縦覧並びに第十七条第一項の規定による周知のための措置に相当する手続を経たものであると認められるもの 第十六条及び第十七条の手続を経た準備書

(vi) a document which has been prepared as part of the preparation for inviting opinions on the results of an environmental impact assessment from the public from the standpoint of environmental conservation and for which the procedures for public notice and public inspection referred to in Article 16, and procedures equivalent of the measures to make public the matters written in the document prescribed in the provisions of Article 17, paragraph (1), have been taken: a draft EIS for which the procedures specified in Article 16 and 17 have been taken;

七 前号に掲げる書類に対する環境の保全の見地からの意見の概要を記載した書類であって関係地方公共団体の長に対する送付の手続を経たものであると認められるもの 第十九条の手続を経た同条の書類

(vii) a document which describes the outline of opinions stated, from the standpoint of environmental conservation, on the document referred to in the preceding item, and which is recognized to have been submitted to the head of the related local government: a document which is referred to in Article 19 and for which the procedure specified in the same Article 19 has been taken;

八 関係地方公共団体の長が第六号に掲げる書類について環境の保全の見地からの意

見を述べたものであると認められる書類 第二十条第一項又は第四項の書面
(viii) a document which is recognized to contain opinions of the head of the related local government, stated on the document referred to in item (vi) from the standpoint of environmental conservation: a document specified in Article 20, paragraph (1) or (4);

九 前号の意見が述べられた後に第六号に掲げる書類の記載事項の検討を行った結果を記載したものであると認められる書類 第二十一条第二項の評価書

(ix) a document which is recognized to describe the results of examination, conducted of the items in the document referred to in item (vi) after the opinions referred to in the preceding item have been stated: an EIS specified in Article 21, paragraph (2);

十 関係する行政機関の意見が述べられる機会が設けられており、かつ、その意見を勘案して第六号又は前号に掲げる書類の記載事項の検討を行った結果を記載したものであると認められる書類 第二十六条第二項の評価書

(x) a document which is recognized to describe the results of examination, conducted by considering opinions of related administrative organs where opportunities to state such opinions are available, of the items in the document referred to in item (vi) or the preceding item: an EIS specified in Article 26, paragraph (2);

十一 第二十七条の公告に相当する公開の手続を経たものであると認められる書類 同条の手続を経た評価書

(xi) a document for which the public procedure equivalent to the public notice specified in Article 27 has been taken: an EIS for which the procedure specified in the same Article has been taken.

2 前項各号に掲げる書類は、当該書類の作成の根拠が条例又は行政指導等（地方公共団体に係るものに限る。）であるときは環境大臣が当該地方公共団体の意見を聴いて、行政指導等（国の行政機関に係るものに限る。）であるときは主務大臣が環境大臣（第一種事業若しくは第二種事業が市街地開発事業として都市計画法の規定により都市計画に定められる場合における当該第一種事業若しくは第二種事業又は第一種事業若しくは第二種事業に係る施設が都市施設として同法の規定により都市計画に定められる場合における当該都市施設に係る第一種事業若しくは第二種事業について当該都市計画を定める都市計画決定権者が環境影響評価その他の手続を行うものとする旨を定める行政指導等にあつては、国土交通大臣が主務大臣及び環境大臣）に協議して、それぞれ指定するものとする。

(2) Regarding to the documents specified in the preceding items, when the relevant document is based on a Prefectural or Municipal Ordinance or administrative guidance, etc. (limited to those relating to a local government), the Minister of the Environment is to designate the relevant document by asking opinions of local government; or when the relevant document is based on administrative guidance, etc. (limited to those relating to administrative organs of the national government), the competent minister is to designate the

relevant document in consultation with the Minister of the Environment (concerning administrative guidance, etc. which stipulate that the city plan stipulator responsible for stipulating a city plan is to conduct an environmental impact assessment and other procedures with respect to a class-1 or class-2 project incorporated into city plan pursuant to the provisions of City Planning Act as urban development project, or a class-1 or class-2 project whose urban facilities are incorporated into a city plan pursuant to the provisions of the same Act, the Minister of Land, Infrastructure, Transport and Tourism is to designate the relevant document in consultation with the competent minister and the Minister of the Environment).

3 前項の規定による指定の結果は、公表するものとする。

(3) The results of the designation pursuant to the provisions of the preceding paragraph are made public.

4 前三項（第一項第一号から第五号まで及び第十号を除く。）の規定は、第四十八条第一項の規定に基づく政令の制定又は改廃により新たに同項の対象港湾計画となった港湾計画について準用する。この場合において、第一項中「第二条第二項又は第三項の規定に基づく政令であってその制定又は改廃により新たに対象事業となる事業（新たに第二種事業となる事業のうち第四条第三項第一号（第三十九条第二項の規定により読み替えて適用される場合を含む。）の措置がとられたものを含む。以下「新規対象事業等」という。）があるもの（以下この条及び次条第一項において「対象事業等政令」という。）」とあるのは「第四十八条第一項の政令（以下この条において「対象港湾計画政令」という。）」と、「当該新規対象事業等」とあるのは「第四項に規定する港湾計画」と、「対象事業等政令の施行」とあるのは「対象港湾計画政令の施行」と、同項第六号中「環境影響評価」とあるのは「港湾環境影響評価」と、「第十六条の公告」とあるのは「第四十八条第二項において準用する第十六条の公告」と、「第十七条第一項」とあるのは「第四十八条第二項において準用する第十七条第一項」と、「第十六条及び第十七条の手続を経た準備書」とあるのは「第四十八条第二項において準用する第十六条及び第十七条の手続を経た第四十八条第二項において準用する第十四条の港湾環境影響評価準備書」と、同項第七号中「第十九条」とあるのは「第四十八条第二項において準用する第十九条」と、同項第八号中「第二十条第一項」とあるのは「第四十八条第二項において準用する第二十条第一項」と、同項第九号中「第二十一条第二項の評価書」とあるのは「第四十八条第二項において準用する第二十一条第二項の港湾環境影響評価書」と、同項第十号中「第二十七条」とあるのは「第四十八条第二項において準用する第二十七条」と、「評価書」とあるのは「港湾環境影響評価書」と、第二項中「環境大臣（第一種事業若しくは第二種事業が市街地開発事業として都市計画法の規定により都市計画に定められる場合における当該第一種事業若しくは第二種事業又は第一種事業若しくは第二種事業に係る施設が都市施設として同法の規定により都市計画に定められる場合における当該都市施設に係る第一種事業若しくは第二種事業について当該都市計画を定める都市計画決定権者が環境影響評価その他の手続を行うものとする旨を定める行政指導等にあつては、国土交通大臣が主務大臣及び環境大臣）」とあるのは「環境大臣」と読み替えるものとする。

る。

- (4) The provisions of the preceding three paragraphs (except paragraph (1), items (i) through (v) and item (x)) are applied mutatis mutandis to a port plan which newly becomes a targeted port plan in accordance with establishment, or revision or abolition of cabinet order pursuant to the provisions of Article 48, paragraph 1. In this case, the phrase "cabinet order which is based on the provisions of Article 2, paragraph (2), or paragraph (3) and involves a project that newly becomes a target project (including projects which newly become class-2 projects for which measures have been taken pursuant to the provisions of Article 4, paragraph (3), item (i) (including the cases where it is applied by replacing terms and phrases pursuant to the provisions of Article 39, paragraph (2)); hereinafter referred to as "new target project, etc.") because of the establishment, or revision or abolition of such cabinet order (referred to as a "cabinet order on target project, etc." in this Article and the following Article, paragraph (1))" in paragraph (1) is deemed to be replaced with "the cabinet order referred to in Article 48, paragraph (1) (in this Article, referred to as "Cabinet Order concerning a targeted port plan)"; the term "the relevant new target project, etc." is deemed to be replaced with "a port plan specified in paragraph (4)"; the wording "enforcement of Cabinet Order on target project, etc." is deemed to be replaced with "enforcement of Cabinet Order on a targeted port plan"; the term "an environmental impact assessment" in the same paragraph, item (vi) is deemed to be replaced with "a port environment impact assessment"; the phrase "public notice...referred to in Article 16" is deemed to be replaced with "public notice referred to in Article 16 as applied mutatis mutandis pursuant to Article 48, paragraph (2)"; the term "Article 17, paragraph (1)" is deemed to be replaced with "Article 17, paragraph (1) as applied mutatis mutandis pursuant to Article 48, paragraph (2)"; the phrase "a draft EIS for which the procedures specified in Article 16 and 17 have been taken" is deemed to be replaced with "a draft port EIS specified in Article 14 as applied mutatis mutandis pursuant to Article 48, paragraph (2), for which the procedures specified in Article 16 and 17 as applied mutatis mutandis pursuant to Article 48, paragraph (2), have been taken"; the term "Article 19" in item (vii) of the same paragraph is deemed to be replaced with "Article 19 as applied mutatis mutandis pursuant to Article 48, paragraph (2)"; the term "Article 20, paragraph (1)" in item (vii) of the same paragraph is deemed to be replaced with "Article 20, paragraph (1) as applied mutatis mutandis pursuant to Article 48, paragraph (2)"; the phrase "an EIS specified in Article 21, paragraph 2" in item (xi) of the same paragraph is deemed to be replaced with "a port EIS specified in Article 21, paragraph (2) as applied mutatis mutandis pursuant to Article 48, paragraph (2)"; the term Article 27" in item (xi) of the same paragraph is deemed to be replaced with "Article 27 as applied mutatis

mutandis pursuant to Article 48, paragraph (2)"; the term "an EIS" is deemed to be replaced with "a port EIS"; the phrase "the Minister of the Environment (concerning administrative guidance, etc. which stipulate that the city plan stipulator responsible for stipulating a city plan is to conduct an environmental impact assessment and other procedures with respect to a class-1 or class-2 project incorporated into city plan pursuant to the provisions of City Planning Act as urban development project, or a class-1 or class-2 project whose urban facilities are incorporated into a city plan pursuant to the provisions of the same Act, the Minister of Land, Infrastructure, Transport and Tourism is to designate the relevant document in consultation with the competent minister and the Minister of the Environment)" in paragraph (2) is deemed to be replaced with "the Minister of the Environment."

第五十四条 新規対象事業等であつて次に掲げるもの（第一号から第四号までに掲げるものにあつては、対象事業等政令の施行の日（以下この条において「政令施行日」という。）以後その内容を変更せず、又は事業規模を縮小し、若しくは政令で定める軽微な変更その他の政令で定める変更のみをして実施されるものに限る。）については、第二章から前章までの規定は、適用しない。

Article 54 (1) Regarding a new target project, etc. which falls under one of the following items (concerning those listed in items (i) through (iv), limited to those whose contents will not be changed or which will be implemented with reduction in scale or with only minor modification, or other modification as specified in cabinet order after the enforcement date of cabinet order on a target project, etc. (hereinafter in this Article referred to as "cabinet order enforcement date")), the provisions of Chapter II through the preceding Chapter do not apply:

一 第二条第二項第二号イに該当する事業であつて、政令施行日前に免許等が与えられ、又は特定届出がなされたもの

(i) a project which is referred to in Article 2, paragraph (2), item (ii), (a) and is also given license, etc. or for which a special notification has been submitted prior to the cabinet order enforcement date;

二 第二条第二項第二号ロに該当する事業であつて、政令施行日前に同号ロに規定する国の補助金等の交付の決定がなされたもの

(ii) a project which is referred to in Article 2, paragraph (2), item (ii), (b) and for which a decision on granting of government subsidy, etc. specified in the same item, (b), has been made prior to the cabinet order enforcement date;

三 前二号に掲げるもののほか、法律の規定により定められる国の計画で政令で定めらるものに基づいて実施される事業であつて、政令施行日前に当該国の計画が定められたもの

(iii) beyond what is provided for in the preceding two items, a project which will be implemented based on a national plan that is specified by the

provisions of laws and is also specified by cabinet order, when the relevant national plan has been decided prior to the cabinet order enforcement date;
四 前三号に掲げるもののほか、政令施行日前に都市計画法第十七条第一項の規定による公告が行われた同法の都市計画に定められた事業（当該都市計画に定められた都市施設に係る事業を含む。以下同じ。）

(iv) beyond what is provided for in the preceding three items, a project which has been incorporated into a city plan in accordance with the City Planning Act and for which a public notice pursuant to the provisions of Article 17, paragraph (1) of the same Act has been issued prior to the cabinet order enforcement date (hereinafter including a project relating to urban facilities incorporated into the relevant city plan);

五 前二号に掲げるもののほか、第二条第二項第二号ハからホまでに該当する新規対象事業等であって、政令施行日から起算して六月を経過する日までに実施されるもの

(v) beyond what is provided for in the preceding two items, a new target project, etc. which is specified in Article 2, paragraph (2), item (ii), (c) through (e) and will be implemented by the day on which six months have elapsed from the cabinet order enforcement date.

