

公害健康被害の補償等に関する法律

Act on Compensation for Pollution-related Health Damage

(昭和四十八年十月五日法律第百十一号)
(Act No. 111 of October 5, 1973)

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第一章 総則

Chapter I General Provisions

（目的）

(Purpose)

第一条 この法律は、事業活動その他の人の活動に伴つて生ずる相当範囲にわたる著しい大気の汚染又は水質の汚濁（水底の底質が悪化することを含む。以下同じ。）の影響による健康被害に係る損害を填てん補するための補償並びに被害者の福祉に必要な事業及び大気の汚染の影響による健康被害を予防するために必要な事業を行うことにより、健康被害に係る被害者等の迅速かつ公正な保護及び健康の確保を図ることを目

的とする。

Article 1 The purpose of this Act is to promote prompt and fair protection of victims involved in health damage and securing of their health by providing compensation to compensate for health damage due to influence of extreme air pollution or water pollution (including deterioration of water sediment; the same applies hereinafter) over a considerable area caused in connection with business activities and other human activities , and providing services necessary for the welfare of victims and for preventing health damage due to influence of air pollution.

(地域及び疾病の指定)

(Designation of Area and Disease)

第二条 この法律において「第一種地域」とは、事業活動その他の人の活動に伴つて相当範囲にわたる著しい大気の汚染が生じ、その影響による疾病（次項に規定する疾病を除く。）が多発している地域として政令で定める地域をいう。

Article 2 (1) The term "Class I Area" as used in this Act means areas specified by Cabinet Order as those in which extreme air pollution is caused over a considerable area in connection with business activities and other human activities and in which diseases (excluding those set forth in the following paragraph) frequently occur due to influence of the air pollution.

2 この法律において「第二種地域」とは、事業活動その他の人の活動に伴つて相当範囲にわたる著しい大気の汚染又は水質の汚濁が生じ、その影響により、当該大気の汚染又は水質の汚濁の原因である物質との関係が一般的に明らかであり、かつ、当該物質によらなければかかることがない疾病が多発している地域として政令で定める地域をいう。

(2) The term "Class II Area" as used in this Act means areas specified by Cabinet Order as those in which extreme air pollution or water pollution is caused over a considerable area in connection with business activities and other human activities and in which diseases, which generally have a clear relationship with substances that cause the air pollution or water pollution and are caused only by the substances, frequently occur.

3 前二項の政令においては、あわせて前二項の疾病を定めなければならない。

(3) A Cabinet Order provided in the preceding two paragraphs must specify the diseases provided in the preceding two paragraphs.

4 環境大臣は、前三項の規定に基づく政令の制定又は改廃の立案をしようとするときは、中央環境審議会並びに関係都道府県知事及び関係市町村長の意見を聴かなければならない。

(4) When the Minister of the Environment intends to propose the enactment, revision, or abolition of a Cabinet Order based on the provisions of the preceding three paragraphs, the Minister must hear the opinions of the Central Environment Council, relevant prefectural governors, and relevant mayors of

municipalities.

第二章 補償給付

Chapter II Compensation Benefits

第一節 通則

Section 1 General Rules

(補償給付の種類等)

(Types of Compensation Benefits)

第三条 第一条に規定する健康被害に対する補償のため支給されるこの法律による給付（以下「補償給付」という。）は、次のとおりとする。

Article 3 (1) Benefits under this Act paid to compensate for health damage set forth in Article 1 (hereinafter referred to as the "compensation benefits") are as follows:

一 療養の給付及び療養費

(i) medical treatment benefits and medical treatment expenses;

二 障害補償費

(ii) disability compensation;

三 遺族補償費

(iii) compensation for surviving family;

四 遺族補償一時金

(iv) lump sum compensation for surviving family;

五 児童補償手当

(v) child compensation allowance;

六 療養手当

(vi) medical treatment allowance; and

七 葬祭料

(vii) funeral service fee.

2 前項第二号、第三号及び第五号に掲げる補償給付は、月を単位として支給するものとし、その支払は、定期的に行なう。

(2) The compensation benefits set forth in items (ii), (iii), and (v) of the preceding paragraph are paid monthly and regularly.

(認定等)

(Certification)

第四条 第一種地域の全部又は一部を管轄する都道府県知事は、当該第一種地域につき第二条第三項の規定により定められた疾病にかかっていると認められる者で次の各号の一に該当するものの申請に基づき、当該疾病が当該第一種地域における大気の汚染の影響によるものである旨の認定を行なう。この場合においては、当該疾病にかかっていると認められるかどうかについては、公害健康被害認定審査会の意見をきかなければならない。

Article 4 (1) Based on an application filed by a person who is certified to have a disease pertaining to the Class I Area specified pursuant to the provisions of Article 2, paragraph (3) and falls under any of the following items, a prefectural governor having jurisdiction over all or a part of the Class I Area certifies that the disease is caused by influence of air pollution in the Class I Area. In this case, the prefectural governor must hear the opinions of the Examination Board for Certification of Pollution-related Health Damage as to whether or not the person is certified to have the disease.

一 申請の当時当該第一種地域の区域内に住所を有しており、かつ、申請の時まで引き続き当該第一種地域の区域内に住所を有した期間（当該第一種地域につき第二条第三項の規定により定められた疾病と同一の疾病が同項の規定により定められた他の第一種地域の区域内に住所を有した期間を含む。以下この項において同じ。）が疾病の種類に応じて政令で定める期間以上であり、又は申請の時まで引き続き疾病の種類に応じて政令で定める期間内において当該第一種地域の区域内に住所を有した期間が疾病の種類に応じて政令で定める期間以上である者

(i) a person who has a domicile in the Class I Area at the time of application and a period during which the person has had the domicile in the Class I Area until the filing of the application (including a period during which the person who has the same disease as that pertaining to the Class I Area which is specified pursuant to the provisions of Article 2, paragraph (3) had the domicile in another Class I Area which is specified pursuant to the provisions of the same paragraph; the same applies hereinafter in this paragraph) is longer than that specified by Cabinet Order according to the type of a disease, or a period during which the person had the domicile in the Class I Area is longer than that specified by Cabinet Order according to the type of a disease in a period specified by Cabinet Order according to the type of a disease that has continued until the filing of the application;

二 申請の当時一日のうち政令で定める時間（以下この条において「指定時間」という。）以上の時間を当該第一種地域の区域内で過ごすことが常態であり、かつ、申請の時まで引き続き一日のうち指定時間以上の時間を当該第一種地域の区域内で過ごすことが常態であつた期間（一日のうち指定時間以上の時間を当該第一種地域につき第二条第三項の規定により定められた疾病と同一の疾病が同項の規定により定められた他の第一種地域の区域内で過ごすことが常態であつた期間を含む。以下この項において同じ。）が疾病の種類に応じて政令で定める期間以上であり、又は申請の時まで引き続き疾病の種類に応じて政令で定める期間内において一日のうち指定時間以上の時間を当該第一種地域の区域内で過ごすことが常態であつた期間が疾病の種類に応じて政令で定める期間以上である者

(ii) a person who normally spends a longer time of the day than that specified by Cabinet Order (hereinafter referred to as the "designated hours" in this Article) in the Class I Area at the time of application and a period during which the person has normally spent a longer time of the day than the

designated hours in the Class I Area until the filing of the application (including a period during which the person who has the same disease as that pertaining to the Class I Area which is specified pursuant to the provisions of Article 2, paragraph (3) normally spent a longer time of the day than the designated hours in another Class I Area which is specified pursuant to the provisions of the same paragraph; the same applies hereinafter in this paragraph) is longer than that specified by Cabinet Order according to the type of a disease or a period during which the person normally spent longer time of the day than the designated hours in the Class I Area is longer than that specified by Cabinet Order according to the type of a disease in a period specified by Cabinet Order according to the type of a disease that has continued until the filing of the application; and

三 前二号に該当する者を除き、申請の当時、当該第一種地域の区域内に住所を有しており、又は指定時間以上の時間を当該第一種地域の区域内で過ごすことが常態であり、かつ、当該第一種地域の区域内に住所を有した期間と指定時間以上の時間を当該第一種地域の区域内で過ごすことが常態であった期間とが、政令で定めるところにより、疾病の種類に応じて算定した期間以上である者

(iii) Except for those falling under the preceding two items, any person who has a domicile in the Class I Area or normally spends longer time than the designated hours in the Class I Area at the time of application, and a period during which the person had the domicile in the Class I Area and a period during which the person normally spent longer time than the designated hours in the Class I Area are longer than a period calculated according to the type of a disease as specified by Cabinet Order.

2 第二種地域の全部又は一部を管轄する都道府県知事は、当該第二種地域につき第二条第三項の規定により定められた疾病にかかっていると認められる者の申請に基づき、当該疾病が当該第二種地域に係る大気汚染又は水質汚濁の影響によるものである旨の認定を行なう。前項後段の規定は、この場合について準用する。

(2) Based on an application filed by a person who is certified to have a disease pertaining to the Class II Area specified pursuant to the provisions of Article 2, paragraph (3), a prefectural governor having jurisdiction over all or a part of the Class II Area certifies that the disease is caused by influence of air pollution or water pollution in the Class II Area. The provisions in the second sentence of the preceding paragraph apply mutatis mutandis to this case.

3 第一種地域又は第二種地域の全部又は一部が政令で定める市（特別区を含む。以下同じ。）の区域内にある場合には、その区域については、第一項又は前項の規定による都道府県知事の権限は、当該市の長が行なう。

(3) If all or a part of the Class I Area or the Class II Area is located in a city specified by Cabinet Order (including special wards; the same applies hereinafter), the authority of a prefectural governor under the provisions of paragraph (1) or the preceding paragraph with regard to the area is exercised

by the mayor of the city.

4 都道府県知事（前項の政令で定める市にあつては、当該市の長とする。第四十五条から第四十八条まで及び第百四十三条を除き、以下同じ。）は、第一項又は第二項の認定（第六項、第十三条第二項、第四十九条第一項及び第二項、第五十二条第一項、第六十二条第一項並びに第百十九条第五項を除き、以下本則において単に「認定」という。）を行なつたときは、当該認定を受けた者（第六条の規定による申請に基づいて認定を受けた者を除き、以下「被認定者」という。）に対し、公害医療手帳を交付する。

(4) When a prefectural governor (in the case of a city specified by Cabinet Order set forth in the preceding paragraph, the mayor of the city; the same applies hereinafter except for Articles 45 through 48 and Article 143) grants certification set forth in paragraph (1) or paragraph (2) (hereinafter simply referred to as the "certification" in these Rules except for paragraph (6), Article 13, paragraph (2), Article 49, paragraphs (1) and (2), Article 52, paragraph (1), Article 62, paragraph (1), and Article 119, paragraph (5)), the prefectural governor issues a pollution medical notebook to a person who has received the certification (hereinafter referred to as the "certified person" except for those certified based on an application under the provisions of Article 6).

5 認定は、その申請のあつた日にさかのぼつてその効力を生ずる。

(5) The certification becomes effective retroactive to the date on which the application is filed.

6 第一種地域に係る被認定者は、同一の疾病については、重ねて第一項の認定を受けることができない。ただし、同一の疾病が第二条第三項の規定により定められた他の都道府県知事の管轄に属する第一種地域の区域内に住所を移し、又は一日のうち指定時間以上の時間をその区域内で過ごすことが常態となつた場合において、当該他の都道府県知事に対しその旨の届出をしたときは、当該疾病について現に受けている第一項の認定は、当該他の都道府県知事がした同項の認定とみなす。

(6) The certified person pertaining to the Class I Area may not receive the certification set forth in paragraph (1) for the same disease in duplicate. However, if the person relocates his/her domicile to the Class I Area over which another prefectural governor has jurisdiction and the same disease is specified pursuant to the provisions of Article 2, paragraph (3) or normally spends longer time of the day than the designated hours in the Area, and when the person notifies the relevant other prefectural governor to the effect, the certification set forth in paragraph (1) that the person has received pertaining to the disease is deemed to be the certification set forth in the same paragraph that has been granted by the relevant other prefectural governor.

第五条 認定の申請をした者が認定を受けないで死亡した場合において、その死亡した者が前条第一項又は第二項の規定により認定を受けることができる者であるときは、都道府県知事は、その死亡した者の第三十条第一項に規定する遺族若しくは第三十五

条第一項各号に掲げる者又はその死亡した者について葬祭を行なう者の申請に基づき、その死亡した者が認定を受けることができる者であつた旨の決定を行なう。

Article 5 (1) If a person filing an application for certification dies without receiving the certification and the person is entitled to receive the certification pursuant to the provisions of paragraph (1) or (2) of the preceding Article, a prefectural governor makes a decision that the deceased person was a person who was entitled to receive the certification, based on an application filed by the deceased person's surviving family set forth in Article 30, paragraph (1), a person set forth in the items of Article 35, paragraph (1), or a person who holds a funeral for the deceased person.

2 前項の申請は、同項に規定する死亡した者の死亡の日から六月以内に限り、することができる。

(2) The application set forth in the preceding paragraph may be filed within six months from the date on which the deceased person set forth in the same paragraph dies.

3 第一項の決定があつたときは、同項に規定する死亡した者は、認定を受けたものとみなす。

(3) When a decision provided in paragraph (1) is made, the deceased person set forth in the same paragraph is deemed to have been certified.

第六条 第二条第三項の規定により定められた疾病（以下「指定疾病」という。）にかかっていると認められる者が当該指定疾病に関し認定の申請をしないで死亡した場合においては、第四条第一項中「かかっている」とあるのは「かかっていた」と、「ものの申請」とあるのは「ものの第三十条第一項に規定する遺族若しくは第三十五条第一項各号に掲げる者又はその死亡した者について葬祭を行なう者の申請」と、同項各号中「申請」とあるのは「死亡」と、同条第二項中「かかっている」とあるのは「かかっていた」と、「者の申請」とあるのは「者の第三十条第一項に規定する遺族若しくは第三十五条第一項各号に掲げる者又はその死亡した者について葬祭を行なう者の申請」と読み替えて、これらの規定を適用する。この場合において、これらの規定による認定の申請は、当該第一種地域又は第二種地域の指定の日から一年以内でその死亡の日から六月以内に限り、することができる。

Article 6 If a person who is certified to have a disease specified pursuant to the provisions of Article 2, paragraph (3) (hereinafter referred to as the "designated disease") dies without filing an application for the certification pertaining to the designated disease, the terms "is certified to have" and "application filed by a person" in Article 4, paragraph (1) are deemed to be replaced with "was certified to have" and "application filed by the deceased person's surviving family set forth in Article 30, paragraph (1), a person set forth in the items of Article 35, paragraph (1), or a person who holds a funeral for the deceased person," the term "application" in the items of the same paragraph is deemed to be replaced with "death," and the terms "is certified to

have" and "application filed by a person" in paragraph (2) of the same Article are deemed to be replaced with "was certified to have" and "application filed by the deceased person's surviving family set forth in Article 30, paragraph (1), a person set forth in the items of Article 35, paragraph (1), or a person who holds a funeral for the deceased person," and these provisions apply. In this case, an application for certification under these provisions may be filed within one year from the date of designation of the Class I Area or the Class II Area and within six months from the date on which the deceased person dies.

(認定の有効期間)

(Validity Period of Certification)

第七条 認定は、指定疾病の種類に応じて政令で定める期間内に限り、その効力を有する。ただし、政令で定める指定疾病に係る認定については、この限りでない。

Article 7 (1) The certification is effective only within a period specified by Cabinet Order according to the type of the designated disease; provided, however, that this does not apply to certification pertaining to the designated disease specified by Cabinet Order.

2 都道府県知事は、認定にあたり、有効期間が定められた指定疾病に係る被認定者の当該指定疾病が有効期間の満了前になおる見込みが少ないと認めるときは、公害健康被害認定審査会の意見をきいて、前項の規定にかかわらず、別に当該認定の有効期間を定めることができる。

(2) In granting certification, if a prefectural governor finds that the designated disease of the certified person for which the validity period of certification is determined is unlikely to be cured before the expiration of the validity period, the prefectural governor may determine the validity period of the certification separately based on the opinions of the Examination Board for Certification of Pollution-related Health Damage, notwithstanding the provisions of the preceding paragraph.

(認定の更新)

(Renewal of Certification)

第八条 前条第一項又は第二項の規定により有効期間が定められた被認定者の当該認定に係る指定疾病が有効期間の満了前になおる見込みがないときは、当該被認定者は、都道府県知事に対し、認定の更新を申請することができる。

Article 8 (1) When the certified person's designated disease pertaining to the certification that has the validity period pursuant to the provisions of paragraph (1) or (2) of the preceding Article is unlikely to be cured before the expiration of the validity period, the certified person may file an application for renewal of the certification to the prefectural governor.

2 都道府県知事は、前項の規定による申請があつた場合において、公害健康被害認定審査会の意見をきき当該指定疾病が有効期間の満了後においても継続すると認めると

きは、当該指定疾病に係る認定を更新する。

(2) If an application under the provisions of the preceding paragraph is filed and a prefectural governor finds that the designated disease will continue even after the expiration of the validity period based on the opinions of the Examination Board for Certification of Pollution-related Health Damage, the prefectural governor renews the certification to which the designated disease pertains.

3 前条の規定は、前項の規定により更新される認定について準用する。

(3) The provisions of the preceding Article apply mutatis mutandis to the certification renewed pursuant to the provisions of the preceding paragraph.