2 前項の場合において、当該新規対象事業等について政令施行日前に条例の定めるところに従って前条第一項各号に掲げる書類のいずれかが作成されているときは、第六十条の規定にかかわらず、当該条例の定めるところに従って引き続き当該事業に係る環境影響評価その他の手続を行うことができる。

(2) In the case of the preceding paragraph, when a document which falls under one of the items of the preceding Article, paragraph (1), has been prepared concerning the relevant new target project, etc. and in accordance with a Prefectural or Municipal Ordinance prior to the cabinet order enforcement date, notwithstanding the provisions of Article 60, an environmental impact assessment and other procedures relating to the relevant project may be subsequently conducted in accordance with the relevant Prefectural or Municipal Ordinance.

3 第一項各号に掲げる事業に該当する事業であって、政令施行日以後の内容の変更（環境影響の程度を低減するものとして政令で定める条件に該当するものに限る。）により新規対象事業等として実施されるものについては、第二章から前章までの規定は、適用しない。

(3) Regarding a project which falls under one of the items of paragraph (1) and will be implemented as a new target project, etc. because of modification of its contents after the cabinet order enforcement date (limited to those which satisfy the conditions specified by cabinet order where the relevant modification involves reduction in degree of environmental impact), the provisions of Chapter II through the preceding Chapter do not apply.

第五十五条 前条第一項各号に掲げる事業に該当する新規対象事業等を実施しようとする者は、同項の規定にかかわらず、当該新規対象事業等について、第三条の二から第三条の九まで及び第五条から第二十七条まで、第五条から第二十七条まで又は第十一条から第二十七条までの規定の例による計画段階配慮事項についての検討、環境影響評価その他の手続を行うことができる。

Article 55 (1) A person who intends to implement a new target project, etc. which falls under one of the items of the preceding Article, paragraph (1), notwithstanding the provisions of the same paragraph, may conduct examination of items for a primary environmental impact consideration at the early stage, an environmental impact assessment and other procedures relating to the relevant new target project, etc. pursuant to the provisions of Articles 3-2 and 3-9 as well as Articles 5 through 27, or Articles 5 through 27, or Articles 11 through 27.

2 第二十八条から第三十一条まで及び第三十二条第二項の規定は、前項の規定により環境影響評価その他の手続を行う対象事業について準用する。この場合において、これらの規定中「事業者」とあるのは、「第五十五条第一項に規定する新規対象事業等を実施しようとする者」と読み替えるものとする。

(2) The provisions of Articles 28 through 31 and Article 32, paragraph (2), are applied mutatis mutandis to a target project for which an environmental impact assessment and other procedures are conducted pursuant to the provisions of the preceding paragraph. In this case, the term "the project proponent" is deemed to be replaced with "a person who intends to implement a new target project, etc. prescribed in Article 55, paragraph (1)."

第五十六条 前三条に定めるもののほか、この法律に基づき命令を制定し、又は改廃する場合においては、その命令で、その制定又は改廃に伴い合理的に必要と判断される範囲内において、所要の経過措置を定めることができる。

Article 56 Beyond what is provided for in the preceding three Articles, in cases where an order is established, or revised or abolished based on the provisions of this Act, necessary transitional measures may be prescribed by the relevant order to the extent that is considered to be reasonably necessary for the relevant establishment, or revision or abolition.

(政令への委任)

(Delegation to Cabinet Order)

第五十七条 この法律に定めるもののほか、この法律の実施のため必要な事項は、政令で定める。

Article 57 Matters necessary for the enforcement of this Act, other than those prescribed in this Act, is prescribed by cabinet order.

(主務大臣等)

(Competent Minister)

第五十八条 この法律において主務大臣は、次の各号に掲げる事業及び港湾計画の区分に応じ、当該各号に定める大臣とする。

Article 58 (1) A competent minister in this Act is as indicated by the following items according to the type of project or port plan referred to in each item:

一 第二条第二項第二号イに該当する事業 免許等又は特定届出に係る事務を所掌する主任の大臣

(i) a project which falls under Article 2, paragraph (2), item (ii), (a): the minister having jurisdiction over license, etc. or special notification;

二 第二条第二項第二号ロに該当する事業 交付決定権者の行う決定に係る事務を所掌する主任の大臣

(ii) a project which falls under Article 2, paragraph (2), item (ii), (b): the minister having jurisdiction over decisions made by the grant decision-maker;

三 第二条第二項第二号ハに該当する事業 法人監督者が行う監督に係る事務を所掌する主任の大臣

(iii) a project which falls under Article 2, paragraph (2), item (ii), (c): the minister having jurisdiction over supervision by the corporate supervisor;

四 第二条第二項第二号ニに該当する事業 当該事業の実施に関する事務を所掌する主任の大臣

(iv) a project which falls under Article 2, paragraph (2), item (ii), (d): the minister having jurisdiction over implementation of the relevant project;

五 第二条第二項第二号ホに該当する事業 当該事業の実施に関する事務を所掌する主任の大臣及び当該事業に係る同号ホの免許、特許、許可、認可、承認若しくは同意又は届出に係る事務を所掌する主任の大臣

(v) a project which falls under Article 2, paragraph (2), item (ii), (e): the minister having jurisdiction over implementation of the relevant project and the minister having jurisdiction over any license, special permission, permission, authorization, approval or consent, or notification referred to in (e) of the same item relating to the relevant project;

六 港湾計画 国土交通大臣

(vi) a port plan: the Minister of Land, Infrastructure, Transport and Tourism.

2 この法律において、主務省令とは主務大臣の発する命令（主務大臣が内閣府の外局長であるときは、内閣府令）とし、主務省令・国土交通省令とは主務大臣（主務大臣が内閣府の外局長であるときは、内閣総理大臣）及び国土交通大臣の発する命令（主務大臣が国土交通大臣であるときは、国土交通大臣の発する命令）とする。

(2) In this Act, order of the competent Ministry means an order issued by a competent minister (where the competent minister is the head of an external bureau of the Cabinet Office, then Cabinet Office Order), and order of the competent ministry or Order of the Ministry of Land, Infrastructure, Transport and Tourism means an order issued by a competent minister (where the

competent minister is the head of an external bureau of the Cabinet Office, then the Prime Minister) and also by the Minister of Land, Infrastructure, Transport and Tourism (where the competent minister is the Minister of Land, Infrastructure, Transport and Tourism, then an order issued by the Minister of Land, Infrastructure, Transport and Tourism).

(事務の区分)

(Classification of Administrative Functions)

第五十九条 第四条第一項第一号若しくは第五号又は第二十二條第一項第一号、第二号若しくは第六号に定める者（地方公共団体の機関に限る。以下「第四条第一項第一号等に定める者」という。）が、この法律の規定により行うこととされている事務は、当該第四条第一項第一号等に定める者が行う免許等若しくは第二条第二項第二号ホに規定する免許、特許、許可、認可、承認若しくは同意又は特定届出若しくは同号ホに規定する届出に係る事務が地方自治法（昭和二十二年法律第六十七号）第二条第九項第一号に規定する第一号法定受託事務（以下単に「第一号法定受託事務」という。）である場合は第一号法定受託事務と、同項第二号に規定する第二号法定受託事務（以下単に「第二号法定受託事務」という。）である場合は第二号法定受託事務とする。

Article 59 (1) Regarding an administrative function to be carried out, pursuant to the provisions of this Act, by a person specified in Article 4, paragraph (1), item (i) or (v), or Article 22, paragraph (1), item (i), (ii) or (vi) (limited to an organ of a local government; hereinafter referred to as a "person specified in Article 4, paragraph (1), item (i), etc.), if licenses, etc. carried out by the relevant person specified in Article 4, paragraph (1), item (i), etc., or license, special permission, permission, authorization, approval or consent specified in Article 2, paragraph (2), item (ii), (e), or a special notification or a notification specified in the same item (2), (e) falls under the category of type-1 statutory entrusted function pursuant to the provisions in Article 2, paragraph (9), item (i) of the Local Autonomy Act (Act No. 67 of 1947), then it is regarded as type-1 statutory entrusted function (hereinafter simply referred to as "type-1 statutory entrusted function"); and in cases where the administrative function falls under the category of type-2 statutory entrusted function pursuant to the provisions of the same paragraph, item (ii), then it is regarded as a type-2 statutory entrusted function.

2 第四条第一項第二号又は第二十二條第一項第三号に定める者（都道府県の機関に限る。）が、この法律の規定により行うこととされている事務は、第一号法定受託事務とする。

(2) The administrative function which is carried out by a person specified in Article 4, paragraph (1), item (ii) or Article 22, paragraph (1), item (iii) (limited to an organ of a prefectural government) pursuant to the provisions of this Act is regarded as a type-1 statutory entrusted function.

(他の法律との関係)

(Relation to Other Acts)

第六十条 第二条第二項第一号ホに掲げる事業の種類に該当する第一種事業又は第二種事業に係る環境影響評価その他の手続については、この法律及び電気事業法の定めるところによる。

Article 60 An environmental impact assessment and other procedures relating to a class-1 or class-2 project which falls under the type of project referred to in Article 2, paragraph (2), item (i), (e) is subject to this Act and the Electricity Business Act.

(条例との関係)

(Relation to Prefectural and Municipal Orders)

第六十一条 この法律の規定は、地方公共団体が次に掲げる事項に関し条例で必要な規定を定めることを妨げるものではない。

Article 61 The provisions of this Act do not prevent a local government from adopting a prefectural or municipal ordinance in order to establish provisions necessary to deal with the following matters:

一 第二種事業及び対象事業以外の事業に係る環境影響評価その他の手続に関する事項

(i) matters relating to environmental impact assessments and other procedures regarding class-2 projects and projects other than target projects;

二 第二種事業又は対象事業に係る環境影響評価についての当該地方公共団体における手続に関する事項（この法律の規定に反しないものに限る。）

(ii) matters relating to procedures for environmental impact assessments conducted by a local government with regard to a class-2 projects or a target project (limited to the cases where the provisions of this Act are not violated).

(地方公共団体の施策におけるこの法律の趣旨の尊重)

(Respect for this Act in Implementing Policies of Local Governments)

第六十二条 地方公共団体は、当該地域の環境に影響を及ぼす事業について環境影響評価に関し必要な施策を講ずる場合においては、この法律の趣旨を尊重して行うものとする。

Article 62 Local governments are to respect the purpose of this Act in taking necessary measures for environmental impact assessments regarding projects having an impact on the environment of their respective areas.

附 則 [抄]

Supplementary Provisions [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して二年を超えない範囲内において政令で定める日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect as of the date specified by cabinet order within a period not exceeding two years from the day of promulgation; provided, however, that the provisions referred to in the following items come into effect as of the date specified in each item:

一 第一条、第二条、第四条第十項、第十三条、第三十九条第二項（第四条第十項に係る部分に限る。）、第四十八条第一項及び第二項（第十三条に係る部分に限る。）、第五十八条並びに附則第八条の規定 公布の日から起算して六月を超えない範囲内において政令で定める日

(i) the provisions of Article 1, 2, Article 4, paragraph (10), Article 13, Article 39, paragraph (2) (limited to the part relating to Article 4, paragraph (10)), Article 48, paragraphs (1) and (2) (limited to the part relating to Article 13), Article 58 and the Supplementary Provisions, Article 8: the date specified by cabinet order within a period not exceeding six months from the day of promulgation;

二 第四条第三項（同項の主務省令に係る部分に限る。以下この号において同じ。）及び第九項、第五条第一項（同項の主務省令に係る部分に限る。以下この号において同じ。）、第六条第一項（同項の主務省令に係る部分に限る。）及び第二項、第七条（同条の総理府令に係る部分に限る。）、第八条第二項（同項の総理府令に係る部分に限る。）、第十一条第一項（同項の主務省令に係る部分に限る。以下この号において同じ。）及び第三項、第十二条第一項（同項の主務省令に係る部分に限る。以下この号において同じ。）及び第二項、第三十九条第二項（第四条第三項及び第九項に係る部分に限る。）、第四十条第二項（第五条第一項に係る部分に限る。）、第四十八条第二項（第十一条第一項及び第三項並びに第十二条第一項及び第二項に係る部分に限る。）、次条第二項及び第三項並びに第四項（同条第二項及び第三項に係る部分に限る。）並びに附則第五条の規定 公布の日から起算して一年を超えない範囲内において政令で定める日

(ii) the provisions of Article 4, paragraph (3) (limited to the part relating to the order of the competent ministry in the same paragraph; hereinafter the same applies in this item) and paragraph (9), Article 5, paragraph (1) (limited to the part relating to the order of the competent ministry in the same paragraph; hereinafter the same applies in this item), Article 6, paragraph (1) (limited to the part relating to the order of the competent ministry in the same paragraph) and paragraph (2), Article 7 (limited to the part relating to the Order of the Prime Minister's Office in the same Article), Article 8, paragraph (2) (limited to the part relating to the Order of the Prime Minister's Office in the same paragraph), Article 11, paragraph (1) (limited to the part relating to the order of the competent ministry in the same paragraph; hereinafter the same applies in this item) and paragraph (3),

Article 12, paragraph (1) (limited to the part relating to the order of the competent ministry in the same paragraph; hereinafter the same applies in this item) and paragraph (2), Article 39, paragraph (2)(limited to the part relating to Article 4, paragraph (3) and (9)), Article 40, paragraph (2) (limited to the part relating to Article 5, paragraph (1)), Article 48, paragraph (2) (limited to the part relating to Article 11, paragraphs (1) and (3), Article 12, paragraphs (1) and (2)), the following Article, paragraph (2), (3), and (4) (limited to the part relating to the same Article, paragraph (2) and (3)), and the Supplementary Provisions, Article 5: the date specified by cabinet order within a period not exceeding one year from the day of promulgation.

(経過措置)

(Transitional Measures)

第二条 この法律の施行の際、当該施行により新たに対象事業となる事業（新たに第二種事業となる事業のうち第四条第三項第一号（第三十九条第二項の規定により読み替えて適用される場合を含む。）の措置がとられたものを含む。）について、条例又は行政指導等の定めるところに従って作成された次の各号に掲げる書類（この法律の施行に際し次項の規定により指定されたものに限る。）があるときは、当該書類は、それぞれ当該各号に定める書類とみなす。

Article 2 (1) In enforcing this Act, when there is a document (limited to the documents designated pursuant to the provisions of the following paragraph at the time of enforcement of this Act), regarding a project that newly becomes a target project (including projects which newly become class-2 projects for which measures have been taken pursuant to the provisions of Article 4, paragraph (3), item (i) (including cases where it is applied by replacing terms and phrases pursuant to the provisions of Article 39, paragraph (2))), which has been prepared in accordance with Prefectural or Municipal Ordinance or administrative guidance, etc., the relevant document is deemed to fall under one of the categories specified in the following items:

一 第五十三条第一項第一号に掲げる書類 第七条の手續を経た方法書

(i) a document set forth in Article 53, paragraph (1), item (i): a scoping document for which the procedure specified in Article 7 has been taken;

二 第五十三条第一項第二号に掲げる書類 第九条の手續を経た同条の書類

(ii) a document set forth in Article 53, paragraph (1), item (ii): a document which is referred to in Article 9 and for which the procedure specified in the same Article has been taken;

三 第五十三条第一項第三号に掲げる書類 第十条第一項の書面

(iii) a document set forth in Article 53, paragraph (1), item (iii): a document referred to in Article 10, paragraph (1);

四 第五十三条第一項第四号に掲げる書類 第十六条及び第十七条の手續を経た準備

書

(iv) a document set forth in Article 53, paragraph (1), item (iv): a draft EIS for which the procedures specified in Article 16 and 17 have been taken;

五 第五十三条第一項第五号に掲げる書類 第十九条の経た同条の書類

(v) a document set forth in Article 53, paragraph (1), item (v): a document which is referred to in Article 19 and for which the procedure specified in the same Article has been taken;

六 第五十三条第一項第六号に掲げる書類 第二十条第一項の書面

(vi) a document set forth in Article 53, paragraph (1), item (vi): a document referred to in Article 20, paragraph (1);

七 第五十三条第一項第七号に掲げる書類 第二十一条第二項の評価書

(vii) a document set forth in Article 53, paragraph (1), item (vii): an EIS referred to in Article 21, paragraph (2);

八 第五十三条第一項第八号に掲げる書類 第二十六条第二項の評価書

(viii) a document set forth in Article 53, paragraph (1), item (viii): an EIS referred to in Article 26, paragraph (2);

九 第五十三条第一項第九号に掲げる書類 第二十七条の経た評価書

(ix) a document set forth in Article 53, paragraph (1), item (ix): an EIS for which the procedure specified in Article 27 has been taken.

2 前項各号に掲げる書類は、当該書類の作成の根拠が条例又は行政指導等（地方公共団体に係るものに限る。）であるときは環境庁長官が当該地方公共団体の意見を聴いて、行政指導等（国の行政機関に係るものに限る。）であるときは主務大臣が環境庁長官（第一種事業若しくは第二種事業が市街地開発事業として都市計画法の規定により都市計画に定められる場合における当該第一種事業若しくは第二種事業又は第一種事業若しくは第二種事業に係る施設が都市施設として同法の規定により都市計画に定められる場合における当該都市施設に係る第一種事業若しくは第二種事業について当該都市計画を定める都市計画決定権者が環境影響評価その他の手続を行うものとする旨を定める行政指導等にあつては、建設大臣が主務大臣及び環境庁長官）に協議して、それぞれ指定するものとする。

(2) Regarding the documents specified in the preceding items, when the relevant document is based on Prefectural or Municipal Ordinance or administrative guidance, etc. (limited to those relating to a local government), the Minister of the Environment designates the relevant document by asking opinions of local government; or when the relevant document is based on administrative guidance, etc. (limited to those relating to administrative organs of the national government), the competent minister designates the relevant document in consultation with the Minister of the Environment (concerning administrative guidance, etc. which stipulate that the city plan stipulator responsible for stipulating a city plan is to conduct an environmental impact assessment and other procedures with respect to a class-1 or class-2 project incorporated into city plan as urban development project pursuant to the

provisions of the City Planning Act, or a class-1 or class-2 project whose urban facilities are incorporated into a city plan pursuant to the provisions of the same Act, the Minister of Land, Infrastructure, Transport and Tourism is to designate the relevant document in consultation with the competent minister and the Minister of the Environment).

3 前項の規定による指定の結果は、公表するものとする。

(3) The results of the designation pursuant to the provisions of the preceding paragraph is made public.

4 前三項（第一項第一号から第三号まで及び第八号を除く。）の規定は、この法律の施行により新たに第四十八条第一項の対象港湾計画となる港湾計画について準用する。この場合において、第一項中「当該施行により新たに対象事業となる事業（新たに第二種事業となる事業のうち第四条第三項第一号（第三十九条第二項の規定により読み替えて適用される場合を含む。）の措置がとられたものを含む。）」とあるのは「第四項に規定する港湾計画」と、同項第四号中「第十六条及び第十七条の経手を経た準備書」とあるのは「第四十八条第二項において準用する第十六条及び第十七条の経手を経た港湾環境影響評価準備書」と、同項第五号中「第十九条」とあるのは「第四十八条第二項において準用する第十九条」と、同項第六号中「第二十条第一項」とあるのは「第四十八条第二項において準用する第二十条第一項」と、同項第七号中「第二十一条第二項の評価書」とあるのは「第四十八条第二項において準用する第二十一条第二項の港湾環境影響評価書」と、同項第九号中「第二十七条の経手を経た評価書」とあるのは「第四十八条第二項において準用する第二十七条の経手を経た港湾環境影響評価書」と、第二項中「環境庁長官（第一種事業若しくは第二種事業が市街地開発事業として都市計画法の規定により都市計画に定められる場合における当該第一種事業若しくは第二種事業又は第一種事業若しくは第二種事業に係る施設が都市施設として同法の規定により都市計画に定められる場合における当該都市施設に係る第一種事業若しくは第二種事業について当該都市計画を定める都市計画決定権者が環境影響評価その他の経手を行うものとする旨を定める行政指導等にあつては、建設大臣が主務大臣及び環境庁長官）」とあるのは「環境庁長官」と読み替えるものとする。

(4) The provisions of the preceding three paragraphs (except paragraph (1), items (i) through (iii) and item (viii)) are applied mutatis mutandis to a port plan which newly becomes a targeted port plan specified in Article 48, paragraph (1) in accordance with the enforcement of this Act. In this case, the phrase "In enforcing this Act.....a project that newly becomes a target project (including projects which newly become class-2 projects for which measures have been taken pursuant to the provisions of Article 4, paragraph (3), item (i) (including cases where it is applied by replacing terms and phrases pursuant to the provisions of Article 39, paragraph (2)))" in paragraph (1) is deemed to be replaced with "a port plan specified in paragraph (4)"; the phrase "a draft EIS for which the procedures specified in Article 16 and 17 have been taken" in the same paragraph, item (iv) is deemed to be replaced with "a draft port EIS for which the procedures specified in Article 16 and 17, as applied mutatis

mutandis pursuant to Article 48, paragraph (2), have been taken"; the term "Article 19" in the same paragraph, item (v) is deemed to be replaced with "Article 19 as applied mutatis mutandis pursuant to Article 48, paragraph (2)"; the term "Article 20, paragraph (1)" in the same paragraph, item (vi) is deemed to be replaced with "Article 20, paragraph (1) as applied mutatis mutandis pursuant to Article 48, paragraph (2)"; the term "an EIS referred to in Article 21, paragraph (2)" in the same paragraph, item (vii) is deemed to be replaced with "a port EIS referred to in Article 21, paragraph (2) as applied mutatis mutandis pursuant to Article 48, paragraph (2)"; the phrase "an EIS for which the procedure specified in Article 27 has been taken" in the same paragraph, item (ix) is deemed to be replaced with "a port EIS referred to in Article 27 as applied mutatis mutandis pursuant to Article 48, paragraph (2)"; the phrase "the Minister of the Environment (concerning administrative guidance, etc. which stipulate that the city plan stipulator responsible for stipulating a city plan is to conduct an environmental impact assessment and other procedures with respect to a class-1 or class-2 project incorporated into city plan as urban development project pursuant to the provisions of the City Planning Act, or a class-1 or class-2 project whose urban facilities are incorporated into a city plan pursuant to the provisions of the same Act, the Minister of Land, Infrastructure, Transport and Tourism is to designate the relevant document in consultation with the competent minister and the Minister of the Environment)" in paragraph (2) is deemed to be replaced with "the Minister of the Environment."