第八条の二 前条第一項の規定による申請をすることができる者が、災害その他やむを得ない理由により当該申請に係る認定の有効期間の満了前に当該申請をすることができなかつたときは、その者は、その理由のやんだ日から二月以内に限り、当該認定の更新を申請することができる。

Article 8-2 (1) When a person who may file an application under the provisions of paragraph (1) of the preceding Article cannot file the application before the expiration of the validity period of the certification pertaining to the application due to a disaster or any other unavoidable reason, the person may file an application for the renewal of the certification within two months from the date on which the reason ceases to exist.

2 都道府県知事は、前項の規定による申請があつた場合において、公害健康被害認定審査会の意見を聴き当該申請に係る指定疾病がその後においても継続すると認めるときは、当該申請に係る認定を更新する。この場合において、更新された認定は、前項に規定する有効期間の満了日の翌日にさかのぼつてその効力を生ずる。

(2) If an application under the provisions of the preceding paragraph is filed and a prefectural governor finds that the designated disease pertaining to the application will continue thereafter based on the opinions of the Examination Board for Certification of Pollution-related Health Damage, the prefectural governor renews the certification pertaining to the application. In this case, the renewed certification becomes effective retroactive to the day following the expiration date of the validity period set forth in the preceding paragraph.

3 第七条の規定は、前項の規定により更新される認定について準用する。この場合において、同条第一項中「政令で定める期間内」とあるのは、「第八条の二第一項に規定する有効期間の満了日の翌日から政令で定める期間内」と読み替えるものとする。

(3) The provisions of Article 7 apply mutatis mutandis to the certification renewed pursuant to the provisions of the preceding paragraph. In this case, the term "within a period specified by Cabinet Order" in paragraph (1) of the same Article is deemed to be replaced with "within a period specified by Cabinet Order from the day following the expiration date of the validity period set forth in Article 8-2, paragraph (1)."

(認定の取消し)

(Rescission of Certification)

第九条 都道府県知事は、公害健康被害認定審査会の意見をききその認定に係る者の指定疾病がなおつたと認めるときは、認定を取り消すものとする。

Article 9 When a prefectural governor finds that the designated disease of a person pertaining to the certification of the prefectural governor has become cured based on the opinions of the Examination Board for Certification of Pollution-related Health Damage, the prefectural governor rescinds the certification.

(補償給付の請求)

(Claim for Compensation Benefits)

第十条 補償給付の請求は、認定の申請がされた後は、認定前であつても、することができる。

Article 10 (1) A claim for the compensation benefits may be made after an application for the certification is filed, even before receiving the certification.

2 補償給付を支給する旨の処分は、その請求のあつた日にさかのぼつてその効力を生ずる。

(2) The disposition to the effect that the compensation benefits are paid becomes effective retroactive to the date on which the claim is made.

(支給期間及び支払期月)

(Period of Payment and Month of Payment)

第十一条 定期的に行なう補償給付の支給は、その請求があつた日の属する月の翌月から始め、支給すべき事由が消滅した日の属する月で終わる。

Article 11 (1) Regular payment of the compensation benefits begins in the month following the month when the claim is made and ends in the month when the reason for payment ceases to exist.

2 定期的に行なう補償給付は、毎年二月、四月、六月、八月、十月及び十二月の六期に、それぞれの前月及び前前月の分を支払う。ただし、前支払期月に支払うべきであつた補償給付又は支給すべき事由が消滅した場合におけるその期の補償給付は、その支払期月でない月であつても、支払うものとする。

(2) Regular compensation benefits are paid in the six terms of February, April, June, August, October, and December of each year, for the previous month and the month before the previous month; provided, however, that the compensation benefits that should have been paid in the previous month of payment or the compensation benefits for a term when the reason for payment ceases to exist are paid in a month even if it does not correspond to the regular month of payment.

(未支給の補償給付)

(Unpaid Compensation Benefits)

第十二条 補償給付を受けることができる者が死亡した場合において、その死亡した者に支給すべき補償給付でまだその者に支給していなかったものがあるときは、その者の配偶者（届出をしていないが、事実上婚姻関係と同様の事情にあつた者を含む。以下この章において同じ。）、子、父母、孫、祖父母又は兄弟姉妹であつて、その者の死亡の当時その者と生計を同じくしていたものは、自己の名で、その支給を請求することができる。

Article 12 (1) If a person who is entitled to receive the compensation benefits dies and the compensation benefits payable to the deceased person remain, the person's spouse (including a person who has not been registered but was in a de facto marital relationship with the deceased person; the same applies hereinafter in this Chapter), children, parents, grandchildren, grandparents, or siblings who shared living expenses with the person at the time of the person's death may make a claim for a payment of the benefits in their own name.

2 未支給の補償給付を受けることができる者の順位は、前項に規定する順序による。

(2) The order of persons entitled to receive unpaid compensation benefits conforms to the order set forth in the preceding paragraph.

3 未支給の補償給付を受けることができる同順位者が二人以上あるときは、その一人がした請求は、全員のためその全額につきしたものとみなし、その一人に対してした支給は、全員に対してしたものとみなす。

(3) If there are two or more persons of the same rank who are entitled to receive unpaid compensation benefits, a claim made by one of them is deemed to have been made for the total amount for all of them, and a payment made to one of them is deemed to have been made to all of them.

(補償給付の免責等)

(Discharge from Compensation Benefits)

第十三条 補償給付を受けることができる者に対し、同一の事由について、損害の填てん補がされた場合（次条第二項に規定する場合に該当する場合を除く。）においては、都道府県知事は、その価額の限度で補償給付を支給する義務を免れる。

Article 13 (1) If damage is compensated to a person entitled to receive the compensation benefits for the same reason (excluding cases that fall under paragraph (2) of the following Article), a prefectural governor is discharged from the obligation to pay the compensation benefits up to the limit of the value of the benefits.

2 前項の規定により都道府県知事がその支給の義務を免れることとなつた補償給付が第四条第一項の認定に係るものであるときは、独立行政法人環境再生保全機構（以下「機構」という。）は、政令で定めるところにより、当該補償給付の支給の原因となつた行為に基づく損害を填てん補した第五十二条第一項に規定するばい煙発生施設等

設置者の請求に基づき、その者に対し、その免れることとなつた補償給付の価額に相当する金額の全部又は一部を支払うことができる。

- (2) When the compensation benefits, for which the prefectural governor is discharged from the payment obligation pursuant to the provisions of the preceding paragraph, pertain to the certification set forth in Article 4, paragraph (1), the Environmental Restoration and Conservation Agency (hereinafter referred to as the "Agency") may, as specified by Cabinet Order, pay all or a part of the amount equivalent to the value of the compensation benefits subject to discharge to the establisher of soot and smoke generating facilities, etc. set forth in Article 52, paragraph (1) who compensated for the damage caused by an act that caused the payment of the compensation benefits, based on a claim of the establisher.

(他の法律による給付等との調整)

(Coordination with Benefits by Other Laws)

第十四条 補償給付の支給がされた場合においては、政令で定める法令の規定により同一の事由について当該補償給付に相当する給付等を支給すべき者は、その支給された補償給付の価額の限度で当該給付等を支給する義務を免れる。

Article 14 (1) If the compensation benefits are paid, a person who should pay benefits, etc. equivalent to the compensation benefits for the same reason pursuant to the provisions of laws and regulations specified by Cabinet Order is discharged from the obligation to pay the benefits, etc. up to the limit of the value of the compensation benefits paid.

2 前項の政令で定める法令の規定により同一の事由について補償給付に相当する給付等の支給がされた場合においては、都道府県知事は、政令で定めるところにより、その価額の限度で補償給付を支給する義務を免れる。この場合において、当該給付等を支給した者は、当該都道府県知事が補償給付を支給する義務を免れた価額の限度で、当該都道府県知事に対し、当該給付等の価額に相当する金額を求償することができる。

- (2) If benefits, etc. equivalent to the compensation benefits are paid for the same reason pursuant to the provisions of laws and regulations specified by Cabinet Order set forth in the preceding paragraph, a prefectural governor is, as specified by Cabinet Order, discharged from the obligation to pay the compensation benefits up to the limit of the value of the benefits. In this case, the person who pays the benefits, etc. may make a claim for compensation for an amount equivalent to the value of the benefits, etc. to the prefectural governor up to the limit of the value of the compensation benefits for which the prefectural governor is discharged from the payment obligation.

(不正利得の徴収)

(Collection of Fraudulent Gains)

第十五条 偽りその他不正の手段により補償給付の支給を受けた者があるときは、都道

府県知事は、国税徴収の例により、その者からその補償給付の支給に要した費用に相当する金額の全部又は一部を徴収することができる。

Article 15 (1) When there is a person who receives the compensation benefits by deception or other wrongful means, a prefectural governor may collect all or a part of the amount equivalent to expenses required for the payment of the compensation benefits from the person by the same rules as for national tax collection.

2 前項の規定による徴収金の先取特権の順位は、国税及び地方税に次ぐものとする。

(2) The order of the statutory lien for the money collected under the provisions of the preceding paragraph comes after national tax and local tax.

(受給権の保護)

(Protecting the Right to Receive Benefits)

第十六条 補償給付の支給を受ける権利は、譲り渡し、担保に供し、又は差し押えることができない。

Article 16 The right to receive the compensation benefits may not be transferred, pledged as collateral, or attached.

(公課の禁止)

(Prohibition of Public Charges)

第十七条 租税その他の公課は、補償給付として支給を受けた金品を標準として、課することができない。

Article 17 Taxes and other public charges may not be imposed on money and goods provided as the compensation benefits.

(環境省令への委任)

(Delegation to Order of the Ministry of the Environment)

第十八条 この章に定めるもののほか、認定の申請その他の補償給付に関する手続に関し必要な事項は、環境省令で定める。

Article 18 Beyond what is provided in this Chapter, matters necessary for the application for certification and other procedures pertaining to the compensation benefits are specified by Order of the Ministry of the Environment.

第二節 療養の給付及び療養費

Section 2 Medical Treatment Benefits and Medical Treatment Expenses

(療養の給付)

(Medical Treatment Benefits)

第十九条 都道府県知事は、その認定に係る被認定者の指定疾病について、次に掲げる療養の給付を行なう。

Article 19 (1) A prefectural governor provides the following medical treatment benefits for the designated disease of the certified person pertaining to the certification of the prefectural governor:

一 診察

(i) examination;

二 薬剂又は治療材料の支給

(ii) provision of drugs or treatment materials;

三 医学的処置、手術及びその他の治療

(iii) medical treatment, surgery, and other treatments;

四 居宅における療養上の管理及びその療養に伴う世話その他の看護

(iv) management of home treatment and care and other nursing care involved in the treatment;

五 病院又は診療所への入院及びその療養に伴う世話その他の看護

(v) hospitalization in a hospital or clinic and care or other nursing care involved in treatment at the hospital or clinic; and

六 移送

(vi) transfer.

2 被認定者が前項第一号から第五号までに掲げる療養の給付を受けようとするときは、自己の選定する次条に規定する公害医療機関に公害医療手帳を提示して、当該機関から受けるものとする。

(2) When the certified person intends to receive the medical treatment benefits set forth in items (i) through (v) of the preceding paragraph, the person shall present the pollution medical notebook to a pollution medical institution selected by the person among those set forth in the following Article and receive the benefits from the institution.

(公害医療機関)

(Pollution Medical Institution)

第二十条 療養の給付を取り扱う者（以下「公害医療機関」という。）は、次に掲げるもの（都道府県知事に対し公害医療機関とならない旨を申し出たものを除く。）とする。

Article 20 Persons who handle medical treatment benefits (hereinafter referred to as the "pollution medical institution") are those set forth in the following items (excluding those who have notified the prefectural governor that they are not the pollution medical institution):

一 健康保険法（大正十一年法律第七十号）第六十三条第三項第一号に規定する保険医療機関及び保険薬局

(i) insurance medical institutions and insurance pharmacies set forth in Article 63, paragraph (3), item (i) of the Health Insurance Act (Act No. 70 of 1922);

二 生活保護法（昭和二十五年法律第四百四十四号）第五十条第一項に規定する指定医療機関

(ii) designated medical institutions set forth in Article 50, paragraph (1) of the Public Assistance Act (Act No. 144 of 1950); and

三 前二号に掲げるもののほか、病院若しくは診療所（これらに準ずるものを含む。）又は薬局であつて環境省令で定めるもの

(iii) beyond what is provided in the preceding two items, hospitals or clinics (including those equivalent thereto) or pharmacies specified by Order of the Ministry of the Environment.

(公害医療機関の義務)

(Obligation of Pollution Medical Institution)

第二十一条 公害医療機関は、環境大臣の定めるところにより、療養の給付を担当しなければならない。

Article 21 (1) The pollution medical institution must be in charge of medical treatment benefits as specified by the Minister of the Environment.

2 公害医療機関は、被認定者の指定疾病についての療養の給付に関し、環境大臣又は都道府県知事が行なう指導に従わなければならない。

(2) With regard to medical treatment benefits for the designated disease of the certified person, the pollution medical institution must comply with the guidance given by the Minister of the Environment or the prefectural governor.

(診療方針及び診療報酬)

(Medical Care Policy and Medical Remuneration)

第二十二条 公害医療機関の診療方針及び診療報酬は、環境大臣が中央環境審議会の意見を聴いて定めるところによる。

Article 22 The medical policy and medical remuneration of the pollution medical institution are specified by the Minister of the Environment based on the opinions of the Central Environment Council.

(診療報酬の審査及び支払)

(Examination and Payment of Medical Remuneration)

第二十三条 公害医療機関から診療報酬の請求があつたときは、都道府県又は第四条第三項の政令で定める市は、当該請求に係る診療内容及び診療報酬を審査して、診療報酬の額を決定し、これを支払うものとする。

Article 23 (1) When a prefecture or a city specified by Cabinet Order set forth in Article 4, paragraph (3) receives a claim for medical remuneration from the pollution medical institution, it conducts an examination on the details of medical care and medical remuneration pertaining to the claim, determines the amount of medical remuneration, and makes a payment for the medical remuneration.

2 都道府県又は第四条第三項の政令で定める市は、前項の規定による審査又は支払に関する事務を政令で定める者に委託することができる。

(2) A prefecture or a city specified by Cabinet Order set forth in Article 4, paragraph (3) may entrust affairs pertaining to the examination or payment under the provisions of the preceding paragraph to a person specified by Cabinet Order.

3 第一項の規定による審査をした者は、その職務上知ることのできた秘密を漏らしてはならない。

(3) A person who conducts an examination under the provisions of paragraph (1) must not divulge any secret which the person comes to know in the course of duties.

(療養費の支給)

(Payment of Medical Treatment Expenses)

第二十四条 都道府県知事は、療養の給付を行なうことが困難であると認めるとき、又は被認定者が緊急その他やむを得ない理由により公害医療機関以外の病院、診療所若しくは薬局その他の者から診療、薬剤の支給若しくは手当を受けた場合において、その必要があると認めるときは、当該被認定者の請求に基づき、療養の給付に代えて、療養費を支給する。

Article 24 (1) When a prefectural governor finds it difficult to provide medical treatment benefits, or if the certified person receives medical care or provision of drugs or medical treatment from a hospital, clinic, pharmacy, or any other person than the pollution medical institution due to an emergency or any other unavoidable reason and when the prefectural governor finds it necessary, the prefectural governor pays medical treatment expenses in lieu of the medical treatment benefits based on a claim of the certified person.

2 都道府県知事は、被認定者が公害医療手帳を提示しないで公害医療機関から診療又は薬剤の支給を受けた場合において、公害医療手帳を提示しなかつたことが緊急その他やむを得ない理由によるものと認めるときは、当該被認定者の請求に基づき、療養の給付に代えて、療養費を支給する。

(2) If the certified person receives medical treatment or provision of drugs from the pollution medical institution without presenting the pollution medical notebook, and when a prefectural governor finds that failure to present the pollution medical notebook is due to an emergency or any other unavoidable reason, the prefectural governor pays medical treatment expenses in lieu of medical treatment benefits based on a claim of the certified person.

3 前二項の療養費の額は、第二十二条の規定に基づき定められた診療報酬の例により算定する。ただし、現に要した費用の額をこえることができない。

(3) The amount of the medical treatment expenses set forth in the preceding two paragraphs is calculated by the same rules as the medical remuneration specified based on the provisions of Article 22; provided, however, that the amount of expenses may not exceed that actually required.

4 療養費の支給の請求は、その請求をすることができる時から二年を経過したときは、

することができない。

- (4) A claim for the payment of medical treatment expenses may not be made when two years have elapsed from the date on which the claim may be made.

第三節 障害補償費

Section 3 Disability Compensation

(障害補償費の支給)

(Payment of Disability Compensation)

第二十五条 都道府県知事は、その認定に係る被認定者（政令で定める年齢に達しない者を除く。）の指定疾病による障害の程度が政令で定める障害の程度に該当するものであるときは、当該被認定者の請求に基づき、公害健康被害認定審査会の意見をきいて、その障害の程度に応じた障害補償費を支給する。

Article 25 (1) When the degree of disability caused by the designated disease of the certified person (excluding those who do not reach the age specified by Cabinet Order) pertaining to the certification of a prefectural governor falls under that specified by Cabinet Order, the prefectural governor pays the disability compensation according to the degree of the disability after hearing the opinions of the Examination Board for Certification of Pollution-related Health Damage, based on a claim of the certified person.