第三条 第一種事業又は第二種事業であつて次に掲げるもの（第一号から第四号までに掲げるものにあつては、この法律の施行の日（以下この条において「施行日」という。）以後その内容を変更せず、又は事業規模を縮小し、若しくは政令で定める軽微な変更その他の政令で定める変更のみをして実施されるものに限る。）については、第二章から第七章までの規定は、適用しない。

Article 3 (1) Regarding a class-1 or class-2 project which falls under one of the following items (concerning those listed in items (i) through (iv), limited to those whose contents will not be changed or which will be implemented with reduction in scale or with only minor modification as specified by cabinet order or other modification specified by cabinet order after the enforcement date of this Act (hereinafter in this Article referred to as "enforcement date")), the provisions of Chapters II through VII do not apply:

一 第二条第二項第二号イに該当する事業であつて、施行日前に免許等が与えられ、又は特定届出がなされたもの

(i) a project which falls under Article 2, paragraph (2), item (ii), (a) and is also given license, etc. or for which a special notification has been submitted prior to the enforcement date;

二 第二条第二項第二号ロに該当する事業であつて、施行日前に同号ロに規定する国の補助金等の交付の決定がなされたもの

(ii) a project which falls under Article 2, paragraph (2), item (ii), (b) and for which a decision on granting of a government subsidy, etc. specified in the same item (ii), (b) has been made prior to the enforcement date;

三 前二号に掲げるもののほか、高速自動車国道法（昭和三十二年法律第七十九号）第五条第一項に規定する整備計画その他法律の規定により定められる国の計画で政令で定めるものに基づいて実施される事業であつて、施行日前に当該国の計画が定められたもの

(iii) beyond what is provided for in the preceding two items, a project which will be implemented based on a development plan specified in Article 5, paragraph (1) of the National Highway Act (Act No. 79 of 1957) or other national plan that is stipulated in the provisions of an act and is also specified by cabinet order, where the relevant national plan has been stipulated prior to the enforcement date;

四 前三号に掲げるもののほか、施行日前に都市計画法第十七条第一項の規定による公告が行われた同法の都市計画に定められた事業

(iv) beyond what is provided for in the preceding three items, a project which has been incorporated into a city plan in accordance with the City Planning Act and for which a public notice pursuant to the provisions of Article 17, paragraph (1) of the same Act has been issued prior to the enforcement date;

五 前二号に掲げるもののほか、第二条第二項第二号ハからホまでに該当する第一種事業又は第二種事業であつて、施行日から起算して六月を経過する日までに実施されるもの

(v) beyond what is provided for in the preceding two items, a class-1 or class-2 project which falls under one of Article 2, paragraph (2), item (ii), (c) through (e) and will be implemented by the day on which six months have elapsed from the enforcement date.

2 前項の場合において、当該第一種事業又は第二種事業について施行日前に条例の定めるところに従つて第五十三条第一項各号に掲げる書類のいずれかが作成されているときは、第六十条の規定にかかわらず、当該条例の定めるところに従つて引き続き当該事業に係る環境影響評価その他の手続を行うことができる。

(2) In the case of the preceding paragraph, when a document which falls under one of the items of Article 53, paragraph (1) has been prepared concerning the relevant class-1 or class-2 project, in accordance with a Prefectural or Municipal Ordinance prior to the enforcement date, notwithstanding the provisions of Article 60, an environmental impact assessment and other procedures relating to the relevant project may be subsequently conducted in accordance with the relevant Prefectural or Municipal Ordinance.

3 第一項各号に掲げる事業に該当する事業であつて、施行日以後の内容の変更（環境影響の程度を低減するものとして政令で定める条件に該当するものに限る。）により

第一種事業又は第二種事業として実施されるものについては、第二章から第七章までの規定は、適用しない。

- (3) Regarding a project which falls under one of the items of paragraph (1) and will be implemented as a class-1 or class-2 project because of modification of its contents after the enforcement date (limited to those which satisfy the conditions specified by cabinet order where the relevant modification involves reduction in degree of environmental impact), the provisions of Chapters II through VII do not apply.

第四条 前条第一項各号に掲げる事業に該当する第一種事業又は第二種事業を実施しようとする者は、同項の規定にかかわらず、当該事業について、第五条から第二十七条まで又は第十一条から第二十七条までの規定の例による環境影響評価その他の手続を行うことができる。

Article 4 (1) A person who intends to implement a class-1 or class-2 project which falls under one of the items of the preceding Article, paragraph (1), notwithstanding the provisions of the same paragraph, may conduct an environmental impact assessment and other procedures relating to the relevant project pursuant to the provisions of Articles 5 through 27, or Articles 11 through 27.

- 2 第二十八条から第三十一条まで及び第三十二条第二項の規定は、前項の規定により環境影響評価その他の手続を行う対象事業について準用する。この場合において、これらの規定中「事業者」とあるのは、「附則第四条第一項に規定する第一種事業又は第二種事業を実施しようとする者」と読み替えるものとする。

- (2) The provisions of Articles 28 through 31 and Article 32, paragraph (2), are applied mutatis mutandis to a target project for which an environmental impact assessment and other procedures are conducted pursuant to the provisions of the preceding paragraph. In this case, the term "the project proponent" is deemed to be replaced with "a person who intends to implement a class-1 or class-2 project prescribed in the Supplementary Provisions Article 4, paragraph (1)."

第五条 この法律の施行後に事業者となるべき者は、附則第一条第二号に掲げる規定の施行後この法律の施行前において、第五条から第十二条までの規定の例による環境影響評価その他の手続を行うことができる。

Article 5 (1) A person who will become a project proponent after the enforcement of this Act may conduct an environmental impact assessment and other procedures pursuant to the provisions of Articles 5 through 12, after the enforcement of the provisions set forth in the Supplementary Provisions Article 1, item (ii) and before the enforcement of this Act.

- 2 前項に規定する者は、同項の規定により環境影響評価その他の手続を行うこととしたときは、遅滞なく、総理府令で定めるところにより、その旨を主務大臣に届け出る

ものとする。

(2) When a person prescribed in the preceding paragraph intends to conduct an environmental impact assessment or to implement other procedures pursuant to the same paragraph, the relevant person without delay, is to notify the competent minister of the intention thereof in accordance with the Order of the Prime Minister's Office.

3 前項の規定による届出を受けた主務大臣は、遅滞なく、その旨を公告するものとする。

(3) The competent minister, on receiving notification under the provisions of the preceding paragraph, without delay, is to make public to that effect.

4 前項の規定による公告がされた場合において、第一項に規定する者が第五条から第十二条までの規定の例による環境影響評価その他の手続を行ったときは、この法律の施行後に関係都道府県知事又は関係市町村長となるべき者は、当該規定の例による手続を行うものとする。

(4) In cases where the public notice has been issued pursuant to the provisions of the preceding paragraph, when a person prescribed in paragraph (1) has conducted an environmental impact assessment and other procedures, a person who will be assumed to be governor of related prefecture or mayor of related municipality after the enforcement of this Act is to conduct the procedures in accordance with the relevant provisions.

5 前項の規定による手続が行われた対象事業については、当該手続は、この法律の相当する規定により施行日に行われたものとみなす。

(5) Regarding a target project for which the procedures have been taken in accordance with the provisions of the preceding paragraph, the relevant procedures are deemed to have been taken, pursuant to the relevant provisions of this Act, on the enforcement date.

6 前各項の規定は、この法律の施行後に第四十条第一項の規定により環境影響評価その他の手続を事業者に代わるものとして行う都市計画決定権者となるべき者について準用する。この場合において、第一項中「事業者」とあるのは「第四十条第一項の規定により環境影響評価その他の手続を事業者に代わるものとして行う都市計画決定権者」と、「第五条」とあるのは「第四十条第二項の規定により読み替えて適用される第五条」と、第二項及び第三項中「主務大臣」とあるのは「主務大臣及び建設大臣」と、第四項中「第五条」とあるのは「第四十条第二項の規定により読み替えて適用される第五条」と読み替えるものとする。

(6) The provisions of the preceding items are applied mutatis mutandis to a person which will become a city plan stipulator which will conduct an environmental impact assessment and other procedures in lieu of the project proponent pursuant to the provisions of Article 40, paragraph (1) after the enforcement of this Act. In this case, the term "a project proponent" in paragraph (1) is deemed to be replaced with "a city plan stipulator who will conduct an environmental impact assessment and other procedures in lieu of

the project proponent pursuant to the provisions of Article 40, paragraph (1)"; the term "Article 5" is deemed to be replaced with "Article 5 as applied by replacing terms and phrases pursuant to the provisions of Article 40, paragraph (2)"; the term "the competent minister" in paragraph (2) and (3) is deemed to be replaced with "the competent minister and the Minister of Land, Infrastructure, Transport and Tourism"; the term "Article 5" in paragraph (4) is deemed to be replaced with "Article 5 as applied by replacing terms and phrases pursuant to the provisions of Article 40, paragraph (2)."

(政令への委任)

(Delegation to Cabinet Order)

第六条 附則第二条から前条までに定めるもののほか、この法律の施行に関し必要な経過措置に関する事項は、政令で定める。

Article 6 Beyond what is provided for in the Supplementary Provisions, Articles 2 through 5, matters concerning transitional measures necessary for the enforcement of this Act is specified by cabinet order.

(検討)

(Review)

第七条 政府は、この法律の施行後十年を経過した場合において、この法律の施行の状況について検討を加え、その結果に基づいて必要な措置を講ずるものとする。

Article 7 When ten years have elapsed since the enforcement of this Act, the national government is to review the situation of enforcement of this Act, and take necessary measures based on the results of the relevant review.

附 則 〔平成十一年七月十六日法律第八十七号〕 〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、平成十二年四月一日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect as of April 1, 2000; provided, however, that the provisions referred to in the following items come into effect as of the date specified in each item:

- 一 第一条中地方自治法第二百五十条の次に五条、節名並びに二款及び款名を加える改正規定（同法第二百五十条の九第一項に係る部分（両議院の同意を得ることに係る部分に限る。）に限る。）、第四十条中自然公園法附則第九項及び第十項の改正規定（同法附則第十項に係る部分に限る。）、第二百四十四条の規定（農業改良助長法第十四条の三の改正規定に係る部分を除く。）並びに第四百七十二条の規定（市町村の合併の特例に関する法律第六条、第八条及び第十七条の改正規定に係る

部分を除く。)並びに附則第七条、第十条、第十二条、第五十九条ただし書、第六十条第四項及び第五項、第七十三条、第七十七条、第一百五十七条第四項から第六項まで、第一百六十条、第一百六十三条、第一百六十四条並びに第二百二条の規定 公布の日

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

(国等の事務)

(Administrative Function of the National Government)

第百五十九条 この法律による改正前のそれぞれの法律に規定するもののほか、この法律の施行前において、地方公共団体の機関が法律又はこれに基づく政令により管理し又は執行する国、他の地方公共団体その他公共団体の事務（附則第百六十一条において「国等の事務」という。）は、この法律の施行後は、地方公共団体が法律又はこれに基づく政令により当該地方公共団体の事務として処理するものとする。

Article 159 Beyond what is provided for in the respective Acts prior to the revision by this Act, administrative function that is managed or executed, prior to the enforcement of this Act, by an organ of a local government on behalf of the national government, another local government or other public bodies pursuant to Acts or cabinet order enacted thereunder (hereinafter referred to as "Administrative function of the National Government, etc." in Article 161 of the Supplementary Provisions), after the enforcement of this Act, is handled by the relevant local government as its own administrative function pursuant to Acts or cabinet order enacted thereunder.