2 環境大臣は、前項の障害の程度を定める政令の制定又は改廃の立案をしようとするときは、中央環境審議会の意見を聴かなければならない。

(2) When the Minister of the Environment intends to propose the enactment, revision, or abolition of Cabinet Order specifying the degree of disability set forth in the preceding paragraph, the Minister must hear the opinions of the Central Environment Council.

(障害補償費の額)

(Amount of Disability Compensation)

第二十六条 障害補償費の額は、被認定者の障害補償標準給付基礎月額に相当する額にその者の障害の程度に応じた政令で定める率を乗じて得た額（指定疾病による障害の程度が前条第一項の政令で定める障害の程度のうち最も重度である障害の程度に該当するものである場合にあつては、その額と政令で定める介護加算額とを合算した額）とする。

Article 26 (1) The amount of the disability compensation is obtained by multiplying an amount equivalent to the basic monthly amount of standard disability compensation paid to the certified person by the rate specified by Cabinet Order according to the degree of disability of the person (if the degree of disability caused by the designated disease falls under the most severe degree of disability among those specified by Cabinet Order set forth in paragraph (1) of the preceding Article, an amount totaling the amount for the

degree and the additional amount of nursing care specified by Cabinet Order).

2 障害補償標準給付基礎月額、労働者の賃金水準その他の事情を考慮して、政令で定めるところにより、環境大臣が、中央環境審議会の意見を聴いて定める。

(2) The basic monthly amount of standard disability compensation is specified by the Minister of the Environment as specified by Cabinet Order based on the opinions of the Central Environment Council, considering the wage level of workers and other circumstances.

(併給の調整)

(Adjustment of Tandem Payment)

第二十七条 二以上の指定疾病に係る二以上の障害補償費を受けることができる一の被認定者に支給する当該二以上の障害補償費の額を合算した額が、当該被認定者の障害補償標準給付基礎月額（一又は二以上の指定疾病につき前条第一項の規定により介護加算額が合算された障害補償費を受けることができる者にあつては、障害補償標準給付基礎月額と同項の政令で定める介護加算額とを合算した額）をこえるときは、政令で定めるところにより、そのこえる部分に相当する額の障害補償費は、支給しない。

Article 27 When an amount totaling the amount of the disability compensation for two or more designated diseases paid to the certified person entitled to receive the disability compensation exceeds the basic monthly amount of standard disability compensation paid to the certified person (in the case of a person entitled to receive the disability compensation for one or two or more designated diseases to which the additional amount of nursing care is added pursuant to the provisions of paragraph (1) of the preceding Article, when the amount of the disability compensation exceeds an amount totaling the basic monthly amount of standard disability compensation and the additional amount of nursing care specified by Cabinet Order set forth in the same paragraph), the disability compensation equivalent to an amount in excess is not paid as specified by Cabinet Order.

(障害補償費の額の改定等)

(Revision of Amount of Disability Compensation)

第二十八条 障害補償費の支給を受けている者は、当該指定疾病による障害の程度につき、指定疾病の種類に応じて政令で定める期間ごとに、都道府県知事の診査を受けなければならない。都道府県知事が、障害補償費の支給に関し特に必要があると認めて診査を受けるべき旨を命じたときも、同様とする。

Article 28 (1) A person who receives payment of the disability compensation must have an examination conducted by a prefectural governor on the degree of disability caused by the designated disease for each period specified by Cabinet Order according to the type of the designated disease. The same applies when the prefectural governor orders the person to take the examination as it is found particularly necessary for the payment of the disability compensation.

2 都道府県知事は、前項の診査の結果、その者の指定疾病による障害の程度が従前の障害の程度と異なると認める場合においては、公害健康被害認定審査会の意見をきいて、新たな障害の程度が第二十五条第一項の政令で定める他の障害の程度に該当するときは新たに該当するに至った同項の政令で定める障害の程度に応じて障害補償費の額を改定し、新たな障害の程度が同項の政令で定める障害の程度に該当しないときは障害補償費の支給を打ち切るものとする。

(2) As a result of the examination set forth in the preceding paragraph, if a prefectural governor finds that the degree of disability caused by the designated disease of the certified person is different from the former degree of disability, the prefectural governor revises the amount of the disability compensation according to the degree of disability specified by Cabinet Order set forth in Article 25, paragraph (1) when the degree of new disability falls under the degree of disability specified by Cabinet Order set forth in the same paragraph, or terminates the payment of the disability compensation when the degree of new disability does not fall under the degree of disability specified by Cabinet Order set forth in the same paragraph, based on the opinions of the Examination Board for Certification of Pollution-related Health Damage.

3 障害補償費の支給を受けている者は、都道府県知事に対し、当該指定疾病による障害の程度が増進したことを理由として、障害補償費の額の改定を請求することができる。

(3) A person who receives payment of the disability compensation may request a prefectural governor to revise the amount of the disability compensation on the ground that the degree of disability caused by the designated disease increases.

4 前項の規定による請求があつた場合においては、都道府県知事は、その者の指定疾病による障害の程度を診査しなければならない。第二項の規定は、この場合について準用する。

(4) If a request under the provisions of the preceding paragraph is made, the prefectural governor must examine the degree of disability caused by the designated disease of the person. The provisions of paragraph (2) apply mutatis mutandis to this case.

5 障害補償費の額の算定の基礎となる障害補償標準給付基礎月額に変更があつたときは、障害補償費の額は、改定されるものとする。

(5) If there is a change in the basic monthly amount of standard disability compensation which serves as the basis for the calculation of the amount of the disability compensation, the amount of the disability compensation is revised.

6 第二項（第四項において準用する場合を含む。）又は前項の規定により障害補償費の額が改定されたときは、改定後の額による障害補償費の支給は、改定された日の属する月の翌月から始めるものとする。

(6) When the amount of the disability compensation is revised pursuant to the provisions of paragraph (2) (including cases where applied mutatis mutandis pursuant to paragraph (4)) or the preceding paragraph, the payment of the

revised disability compensation begins from the month following the month when the amount is revised.

7 障害補償費の支給を受けている者が、正当な理由がなく第一項の診査を受けなかつたときは、都道府県知事は、障害補償費の支給を一時差し止めることができる。

(7) When a person who receives payment of the disability compensation does not have the examination set forth in paragraph (1) without reasonable grounds, the prefectural governor may temporarily suspend the payment of the disability compensation.

第四節 遺族補償費及び遺族補償一時金

Section 4 Compensation for Surviving Family and Lump Sum Compensation for Surviving Family

(遺族補償費の支給)

(Payment of Compensation for Surviving Family)

第二十九条 都道府県知事は、その認定に係る被認定者が当該認定に係る指定疾病に起因して死亡したときは、死亡した被認定者の遺族の請求に基づき、公害健康被害認定審査会の意見をきいて、遺族補償費を支給する。

Article 29 (1) When the certified person pertaining to the certification of a prefectural governor dies as a result of the designated disease pertaining to the certification, the prefectural governor pays the compensation for surviving family after hearing the opinions of the Examination Board for Certification of Pollution-related Health Damage, based on a claim of the surviving family of the deceased certified person.

2 指定疾病にかかっている者が認定を申請しないで当該指定疾病に起因して死亡し、第六条の規定による申請に基づいて認定がされた場合において、その遺族の請求があつたときも、前項と同様とする。

(2) If a person with the designated disease dies as a result of the designated disease without applying for certification and the certification is granted based on an application under the provisions of Article 6, the provisions of the preceding paragraph also apply to cases where a request is made by the surviving family of the person.

3 遺族補償費の支給は、政令で定める期間を限度として行なう。

(3) Payments of the compensation for surviving family are made within the period specified by Cabinet Order.

4 被認定者又は第六条の規定による申請に基づいて行なわれた認定に係る死亡者（以下「認定死亡者」という。）が二以上の指定疾病に起因して死亡したときは、当該指定疾病に係る認定を行なつた一の都道府県知事に対してのみ、遺族補償費を請求することができる。

(4) When the certified person or a deceased person pertaining to the certification granted based on an application under the provisions of Article 6 (hereinafter

referred to as the "deceased certified person") dies as a result of two or more designated diseases, a claim for the compensation for surviving family may be made only to a prefectural governor who has granted the certification pertaining to the designated disease.

5 二以上の指定疾病に起因して死亡した者に係る遺族補償費の支給に要する費用の支弁の方法は、政令で定める。

(5) The method for payment of expenses required for the payment of the compensation for surviving family pertaining to a person who dies as a result of two or more designated diseases is specified by Cabinet Order.

(遺族補償費を受けることができる遺族の範囲及び順位)

(Scope and Order of Surviving Family Members Who May Receive Compensation for Surviving Family)

第三十条 遺族補償費を受けることができる遺族は、被認定者又は認定死亡者の配偶者、子、父母、孫、祖父母及び兄弟姉妹であつて、被認定者又は認定死亡者の死亡の当時その者によつて生計を維持していたもの（死亡の当時その者によつて生計を維持していたものがないときは、認定の申請の当時その者によつて生計を維持していたもの）とする。ただし、妻（届出をしていないが、事実上婚姻関係と同様の事情にあつた者を含む。）以外の者にあつては、被認定者又は認定死亡者の死亡の時に次に掲げる要件に該当した場合に限るものとする。

Article 30 (1) Surviving family members who are entitled to receive the compensation for surviving family are the spouse, children, parents, grandchildren, grandparents, and siblings of the certified person or the deceased certified person who were living by the certified person or the deceased certified person at the time of the death of the person (if there is no person who was living by the certified person or the deceased certified person at the time of the death of the person, a person who was living by the certified person or the deceased certified person at the time of the application for certification); provided, however, that in the case of a person other than a wife (including a person who has not been registered but was in a de facto marital relationship with the certified person or the deceased certified person), the person must meet the following requirements at the time of the death of the certified person or the deceased certified person:

一 夫（届出をしていないが、事実上婚姻関係と同様の事情にあつた者を含む。）
父母又は祖父母については、六十歳以上であること。

(i) in the case of a husband (including a person who has not been registered but was in a de facto marital relationship with the certified person or the deceased certified person), parents, or grandparents: they are 60 years of age or older; and

二 子、孫又は兄弟姉妹については、十八歳に達する日以後の最初の三月三十一日までの間にあること又は六十歳以上であること。

- (ii) in the case of children, grandchildren, or siblings: they do not experience the first March 31 after their 18th birthday, or are 60 years of age or older.
- 2 被認定者又は認定死亡者の死亡の時に胎児であつた子が出生したときは、前項の規定の適用については、将来に向かつて、その子は、被認定者又は認定死亡者の死亡の当時その者によつて生計を維持していた子とみなす。
- (2) When a child who was a fetus at the time of the death of the certified person or the deceased certified person is born, the child is deemed to be a child who would have been living by the certified person or the deceased certified person at the time of the death of the person, with regard to the application of the provisions of the preceding paragraph.
- 3 遺族補償費を受けることができる遺族の順位は、配偶者、子、父母、孫、祖父母及び兄弟姉妹の順序とする。
- (3) The order of surviving family members entitled to receive the compensation for surviving family is the spouse, children, parents, grandchildren, grandparents, and siblings.

(遺族補償費の額)

(Amount of Compensation for Surviving Family)

第三十一条 遺族補償費の額は、当該死亡した被認定者又は認定死亡者の遺族補償標準給付基礎月額に相当する額とする。

- Article 31 (1) The amount of the compensation for surviving family is equivalent to the basic monthly amount of standard compensation for surviving family for the certified person who died or the deceased certified person.
- 2 遺族補償標準給付基礎月額は、労働者の賃金水準、被認定者又は認定死亡者が死亡しなかつたとすれば通常支出すると見込まれる経費その他の事情を考慮して、政令で定めるところにより、環境大臣が、中央環境審議会の意見を聴いて定める。
- (2) The basic monthly amount of standard compensation for surviving family is specified by the Minister of the Environment as specified by Cabinet Order based on the opinions of the Central Environment Council, considering the wage level of workers, expected expenses normally paid if the certified person or the deceased certified person does not die, and other circumstances.
- 3 遺族補償費を受けることができる同順位 of 遺族が二人以上ある場合における各人の遺族補償費の額は、第一項の額をその人数で除して得た額とする。
- (3) If there are two or more surviving family members of the same rank who are entitled to receive the compensation for surviving family, the amount of the compensation for each member is obtained by dividing the amount set forth in paragraph (1) by the number of such members.

(遺族補償費の額の改定)

(Revision of Amount of Compensation for Surviving Family)

第三十二条 遺族補償費を受けることができる同順位 of 遺族の数に増減を生じたときは、

遺族補償費の額を改定する。

Article 32 (1) When there is an increase or decrease in the number of the surviving family members of the same rank who are entitled to receive the compensation for surviving family, the amount of the compensation for surviving family is revised.

2 第二十八条第五項及び第六項の規定は遺族補償標準給付基礎月額に変更があつた場合について、同項の規定は前項の規定により遺族補償費の額が改定された場合について準用する。

(2) The provisions of Article 28, paragraphs (5) and (6) apply mutatis mutandis to cases where the amount of the compensation for surviving family is revised pursuant to the provisions of the preceding paragraph due to a change in the basic monthly amount of standard compensation for surviving family.

(遺族補償費が支給されない場合)

(Cases Where Compensation for Surviving Family Is Not Paid)

第三十三条 遺族補償費を受けることができる者が次の各号の一に該当するに至つたときは、その者に対する遺族補償費は、支給しない。

Article 33 When a person entitled to receive the compensation for surviving family falls under any of the following items, the compensation for surviving family to the person is not paid:

一 死亡したとき。

(i) when the person dies;

二 婚姻（届出をしていないが、事実上婚姻関係と同様の事情にある場合を含む。）をしたとき。

(ii) when the person marries (including cases where the registration has not been made but the person is in a de facto marital relationship);

三 直系血族又は直系姻族以外の者の養子（届出をしていないが、事実上養子縁組関係と同様の事情にある者を含む。）となつたとき。

(iii) when the person becomes an adopted child of a person other than lineal relatives by blood or lineal relatives by marriage (including cases where the registration has not been made but the person is in a de facto adoption relationship);

四 離縁によつて、死亡した被認定者又は認定死亡者との親族関係が終了したとき。

(iv) when a relative relationship with the certified person who died or the deceased certified person ends due to dissolution of adoptive relation; and

五 子、孫又は兄弟姉妹にあつては、十八歳に達した日以後の最初の三月三十一日が終了したとき。

(v) in the case of children, grandchildren, or siblings, when the first March 31 after their 18th birthday ends.

(後順位者からの遺族補償費の請求)

(Claim for Compensation for Surviving Family from a Person Holding a Lower Rank)

第三十四条 遺族補償費を受けることができる先順位者がその請求をしないで死亡した場合においては、次順位者が遺族補償費を請求することができる。前条の規定により遺族補償費が支給されないこととなつた場合において、同順位者がなくて後順位者があるときも、同様とする。

Article 34 If a person holding a higher rank who is entitled to receive the compensation for surviving family dies without making a claim for the compensation, a person holding the next rank may make a claim for the compensation for surviving family. The same applies if the compensation for surviving family is not paid pursuant to the provisions of the preceding Article and there is no person holding the same rank but there is a person holding a lower rank.

(遺族補償一時金の支給)

(Payment of Lump Sum Compensation for Surviving Family)

第三十五条 都道府県知事は、その認定に係る被認定者が当該認定に係る指定疾病に起因して死亡した場合において、その死亡の時に遺族補償費を受けることができる遺族がないときは、次に掲げる者の請求に基づき、公害健康被害認定審査会の意見をきいて、遺族補償一時金を支給する。

Article 35 (1) If the certified person pertaining to the certification of a prefectural governor dies as a result of the designated disease pertaining to the certification, and when there is no surviving family members entitled to receive the compensation for surviving family at the time of the death of the certified person, the prefectural governor pays the lump sum compensation for surviving family after hearing the opinions of the Examination Board for Certification of Pollution-related Health Damage, based on a claim of the following persons:

一 配偶者

(i) spouse;

二 被認定者の死亡の当時その者によつて生計を維持していた子、父母、孫及び祖父母

(ii) children, parents, grandchildren, and grandparents who were living by the certified person at the time of the death of the certified person;

三 被認定者の認定の申請の当時その者によつて生計を維持していた子、父母、孫及び祖父母

(iii) children, parents, grandchildren, and grandparents who were living by the certified person at the time of the application for certification filed by the certified person; and

四 前二号に該当しない子、父母、孫及び祖父母並びに兄弟姉妹

(iv) children, parents, grandchildren, and grandparents who do not fall under

the preceding two items, and siblings.

2 第二十九条第二項、第四項及び第五項の規定は、遺族補償一時金の支給について準用する。

(2) The provisions of Article 29, paragraphs (2), (4), and (5) apply mutatis mutandis to the payment of the lump sum compensation for surviving family.

3 遺族補償費を受けていた者が、第三十三条各号の一に該当することにより遺族補償費を支給されないこととなつた場合において、他に遺族補償費を受けることができる遺族がなく、かつ、被認定者又は認定死亡者の死亡により支給された遺族補償費の額の合計額がその死亡した者について次条第一項の規定により算定した額に満たないときは、第一項各号に掲げる者の請求に基づき、遺族補償一時金を支給する。

(3) If the compensation for surviving family is not paid to a person who has received the compensation as a result of falling under any of the items of Article 33, and when there is no other person who is entitled to receive the compensation for surviving family and the total amount of the compensation for surviving family paid due to the death of the certified person or the deceased certified person is less than that calculated pursuant to the provisions of paragraph (1) of the following Article, the lump sum compensation for surviving family is paid based on a claim of the persons set forth in the items of paragraph (1).

4 遺族補償一時金を受けることができる者の順位は、第一項各号の順序により、同項第二号から第四号までに掲げる者のうちにあつては、それぞれ当該各号に掲げる順序による。

(4) The order of persons entitled to receive the lump sum compensation for surviving family is in the order provided in the items of paragraph (1), and in the case of the persons set forth in items (ii) through (iv) of the same paragraph, the order provided in the items applies.

(遺族補償一時金の額)

(Amount of Lump Sum Compensation for Surviving Family)

第三十六条 前条第一項の規定により支給する遺族補償一時金の額は、当該死亡した被認定者又は認定死亡者の遺族補償標準給付基礎月額に相当する額に政令で定める月数を乗じて得た額に相当する額とする。

Article 36 (1) The amount of the lump sum compensation for surviving family paid under the provisions of paragraph (1) of the preceding Article is equivalent to an amount obtained by multiplying an amount equivalent to the basic monthly amount of standard compensation for surviving family for the certified person who died or the deceased certified person by the number of months specified by Cabinet Order.

2 前条第三項の規定により支給する遺族補償一時金の額は、当該死亡した被認定者又は認定死亡者について前項の規定により算定した額から当該被認定者又は認定死亡者の死亡により支給された遺族補償費の額の合計額を控除した額に相当する額とする。

(2) The amount of the lump sum compensation for surviving family paid under the provisions of paragraph (3) of the preceding Article is equivalent to an amount obtained by deducting the total amount of the compensation for surviving family paid due to the death of the certified person or the deceased certified person from the amount calculated pursuant to the provisions of the preceding paragraph with regard to the certified person who died or the deceased certified person.

3 第三十一条第三項の規定は、前二項の遺族補償一時金の額について準用する。

(3) The provisions of Article 31, paragraph (3) apply mutatis mutandis to the amount of the lump sum compensation for surviving family set forth in the preceding two paragraphs.

(遺族補償費等の請求の期限)

(Time Limit for Claim for Compensation for Surviving Family)

第三十七条 遺族補償費又は遺族補償一時金の支給の請求は、被認定者又は認定死亡者が死亡した時（第三十四条後段の規定による請求により支給する遺族補償費及び第三十五条第三項の規定により支給する遺族補償一時金にあつては、従前の遺族補償費を受けることができる者が第三十三条各号の一に該当するに至つた時）から二年を経過したときは、することができない。

Article 37 A claim for the payment of the compensation for surviving family or the lump sum compensation for surviving family may not be made when two years have passed since the death of the certified person or the deceased certified person (in the case of the compensation for surviving family paid based on a claim pursuant to the provisions of the second sentence of Article 34 and the lump sum compensation for surviving family paid pursuant to the provisions of Article 35, paragraph (3), since the time when a person entitled to receive the former compensation for surviving family falls under any of the items of Article 33).

(遺族補償費等の支給の制限)

(Restrictions on Payment of Compensation for Surviving Family)

第三十八条 遺族補償費又は遺族補償一時金は、被認定者又は認定死亡者を故意に死亡させた者には、支給しない。被認定者又は認定死亡者の死亡前に、その者の死亡によつて遺族補償費又は遺族補償一時金を受けることができる先順位又は同順位となるべき者を故意に死亡させた者についても、同様とする。

Article 38 (1) The compensation for surviving family or the lump sum compensation for surviving family is not paid to a person who intentionally caused the death of the certified person or the deceased certified person. The same applies to a person who intentionally caused the death of a person who will hold a higher rank or the same rank to receive the compensation for surviving family or the lump sum compensation for surviving family due to the

death of the certified person or the deceased certified person, prior to the death of the certified person or the deceased certified person.

2 遺族補償費は、遺族補償費を受けることができる先順位又は同順位の者を故意に死亡させた者には、以後支給しない。

(2) The compensation for surviving family is not paid thereafter to a person who intentionally caused the death of a person holding a higher rank or the same rank who is entitled to receive the compensation for surviving family.

第五節 児童補償手当、療養手当及び葬祭料

Section 5 Child Compensation Allowance, Medical Treatment Allowance, and Funeral Service Fee

(児童補償手当の支給)

(Payment of Child Compensation Allowance)

第三十九条 都道府県知事は、その認定に係る被認定者で第二十五条第一項の政令で定める年齢に達しないものの指定疾病による障害の程度が政令で定める障害の程度に該当するものであるときは、当該被認定者を養育している者の請求に基づき、公害健康被害認定審査会の意見をきいて、その障害の程度に応じた政令で定める額（指定疾病による障害の程度が当該政令で定める障害の程度のうち最も重度である障害の程度に該当するものである場合にあつては、その額と第二十六条第一項の政令で定める介護加算額とを合算した額）の児童補償手当を支給する。

Article 39 (1) When the certified person pertaining to the certification of a prefectural governor does not reach the age specified by Cabinet Order set forth in Article 25, paragraph (1) but the degree of the person's disability caused by the designated disease falls under that specified by Cabinet Order, the prefectural governor pays the child compensation allowance specified by Cabinet Order according to the degree of the disability (if the degree of disability caused by the designated disease falls under the most severe degree of disability among those specified by the Cabinet Order, an amount totaling the amount for the degree and the additional amount of nursing care specified by Cabinet Order set forth in Article 26, paragraph (1)) after hearing the opinions of the Examination Board for Certification of Pollution-related Health Damage, based on a claim of a person who takes care of the certified person.

2 環境大臣は、前項の障害の程度を定める政令の制定又は改廃の立案をしようとするときは、中央環境審議会の意見を聴かなければならない。

(2) When the Minister of the Environment intends to propose the enactment, revision, or abolition of Cabinet Order specifying the degree of disability set forth in the preceding paragraph, the Minister must hear the opinions of the Central Environment Council.

3 第二十七条及び第二十八条（第五項を除く。）の規定は、児童補償手当の支給について準用する。

(3) The provisions of Article 27 and Article 28 (excluding paragraph (5)) apply mutatis mutandis to the payment of the child compensation allowance.

(療養手当の支給)

(Payment of Medical Treatment Allowance)

第四十条 都道府県知事は、その認定に係る被認定者が当該認定に係る指定疾病について第十九条第一項各号に掲げる療養を受けており、かつ、その病状の程度が政令で定める病状の程度に該当するものであるときは、当該被認定者の請求に基づき、その病状の程度に応じた政令で定める額の療養手当を支給する。

Article 40 (1) When the certified person pertaining to the certification of a prefectural governor receives medical treatment set forth in the items of Article 19, paragraph (1) for the designated disease pertaining to the certification, and when the degree of the disease condition falls under the degree of the disease condition specified by Cabinet Order, the prefectural governor pays the medical treatment allowance specified by Cabinet Order according to the degree of the disease condition, based on a claim of the certified person.

2 第二十四条第四項の規定は、療養手当の支給の請求について準用する。

(2) The provisions of Article 24, paragraph (4) apply mutatis mutandis to a claim for the payment of the medical treatment allowance.

(葬祭料の支給)

(Payment of Funeral Service Fee)

第四十一条 都道府県知事は、その認定に係る被認定者が当該認定に係る指定疾病に起因して死亡したときは、葬祭を行なう者の請求に基づき、政令で定める額の葬祭料を支給する。

Article 41 (1) When the certified person pertaining to the certification of a prefectural governor dies as a result of the designated disease pertaining to the certification, the prefectural governor pays the funeral service fee specified by Cabinet Order based on a claim of a person who holds the funeral.

2 第二十九条第二項、第四項及び第五項並びに第三十七条の規定は、葬祭料の支給及びその請求について準用する。

(2) The provisions of Article 29, paragraphs (2), (4), and (5) and Article 37 apply mutatis mutandis to the payment of and a claim for the payment of the funeral service fee.

第六節 補償給付の制限等

Section 6 Limitation on Compensation Benefits

(補償給付の制限)

(Limitation on Compensation Benefits)

第四十二条 被認定者又は被認定者で第二十五条第一項の政令で定める年齢に達しないものを養育している者が、正当な理由がなく療養に関する指示に従わなかったときは、都道府県知事は、補償給付の全部又は一部を支給しないことができる。

Article 42 When the certified person or a person taking care of the certified person who does not reach the age specified by Cabinet Order set forth in Article 25, paragraph (1) fails to follow instructions on medical treatment without reasonable grounds, a prefectural governor may choose not to pay all or a part of the compensation benefits.

(補償給付の額についての他原因の参酌)

(Consideration of Other Causes for Amount of Compensation Benefits)

第四十三条 都道府県知事は、第三条第一項第二号から第七号までに掲げる補償給付の額を定め、又はその額を改定するにあたり、被認定者又は認定死亡者に係る指定疾病による障害が発生し、若しくはその程度が増進したこと、指定疾病がなおらないこと又は指定疾病に起因して死亡したことにつき他の原因があると認めるときは、公害健康被害認定審査会の意見をきいて、当該他の原因を参酌することができる。

Article 43 In determining or revising the amount of the compensation benefits set forth in Article 3, paragraph (1), items (ii) through (vii), when a prefectural governor finds that there are other reasons why the certified person's or the deceased certified person's disability due to the designated disease was caused, the degree of the disability increased, the designated disease has not been cured, or why the certified person or the deceased certified person died as a result of the designated disease, the prefectural governor may consider the other reasons based on the opinions of the Examination Board for Certification of Pollution-related Health Damage.

第七節 公害健康被害認定審査会

Section 7 Examination Board for Certification of Pollution-related Health Damage

(設置)

(Establishment)

第四十四条 この法律によりその権限に属させられた事項を行なわせるため、第一種地域又は第二種地域の全部又は一部をその区域に含む都道府県又は第四条第三項の政令で定める市に、公害健康被害認定審査会を置く。

Article 44 The Examination Board for Certification of Pollution-related Health Damage is established in a prefecture that contains all or a part of the Class I Area or Class II Area or in a city specified by Cabinet Order set forth in Article 4, paragraph (3) in order to have the prefecture or city perform the matters placed under the authority of the Examination Board by this Act.

(組織等)

(Organization)

第四十五条 公害健康被害認定審査会は、医学、法律学その他公害に係る健康被害の補償に関し学識経験を有する者のうちから、都道府県知事又は第四条第三項の政令で定める市の長が任命する委員をもつて組織する。

Article 45 (1) The Examination Board for Certification of Pollution-related Health Damage is composed of members appointed by a prefectural governor or the mayor of a city specified by Cabinet Order set forth in Article 4, paragraph (3) from among persons who have relevant expertise concerning medical science, legal science, and compensation for health damage caused by environmental pollution.

2 委員は、職務上知ることのできた秘密を漏らしてはならない。その職を退いた後も、同様とする。

(2) A member must not divulge any secret which the member comes to know in the course of duties. The same applies after the member has left the position.

3 第一項に定めるもののほか、公害健康被害認定審査会の組織、運営その他公害健康被害認定審査会に関し必要な事項は、都道府県又は第四条第三項の政令で定める市の条例で定める。

(3) Beyond what is provided in paragraph (1), the organization and operation of the Examination Board for Certification of Pollution-related Health Damage and other matters necessary for the Examination Board are specified by Prefectural/Municipal Ordinance of a prefecture or a city specified by Cabinet Order set forth in Article 4, paragraph (3).

第三章 公害保健福祉事業

Chapter III Pollution-related Health and Welfare Services

第四十六条 都道府県知事又は第四条第三項の政令で定める市の長は、指定疾病によりそなわれた被認定者の健康を回復させ、その回復した健康を保持させ、及び増進させる等被認定者の福祉を増進し、並びに第一種地域又は第二種地域における当該地域に係る指定疾病による被害を予防するために必要なリハビリテーションに関する事業、転地療養に関する事業その他の政令で定める公害保健福祉事業を行なうものとする。

Article 46 (1) A prefectural governor or the mayor of a city specified by Cabinet Order set forth in Article 4, paragraph (3) provides services related to rehabilitation and health resort therapy and other pollution-related health and welfare services specified by Cabinet Order that are necessary for promoting welfare of the certified person, such as the restoration of the person's health damaged by the designated disease and the maintenance and improvement of the person's restored health, etc., and preventing damage by the designated disease pertaining to the Class I Area or Class II Area in the Area.

2 都道府県知事又は第四条第三項の政令で定める市の長は、前項の公害保健福祉事業

を行なおうとするときは、環境大臣の承認を受けなければならない。

- (2) A prefectural governor or the mayor of a city specified by Cabinet Order set forth in Article 4, paragraph (3) must obtain the approval of the Minister of the Environment when the governor or the mayor intends to provide the pollution-related health and welfare services set forth in the preceding paragraph.

第四章 費用

Chapter IV Expenses

第一節 費用の支弁及び財源

Section 1 Payment of Expenses and Financial Resources

(費用の支弁)

(Payment of Expenses)

第四十七条 都道府県又は第四条第三項の政令で定める市は、次に掲げる費用を支弁する。

Article 47 A prefecture or a city specified by Cabinet Order set forth in Article 4, paragraph (3) pays the following expenses:

一 当該都道府県知事又は当該市の長が行なう補償給付の支給（第十四条第二項の規定による求償に対する支払を含む。以下この章において同じ。）に要する費用

(i) expenses required for the payment of the compensation benefits provided by a prefectural governor or the mayor of a city (including the payment for compensation under the provisions of Article 14, paragraph (2); the same applies hereinafter in this Chapter); and

二 この法律又はこの法律に基づく命令の規定により当該都道府県知事又は当該市の長が行なう事務の処理に要する費用

(ii) expenses required for affairs handled by a prefectural governor or the mayor of a city pursuant to the provisions of this Act or orders based on this Act.

(納付金)

(Payment)

第四十八条 前条の規定により都道府県又は第四条第三項の政令で定める市が支弁する前条第一号に掲げる費用は、政令で定めるところにより、機構が当該都道府県又は第四条第三項の政令で定める市に対して納付する納付金をもって充てる。

Article 48 (1) A payment made by the Agency to a prefecture or a city specified by Cabinet Order set forth in Article 4, paragraph (3) is, as specified by Cabinet Order, allocated to the expenses set forth in item (i) of the preceding Article to be paid by the prefecture or the city specified by Cabinet Order set forth in Article 4, paragraph (3) pursuant to the provisions of the preceding Article.

2 都道府県知事又は第四条第三項の政令で定める市の長が第四十六条の規定に基づい

て行なう公害保健福祉事業に要する費用のうちその四分の三に相当する額については、政令で定めるところにより、機構が当該都道府県又は第四条第三項の政令で定める市に対して納付する納付金をもつて充てる。

- (2) A payment made by the Agency to a prefecture or a city specified by Cabinet Order set forth in Article 4, paragraph (3) is, as specified by Cabinet Order, allocated to expenses equivalent to three-fourths of the expenses required for pollution-related health and welfare services provided by the prefectural governor or the mayor of the city specified by Cabinet Order set forth in Article 4, paragraph (3) pursuant to the provisions of Article 46.

(納付金の財源)

(Financial Resources for Payment)

第四十九条 前条の規定による納付金のうち、第四条第一項の認定に係る被認定者及び認定死亡者に関する補償給付の支給に要する費用に充てるためのものの全部並びに第一種地域に係る指定疾病による被害に関して行なう公害保健福祉事業に要する費用に充てるためのものの三分の二については、第五十二条第一項の規定により機構が徴収する汚染負荷量賦課金のほか、別に法律で定めるところにより徴収される金員をもつて充て、第一種地域に係る指定疾病による被害に関して行なう公害保健福祉事業に要する費用に充てるためのものの三分の一については、第五十一条の規定に基づく政府の補助金をもつて充てる。

Article 49 (1) All of the payments under the provisions of the preceding Article that are allocated to expenses required for the payment of the compensation benefits for the certified person and the deceased certified person pertaining to the certification set forth in Article 4, paragraph (1), and two-thirds of the payments under the provisions of the preceding Article that are allocated to expenses required for pollution-related health and welfare services provided with regard to damage by the designated disease pertaining to the Class I Area are appropriated by money collected as specified separately by law, in addition to the imposition on pollution load collected by the Agency pursuant to the provisions of Article 52, paragraph (1). One-third of the payments under the provisions of the preceding Article that are allocated to expenses required for pollution-related health and welfare services provided with regard to damage by the designated disease pertaining to the Class I Area are appropriated by subsidies provided by the government based on the provisions of Article 51.

2 前条の規定による納付金のうち、第四条第二項の認定に係る被認定者及び認定死亡者に関する補償給付の支給に要する費用に充てるためのものの全部並びに第二種地域に係る指定疾病による被害に関して行なう公害保健福祉事業に要する費用に充てるためのものの三分の二については、第六十二条第一項の規定により機構が徴収する特定賦課金をもつて充て、第二種地域に係る指定疾病による被害に関して行なう公害保健福祉事業に要する費用に充てるためのものの三分の一については、第五十一条の規定に基づく政府の補助金をもつて充てる。

(2) All of the payments under the provisions of the preceding Article that are allocated to expenses required for the payment of the compensation benefits for the certified person and the deceased certified person pertaining to the certification set forth in Article 4, paragraph (2), and two-thirds of the payments under the provisions of the preceding Article that are allocated to expenses required for pollution-related health and welfare services provided with regard to damage by the designated disease pertaining to the Class II Area are appropriated by the specific imposition collected by the Agency pursuant to the provisions of Article 62, paragraph (1). One-third of the payments under the provisions of the preceding Article that are allocated to expenses required for pollution-related health and welfare services provided with regard to damage by the designated disease pertaining to the Class II Area are appropriated by subsidies provided by the government based on the provisions of Article 51.