(処分、申請等に関する経過措置)

(Transitional Measures Concerning Depositions, Applications)

第一百六十条 この法律（附則第一条各号に掲げる規定については、当該各規定。以下この条及び附則第百六十三条において同じ。）の施行前に改正前のそれぞれの法律の規

定によりされた許可等の処分その他の行為（以下この条において「処分等の行為」という。）又はこの法律の施行の際現に改正前のそれぞれの法律の規定によりされている許可等の申請その他の行為（以下この条において「申請等の行為」という。）で、この法律の施行の日においてこれらの行為に係る行政事務を行うべき者が異なることとなるものは、附則第二条から前条までの規定又は改正後のそれぞれの法律（これに基づく命令を含む。）の経過措置に関する規定に定めるものを除き、この法律の施行の日以後における改正後のそれぞれの法律の適用については、改正後のそれぞれの法律の相当規定によりされた処分等の行為又は申請等の行為とみなす。

Article 160 (1) Regarding application of respective Acts that are revised by this Act on or after the date of the enforcement of this Act, except the provisions of Article 2 through the preceding Article of the Supplemental Provisions and the provisions concerning the transitional measures for those respective Acts (including Orders thereunder) that are revised by this Act, dispositions to grant permission, etc. and other acts (hereinafter referred to as "the acts of dispositions, etc." in this article) carried out pursuant to the provisions of Acts not yet revised by this Act (or the provisions set forth in each item of Article 1 of the Supplementary Provisions; hereinafter the same applies in this Article and Article 163 of the Supplementary Provisions) prior to the enforcement of this Act, or filing applications for permission, etc. and other acts (hereinafter referred to as "the acts of filing applications, etc." in this Article) carried out pursuant to the provisions of Acts not yet revised by this Act at the time of enforcement of this Act, in cases where administrative function pertaining to these acts is dealt with by any other administrator on the enforcement date of this Act, these is deemed to be the acts of dispositions, etc. or the acts of filing applications, etc. carried out pursuant to the corresponding provisions of the respective Acts revised by this Act.

2 この法律の施行前に改正前のそれぞれの法律の規定により国又は地方公共団体の機関に対し報告、届出、提出その他の手続をしなければならない事項で、この法律の施行の日前にその手続がされていないものについては、この法律及びこれに基づく政令に別段の定めがあるもののほか、これを、改正後のそれぞれの法律の相当規定により国又は地方公共団体の相当の機関に対して報告、届出、提出その他の手続をしなければならない事項についてその手続がされていないものとみなして、この法律による改正後のそれぞれの法律の規定を適用する。

(2) Regarding the matters for which report, notification, submission, or other procedures are required to be made or taken prior to the enforcement of this Act to a national or local government organ pursuant to the provisions of the respective Acts prior to revision, and for which those procedures have not been taken prior to the enforcement date of this Act, the provisions of the respective Acts revised by this Act is applied by regarding the same as the matters for which report, notification, submission, or other procedures are required to be made to the corresponding organ of national or local government pursuant to

the corresponding provisions of the respective revised Acts, and for which those procedures have not been taken, except as otherwise provided for in this Act or Cabinet Order hereunder.

(不服申立てに関する経過措置)

(Transitional Measures Concerning Appeals)

第百六十一条 施行日前にされた国等の事務に係る処分であつて、当該処分をした行政庁（以下この条において「処分庁」という。）に施行日前に行政不服審査法に規定する上級行政庁（以下この条において「上級行政庁」という。）があつたものについての同法による不服申立てについては、施行日以後においても、当該処分庁に引き続き上級行政庁があるものとみなして、行政不服審査法の規定を適用する。この場合において、当該処分庁の上級行政庁とみなされる行政庁は、施行日前に当該処分庁の上級行政庁であつた行政庁とする。

Article 161 (1) Regarding an appeal under the Administrative Complaint Review Act against a disposition pertaining to the Administrative Function of a National Government that was rendered before the enforcement date by an administrative agency (hereinafter referred to as a "administrative agency reaching the disposition" in this Article) that has a higher administrative agency provided for in the same Act (hereinafter referred to as a "higher administrative agency" in this Article) before the enforcement date, the provisions of the Administrative Complaint Review Act are applied even after the enforcement date, by deeming that the administrative agency reaching the disposition continues to have a higher administrative agency. In this case, the administrative agency that is deemed to be the higher administrative agency of the relevant administrative agency reaching the disposition is the administrative agency that had been the higher administrative agency of the relevant administrative agency reaching the disposition before the enforcement date.

2 前項の場合において、上級行政庁とみなされる行政庁が地方公共団体の機関であるときは、当該機関が行政不服審査法の規定により処理することとされる事務は、新地方自治法第二条第九項第一号に規定する第一号法定受託事務とする。

(2) In the case referred to in the preceding paragraph, when the administrative agency that is deemed to be the higher administrative agency is an organ of a local government, the administrative function to be handled by the relevant organ pursuant to the provisions of the Administrative Complaint Review Act is the type-1 statutory entrusted function prescribed in Article 2, paragraph (9), item (i) of the new Local Autonomy Act.

(手数料に関する経過措置)

(Transitional Measures Concerning Fees)

第百六十二条 施行日前においてこの法律による改正前のそれぞれの法律（これに基づ

く命令を含む。)の規定により納付すべきであった手数料については、この法律及びこれに基づく政令に別段の定めがあるもののほか、なお従前の例による。

Article 162 Regarding fees payable prior to the enforcement date pursuant to the provisions of the respective Acts prior to the revision by this Act (including orders issued thereunder), except those otherwise prescribed by this Act or cabinet order hereunder, the prior laws continue to govern.

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第百六十三条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 163 Prior laws continue to govern the applicability of penal provisions to acts committed before the date of enforcement of this Act.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第百六十四条 この附則に規定するもののほか、この法律の施行に伴い必要な経過措置(罰則に関する経過措置を含む。)は、政令で定める。

Article 164 (1) Beyond what is provided in the present Supplementary Provisions, any transitional measures necessary for the enforcement of this Act is specified by cabinet order.

2 附則第十八条、第五十一条及び第百八十四条の規定の適用に関して必要な事項は、政令で定める。

(2) Matters required for the application of the provisions of Articles 18, 51, and 184 of the Supplementary Provisions are specified by cabinet order.

(検討)

(Review)

第二百五十条 新地方自治法第二条第九項第一号に規定する第一号法定受託事務については、できる限り新たに設けることのないようにするとともに、新地方自治法別表第一に掲げるもの及び新地方自治法に基づく政令に示すものについては、地方分権を推進する観点から検討を加え、適宜、適切な見直しを行うものとする。

Article 250 Regarding the type 1 statutory entrusted function set forth in Article 2, paragraph (9), item (i) of the new Local Autonomy Act, creation of new functions is to be avoided to the extent possible, and the functions listed in Appended Table 1 of the new Local Autonomy Act and those specified by cabinet order under the new Local Autonomy Act is to be reviewed from the standpoint of promoting decentralization, and is to be revised as appropriate.

第二百五十一条 政府は、地方公共団体が事務及び事業を自主的かつ自立的に執行できるよう、国と地方公共団体との役割分担に応じた地方税財源の充実確保の方途につい

て、経済情勢の推移等を勘案しつつ検討し、その結果に基づいて必要な措置を講ずるものとする。

Article 251 (1) In order to enable local governments to execute their administrative function and projects voluntarily and independently, the national government is to review ways to secure adequate sources of local tax revenue according to the sharing of roles between the national government and local governments as it considers prevailing economic trends, etc., and are to take necessary measures based on the review of the results.

○中央省庁等改革関係法施行法（平成一一法律一六〇）抄

Act for Enforcement of Acts Related to the Central Government Reform (Act Number. 160 of 1999) Extract

（処分、申請等に関する経過措置）

（Transitional Measures for Depositions, Applications）

第千三百一条 中央省庁等改革関係法及びこの法律（以下「改革関係法等」と総称する。）の施行前に法令の規定により従前の国の機関がした免許、許可、認可、承認、指定その他の処分又は通知その他の行為は、法令に別段の定めがあるもののほか、改革関係法等の施行後は、改革関係法等の施行後の法令の相当規定に基づいて、相当の国の機関がした免許、許可、認可、承認、指定その他の処分又は通知その他の行為とみなす。

Article 1301 (1) Any licenses, permissions, authorizations, approvals, designations, and other dispositions or notices granted or made, or other acts conducted by the existing organs of the national government pursuant to the provisions of laws and regulations prior to the enforcement of this Act and the Acts Related to the Central Government Reform (hereinafter collectively referred to as the "Reform-related Acts, etc.") is, after the enforcement of the Reform-related Acts, etc., deemed to be licenses, permissions, authorizations, approvals, designations, and other dispositions or notices granted or made or other acts conducted by the corresponding organs of the national government in accordance with the corresponding provisions of laws and regulations after the enforcement of the Reform-related Acts, etc. in addition to what is specifically provided for by laws and regulations,

2 改革関係法等の施行の際現に法令の規定により従前の国の機関に対してされている申請、届出その他の行為は、法令に別段の定めがあるもののほか、改革関係法等の施行後は、改革関係法等の施行後の法令の相当規定に基づいて、相当の国の機関に対してされた申請、届出その他の行為とみなす。

(2) Any applications, notifications, and other acts that have been made with the existing organs of the national government pursuant to laws and regulations as of the time of the enforcement of the Reform-related Acts, etc. is, after the enforcement of the Reform-related Acts, etc., deemed as applications, notifications, and other acts made with the corresponding organs of the

national government in accordance with the corresponding provisions of laws and regulations after the enforcement of the Reform-related Acts, etc. beyond what is specifically provided for by laws and regulations.

- 3 改革関係法等の施行前に法令の規定により従前の国の機関に対し報告、届出、提出その他の手続をしなければならないとされている事項で、改革関係法等の施行の日前にその手続がされていないものについては、法令に別段の定めがあるもののほか、改革関係法等の施行後は、これを、改革関係法等の施行後の法令の相当規定により相当の国の機関に対して報告、届出、提出その他の手続をしなければならないとされた事項についてその手続がされていないものとみなして、改革関係法等の施行後の法令の規定を適用する。

- (3) Regarding matters for which report, notification, submission, or other procedures must be conducted with the existing organs of the national government pursuant to laws and regulations prior to the enforcement of the Reform Related Acts, etc., when these procedures have not yet been conducted by the enforcement date of the Reform-related Acts, etc., with the exception of those otherwise provided for by laws and regulations, the provisions of laws and regulations after the enforcement of the Reform-related Acts, etc. are applied to such procedures, by deeming that report, notification, submission, or other procedures have not yet been conducted with respect to matters for which such procedures must be conducted with the corresponding organs of the national government pursuant to the corresponding provisions of the laws and regulations after the enforcement of the Reform-related Acts, etc.

(政令への委任)

(Delegation to Cabinet Orders)

第千三百四十四条 第七十一条から第七十六条まで及び第千三百一条から前条まで並びに中央省庁等改革関係法に定めるもののほか、改革関係法等の施行に関し必要な経過措置（罰則に関する経過措置を含む。）は、政令で定める。

Article 1344 Beyond what is provided for in Articles 71 through 76 and Articles 1301 through the preceding Article and in the Acts Related to the Central Government Reform, transitional measures necessary for the enforcement of the Reform-related Acts, etc. (including transitional measures concerning penal provisions) are specified by cabinet order.

附 則 〔平成十一年十二月二十二日法律第百六十号〕 〔抄〕

Supplementary Provisions [Act No. 160 of December 22, 1999] [Extract]

(施行期日)

(Effective Date)

第一条 この法律（第二条及び第三条を除く。）は、平成十三年一月六日から施行する。
Article 1 This Act (except Article 2 and 3) comes into effect as of January 6, 2001.