3 第一項の規定により前条の規定による納付金に充てるべき汚染負荷量賦課金及び別に法律で定めるところにより徴収される金員の配分比率は、第五十二条第一項に規定するばい煙発生施設等設置者その他の者の第一種地域に係る指定疾病に影響を与える大気の汚染の原因である物質の排出の状況その他の事情を勘案して、政令で定める。

(3) The allocation ratio of the imposition on pollution load and money collected as specified separately by law that are allocated to the payments under the provisions of the preceding Article pursuant to the provisions of paragraph (1) is specified by Cabinet Order, taking into consideration the state of emissions of substances by the establisher of soot and smoke generating facilities, etc. set forth in Article 52, paragraph (1) and other persons that cause air pollution affecting the designated disease pertaining to the Class I Area and other circumstances.

(交付金)

(Grant)

第五十条 政府は、政令で定めるところにより、都道府県又は第四条第三項の政令で定める市に対し、第四十七条の規定により当該都道府県又は当該市が支弁する同条第二号に掲げる費用の二分の一に相当する金額を交付する。

Article 50 As specified by Cabinet Order, the government grants expenses equivalent to half the expenses set forth in Article 47, item (ii) that are paid by a prefecture or a city specified by Cabinet Order set forth in Article 4, paragraph (3) to the prefecture or the city pursuant to the provisions of Article 47.

(補助金)

(Subsidy)

第五十一条 政府は、機構に対し、第四十八条第二項の規定による納付金の三分の一に

相当する金額を補助するものとする。

Article 51 The government subsidizes the Agency with an amount equivalent to one-third of the payments under the provisions of Article 48, paragraph (2).

第二節 汚染負荷量賦課金

Section 2 Imposition on Pollution Load

(汚染負荷量賦課金の徴収及び納付義務)

(Collection and Payment Obligation of Imposition on Pollution Load)

第五十二条 機構は、第四十八条の規定による納付金のうち、第四条第一項の認定に係る被認定者及び認定死亡者に関する補償給付の支給に要する費用並びに第一種地域に係る指定疾病による被害に関して行う公害保健福祉事業に要する費用に充てるためのもの、第十三条第二項の規定による支払に要する費用並びに機構が行う事務の処理に要する費用（以下「補償給付支給費用等」という。）の一部に充てるため、大気汚染防止法（昭和四十三年法律第九十七号）第二条第二項に規定するばい煙発生施設が設置される工場又は事業場を設置し、又は設置していた事業者で、次に掲げるもの（以下「ばい煙発生施設等設置者」という。）から、毎年度、汚染負荷量賦課金を徴収する。

Article 52 (1) In order to cover a part of the expenses required for the payment of the compensation benefits for the certified person and the deceased certified person pertaining to the certification set forth in Article 4, paragraph (1), those required for pollution-related health and welfare services provided with regard to damage by the designated disease pertaining to the Class I Area, those required for the payment under the provisions of Article 13, paragraph (2), and those required for affairs handled by the Agency (hereinafter referred to as the "expenses for payments of compensation benefits, etc.") that are appropriated by payments under the provisions of Article 48, the Agency collects the imposition on pollution load each fiscal year from the following enterprises that have or had established a factory or workplace in which soot and smoke generating facilities set forth in Article 2, paragraph (2) of the Air Pollution Control Act (Act No. 97 of 1968) are established (hereinafter referred to as the "establisher of soot and smoke generating facilities, etc."):

一 第一種地域に係る指定疾病に影響を与える大気の汚染の原因である政令で定める物質を排出するばい煙発生施設が設置され、かつ、最大排出ガス量が政令で定める地域の区分に応じて政令で定める量以上である工場又は事業場を、各年度（毎年四月一日から翌年三月三十一日までをいう。以下この章において同じ。）の初日において設置している事業者

(i) an enterprise that has soot and smoke generating facilities discharging substances specified by Cabinet Order that cause air pollution affecting the designated disease pertaining to the Class I Area and has a factory or workplace whose maximum exhaust gas amount is the same as or more than

the amount specified by Cabinet Order according to the classification of areas specified by Cabinet Order on the first day of a fiscal year (meaning a period from April 1 to March 31 of the following year; the same applies hereinafter in this Chapter); and

二 第一種地域の指定がすべて解除された場合にあつては、その解除があつた日（以下「基準日」という。）の前日の属する年度（以下「基準年度」という。）の初日において前号の政令で定められていた物質（以下「対象物質」という。）を排出するばい煙発生施設が設置され、かつ、最大排出ガス量が基準年度の初日において同号の政令で定められていた地域の区分に応じて同号の政令で定められていた量以上であつた工場又は事業場を基準年度の初日において設置していた事業者。ただし、基準日以後も基準日前にされた第四条第一項の認定に係る被認定者及び認定死亡者（以下「既被認定者」という。）に関する補償給付支給費用等が生ずる場合に限る。

(ii) if the designation of the Class I Area is completely cancelled, an enterprise that has soot and smoke generating facilities discharging substances specified by Cabinet Order set forth in the preceding item (hereinafter referred to as the "target substance") on the first day of a fiscal year that contains the day preceding the date on which the designation is cancelled (hereinafter referred to as the "reference year" and "reference date," respectively) and has a factory or workplace whose maximum exhaust gas amount is the same as or more than the amount specified by Cabinet Order set forth in the same item according to the classification of areas specified by Cabinet Order set forth in the same item on the first day of the reference year; provided, however, that this is limited to cases where there are the expenses for payments of compensation benefits, etc. for the certified person and deceased certified person pertaining to the certification set forth in Article 4, paragraph (1) that has been granted prior to the reference date (hereinafter referred to as the "previously certified person"), even after the reference date.

2 第一種地域の指定がすべて解除された場合において、基準日とその属する年度の初日の翌日以後の日であるときは、前項第二号に掲げるばい煙発生施設等設置者に対する同項の規定の適用については、同項中「毎年度」とあるのは、「基準日の属する年度の翌年度から毎年度」とする。

(2) If the designation of the Class I Area is completely cancelled, and the reference date is after the day following the first day of a fiscal year of the reference date, the term "each fiscal year" in the preceding paragraph for the establisher of soot and smoke generating facilities, etc. set forth in item (ii) of the same paragraph is deemed to be replaced with "each fiscal year from a fiscal year following a fiscal year that contains the reference date."

3 ばい煙発生施設等設置者は、汚染負荷量賦課金を納付する義務を負う。

(3) The establisher of soot and smoke generating facilities, etc. is obliged to pay the imposition on pollution load.

(汚染負荷量賦課金の額)

(Amount of Imposition on Pollution Load)

第五十三条 各ばい煙発生施設等設置者から徴収する汚染負荷量賦課金の額は、次の各号に掲げるばい煙発生施設等設置者の種別に従い、当該各号に定める額とする。

Article 53 (1) The amount of the imposition on pollution load collected from the establisher of soot and smoke generating facilities, etc. is specified in the following items according to the type of the establisher of soot and smoke generating facilities, etc. set forth in the following items:

一 前条第一項第一号のばい煙発生施設等設置者 当該ばい煙発生施設等設置者が排出する同号の政令で定める各物質ごとの単位排出量当たりの賦課金額に前年度の初日の属する年における年間排出量を乗じて得た額の合計額

(i) the establisher of soot and smoke generating facilities, etc. set forth in paragraph (1), item (i) of the preceding Article: a total amount obtained by multiplying the amount of imposition per unit emission for each substance specified by Cabinet Order set forth in the same item that is discharged by the establisher of soot and smoke generating facilities, etc. by the annual emission in a year that contains the first day of the preceding fiscal year; and
二 前条第一項第二号のばい煙発生施設等設置者 次のイ及びロに掲げる額を合算した額

(ii) the establisher of soot and smoke generating facilities, etc. set forth in paragraph (1), item (ii) of the preceding Article: an amount totaling the amounts set forth in (a) and (b) below.

イ 対象物質ごとの単位排出量当たりの賦課金額に基準日前の既被認定者の指定疾病に影響を与えた大気汚染の状況その他の事情を勘案して政令で定める年から基準年度の前年度の初日の属する年までの期間（以下「算定基礎期間」という。）の各年における対象物質の年間排出量を大気汚染の状況に応じた地域の別その他の事情を勘案して政令で定めるところにより換算して得た量を累積した量（以下「累積量」という。）を乗じて得た額の合計額

(a) A total amount obtained by multiplying the amount of imposition per unit emission for each target substance by the amount accumulating obtained by converting the annual emission of the target substance in each year as specified by Cabinet Order, taking into consideration the classification of areas and other circumstances according to the state of air pollution (hereinafter referred to as the "accumulated amount"), in a period between a year specified by Cabinet Order, taking into consideration the state of air pollution that affected the designated disease of the previously certified person prior to the reference date, and a year that contains the first day of a fiscal year before the reference year (hereinafter referred to as the "base period for calculation")

ロ 基準日以後に排出される対象物質ごとの単位排出量当たりの賦課金額に前年度

の初日の属する年における対象物質の年間排出量を乗じて得た額の合計額

(b) A total amount obtained by multiplying the amount of imposition per unit emission for each target substance discharged on or after the reference date by the annual emission of the target substance in a year that contains the first day of the previous fiscal year

2 前項の年間排出量の算定の方式は、環境省令で定める。

(2) The method for calculating the annual emission set forth in the preceding paragraph is specified by Order of the Ministry of the Environment.

(単位排出量当たりの賦課金額)

(Imposition Per Unit Emission)

第五十四条 前条第一項第一号の単位排出量当たりの賦課金額は、第三条第一項に掲げる補償給付の種類ごとの受給者見込数及び平均受給金額の見込額その他の事項に基づき算定した補償給付支給費用等に充てるための汚染負荷量賦課金の総額として当該年度において必要であると見込まれる金額（以下「賦課金見込額」という。）のうち既被認定者以外の被認定者及び認定死亡者に関する金額とばい煙発生施設等設置者が排出する第五十二条第一項第一号の政令で定める各物質ごとの前年度の初日の属する年における総排出量とを基礎として、当該物質による大気汚染の状況に応じた地域の別に従い、政令で定める。

Article 54 (1) The amount of the imposition per unit emission set forth in paragraph (1), item (i) of the preceding Article is specified by Cabinet Order according to the classification of areas based on the state of air pollution caused by the substances specified by Cabinet Order set forth in Article 52, paragraph (1), item (i), on the basis of the estimated amount to be necessary in the fiscal year as the total amount of the imposition on pollution load that is appropriated to the expenses for payments of compensation benefits, etc. calculated based on the estimated number of beneficiaries, the estimated average of the benefits paid, and other matters for each type of the compensation benefits set forth in Article 3, paragraph (1) (hereinafter referred to as the "estimated amount of imposition") pertaining to the certified person and the deceased certified person other than the previously certified person, and the total emission of each substance specified by Cabinet Order set forth in Article 52, paragraph (1), item (i) that is discharged by the establisher of soot and smoke generating facilities, etc. in a year that contains the first day of the previous fiscal year.

2 次の各号に掲げる単位排出量当たりの賦課金額は、当該各号に掲げる事項を基礎として政令で定める。ただし、第二号に掲げる賦課金額は、同号の対象物質による大気汚染の状況に応じた地域の別に従い定めるものとする。

(2) The imposition per unit emission set forth in the following items is specified by Cabinet Order on the basis of the matters set forth in the following items; provided, however, that the imposition set forth in item (ii) is specified

according to the classification of areas based on the state of air pollution caused by the substances set forth in the same item:

一 前条第一項第二号イの単位排出量当たりの賦課金額 賦課金見込額のうち既被認定者に関する金額に既被認定者の指定疾病の状況その他の事情を勘案して政令で定める率を乗じて得た額及びばい煙発生施設等設置者が排出した算定基礎期間における対象物質ごとの総累積量

(i) the imposition per unit emission set forth in paragraph (1), item (ii), (a) of the preceding Article: an amount obtained by multiplying the estimated amount of imposition pertaining to the previously certified person by the rate specified by Cabinet Order, taking into consideration the state of the designated disease of the previously certified person and other circumstances, and the total accumulated amount of each target substance discharged by the establisher of soot and smoke generating facilities, etc. in the base period for calculation; and

二 前条第一項第二号ロの単位排出量当たりの賦課金額 賦課金見込額のうち既被認定者に関する金額に一から前号の政令で定める率を控除して得た率を乗じて得た額及びばい煙発生施設等設置者が排出する前年度の初日の属する年における対象物質ごとの総排出量

(ii) the imposition per unit emission set forth in paragraph (1), item (ii), (b) of the preceding Article: an amount obtained by multiplying the estimated amount of imposition pertaining to the previously certified person by the rate obtained by deducting the rate specified by Cabinet Order set forth in the preceding item from one, and the total amount of each target substance discharged by the establisher of soot and smoke generating facilities, etc. in a year that contains the first day of the previous fiscal year.

(汚染負荷量賦課金の納付等)

(Payment of Imposition on Pollution Load)

第五十五条 ばい煙発生施設等設置者は、各年度ごとに、汚染負荷量賦課金を、環境省令で定める事項を記載した申告書に添えて、その年度の初日から四十五日以内に機構に納付しなければならない。

Article 55 (1) The establisher of soot and smoke generating facilities, etc. must pay the imposition on pollution load each fiscal year to the Agency within 45 days from the first day of the fiscal year, together with a statement describing the matters specified by Order of the Ministry of the Environment.

2 前項の申告書には、第五十二条第一項第一号の政令で定める物質又は基準日以後に排出される対象物質の年間排出量を証する書類として環境省令で定める書類を添付しなければならない。

(2) The statement set forth in the preceding paragraph must be accompanied by documents specified by Order of the Ministry of the Environment to certify the annual emissions of the substances specified by Cabinet Order set forth in

Article 52, paragraph (1), item (i) or the target substance discharged on or after the reference date.

3 機構は、ばい煙発生施設等設置者が第一項に規定する期間内に同項の申告書を提出しないとき、又は同項の申告書に環境省令で定める事項の記載の誤りがあると認めるときは、汚染負荷量賦課金の額を決定し、これをばい煙発生施設等設置者に通知する。

(3) When the establisher of soot and smoke generating facilities, etc. fails to submit the statement set forth in paragraph (1) within the period set forth in the same paragraph, or when the Agency finds that there are errors in the matters specified by Order of the Ministry of the Environment in the statement set forth in the same paragraph, the Agency determines the amount of the imposition on pollution load and notifies the establisher of soot and smoke generating facilities, etc. of the amount.

4 前項の規定による通知を受けたばい煙発生施設等設置者は、汚染負荷量賦課金を納付していないときは同項の規定により機構が決定した汚染負荷量賦課金の全額を、納付した汚染負荷量賦課金の額が同項の規定により機構が決定した汚染負荷量賦課金の額に足りないときはその不足額を、その通知を受けた日から十五日以内に機構に納付しなければならない。

(4) The establisher of soot and smoke generating facilities, etc. that receives the notice under the provisions of the preceding paragraph must pay to the Agency, within 15 days from the date on which it receives the notice, the full amount of the imposition on pollution load determined by the Agency pursuant to the provisions of the same paragraph if it does not pay the imposition, or pay the deficient amount of the imposition on pollution load if the amount of the imposition on pollution load paid is insufficient to the amount determined by the Agency pursuant to the provisions of the same paragraph.

5 ばい煙発生施設等設置者が納付した汚染負荷量賦課金の額が、第三項の規定により機構が決定した汚染負荷量賦課金の額をこえる場合には、機構は、そのこえる額について、未納の汚染負荷量賦課金その他この節の規定による徴収金があるときはこれに充当し、なお残余があれば還付し、未納の徴収金がないときはこれを還付しなければならない。

(5) If the amount of the imposition on pollution load paid by the establisher of soot and smoke generating facilities, etc. exceeds the amount determined by the Agency pursuant to the provisions of paragraph (3), the Agency must appropriate the amount in excess to the unpaid imposition on pollution load and other amount to be collected under the provisions of this Section, if any, and return the balance, if any, or return the amount in excess if there is no unpaid amount to be collected.

(汚染負荷量賦課金の延納)

(Deferred Payment of Imposition on Pollution Load)

第五十六条 機構は、ばい煙発生施設等設置者の申請に基づき、その者の納付すべき汚

染負荷量賦課金を延納させることができる。

Article 56 The Agency may allow the establisher of soot and smoke generating facilities, etc. to defer the payment of the imposition on pollution load to be made by the establisher based on an application of the establisher.

(督促及び滞納処分)

(Demand and Disposition of Delinquency)

第五十七条 汚染負荷量賦課金その他この節の規定による徴収金を納付しない者があるときは、機構は、期限を指定して督促しなければならない。

Article 57 (1) When a person fails to pay the imposition on pollution load or any other money collected under the provisions of this Section, the Agency must make a demand by designating the due date.

2 前項の規定により督促するときは、機構は、納付義務者に対して督促状を発する。

(2) When the Agency makes a demand pursuant to the provisions of the preceding paragraph, the Agency issues a written demand to the person obliged to pay.

3 前項の督促状により指定する第一項の期限は、督促状を発する日から起算して十日以上経過した日でなければならない。

(3) The due date set forth in paragraph (1) that is designated in the written demand set forth in the preceding paragraph must be a date after a lapse of 10 days or more from the date on which the written demand is issued.

4 機構は、第一項の規定による督促を受けた者がその指定の期限までに汚染負荷量賦課金その他この節の規定による徴収金を完納しないときは、納付義務者の住所地又はその財産の所在地の市町村（特別区を含む。以下この条において同じ。）に対して、その徴収を請求することができる。

(4) When a person who receives a demand under the provisions of paragraph (1) fails to fully pay the imposition on pollution load or any other money collected under the provisions of this Section by the due date designated by the Agency, the Agency may request a municipality (including a special ward; the same applies hereinafter in this Article) where the person obliged to pay domiciles or the property of the person is located to collect the imposition or money.

5 市町村は、前項の規定による徴収の請求を受けたときは、地方税の滞納処分の例により、滞納処分をすることができる。この場合においては、機構は、徴収金額の百分の四に相当する金額を当該市町村に交付しなければならない。

(5) When a municipality receives a request for collection under the provisions of the preceding paragraph, the municipality may make disposition of delinquency by the same rules as the disposition of local tax delinquency. In this case, the Agency must deliver to the municipality an amount equivalent to four one-hundredths of the collected amount.

6 市町村が第四項の規定による徴収の請求を受けた日から三十日以内に滞納処分着手せず、又は九十日以内にこれを結了しないときは、機構は、環境大臣の認可を受け

て、国税滞納処分の例により、滞納処分をすることができる。

- (6) When a municipality fails to commence a procedure for disposition of delinquency within 30 days or complete the procedure within 90 days from the date of request for collection under the provisions of paragraph (4), the Agency may make disposition of delinquency by the same rules as the disposition of national tax delinquency, with the approval of the Minister of the Environment.

(延滞金)

(Delinquent Charge)

第五十八条 前条第一項の規定により汚染負荷量賦課金の納付を督促したときは、機構は、その督促に係る汚染負荷量賦課金の額につき年十四・五パーセントの割合で、納付期限の翌日からその完納又は財産差押えの日の前日までの日数により計算した延滞金を徴収する。ただし、督促に係る汚染負荷量賦課金の額が千円未満であるときは、この限りでない。

Article 58 (1) When the Agency makes a demand for a payment of the imposition on pollution load pursuant to the provisions of paragraph (1) of the preceding Article, the Agency collects a delinquent charge calculated based on the number of days from the day following the due date for payment until the day preceding the date of full payment or an attachment of property, at a rate of 14.5% per annum on the amount of the imposition on pollution load pertaining to the demand; provided, however, that this does not apply when the amount of the imposition on pollution load pertaining to the demand is less than 1,000 yen.

2 前項の場合において、汚染負荷量賦課金の額の一部につき納付があつたときは、その納付の日以降の期間に係る延滞金の額の計算の基礎となる汚染負荷量賦課金の額は、その納付のあつた汚染負荷量賦課金の額を控除した額とする。

(2) In the case referred to in the preceding paragraph, when a part of the amount of the imposition on pollution load is paid, the amount of the imposition on pollution load that is the principal amount for the calculation of a delinquent charge pertaining to the period after the date of the payment shall be an amount after deducting the amount of the imposition on pollution load paid.

3 延滞金の計算において、前二項の汚染負荷量賦課金の額に千円未満の端数があるときは、その端数は、切り捨てる。

(3) In the calculation of a delinquent charge, the amount of the imposition on pollution load set forth in the preceding two paragraphs is rounded down to the nearest 1,000 yen.

4 前三項の規定によつて計算した延滞金の額に百円未満の端数があるときは、その端数は、切り捨てる。

(4) The amount of a delinquent charge calculated pursuant to the provisions of the preceding three paragraphs is rounded down to the nearest 100 yen.

5 延滞金は、次の各号の一に該当する場合には、徴収しない。ただし、第四号の場合

には、その執行を停止し、又は猶予した期間に対応する部分の金額に限る。

(5) A delinquent charge is not collected if any of the following cases applies; provided, however, that in the case set forth in item (iv), the same applies only to the amount for a period during which the disposition is discontinued or suspended:

一 督促状に指定した期限までに汚染負荷量賦課金を完納したとき。

(i) the imposition on pollution load is paid in full on or before the due date designated in the written demand;

二 納付義務者の住所又は居所がわからないため、公示送達の方法によつて督促したとき。

(ii) since the domicile or residence of the person obliged to pay is unknown, the demand is made through service by publication;

三 延滞金の額が百円未満であるとき。

(iii) the amount of a delinquent charge is less than 100 yen;

四 汚染負荷量賦課金について滞納処分の執行を停止し、又は猶予したとき。

(iv) the disposition of delinquency pertaining to the imposition on pollution load is discontinued or suspended; and

五 汚染負荷量賦課金を納付しないことについてやむを得ない理由があると認められるとき。

(v) it is found that there is an unavoidable reason for the delinquency of the imposition on pollution load.

(先取特権の順位)

(Order of Statutory Lien)

第五十九条 汚染負荷量賦課金その他この節の規定による徴収金の先取特権の順位は、国税及び地方税に次ぐものとする。

Article 59 The order of the statutory lien for the imposition on pollution load and any other money collected under the provisions of this Section comes after national tax and local tax.

(徴収金の徴収手続)

(Collection Procedure for Money to Be Collected)

第六十条 汚染負荷量賦課金その他この節の規定による徴収金は、この節に別段の定めがある場合を除き、国税徴収の例により徴収する。

Article 60 Unless otherwise provided in this Section, the imposition on pollution load and any other money collected under the provisions of this Section are collected by the same rules as for national tax collection.

(資料の提出)

(Submission of Materials)

第六十条の二 機構は、汚染負荷量賦課金の徴収に関し必要があると認めるときは、ば

い煙発生施設等設置者に対し、文書その他の物件の提出を求めることができる。

Article 60-2 When the Agency finds it necessary for the collection of the imposition on pollution load, the Agency may request the establisher of soot and smoke generating facilities, etc. to submit documents and other items.

(環境省令への委任)

(Delegation to Order of the Ministry of the Environment)

第六十一条 この節に定めるもののほか、汚染負荷量賦課金その他この節の規定による徴収金に関し必要な事項は、環境省令で定める。

Article 61 Beyond what is provided in this Section, matters necessary for the imposition on pollution load and any other money collected under the provisions of this Section are specified by Order of the Ministry of the Environment.

第三節 特定賦課金

Section 3 Specific Imposition

(特定賦課金の徴収及び納付義務)

(Collection and Payment Obligation of Specific Imposition)

第六十二条 機構は、第四十八条の規定による納付金のうち、第四条第二項の認定に係る被認定者及び認定死亡者に関する補償給付の支給に要する費用並びに第二種地域に係る指定疾病による被害に関して行なう公害保健福祉事業に要する費用に充てるためのもので並びに機構が行なう事務の処理に要する費用の一部に充てるため、第二種地域に係る指定疾病に影響を与える大気汚染又は水質汚濁の原因である物質を排出した大気汚染防止法第二条第二項に規定するばい煙発生施設、同法第十七条第一項に規定する特定施設又は水質汚濁防止法（昭和四十五年法律第百三十八号）第二条第二項に規定する特定施設の設置者（過去の設置者を含む。以下「特定施設等設置者」という。）から、毎年度、特定賦課金を徴収する。

Article 62 (1) In order to cover a part of the expenses required for the payment of the compensation benefits for the certified person and the deceased certified person pertaining to the certification set forth in Article 4, paragraph (2), those required for pollution-related health and welfare services provided with regard to damage by the designated disease pertaining to the Class II Area, and those required for affairs handled by the Agency that are appropriated by payments under the provisions of Article 48, the Agency collects the specific imposition each fiscal year from establishers of soot and smoke generating facilities set forth in Article 2, paragraph (2) of the Air Pollution Control Act that generate substances that cause air pollution or water pollution affecting the designated disease pertaining to the Class II Area and establishers of specified facilities set forth in Article 17, paragraph (1) of the same Act or those set forth in Article 2, paragraph (2) of the Water Pollution Prevention Act (Act No. 138 of

1970) (including past establishers; hereinafter referred to as the "establisher of specified facilities, etc.").

2 特定施設等設置者は、特定賦課金を納付する義務を負う。

(2) The establisher of specified facilities, etc. is obliged to pay the specific imposition.

(特定賦課金の算定方法)

(Method of Calculation of Specific Imposition)

第六十三条 各特定施設等設置者から徴収する特定賦課金の額の算定方法は、当該第二種地域に係る指定疾病に影響を与えた大気汚染又は水質汚濁の原因である物質の排出量その他の事情を考慮して、政令で定める。

Article 63 (1) The method for calculating the amount of the specific imposition to be collected from the establisher of specified facilities, etc. is specified by Cabinet Order, taking into consideration the emission of the substances that cause air pollution or water pollution affecting the designated disease pertaining to the Class II Area and other circumstances.

2 環境大臣は、前項の規定に基づき政令の制定又は改廃の立案をしようとするときは、中央環境審議会の意見を聴かななければならない。

(2) When the Minister of the Environment intends to propose the enactment, revision, or abolition of Cabinet Order based on the provisions of the preceding paragraph, the Minister must hear the opinions of the Central Environment Council.

(特定賦課金の額の決定、通知等)

(Determination and Notice of Amount of Specific Imposition)

第六十四条 機構は、前条第一項の政令で定める特定賦課金の算定方法に従い、各特定施設等設置者が納付すべき特定賦課金の額を決定し、当該各特定施設等設置者に対し、その者が納付すべき特定賦課金の額及び納付すべき期限その他必要な事項を通知しなければならない。

Article 64 (1) The Agency must determine the amount of the specific imposition to be paid by the establisher of specified facilities, etc. according to the method for calculating the amount of the specific imposition specified by Cabinet Order set forth in paragraph (1) of the preceding Article, and notify the establisher of specified facilities, etc. of the amount of the specific imposition to be paid by the establisher, the due date for payment, and other necessary matters.

2 前項の規定により特定賦課金の額が定められた後、特定賦課金の額を変更する必要があるときは、機構は、当該各特定施設等設置者が納付すべき特定賦課金の額を変更し、当該各特定施設等設置者に対し、変更後の特定賦課金の額を通知しなければならない。

(2) When the necessity of changing the amount of the specific imposition arises after the amount of the specific imposition is determined pursuant to the

provisions of the preceding paragraph, the Agency must change the amount of the specific imposition to be paid by the establisher of specified facilities, etc. and notify the establisher of specified facilities, etc. of the changed amount of the specific imposition.

- 3 機構は、特定施設等設置者が納付した特定賦課金の額が、前項の規定による変更後の特定賦課金の額に満たない場合には、その不足する額について、同項の規定による通知とともに納付すべき期限その他必要な事項を通知し、同項の規定による変更後の特定賦課金の額をこえる場合には、そのこえる額について、未納の特定賦課金その他この節の規定による徴収金があるときはこれに充当し、なお残余があれば還付し、未納の徴収金がないときはこれを還付しなければならない。

- (3) If the amount of the specific imposition paid by the establisher of specified facilities, etc. is less than the amount of the specific imposition changed under the provisions of the preceding paragraph, the Agency must notify the establisher of the shortage, the due date for payment, and other necessary matters together with the notice under the same paragraph, and if it exceeds the amount of the specific imposition changed under the provisions of the same paragraph, the Agency must appropriate the amount in excess to the unpaid specific imposition and other amount to be collected under the provisions of this Section, if any, and return the balance, if any, or return the amount in excess if there is no unpaid amount to be collected.

(共同納付の場合の特例)

(Special Provisions for Joint Payment)

第六十五条 機構は、特定施設等設置者の全部又は一部から当該各特定施設等設置者が納付すべき特定賦課金について納付の方法を明らかにして共同で納付する旨の申出があり、これを承認したときは、前条第一項の規定にかかわらず、当該各特定施設等設置者に係る特定賦課金の額を定めないものとする。

Article 65 (1) When the Agency approves a proposal made by all or a part of the establisher of specified facilities, etc. that they make clear the payment method for the specific imposition to be paid by them and jointly make a payment, the Agency does not determine the amount of the specific imposition pertaining to the establisher, notwithstanding the provisions of paragraph (1) of the preceding Article.

- 2 前項の規定による承認を受けた特定施設等設置者が当該第二種地域に係る特定賦課金を納付すべき特定施設等設置者の一部であるときは、機構は、特定賦課金の額の決定に準じて、それらの特定施設等設置者が共同で納付すべき特定賦課金の額を定めなければならない。

- (2) When the establisher of specified facilities, etc. approved under the provisions of the preceding paragraph is a part of the establisher of specified facilities, etc. that should pay the specific imposition pertaining to the Class II Area, the Agency must determine the amount of the specific imposition to be paid jointly

by the establisher of specified facilities, etc. in accordance with the determination of the amount of the specific imposition.

3 第一項の規定による承認を受けた特定施設等設置者が当該第二種地域に係る特定賦課金を納付すべき特定施設等設置者の全部である場合にはその納付すべき特定賦課金の総額を、その一部である場合には前項の規定により定められた額を共同で納付したときは、当該特定施設等設置者は、その特定賦課金を納付したものとみなす。

(3) When the establisher of specified facilities, etc. approved under the provisions of paragraph (1) is all of the establisher of specified facilities, etc. that should pay the specific imposition pertaining to the Class II Area and jointly makes a payment for the total amount of the specific imposition to be paid, or the establisher is a part of the establisher and jointly makes a payment for the amount determined pursuant to the provisions of the preceding paragraph, the establisher is deemed to have paid the specific imposition.

4 前条第二項及び第三項の規定は、第二項の共同で納付すべき特定賦課金について準用する。

(4) The provisions of paragraph (2) and paragraph (3) of the preceding Article apply mutatis mutandis to the specific imposition to be paid jointly set forth in paragraph (2).

(準用)

(Application)

第六十六条 第五十六条から第六十条の二までの規定は、特定賦課金について準用する。

Article 66 The provisions of Articles 56 through 60-2 apply mutatis mutandis to the specific imposition.

(環境省令への委任)

(Delegation to Order of the Ministry of the Environment)

第六十七条 この節に定めるもののほか、特定賦課金その他この節の規定による徴収金に関し必要な事項は、環境省令で定める。

Article 67 Beyond what is provided in this Section, matters necessary for the specific imposition and any other money collected under the provisions of this Section are specified by Order of the Ministry of the Environment.

第四節 補則

Section 4 Auxiliary Provisions

(経済産業大臣との協議)

(Consultation with the Minister of Economy, Trade and Industry)

第六十七条の二 環境大臣は、次の場合には、経済産業大臣に協議しなければならない。

Article 67-2 The Minister of the Environment must consult with the Minister of Economy, Trade and Industry in the following cases:

一 第五十三条第二項、第五十五条第一項から第三項まで、第六十一条又は前条の環境省令を定めようとするとき。

(i) when intending to establish Order of the Ministry of the Environment set forth in Article 53, paragraph (2), Article 55, paragraphs (1) through (3), Article 61, or the preceding Article; and

二 第五十七条第六項の認可をしようとするとき。

(ii) when intending to give approval set forth in Article 57, paragraph (6).

第五章 公害健康被害予防事業

Chapter V Pollution-related Health Damage Prevention Services

第六十八条 機構は、大気の汚染の影響による健康被害を予防するため、次の業務を行う。

Article 68 The Agency provides the following services in order to prevent health damage by air pollution:

一 大気の汚染の影響による健康被害の予防に関する調査研究、知識の普及及び研修を行うこと。

(i) research and study, disseminating knowledge, and training concerning the prevention of health damage by air pollution;

二 大気の汚染の影響による健康被害の予防に関する計画の作成、健康相談、健康診査、機能訓練又は施設若しくは機械器具の整備を行う地方公共団体（施設又は機械器具の整備を行う者に対して助成を行う地方公共団体を含む。）に対する助成金を交付すること。

(ii) granting subsidies to local governments that prepare plans, provide health consultation, conduct health examination, provide functional training, or develop facilities and equipment (including local governments that subsidize persons who develop facilities and equipment) concerning the prevention of health damage by air pollution; and

三 前二号に掲げる業務に附帯する業務を行うこと。

(iii) services incidental to those set forth in the preceding two items.

第六十九条 削除

Article 69 Deleted.

第七十条 削除

Article 70 Deleted.

第七十一条 削除

Article 71 Deleted.

第七十二条 削除

Article 72 Deleted.

第七十三条 削除

Article 73 Deleted.

第七十四条 削除

Article 74 Deleted.

第七十五条 削除

Article 75 Deleted.

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Article 76 Deleted.

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Article 77 Deleted.

第七十八条 削除

Article 78 Deleted.

第七十九条 削除

Article 79 Deleted.

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Article 80 Deleted.

第八十一条 削除

Article 81 Deleted.

第八十二条 削除

Article 82 Deleted.

第八十三条 削除

Article 83 Deleted.

第八十四条 削除

Article 84 Deleted.

第八十五条 削除

Article 85 Deleted.

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Article 86 Deleted.

第八十七条 削除
Article 87 Deleted.

第八十八条 削除
Article 88 Deleted.

第八十九条 削除
Article 89 Deleted.