附 則 〔平成十二年五月十九日法律第七十三号〕〔抄〕

Supplementary Provisions [Act No. 73 of May 19, 2000] [Extract]

(施行期日)

(Effective Date)

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

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

附 則 〔平成十六年三月三十一日法律第十号〕〔抄〕

Supplementary Provisions [Act No. 10 of March 31, 2004] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成十六年四月一日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect as of April 1, 2004; provide, however, that the provisions of the following items come into effect as of the date specified in each of these items:

一 第二条並びに附則第二条から第四条まで及び第六条の規定 公布の日から起算して三月を超えない範囲内において政令で定める日

(i) the provisions of Article 2 and Supplementary Provisions, Articles 2 through 4 and 6: the date specified by cabinet order within a period not exceeding three months from the date of promulgation;

二 第三条並びに附則第五条及び第七条の規定 平成十六年七月一日

(ii) the provisions of Article 3 and Supplementary Provisions, Article 5 and 7: July 1, 2004.

附 則 〔平成十七年四月二十七日法律第三十四号〕〔抄〕

Supplementary Provisions [Act No. 34 of April 27, 2005] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。ただし、第一条の規定（都市再生特別措置法第三十条第一項及び第四十二条第三号の改正規定を除く。）及び附則第十五条の規定は、公布の日から施行する。

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

provided, however, that the provisions of Article 1 (except the provisions of Article 30, paragraph (1) of the Act on Special Measures Concerning Urban Renaissance and the provisions to revise Article 42, item (iii) of the same Act) and of Supplementary Provisions, Article 15 come into effect as of the date of promulgation.

附 則 〔平成十七年七月二十九日法律第八十九号〕 〔抄〕
Supplementary Provisions [Act No. 89 of July 29, 2005] [Extract]

(施行期日等)

(Effective Date)

第一条 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日（以下「施行日」という。）から施行する。ただし、次項及び附則第二十七条の規定は、公布の日から施行する。

Article 1 This Act comes into effect as of the date specified by cabinet order within a period not exceeding six months from the date of promulgation (hereinafter referred to as "the enforcement date.")

(政令への委任)

(Delegation to Cabinet Order)

第二十七条 この附則に規定するもののほか、この法律の施行に関して必要な経過措置は、政令で定める。

Article 27 In addition to what is provided for in these Supplementary Provisions, matters concerning transitional measures necessary for the enforcement of this Act is specified by cabinet order.

附 則 〔平成十八年十二月二十二日法律第百十八号〕 〔抄〕
Supplementary Provisions [Act No. 118 of December 22, 2006] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して三月を超えない範囲内において政令で定める日から施行する。ただし、附則第三十二条第二項の規定は、公布の日から施行する。

Article 1 This Act comes into effect as of the date specified by cabinet order within a period not exceeding three months from the date of promulgation; provided, however, that the provisions of Supplementary Provisions, Article 32, paragraph (2) comes into effective from the date of promulgation

附 則 〔平成十九年三月三十一日法律第十九号〕 〔抄〕
Supplementary Provisions [Act No. 19 of March 31, 2007] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。

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

附 則 [平成二十年六月十八日法律第七十五号] [抄]

Supplementary Provisions [Act No. 75 of June 18, 2008] [Extract]

(施行期日等)

(Effective Date)

第一条 この法律は、公布の日から施行する。

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

附 則 [平成二十三年三月三十一日法律第九号] [抄]

Supplementary Provisions [Act No. 9 of March 31, 2011] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成二十三年四月一日から施行する。

Article 1 This Act comes into effect as of April 1, 2011.

附 則 [平成二十三年四月二十七日法律第二十四号] [抄]

Supplementary Provisions [Act No. 24 of April 27, 2011] [Extract]

(施行期日)

(Effective Date)

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

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

附 則 [平成二十三年四月二十七日法律第二十七号] [抄]

Supplementary Provisions [Act No. 27 of April 27, 2011] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して二年を超えない範囲内において政令で定める日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect as of the date specified by cabinet order within a period not exceeding two years from the date of promulgation; provided, however, that the provisions of the following items come into effect as of the date specified in each of these items:

一 附則第九条の規定 公布の日

(i) the provisions of Article 9 of the Supplementary Provisions: the date of promulgation;

二 第一条の規定、第二条中環境影響評価法第二章中第四条の前に一節及び節名を加える改正規定（同法第三条の八に係る部分に限る。）及び同法第六章中第三十八条の次に四条を加える改正規定（同法第三十八条の二第三項に係る部分に限る。）並びに次条から附則第四条までの規定及び附則第十一条の規定（電気事業法（昭和三十九年法律第七十号）の目次の改正規定、同法第四十六条の四及び第四十六条の二十二の改正規定並びに同法第三章第二節第二款の二中同条を第四十六条の二十三とし、第四十六条の二十一を第四十六条の二十二とし、第四十六条の二十の次に一条を加える改正規定を除く。） 公布の日から起算して一年を超えない範囲内において政令で定める日

(ii) the provisions of Article 1, the provisions for revision in Article 2 to add a new section and a section title before Chapter II, Article 4 of the Environmental Impact Assessment Act (limited to the part pertaining to Article 3-8 of the relevant Act) and to add four articles following Chapter VI, Article 38 of the relevant Act (limited to the part pertaining to Article 38-2, paragraph (3) of the relevant Act), as well as the provisions of the following Article to Article 4 of the Supplementary Provisions, and the provisions of Article 11 of the Supplementary Provisions (except the provisions to revise the table of contents of the Electricity Business Act (Act No. 170 of 1964), the provisions to revise Article 46-4 and 46-22 of the relevant Act, as well as the provisions for revision in Chapter III, Section 2, Subsection 2-2 of the same Act to re-number Article 46-22 as Article 46-23, re-number Article 46-21 as Article 46-22, and add a new article following Article 46-20): the date specified by cabinet order within a period not exceeding one year from the date of promulgation;

三 第二条中環境影響評価法第二章中第四条の前に一節及び節名を加える改正規定（同法第三条の二第二項及び第三項並びに第三条の七第二項に係る部分に限る。）及び同法第六章中第三十八条の次に四条を加える改正規定（同法第三十八条の二第二項に係る部分に限る。）並びに附則第八条の規定 公布の日から起算して一年六月を超えない範囲内において政令で定める日

(iii) the provisions for revision in Article 2 to add a new section and a section title before Chapter II, Article 4 of the Environmental Impact Assessment Act (limited to the part pertaining to Article 3-2, paragraphs (2) and (3), as well as Article 3-7, paragraph (2) of the relevant Act) and to add four articles following Chapter VI, Article 38 of the relevant Act (limited to the part

pertaining to Article 38-2, paragraph (2) of the relevant Act), as well as the provisions of Article 8 of the Supplementary Provisions: the date specified by cabinet order within a period not exceeding one year and six months from the date of promulgation.

(経過措置)

(Transitional Measures)

第二条 第一条の規定による改正後の環境影響評価法（以下「新法」という。）第七条、第十六条又は第二十七条の規定は、前条第二号に掲げる規定の施行の日以後に行う公告及び縦覧に係る環境影響評価法第五条第一項に規定する環境影響評価方法書（以下「方法書」という。）、同法第十四条第一項に規定する環境影響評価準備書（以下「準備書」という。）又は同法第二十一条第二項に規定する環境影響評価書（以下「評価書」という。）について適用する。

Article 2 The provisions of Article 7, 16, or 27 of the Environmental Impact Assessment Act revised by Article 1 (hereinafter in this Article referred to as the "New Act") are applied to the following document pertaining to a public notice issued or public inspection conducted after the enforcement date of the provisions set forth in the preceding Article, item (ii); scoping document on environmental impact assessment prescribed in Article 5, paragraph (1) of the same Act (hereinafter referred to as a "scoping document"); a draft environmental impact statement prescribed in Article 14, paragraph (1) of the same Act (hereinafter referred to as a "draft EIS"); or an environmental impact statement prescribed in Article 21, paragraph (2) of the same Act (hereinafter referred to as an "EIS").

第三条 新法第七条の二（新法第十七条第二項の規定により準用する場合を含む。）の規定は、附則第一条第二号に掲げる規定の施行の日以後に行う公告及び縦覧に係る方法書又は準備書について適用する。

Article 3 The provisions of Article 7-2 of the New Act (including the cases where it is applied mutatis mutandis pursuant to the provisions of Article 17, paragraph (2) of the New Act) are applied to a scoping document or a draft EIS pertaining to a public notice issued or public inspection conducted after the enforcement date of the provisions set forth in Article 1, item (ii) of the Supplementary Provisions.

第四条 新法第十条第四項から第六項まで及び第二十条第四項から第六項までの規定は、附則第一条第二号に掲げる規定の施行の日以後に行う公告及び縦覧に係る方法書又は準備書について適用する。

Article 4 The provisions of Article 10, paragraphs (4) through (6), and Article 20, paragraphs (4) through (6) of the New Act are applied to a scoping document or a draft EIS pertaining to a public notice issued or public inspection conducted

after the enforcement date of the provisions set forth in Article 1, item (ii) of the Supplementary Provisions.

第五条 第二条の規定による改正後の環境影響評価法（以下「第二条による改正後の法」という。）第三条の二から第三条の七までの規定は、この法律の施行の日（以下「施行日」という。）前に方法書を公告した事業については、適用しない。

Article 5 The provisions of Articles 3-2 through 3-7 of the Environmental Impact Assessment Act revised under the provisions of Article 2 (hereinafter referred to as the "Act revised under Article 2") are not applied to a project for which a public notice has been issued for a scoping document prior to the enforcement date (hereinafter referred to as "enforcement date.")

第六条 この法律の施行の際、環境影響評価法第二条第二項に規定する第一種事業（以下「第一種事業」という。）について、条例又は行政手続法（平成五年法律第八十八号）第三十六条に規定する行政指導（地方公共団体が同条の規定の例により行うものを含む。）その他の措置（次項において「行政指導等」という。）の定めるところに従って作成された次の各号に掲げる書類（この法律の施行に際し次項の規定により指定されたものに限る。）があるときは、当該書類は、それぞれ当該各号に定める書類とみなす。

Article 6 (1) In enforcing this Act, with respect to a class-1 project prescribed in Article 2, paragraph (2) of the Environmental Impact Assessment Act (hereinafter referred to as a "class-1 project"), when there is a document which has been prepared, as referred to in the following each item, in accordance with a Prefectural or Municipal Order or administrative guidance prescribed in Article 36 of the Administrative Procedure Act (Act No. 88 of 1993) (including those enforced by a local government as prescribed in the provisions of the same Article) and other measures (in the following paragraph referred to as "administrative guidance, etc."), the relevant document is deemed to fall under one of the categories specified in the following each item:

一 第二条による改正後の法第五十三条第一項第一号に掲げる書類 第二条の規定による改正後の法第三条の三第一項の計画段階環境配慮書

(i) a document set forth in Article 53, paragraph (1), item (i) of the Act revised by Article 2: a document on primary environmental impact consideration referred to in Article 3-3, paragraph (1) of the Act revised by Article 2;

二 第二条による改正後の法第五十三条第一項第二号に掲げる書類 第二条の規定による改正後の法第三条の六の書面

(ii) a document set forth in Article 53, paragraph (1), item (ii) of the Act revised by Article 2: a document referred to in Article 3-6 of the Act revised by Article 2.