第九十条 削除
Article 90 Deleted.

第九十一条 削除
Article 91 Deleted.

第九十二条 削除
Article 92 Deleted.

第九十三条 削除
Article 93 Deleted.

第九十四条 削除
Article 94 Deleted.

第九十五条 削除
Article 95 Deleted.

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Article 96 Deleted.

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Article 100 Deleted.

第百一条 削除
Article 101 Deleted.

第百二条 削除
Article 102 Deleted.

第百三条 削除
Article 103 Deleted.

第百四条 削除
Article 104 Deleted.

第百五条 削除
Article 105 Deleted.

第六章 不服申立て

Chapter VI Appeal

第一節 認定又は補償給付の支給に関する処分に対する不服申立て

Section 1 Appeal against Disposition on Certification or Payment of Compensation Benefits

(再調査の請求及び審査請求)

(Request for Review and Request for Examination)

第百六条 認定又は補償給付の支給に関する処分に不服がある者は、その処分をした都道府県知事に対し、再調査の請求をすることができる。

Article 106 (1) A person who is dissatisfied with the disposition on the certification or payment of the compensation benefits may request a prefectural governor who has made the disposition for review.

2 認定又は補償給付の支給に関する処分に不服がある者のする審査請求は、公害健康被害補償不服審査会に対してしなければならない。

(2) A request for examination by a person who is dissatisfied with the disposition on the certification or payment of the compensation benefits must be made to the Examination Board for Dissatisfaction with Pollution-related Health Damage Compensation.

3 第一項の再調査の請求及び前項の審査請求は、時効の中断に関しては、裁判上の請求とみなす。

(3) The request for review set forth in paragraph (1) and the request for

examination set forth in the preceding paragraph are deemed to be a demand by litigation with regard to renewal.

(行政不服審査法の適用関係)

(Application of the Administrative Complaint Review Act)

第百七条 前条第二項の審査請求については、行政不服審査法（平成二十六年法律第六十八号）第三十一条の規定は、適用しない。

Article 107 (1) The provisions of Article 31 of the Administrative Complaint Review Act (Act No. 68 of 2014) do not apply to the request for examination set forth in paragraph (2) of the preceding Article.

2 前条第二項の審査請求についての行政不服審査法第九条第四項の規定の適用に関しては、同項中「その職員（第二項各号（第一項各号に掲げる機関の構成員にあっては、）」とあるのは、「公害健康被害の補償等に関する法律（昭和四十八年法律第百十一号）第二百一十一条第一項に規定する審査員（第二項各号（）」とする。

(2) With regard to the application of the provisions of Article 9, paragraph (4) of the Administrative Complaint Review Act pertaining to the request for examination set forth in paragraph (2) of the preceding Article, the term "its officials (in the items of paragraph (2) (for members of the organs set forth in the items of paragraph (1))" in the same paragraph is deemed to be replaced with "examiners set forth in Article 121, paragraph (1) of the Act on Compensation for Pollution-related Health Damage (Act No. 111 of 1973) (in the items of paragraph (2))."

(不服申立てと訴訟との関係)

(Relation between Appeal and Lawsuit)

第百八条 認定又は補償給付の支給に関する処分取消しの訴えは、当該処分についての審査請求に対する公害健康被害補償不服審査会の裁決を経た後でなければ、提起することができない。

Article 108 An action for revocation of a disposition on the certification or payment of the compensation benefits may not be filed until a determination on a request for examination for the disposition is made by the Examination Board for Dissatisfaction with Pollution-related Health Damage Compensation.

第二節 賦課徴収に関する処分等に対する審査請求

Section 2 Request for Examination of Disposition Concerning Imposition and Collection

(審査請求)

(Request for Examination)

第百九条 この法律に基づいてした機構の処分に不服がある者は、環境大臣に対し、審査請求をすることができる。この場合において、環境大臣は、行政不服審査法第二十

五条第二項及び第三項、第四十六条第一項並びに第四十七条の規定の適用については、機構の上級行政庁とみなす。

Article 109 A person who is dissatisfied with the disposition made by the Agency based on this Act may request the Minister of the Environment for examination. In this case, the Minister of the Environment is deemed to be the higher administrative authority of the Agency with regard to the application of the provisions of Article 25, paragraphs (2) and (3), Article 46, paragraph (1), and Article 47 of the Administrative Complaint Review Act.

第百十条 削除

Article 110 Deleted.

第三節 公害健康被害補償不服審査会

Section 3 Examination Board for Dissatisfaction with Pollution-related Health Damage Compensation

第一款 設置及び組織

Subsection 1 Establishment and Organization

(設置)

(Establishment)

第百十一条 第百六条第二項及び石綿による健康被害の救済に関する法律（平成十八年法律第四号）第七十五条第一項第一号の規定による審査請求の事件を取り扱わせるため、環境大臣の所轄の下に、公害健康被害補償不服審査会（以下この章において「審査会」という。）を置く。

Article 111 The Examination Board for Dissatisfaction with Pollution-related Health Damage Compensation (hereinafter referred to as the "Examination Board" in this Chapter) is established under the jurisdiction of the Minister of the Environment, in order to have the Examination Board handle cases of request for examination under the provisions of Article 75, paragraph (1), item (i) of the Act on Asbestos Health Damage Relief (Act No. 4 of 2006) and Article 106, paragraph (2).

(組織)

(Organization)

第百十二条 審査会は、委員六人をもつて組織する。

Article 112 (1) The Examination Board is composed of six members.

2 委員のうち三人は、非常勤とすることができる。

(2) Three of the members may be part-time members.

(委員の任命)

(Appointment of Members)

第百十三条 委員は、人格が高潔であつて、公害問題に関する識見を有し、かつ、医学、法律学その他公害に係る健康被害の補償に関する学識経験を有する者のうちから、両議院の同意を得て、環境大臣が任命する。

Article 113 (1) A member is appointed by the Minister of the Environment, with the consent of both Houses of the Diet, from among persons who have moral character, insights into pollution problems, and relevant expertise concerning medical science, legal science, and compensation for health damage caused by environmental pollution.

2 委員の任期が満了し、又は欠員を生じた場合において、国会の閉会又は衆議院の解散のために両議院の同意を得ることができないときは、環境大臣は、前項の規定にかかわらず、同項に定める資格を有する者のうちから、委員を任命することができる。

(2) If the term of office of a member expires or a position is vacant, the Minister of the Environment may appoint a member from among persons who have the qualifications specified in the preceding paragraph when the consent of both Houses of the Diet cannot be obtained due to the closing of the Diet or the dissolution of the House of Representatives, notwithstanding the provisions of the preceding paragraph.

3 前項の場合においては、任命後最初の国会で、両議院の事後の承認を得なければならない。この場合において、両議院の事後の承認を得られないときは、環境大臣は、その委員を罷免しなければならない。

(3) In the case referred to in the preceding paragraph, subsequent approval of both Houses of the Diet must be obtained at the first session of the Diet after the appointment. In this case, when the subsequent approval of both Houses cannot be obtained, the Minister of the Environment must dismiss the member in question.

(任期)

(Term of Office)

第百十四条 委員の任期は、三年とする。ただし、補欠の委員の任期は、前任者の残任期間とする。

Article 114 (1) The term of office of a member is three years; provided, however, that the term of office of a member who fills a vacancy is the remaining term of the member's predecessor.

2 委員は、再任されることができる。

(2) A member may be reappointed.

3 委員の任期が満了したときは、当該委員は、後任者が任命されるまで引き続きその職務を行なうものとする。

(3) When the term of office of a member expires, the member remains in office until a successor is appointed.

(職権の行使)

(Exercise of Authority)

第百十五条 委員は、独立してその職権を行なう。

Article 115 A member independently exercises the member's authority.

(身分保障)

(Guarantee of Status)

第百十六条 委員は、次の各号のいずれかに該当する場合を除いては、在任中、その意に反して罷免されることがない。

Article 116 A member is not dismissed against the member's will while in office, except for cases falling under any of the following items:

一 破産手続開始の決定を受けたとき。

(i) a member receives an order commencing bankruptcy proceedings;

二 禁錮以上の刑に処せられたとき。

(ii) a member is punished by imprisonment without labor or severer punishment; and

三 審査会により、心身の故障のため職務の執行ができないと認められたとき、又は職務上の義務違反その他委員たるに適しない行為があると認められたとき。

(iii) when the Examination Board finds that a member is unable to perform the member's duties due to mental or physical disorder, or commits a violation of the member's obligations in the course of duties or an act unbecoming of a member.

(罷免)

(Dismissal)

第百十七条 環境大臣は、委員が前条各号の一に該当するときは、その委員を罷免しなければならない。

Article 117 When a member falls under any of the items of the preceding Article, the Minister of the Environment must dismiss the member.

(会長)

(Chairperson)

第百十八条 審査会に会長を置き、委員の互選によつて常勤の委員のうちからこれを定める。

Article 118 (1) The Examination Board has a chairperson who is elected by the members from among full-time members.

2 会長は、会務を総理し、審査会を代表する。

(2) The chairperson presides over the affairs of the Examination Board and represents the Examination Board.

3 会長に事故があるときは、あらかじめその指名する常勤の委員が、その職務を代理する。

(3) When the chairperson is incapacitated, a full-time member designated by the

chairperson in advance performs the duties of the chairperson.

(委員会議)

(Board Meeting)

第百十九条 審査会の会務の処理（審査請求の事件の取扱いを除く。）は、委員の全員の会議（以下この条において「委員会議」という。）の議決によるものとする。

Article 119 (1) The Examination Board administers its affairs (excluding handling of cases of request for examination) by decision of a meeting of all the members (hereinafter referred to as the "board meeting" in this Article).

2 委員会議は、会長が招集する。

(2) The chairperson convenes the board meeting.

3 委員会議は、会長及び三人以上の委員の出席がなければ、これを開き、議決をすることができない。

(3) The Examination Board may neither hold the board meeting nor make a decision unless the chairperson and three or more members attend the meeting.

4 委員会議の議事は、出席した委員の過半数をもつて決し、可否同数のときは、会長の決するところによる。

(4) A decision of the board meeting is made by a majority of the members present, and in the case of a tie, the chairperson makes a decision.

5 審査会が第百十六条第三号の規定による認定をするには、前項の規定にかかわらず、出席した委員のうちの本人を除く全員の一致がなければならない。

(5) The finding of the Examination Board under the provisions of Article 116, item (iii) must be performed with the unanimous consent of all the members present except for the member concerned, notwithstanding the provisions of the preceding paragraph.

6 会長に事故がある場合の第三項の規定の適用については、第百十八条第三項の規定により会長の職務を代理する常勤の委員は、会長とみなす。

(6) With regard to the application of the provisions of paragraph (3) in cases where the chairperson is incapacitated, the full-time member performing the duties of the chairperson pursuant to the provisions of Article 118, paragraph (3) is deemed as the chairperson.

(専門委員)

(Expert Advisor)

第百十九条の二 審査会に、専門の事項を調査審議させるため、専門委員を置くことができる。

Article 119-2 (1) The Examination Board may have expert advisors assigned for studying and deliberating special matters.

2 専門委員は、学識経験のある者のうちから、環境大臣が任命する。

(2) An expert advisor is appointed by the Minister of the Environment from among persons with relevant expertise.

3 専門委員は、当該専門の事項に関する調査審議が終了したときは、解任されるものとする。

(3) An expert advisor is dismissed upon termination of the study and deliberation of the relevant special matters.

4 専門委員は、非常勤とする。

(4) An expert advisor serves on a part-time basis.

(審査請求事件の取扱い)

(Handling of Cases of Request for Examination)

第一百二十条 審査会は、委員のうちから審査会が指名する者三人をもつて構成する合議体で、審査請求の事件を取り扱う。

Article 120 (1) The Examination Board handles cases of request for examination through a panel consisting of three persons designated by the Examination Board from among its members.

2 前項の規定にかかわらず、次の各号の一に該当する場合には、委員の全員をもつて構成する合議体で、審査請求の事件を取り扱う。

(2) Notwithstanding the provisions of the preceding paragraph, a panel consisting of the entire members handles cases of request for examination if any of the following cases applies:

一 前項の合議体が、法令の解釈適用について、その意見が前に審査会のした裁決に反すると認めた場合

(i) the panel set forth in the preceding paragraph finds that its opinion concerning the interpretation and application of laws and regulations is opposed to administrative determination made by the Examination Board;

二 前項の合議体を構成する者の意見が分かれたため、その合議体としての意見が定まらない場合

(ii) the panel set forth in the preceding paragraph cannot express its coordinated opinion because opinions of its members are divided; and

三 審査会が、委員の全員をもつて構成する合議体において審査請求事件を取り扱う旨の議決をした場合

(iii) the Examination Board makes a decision to the effect that cases of request for examination are handled by a panel consisting of the entire members.

第一百二十一条 前条第一項又は第二項の各合議体を構成する者を審査員とし、うち一人を審査長とする。

Article 121 (1) The members comprising the panel set forth in paragraph (1) or paragraph (2) of the preceding Article become examiners, among whom one member becomes a chief examiner.

2 前条第一項の合議体のうち、会長がその構成に加わるものにあつては、会長が審査長となり、その他のものにあつては、審査会の指名する委員が審査長となる。

(2) The chairperson becomes the chief examiner of the panel set forth in

paragraph (1) of the preceding Article in which the chairperson is involved, and a board member designated by the Examination Board becomes the chief examiner of the panel in which the chairperson is not involved.

3 前条第二項の合議体にあつては、会長が審査長となり、会長に事故があるときは、第百十八条第三項の規定により会長の職務を代理する常勤の委員が審査長となる。

(3) In the case of the panel set forth in paragraph (2) of the preceding Article, the chairperson becomes the chief examiner, and if the chairperson is incapacitated, the full-time member performing the duties of the chairperson pursuant to the provisions of Article 118, paragraph (3) becomes the chief examiner.

第百二十二条 第百二十条第一項の合議体は、これを構成するすべての審査員の、同条第二項の合議体は、四人以上の審査員の出席がなければ、会議を開き、議決をすることができない。

Article 122 (1) The panel set forth in Article 120, paragraph (1) may not hold a meeting nor make any decision without the attendance of all the examiners comprising the panel, and the panel set forth in paragraph (2) of the same Article may not hold a meeting nor make any decision without the attendance of four or more examiners.

2 第百二十条第一項の合議体の議事は、その合議体を構成する審査員の過半数をもつて決する。

(2) A decision of the panel set forth in Article 120, paragraph (1) is made by a majority of the examiners comprising the panel.

3 第百二十条第二項の合議体の議事は、出席した三人以上の審査員の賛成をもつて決し、可否それぞれ三人のときは、審査長の決するところによる。

(3) A decision of the panel set forth in Article 120, paragraph (2) is made by the consent of at least three examiners present, and if three examiners consent and three examiners dissent, the chief examiner makes a decision.

(服務)

(Duty)

第百二十三条 委員は、職務上知ることのできた秘密を漏らしてはならない。その職を退いた後も、同様とする。

Article 123 (1) A member must not divulge any secret which the member comes to know in the course of duties. The same applies after the member has left the position.

2 委員は、在任中、政党その他の政治的団体の役員となり、又は積極的に政治運動をしてはならない。

(2) During the term of office, a member must not be an officer of a political party or other political body nor engage in political movements actively.

3 常勤の委員は、在任中、環境大臣の許可のある場合を除くほか、報酬を得て他の職

務に従事し、又は営利事業を営み、その他金銭上の利益を目的とする業務を行なつてはならない。

(3) During the term of office, a full-time member must not engage in other jobs with remuneration, run business for profit purposes, or operate other businesses seeking for monetary interest unless the member is permitted by the Minister of the Environment.

(給与)

(Salary)

第二百二十四条 委員の給与は、別に法律で定める。

Article 124 The salary of the members is specified separately by law.

第二百五十五条 削除

Article 125 Deleted.

第二款 審査請求の手續

Subsection 2 Procedures for Request for Examination

(利害関係人に対する審査請求書の送付)

(Sending Written Request for Examination to Interested Persons)

第二百六条 審査会は、審査請求がされたときは、行政不服審査法第二十四条の規定により当該審査請求を却下する場合を除き、審査請求書を利害関係人に送付しなければならない。

Article 126 When a request for examination is made, the Examination Board must send a written request for examination to interested persons, except where the Examination Board dismisses the request for examination pursuant to the provisions of Article 24 of the Administrative Complaint Review Act.

(審理の期日及び場所)

(Date and Place of Proceedings)

第二十七条 審査会は、審理の期日及び場所を定め、原処分をした行政庁、審査請求人及び行政不服審査法第十三条第四項に規定する参加人（以下この款において「当事者」という。）に通知しなければならない。

Article 127 The Examination Board must specify the date and place of proceedings and notify the administrative authority making the original disposition, the requester for examination, and the intervenor set forth in Article 13, paragraph (4) of the Administrative Complaint Review Act (hereinafter referred to as the "party" in this Subsection) of the date and place.

(審理の公開)

(Public Proceedings)

第百二十八条 審理は、公開して行なう。ただし、当事者の申立てがあつたときは、公開しないことができる。

Article 128 Proceedings are open to the public; provided, however, that the proceedings may not be open to the public upon petition of the party.

(審理の指揮)

(Direction of Proceedings)

第百二十九条 審理の指揮は、審査長が行なう。

Article 129 The chief examiner directs proceedings.