2 前項各号に掲げる書類は、当該書類の作成の根拠が条例又は行政指導等（地方公共団体に係るものに限る。）であるときは環境大臣が当該地方公共団体の意見を聴いて、

行政指導等（国の行政機関に係るものに限る。）であるときは主務大臣が環境大臣（第一種事業が都市計画法（昭和四十三年法律第百号）第四条第七項に規定する市街地開発事業として同法の規定により都市計画に定められる場合における当該第一種事業又は第一種事業に係る施設が同条第五項に規定する都市施設として同法の規定により都市計画に定められる場合における当該都市施設に係る第一種事業について当該都市計画を定める第二条による改正後の法第三十八条の六第一項の都市計画決定権者（以下「都市計画決定権者」という。）が環境影響評価その他の手続を行うものとする旨を定める行政指導等にあつては、国土交通大臣が主務大臣及び環境大臣）に協議して、それぞれ指定するものとする。

(2) Regarding the documents specified in the preceding items, when the the relevant document is based on Prefectural or Municipal Order or administrative guidance, etc. (limited to those pertaining to a local government), the Minister of the Environment is to designate the relevant document by asking opinions of local government; or when the relevant document is based on administrative guidance, etc. (limited to those pertaining to administrative organs of the national government), the competent minister is to designate the relevant document in consultation with the Minister of the Environment (concerning administrative guidance, etc. which stipulate that the city plan stipulator referred to in Article 38-6, paragraph (1) of the Act revised by Article 2 (hereinafter referred to as the "city plan stipulator") responsible for stipulating a city plan is to conduct an environmental impact assessment and other procedures with respect to a class-1 project incorporated into city plan pursuant to the provisions of the City Planning Act (Act No. 100 of 1968) as urban development project prescribed in Article 4, paragraph (7) of the same Act, or a class-1 project whose urban facilities are incorporated into a city plan pursuant to the provisions of the same Act, the Minister of Land, Infrastructure, Transport and Tourism is to designate the relevant document in consultation with the competent minister and the Minister of the Environment).

3 前項の規定による指定の結果は、公表するものとする。

(3) The results of the designation pursuant to the provisions of the preceding paragraph is made public.

第七条 第二条による改正後の法第三十八条の二及び第三十八条の三（第二条による改正後の法第四十条の二の規定により読み替えて適用する場合を含む。）の規定は、施行日以後に評価書の公告及び縦覧を行った事業者及び都市計画決定権者について適用する。

Article 7 The provisions of Article 38-2 and 38-3 of the Act revised by Article 2 (including the cases where it is applied by replacing terms and phrases pursuant to the provisions of Article 40-2 of the Act revised by Article 2) are applied to a project proponent and a city plan stipulator who has issued a

public notice for an EIS and has made the relevant EIS available for public inspection after the enforcement date.

第八条 この法律の施行後に第二条による改正後の法第三条の二第一項に規定する第一種事業を実施しようとする者となるべき者は、この法律の施行前において、第二条による改正後の法第三条の二から第三条の九までの規定の例による第二条による改正後の法第三条の二第一項に規定する計画段階配慮事項についての検討その他の手続を行うことができる。

Article 8 (1) A person who is to be the one who intends to implement a class-1 project prescribed in Article 3-2, paragraph (1) of the Act revised by Article 2 after the enforcement of this Act may, before the enforcement of this Act, conduct examination of items for a primary environmental impact consideration at the early stage and other procedures prescribed in Article 3-2, paragraph (1) of the Act revised by Article 2 as prescribed in the provisions of Articles 3-2 through 3-9 of the Act revised by Article 2.

2 前項の規定による手続が行われた第一種事業については、当該手続は、第二条による改正後の法の相当する規定により施行日に行われたものとみなす。

(2) Regarding a class-1 project for which a procedure prescribed in the preceding paragraph has been taken, the relevant procedure is deemed to have been taken on the enforcement date pursuant to the corresponding provisions of the Act revised by Article 2.

3 前二項の規定は、この法律の施行後に第二条による改正後の法第三十八条の六第一項の規定により同条第三項の規定により読み替えて適用される第二条による改正後の法第三条の二第一項に規定する計画段階配慮事項についての検討その他の手続を第二条による改正後の法第三条の二第一項に規定する第一種事業を実施しようとする者に代わるものとして行う都市計画決定権者となるべき者について準用する。この場合において、第一項中「、第二条による改正後の法」とあるのは「、第二条による改正後の法第三十八条の六第三項の規定により読み替えて適用される第二条による改正後の法」と、「による第二条による改正後の法」とあるのは「による同項の規定により読み替えて適用される第二条による改正後の法」と読み替えるものとする。

(3) The provisions of the preceding two paragraphs, pursuant to the provisions of Article 38-6, paragraph (1) of the Act revised by Article 2, are applied mutatis mutandis to a person who is to be, after the enforcement of this Act, the city plan stipulator who intends to conduct examination of items for a primary environmental impact consideration at the early stage and other procedures prescribed in Article 3-2, paragraph (1) of the same Act as applied by replacing terms and phrases pursuant to the provisions of Article 38-6, paragraph (3) of the same Act, in lieu of a person who intends to implement a class-1 project prescribed in Article 3-2, paragraph (1) of the same Act. In this case, the phrase "the Act revised by Article 2" in paragraph (1) is deemed to be replaced with "the Act revised by Article 2 as applied by replacing terms and phrases

pursuant to the provisions of Article 38-6, paragraph (3) of the Act revised under Article 2"; the phrase "of the Act revised under Article 2" is deemed to be replaced with "of the Act revised by Article 2 as applied by replacing terms and phrases pursuant to the provisions of the same paragraph."

(政令への委任)

(Delegation to Cabinet Order)

第九条 附則第二条から前条までに定めるもののほか、この法律の施行に関し必要な経過措置に関する事項は、政令で定める。

Article 9 Beyond what is provided for in the Supplementary Provisions, Articles 2 through 8, matters concerning transitional measures necessary for the enforcement of this Act are specified by cabinet order.

(検討)

(Review)

第十条 政府は、この法律の施行後十年を経過した場合において、この法律による改正後の環境影響評価法の施行の状況について検討を加え、その結果に基づいて必要な措置を講ずるものとする。

Article 10 When ten years have elapsed since the enforcement of this Act, the national government is to review the situation of enforcement of this Act, and take necessary measures based on the results of the relevant review.

附 則 〔平成二十三年六月二十二日法律第七十号〕〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、平成二十四年四月一日から施行する。ただし、次条の規定は公布の日から、附則第十七条の規定は地域の自主性及び自立性を高めるための改革の推進を図るための関係法律の整備に関する法律（平成二十三年法律第百五号）の公布の日又はこの法律の公布の日のいずれか遅い日から施行する。

Article 1 This Act comes into effect as of April 1, 2012; provided, however, that the provisions of the following Article come into effect as of the date of promulgation, and the provisions of Article 17 of the Supplementary Provisions come into effect 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.

附 則 〔平成二十三年八月三十日法律第百五号〕〔抄〕

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

(施行期日)

(Effective Date)

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

Article 1 This Act comes into effect as of the date of promulgation; provided, however, that the provisions of the following items comes into effect as specified in each of these items:

一 略

(i) omitted;

二 第二条、第十条（構造改革特別区域法第十八条の改正規定に限る。）、第十四条（地方自治法第二百五十二条の十九、第二百六十条並びに別表第一騒音規制法（昭和四十三年法律第九十八号）の項、都市計画法（昭和四十三年法律第百号）の項、都市再開発法（昭和四十四年法律第三十八号）の項、環境基本法（平成五年法律第九十一号）の項及び密集市街地における防災街区の整備の促進に関する法律（平成九年法律第四十九号）の項並びに別表第二都市再開発法（昭和四十四年法律第三十八号）の項、公有地の拡大の推進に関する法律（昭和四十七年法律第六十六号）の項、大都市地域における住宅及び住宅地の供給の促進に関する特別措置法（昭和五十年法律第六十七号）の項、密集市街地における防災街区の整備の促進に関する法律（平成九年法律第四十九号）の項及びマンションの建替えの円滑化等に関する法律（平成十四年法律第七十八号）の項の改正規定に限る。）、第十七条から第十九条まで、第二十二條（児童福祉法第二十一条の五の六、第二十一条の五の十五、第二十一条の五の二十三、第二十四条の九、第二十四条の十七、第二十四条の二十八及び第二十四条の三十六の改正規定に限る。）、第二十三条から第二十七条まで、第二十九条から第三十三条まで、第三十四条（社会福祉法第六十二条、第六十五条及び第七十一条の改正規定に限る。）、第三十五条、第三十七条、第三十八条（水道法第四十六条、第四十八条の二、第五十条及び第五十条の二の改正規定を除く。）、第三十九条、第四十三条（職業能力開発促進法第十九条、第二十三条、第二十八条及び第三十条の二の改正規定に限る。）、第五十一条（感染症の予防及び感染症の患者に対する医療に関する法律第六十四条の改正規定に限る。）、第五十四条（障害者自立支援法第八十八条及び第八十九条の改正規定を除く。）、第六十五条（農地法第三条第一項第九号、第四条、第五条及び第五十七条の改正規定を除く。）、第八十七条から第九十二条まで、第九十九条（道路法第二十四条の三及び第四十八条の三の改正規定に限る。）、第一百一条（土地区画整理法第七十六条の改正規定に限る。）、第一百二条（道路整備特別措置法第十八条から第二十一条まで、第二十七条、第四十九条及び第五十条の改正規定に限る。）、第一百三條、第一百五條（駐車場法第四条の改正規定を除く。）、第一百七條、第一百八條、第一百五條（首都圏近郊緑地保全法第十五条及び第十七条の改正規定に限る。）、第一百六條（流通業務市街地の整備に関する法律第三条の二の改正規定を除く。）、第一百八條（近畿圏の保全区域の整備に関する法律第十六条及び第十八条の改正規定に限る。）、第一百二十條（都市計画法第六条の二、第七条の二、第八条、第十条の二から第十二

条の二まで、第十二条の四、第十二条の五、第十二条の十、第十四条、第二十条、第二十三条、第三十三条及び第五十八条の二の改正規定を除く。）、第二百一十一条（都市再開発法第七条の四から第七条の七まで、第六十条から第六十二条まで、第六十六条、第九十八条、第九十九条の八、第三百三十九条の三、第四百一条の二及び第四百十二条の改正規定に限る。）、第二百五条（公有地の拡大の推進に関する法律第九条の改正規定を除く。）、第二百二十八条（都市緑地法第二十条及び第三十九条の改正規定を除く。）、第三百十一条（大都市地域における住宅及び住宅地の供給の促進に関する特別措置法第七条、第二十六条、第六十四条、第六十七条、第九十四条及び第九十九条の二の改正規定に限る。）、第四百十二条（地方拠点都市地域の整備及び産業業務施設の再配置の促進に関する法律第十八条及び第二十一条から第二十三条までの改正規定に限る。）、第四百五条、第四百六条（被災市街地復興特別措置法第五条及び第七条第三項の改正規定を除く。）、第四百九条（密集市街地における防災街区の整備の促進に関する法律第二十条、第二十一条、第九十一条、第九十二条、第九十七条、第二百三十三条、第二百四十一条、第二百八十三条、第三百十一条及び第三百十八条の改正規定に限る。）、第五十五条（都市再生特別措置法第五十一条第四項の改正規定に限る。）、第五十六条（マンションの建替えの円滑化等に関する法律第二条の改正規定を除く。）、第五十七条、第五十八条（景観法第五十七条の改正規定に限る。）、第六十条（地域における多様な需要に応じた公的賃貸住宅等の整備等に関する特別措置法第六条第五項の改正規定（「第二項第二号イ」を「第二項第一号イ」に改める部分を除く。）並びに同法第十一条及び第十三条の改正規定に限る。）、第六十二条（高齢者、障害者等の移動等の円滑化の促進に関する法律第十条、第十二条、第十三条、第三十六条第二項及び第五十六条の改正規定に限る。）、第六十五条（地域における歴史的風致の維持及び向上に関する法律第二十四条及び第二十九条の改正規定に限る。）、第六十九条、第七十一条（廃棄物の処理及び清掃に関する法律第二十一条の改正規定に限る。）、第七十四条、第七十八条、第八十二条（環境基本法第十六条及び第四十条の二の改正規定に限る。）及び第八十七条（鳥獣の保護及び狩猟の適正化に関する法律第十五条の改正規定、同法第二十八条第九項の改正規定（「第四条第三項」を「第四条第四項」に改める部分を除く。）、同法第二十九条第四項の改正規定（「第四条第三項」を「第四条第四項」に改める部分を除く。）並びに同法第三十四条及び第三十五条の改正規定に限る。）の規定並びに附則第十三条、第十五条から第二十四条まで、第二十五条第一項、第二十六条、第二十七条第一項から第三項まで、第三十条から第三十二条まで、第三十八条、第四十四条、第四十六条第一項及び第四項、第四十七条から第四十九条まで、第五十一条から第五十三条まで、第五十五条、第五十八条、第五十九条、第六十一条から第六十九条まで、第七十一条、第七十二条第一項から第三項まで、第七十四条から第七十六条まで、第七十八条、第八十条第一項及び第三項、第八十三条、第八十七条（地方税法第五百八十七条の二及び附則第十一条の改正規定を除く。）、第八十九条、第九十条、第九十二条（高速自動車国道法第二十五条の改正規定に限る。）、第一百一条、第一百二条、第一百五条から第一百七条まで、第一百十二条、第一百七条（地域における多様な主体の連携による生物の多様性の保全のための活動の促進

等に関する法律（平成二十二年法律第七十二号）第四条第八項の改正規定に限る。））、第百十九条、第二百一十一条の二並びに第二百三十三条第二項の規定 平成二十四年四月一日

- (ii) Article 2, Article 10 (limited to the provisions for revising Article 18 of the Act on Special Districts for Structural Reform), Article 14 (limited to the provisions for revising Article 252-19 and 260 of the Local Autonomy Act, those for revising Appended Table 1 of the relevant Act, concerning the Noise Regulation Act (Act No. 98 of 1968), the City Planning Act (Act No. 100 of 1968), the Urban Renewal Act (Act No. 38 of 1969), the Basic Environment Act (Act No. 91 of 1993), and the Act on Promotion of Improvement of Disaster Control Districts in Populated Urban Districts (Act No. 49 of 1997), and those for revising Appended Table 2 of the relevant Act, concerning the Urban Renewal Act (Act No. 38 of 1969), the Act on Advancement of Expansion of Public Lands (Act No. 66 of 1972), the Act on Special Measures Concerning Promotion of Supply of Houses and Housing Lands in Urban Districts (Act No. 67 of 1975), the Act on Promotion of Improvement of Disaster Control Districts in Populated Urban Districts (Act No. 49 of 1997), and the Act on Facilitation of Reconstruction of Condominiums (Act No. 78 of 2002)), Articles 17 through 19, Article 22 (limited to the provisions for revising Articles 21-5-6, 21-5-15, 21-5-23, 24-9, 24-17, 24-28, and 24-36 of the Child Welfare Act), Articles 23 through 27, Article 29 through 33, Article 34 (limited to the provisions for revising Articles 62, 65, and 71 of the Social Welfare Act), Article 35, Article 37, Article 38 (excluding the provisions for revising Articles 46, 48-2, 50, and 50-2 of the Water Supply Act), Article 39, Article 43 (limited to the provisions for revising Articles 19, 23, 28, and 30-2 of the Human Resources Development Promotion Act), Article 51 (limited to the provisions for revising Article 64 of the Act on Prevention of Infectious Diseases and Medical Care for Patients Suffering Infectious Diseases), Article 54 (excluding the provisions for revising Article 88 and 89 of the Services and Supports for Persons with Disabilities Act), Article 65 (excluding the provisions for revising Article 3, paragraph (1), item (ix), Article 4, Article 5, and Article 57 of the Agricultural Land Act), Articles 87 through 92, Article 99 (limited to the provisions for revising Article 24-3 and 48-3 of the Road Act), Article 101 (limited to the provisions for revising Article 76 of the Land Readjustment Act), Article 102 (limited to the provisions for revising Articles 18 through 21, 27, 49, and 50 of the Act on Special Measures Concerning Road Construction and Improvement), Article 103, Article 105 (excluding the provisions for revising Article 4 of the Parking Lot Act), Article 107, Article 108, Article 115 (limited to the provisions for revising Articles 15 and 17 of the Act on the Conservation of Suburban Green Zones in the National Capital Region), Article 116 (except

the provisions for revising Article 3-2 of the Act on the Improvement of Urban Distribution Centers), Article 118 (limited to the provisions for revising Articles 16 and 18 of the Act on Arrangement of Conservation Districts in the Kinki Area), Article 120 (excluding the provisions for revising Articles 6-2, 7-2, and 8, Articles 10-2 through 12-2, and Articles 12-4, 12-5, 12-10, 14, 20, 23, 33, and 58-2 of the City Planning Act), Article 121 (limited to the provisions for revising Articles 7-4 through 7-7, Articles 60 through 62, and Articles 66, 98, 99-8, 139-3, 141-2, and 142 of the Urban Renewal Act), Article 125 (excluding the provisions for revising Article 9 of the Act on Advancement of Expansion of Public Lands), Article 128 (excluding the provisions for revising Articles 20 and 39 of the Urban Green Space Conservation Act), Article 131 (limited to the provisions for revising 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 for revising Article 18 and Articles 21 through 23 of the Act on Comprehensive Development of Regional Core Cities with Relocation of Office-Work Function), Article 145, Article 146 (excluding the provisions for revising Article 5 and Article 7, paragraph (3) of the Act on Special Measures Concerning Reconstruction of Urban Districts Damaged by Disaster), Article 149 (limited to the provisions for revising 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 for revising Article 51, paragraph (4) of the Act on Special Measures Concerning Urban Renaissance), Article 156 (excluding the provisions for revising Article 102 of the Act on Facilitation of Reconstruction of Condominiums), Article 157, Article 158 (limited to the provisions for revising Article 57 of the Landscapes Act), Article 160 (limited to the provisions for revising Article 6, paragraph (5) of the Act on Special Measures Concerning Development of Public Rental Housing to Accommodate Various Demands of Communities (excluding the part for revising "paragraph (2), item (ii), (a)" to "paragraph (2), item (i), (a)")) and revising Articles 11 and 13 of the relevant Act), Article 162 (limited to the provisions for revising Articles 10, 12, and 13, Article 36, paragraph (2), and Article 56 of the Act on Promotion of Smooth Transportation of Elderly Persons, Disabled Persons), Article 165 (limited to the provisions for revising Articles 24 and 29 of the Act on Maintenance and Improvement of Traditional Scenery in Certain Districts), Article 169, Article 171 (limited to the provisions for revising Article 21 of the Waste Management and Public Cleansing Act), Article 174, Article 178, Article 182 (limited to the provisions for revising Articles 16 and 40-2 of the Basic Environment Act), and Article 187 (limited to the provisions for revising Article 15 of the Protection of Wild

Bird and Mammals and Hunting Management Act, revising Article 28, paragraph (9) of the relevant Act (excluding the part for revising "Article 4, paragraph (3)" to "Article 4, paragraph (4)"), those for revising Article 29, paragraph (4) of the relevant Act (excluding the part for revising "Article 4, paragraph (3)" to "Article 4, paragraph (4)"), and those for revising Articles 34 and 35 of the relevant Act), as well as the provisions of the Supplementary Provisions, namely, the provisions of Article 13, Articles 15 through 24, Article 25, paragraph (1), Article 26, Article 27, paragraphs (1) through (3), Articles 30 through 32, Article 38, Article 44, Article 46, paragraphs (1) and (4), Articles 47 through 49, Articles 51 through 53, Article 55, Article 58, Article 59, Articles 61 through 69, Article 71, Article 72, paragraphs (1) through (3), Articles 74 through 76, Article 77, Article 80, paragraphs (1) and (3), Article 83, Article 87 (excluding the provisions for revising Article 587-2 of the Local Tax Act and Article 11 of the Supplementary Provisions thereof), Article 89, Article 90, Article 92 (limited to the provisions for revising Article 25 of the National Highway Act), Article 101, Article 102, Articles 105 through 107, Article 112, Article 117 (limited to the provisions for revising Article 4, paragraph 8 of the Act on Promotion of Activities for Conservation of Biodiversity through Coordination of Diversified Actors in Community (Act No. 72 of 2010)), Article 119, Article 121-2, and Article 123, paragraph (2): April 1, 2012.

附 則 〔平成二十三年十二月十四日法律第百二十二号〕 〔抄〕

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

(施行期日)

(Effective Date)

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

Article 1 This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding two months from the date of promulgation; provided, however, that the provisions of the following items comes into effect as specified in each of these items:

一 附則第六条、第八条、第九条及び第十三条の規定 公布の日

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

附 則 〔平成二十五年六月二十一日法律第六十号〕 〔抄〕

Supplementary Provisions [Act No. 60 of June 21, 2013] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect as of the date specified by cabinet order within a period not exceeding six months from the date of promulgation; provided, however, that the provisions of the following items comes into effect as specified in each of these items:

一 略

(i) omitted;

二 第四条、次条及び附則第七条の規定 公布の日から起算して二年を超えない範囲内において政令で定める日

(ii) Article 4, the following Article, and the Supplementary Provisions, Article 7: the date specified by cabinet order within a period not exceeding two years from the date of promulgation.

(環境影響評価法の一部改正に伴う経過措置)

(Transitional Measures on Partial Revision of the Environmental Impact Assessment Act)

第二条 第四条の規定による改正後の環境影響評価法（以下この条において「新法」という。）の規定は、前条第二号に掲げる規定の施行の日以後に新法第二十七条（新法第四十条第二項の規定により読み替えて適用される場合を含む。）の規定による公告又は新法第三十一条第三項（新法第三十二条第三項において準用する場合及び新法第四十条第二項の規定により読み替えて適用される場合を含む。）若しくは第三十二条第三項において読み替えて準用する新法第三十一条第一項（新法第四十条第二項の規定により読み替えて適用される場合を含む。）に規定する公告が行われる事業について適用し、その他の事業に係る環境影響評価その他の手続については、なお従前の例による。

Article 2 The provisions of the Environmental Impact Assessment Act revised by Article 4 (hereinafter referred to as the "New Act" in this Article) are applied to a project for which a public notice is issued pursuant to Article 27 of the New Act (including the cases where it is applied by replacing terms and phrases pursuant to Article 40, paragraph (2) of the New Act), or a public notice prescribed in Article 31, paragraph (3) of the New Act (including the cases where applied mutatis mutandis pursuant to Article 32, paragraph (3) of the New Act as well as the cases where it is applied by replacing terms and phrases pursuant to Article 40, paragraph (2) of the New Act) or a public notice prescribed in Article 31, paragraph (1) of the New Act as applied mutatis mutandis by replacing terms and phrases pursuant to Article 32, paragraph (3) (including the cases where it is applied by replacing terms and phrases

pursuant to Article 40, paragraph (2) of the New Act), after the enforcement date of the provisions set forth in the preceding Article, item (ii). Regarding an environmental impact assessment and other procedures pertaining to other projects, prior laws continue to govern.

(政令への委任)

(Delegation to Cabinet Order)

第三条 前条に定めるもののほか、この法律の施行に伴い必要な経過措置は、政令で定める。

Article 3 Beyond what is provided for in the preceding Article, matters concerning transitional measures necessary for the enforcement of this Act are specified by cabinet order.

附 則 [平成二十六年五月二十一日法律第三十九号] [抄]

Supplementary Provisions [Act No. 39 of May 21, 2014] [Extract]

(施行期日)

(Effective Date)

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

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

附 則 [平成二十六年六月四日法律第五十一号] [抄]

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

(施行期日)

(Effective Date)

第一条 この法律は、平成二十七年四月一日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect as of April 1, 2015; provided, however, that the provisions of the following items come into effect as specified in each of these items:

一 第四十五条の規定並びに附則第六条、第十七条及び第十八条の規定 公布の日から起算して一年を経過した日

(i) the provisions in Article 45, and the provisions in the Supplementary Provisions, Article 6, 17 and 18: as of the day on which one year has elapsed since the date of promulgation;