(意見の陳述等)

(Statement of Opinions)

第百三十条 当事者及びその代理人は、審理の期日に出頭して意見を述べることができる。この場合において、当事者又はその代理人は、審査会の許可を得て、補佐人と共に出頭することができる。

Article 130 The party and the representative of the party may appear on the date of proceedings to state opinions. In this case, the party or the representative of the party may appear together with an assistant in court, with the permission of the Examination Board.

(受診命令)

(Order to Undergo Diagnosis)

第百三十一条 審査会は、審理を行なうため特に必要があると認めるときは、審査請求人に対し、認定又は補償給付の支給に係る者について、審査会の指定する医師の診断を受けるべきことを命ずることができる。

Article 131 When the Examination Board finds it particularly necessary for conducting proceedings, the Examination Board may order a requester for examination to have a person pertaining to the certification or payment of the compensation benefits undergo a diagnosis of a physician designated by the Examination Board.

(調書)

(Record)

第百三十二条 審査会は、審理の期日における経過について、調書を作成しなければならない。

Article 132 (1) The Examination Board must prepare a record of the proceedings on the date of the proceedings.

2 当事者及び利害関係人は、審査会の許可を得て、前項の調書を閲覧することができる。

(2) The party and interested persons may inspect the record set forth in the preceding paragraph, with the permission of the Examination Board.

(合議の非公開)

(Non-disclosure of Meetings)

第百三十三条 審査会の合議は、公開しない。

Article 133 Meetings of the Examination Board are not open to the public.

(審査請求の制限)

(Restriction on Request for Examination)

第百三十四条 この款の規定により審査会がした処分については、審査請求をすることができない。

Article 134 No request for examination may be made with regard to a disposition made by the Examination Board pursuant to the provisions of this Subsection.

(環境省令への委任)

(Delegation to Order of the Ministry of the Environment)

第百三十五条 この款に定めるもののほか、審査請求の手続に関し必要な事項は、環境省令で定める。

Article 135 Beyond what is provided in this Subsection, matters necessary for the procedures for request for examination are specified by Order of the Ministry of the Environment.

第七章 雑則

Chapter VII Miscellaneous Provisions

(認定を受けた者等に対する報告の徴収等)

(Collection of Report from Certified Persons)

第百三十六条 都道府県知事は、この法律を施行するため必要があると認めるときは、認定又は補償給付を受け、又は受けようとする者に対し、報告又は文書その他の物件の提出を求めることができる。

Article 136 When a prefectural governor finds it necessary for enforcing this Act, the prefectural governor may request a person who has received or intends to receive certification or the compensation benefits to report or submit documents and other items.

(受診命令)

(Order to Undergo Diagnosis)

第百三十七条 都道府県知事は、認定又は補償給付の支給に関し必要があると認めるときは、認定又は補償給付を受け、又は受けようとする者に対し、その認定又は補償給付の支給に係る者について、当該都道府県知事の指定する医師の診断を受けるべきことを命ずることができる。

Article 137 When a prefectural governor finds it necessary for the certification

or payment of the compensation benefits, the prefectural governor may order a person who has received or intends to receive certification or the compensation benefits to have a person pertaining to the granting of the certification or payment of the compensation benefits undergo a diagnosis of a physician designated by the prefectural governor.

(補償給付の一時差止め)

(Temporary Suspension of Compensation Benefits)

第百三十八条 補償給付を受けることができる者が、第百三十六条の規定により報告又は文書その他の物件の提出を求められて、正当な理由がなくこれに従わず、若しくは虚偽の報告をし、若しくは虚偽の記載をした文書を提出し、又は正当な理由がなく前条の規定による命令に従わないときは、都道府県知事は、その者に対する補償給付を一時差し止めることができる。

Article 138 When a person entitled to receive the compensation benefits fails to respond to the request for a report or submission of documents and other items pursuant to the provisions of Article 136 without any reasonable grounds, makes a false report, submits a document with false description, or fails to comply with the order under the preceding Article without any reasonable grounds, the prefectural governor may temporarily suspend the compensation benefits for the person.

(公害医療機関に対する報告の徴収等)

(Collection of Report from Pollution Medical Institution)

第百三十九条 都道府県知事は、療養の給付に関し必要があると認めるときは、公害医療機関に対し報告若しくは診療録その他の帳簿書類の提出若しくは提示を求め、公害医療機関の開設者若しくは管理者、医師、薬剤師その他の従業者に対して出頭を求め、又はその職員に、公害医療機関の施設に立ち入り、関係者に質問させ、若しくはその設備若しくは診療録、帳簿書類その他の物件を検査させることができる。

Article 139 (1) When a prefectural governor finds it necessary for medical treatment benefits, the prefectural governor may request the pollution medical institution to report, submit, or present medical records or other books and documents, request the establisher, manager, physician, pharmacist, or any other worker of the pollution medical institution to appear, or have its officials enter the facilities of the pollution medical institution to ask relevant persons questions or inspect the facilities, medical records, books and documents, and other items.

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

(2) An official who conducts an inspection pursuant to the provisions of the preceding paragraph must carry the official's identification card and present it to relevant persons.

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

(3) The authority of the inspection under the provisions of paragraph (1) must not be construed as the authority approved for criminal investigation.

4 公害医療機関が、第一項の規定により報告若しくは診療録その他の帳簿書類の提出若しくは提示を求められて、正当な理由がなくこれに従わず、若しくは虚偽の報告をし、又は公害医療機関の開設者若しくは管理者、医師、薬剤師その他の従業者が、同項の規定により出頭を求められて、正当な理由がなくこれに従わず、同項の規定による質問に対して、正当な理由がなく答弁せず、若しくは虚偽の答弁をし、若しくは同項の規定による検査を拒み、妨げ、若しくは忌避したときは、都道府県知事は、当該公害医療機関に対する診療報酬の支払を一時差し止めることができる。

(4) When the pollution medical institution fails to respond to the request for a report or submission of medical records or other books and documents pursuant to the provisions of paragraph (1) without any reasonable grounds or makes a false report, or the establisher, manager, physician, pharmacist, or any other worker of the pollution medical institution fails to respond to the request for appearance without any reasonable grounds, fails to answer the questions under the same paragraph without any reasonable grounds, or gives a false answer, or refuses, obstructs, or challenges the inspection under the same paragraph, the prefectural governor may temporarily suspend the payment of medical remuneration to the pollution medical institution.

(診療を行なった者等に対する報告の徴収等)

(Collection of Report from Persons Providing Medical Care)

第百四十条 都道府県知事は、認定又は補償給付（療養の給付を除く。以下この項において同じ。）の支給に関し必要があると認めるときは、当該認定の申請に係る診断又は補償給付に関する診療、薬剤の支給若しくは手当を行なった者又はこれを使用する者に対し、その行なった診断又は診療、薬剤の支給若しくは手当につき、報告若しくは診療録、帳簿書類その他の物件の提示を求め、又はその職員に質問させることができる。

Article 140 (1) When a prefectural governor finds it necessary for the certification and payment of the compensation benefits (excluding medical treatment benefits; the same applies hereinafter in this paragraph), the prefectural governor may request a person who makes diagnosis pertaining to the application for the certification or provides medical care, drugs, or medical treatment pertaining to the compensation benefits or a person who employs the person to report or present medical records, books and documents, and other items pertaining to the diagnosis, medical care, drugs, or medical treatment made or provided, or have its officials ask them questions.

2 前条第二項の規定は前項の規定による質問について、同条第三項の規定は前項の規定による権限について準用する。

(2) The provisions of paragraph (2) of the preceding Article apply mutatis mutandis to the questions under the provisions of the preceding paragraph, and the provisions of paragraph (3) of the same Article apply mutatis mutandis to the authority under the provisions of the preceding paragraph.

(ばい煙発生施設等設置者等に対する報告の徴収等)

(Collection of Report from Establisher of Soot and Smoke Generating Facilities)

第百四十一条 環境大臣は、この法律を施行するため必要があると認めるときは、政令で定めるところにより、ばい煙発生施設等設置者又は特定施設等設置者に対し、その業務に関し報告を求め、又はその職員に、ばい煙発生施設等設置者若しくは特定施設等設置者の工場若しくは事業場に立ち入り、帳簿書類その他の物件を検査させることができる。

Article 141 (1) When the Minister of the Environment finds it necessary for enforcing this Act, the Minister of the Environment may, as specified by Cabinet Order, request the establisher of soot and smoke generating facilities, etc. or the establisher of specified facilities, etc. to report its business, or have its officials enter the factory or workplace of the establisher of soot and smoke generating facilities, etc. or the establisher of specified facilities, etc. to inspect books and documents and other items.

2 第百三十九条第二項の規定は前項の規定による検査について、同条第三項の規定は前項の規定による権限について準用する。

(2) The provisions of Article 139, paragraph (2) apply mutatis mutandis to the inspection under the provisions of the preceding paragraph, and the provisions of paragraph (3) of the same Article apply mutatis mutandis to the authority under the provisions of the preceding paragraph.

(期間の計算)

(Computation of Period of Time)

第百四十二条 この法律又はこの法律に基づく命令に規定する期間の計算については、別段の定めがある場合を除き、民法の期間に関する規定を準用する。

Article 142 Unless otherwise provided, the provisions of the Civil Code pertaining to a period of time apply mutatis mutandis to the computation of a period of time provided in this Act or orders based on this Act.

(戸籍事項の無料証明)

(Free Certification of Family Registers)

第百四十三条 市町村長（特別区の区長を含むものとし、地方自治法（昭和二十二年法律第六十七号）第二百五十二条の十九第一項の指定都市にあつては、区長又は総合区長とする。）は、都道府県知事、第四条第三項の政令で定める市の長又は補償給付を受けることができる者に対し、条例で定めるところにより、認定を申請しようとする者、被認定者（死亡した者を含む。）、指定疾病にかかっていた者で認定を受けない

で死亡したもの、補償給付を受けようとする者又は補償給付を受けていた者の戸籍に関し、無料で証明を行うことができる。

Article 143 The mayor of municipality (including the mayor of a special ward, or the director of a ward or the general director of a ward in the case of a designated city set forth in Article 252-19, paragraph (1) of the Local Autonomy Act (Act No. 67 of 1947)) may, as specified by Municipal Ordinance, issue a certificate of matters pertaining to the family register of a person who intends to apply for certification, the certified person (including one who has died), a person who had the designated disease and died without receiving certification, and a person who intends to receive or received the compensation benefits, to a prefectural governor, the mayor of a city specified by Cabinet Order set forth in Article 4, paragraph (3), or a person entitled to receive the compensation benefits free of charge.

(事務の区分)

(Classification of Affairs)

第百四十三条の二 第四条第一項、第二項、第四項及び第六項、第五条第一項、第七条第二項（第八条第三項及び第八条の二第三項において準用する場合を含む。）、第八条第二項、第八条の二第二項、第九条、第十一条第二項、第十五条第一項、第十九条第一項、第二十条、第二十一条第二項、第二十四条第一項及び第二項、第二十五条第一項、第二十八条第一項から第四項まで及び第七項（第三十九条第三項において準用する場合を含む。）、第二十九条第一項並びに同条第二項及び第四項（第三十五条第二項及び第四十一条第二項において準用する場合を含む。）、第三十五条第一項及び第三項、第三十九条第一項、第四十条第一項、第四十一条第一項、第四十二条、第四十三条、第四十六条、第百三十六條から第百三十八條まで、第百三十九條第一項及び第四項並びに第百四十條第一項の規定により都道府県又は第四条第三項の政令で定める市が処理することとされている事務は、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。

Article 143-2 The affairs to be handled by a prefecture or a city specified by Cabinet Order set forth in Article 4, paragraph (3) pursuant to the provisions of Article 4, paragraphs (1), (2), (4), and (6), Article 5, paragraph (1), Article 7, paragraph (2) (including cases where applied mutatis mutandis pursuant to Article 8, paragraph (3) and Article 8-2, paragraph (3)), Article 8, paragraph (2), Article 8-2, paragraph (2), Article 9, Article 11, paragraph (2), Article 15, paragraph (1), Article 19, paragraph (1), Article 20, Article 21, paragraph (2), Article 24, paragraphs (1) and (2), Article 25, paragraph (1), Article 28, paragraphs (1) through (4) and (7) (including cases where applied mutatis mutandis pursuant to Article 39, paragraph (3) and cases where applied mutatis mutandis pursuant to the second sentence of paragraph (4) of the same Article in the case of Article 28, paragraph (2)), Article 29, paragraphs (1), (2),

and (4) (including cases where applied mutatis mutandis pursuant to Article 35, paragraph (2) and Article 41, paragraph (2)), Article 35, paragraphs (1) and (3), Article 39, paragraph (1), Article 40, paragraph (1), Article 41, paragraph (1), Article 42, Article 43, Article 46, Articles 136 through 138, Article 139, paragraphs (1) and (4), and Article 140, paragraph (1) shall be Item I statutory entrusted affairs set forth in Article 2, paragraph (9), item (i) of the Local Autonomy Act.

(政令の制定とその経過措置)

(Enactment of Cabinet Order and Transitional Measures)

第百四十四条 この法律に基づき政令を制定し、又は改廃する場合においては、その政令で、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 144 If Cabinet Order is enacted, revised, or abolished based on this Act, necessary transitional measures may be specified by Cabinet Order to the extent considered reasonably necessary for the enactment, revision, or abolition of the Cabinet Order.

第八章 罰則

Chapter VIII Penal Provisions

第百四十五条 第二十三条第三項、第四十五条第二項又は第二百二十三条第一項の規定に違反した者は、一年以下の懲役又は十万円以下の罰金に処する。

Article 145 A person who violates the provisions of Article 23, paragraph (3), Article 45, paragraph (2), or Article 123, paragraph (1) is punished by imprisonment with labor for not more than one year or a fine of not more than 100,000 yen.

第百四十六条 次の各号の一に該当する者は、二十万円以下の罰金に処する。

Article 146 A person who falls under any of the following items is punished by a fine of not more than 200,000 yen:

一 第六十条の二（第六十六条において準用する場合を含む。）の規定により文書その他の物件の提出を求められて、これに従わず、又は虚偽の記載をした文書を提出した者

(i) a person who fails to respond to the request to submit documents and other items pursuant to Article 60-2 (including cases where applied mutatis mutandis pursuant to Article 66) or submits a document with false description;

二 第百三十六条の規定により報告又は文書その他の物件の提出を求められて、これに従わず、又は虚偽の報告をし、若しくは虚偽の記載をした文書を提出した者

(ii) a person who fails to respond to the request for a report or submission of

documents and other items pursuant to the provisions of Article 136, makes a false report, or submits a document with false description; and

三 第四百十条第一項の規定により報告若しくは診療録、帳簿書類その他の物件の提示を求められて、これに従わず、若しくは虚偽の報告をし、又は同項の規定による質問に対して、答弁せず、若しくは虚偽の答弁をした者

(iii) a person who fails to respond to the request for a report or submission of medical records, books and documents, and other items pursuant to the provisions of Article 140, paragraph (1) or makes a false report, or fails to answer the questions under the same paragraph or gives a false answer.

第四百七条 第四百十一条第一項の規定により報告を求められて、これに従わず、若しくは虚偽の報告をし、又は同項の規定による検査を拒み、妨げ、若しくは忌避した者は、十万円以下の罰金に処する。

Article 147 A person who fails to respond to the request for a report pursuant to the provisions of Article 141, paragraph (1) or makes a false report, or refuses, obstructs, or challenges the inspection under the provisions of the same paragraph is punished by a fine of not more than 100,000 yen.

第四百八条 削除

Article 148 Deleted.

第四百九条 法人の代表者又は法人若しくは人の代理人、使用人その他の従業者が、その法人又は人の業務に関し、第四百十六条第一号若しくは第三号又は第四百七条の違反行為をしたときは、行為者を罰するほか、その法人又は人に対しても、各本条の刑を科する。

Article 149 When the representative of a juridical person, or the agent, employee, or any other worker of a juridical person or an individual commits the violation set forth in Article 146, item (1) or (3) or Article 147 with regard to the business of the juridical person or individual, not only is the offender punished but also the juridical person or individual is punished by the punishment set forth in the respective Articles.

第五百十条 第五十七条第六項（第六十六条において準用する場合を含む。）の規定により環境大臣の認可を受けなければならない場合において、その認可を受けなかったときは、その違反行為をした機構の役員は、二十万円以下の過料に処する。

Article 150 If an officer of the Agency is required to obtain the approval of the Minister of the Environment pursuant to the provisions of Article 57, paragraph (6) (including cases where applied mutatis mutandis pursuant to Article 66) and fails to obtain the approval, the officer is punished by a civil fine of not more than 200,000 yen.

附 則

Supplementary Provisions

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して一年をこ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、第一章、第二章第七節、第五章、第四百四十五条中第四十五条第三項に係る部分、第四百四十六条第一号、第四百四十七条第一項、第四百四十九条、第四百五十条、附則第三条、附則第四条第二項、附則第五条から附則第八条まで、附則第十九条、附則第二十条及び附則第二十五条から附則第二十七条までの規定は公布の日から起算して九月をこえない範囲内において政令で定める日から、附則第四条第一項、附則第三十条及び附則第三十一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 one year from the date of promulgation; provided, however, that the provisions of Chapter I, Chapter II, Section 7, Chapter V, the part pertaining to Article 45, paragraph (3) in Article 145, Article 146, item (i), Article 147, paragraph (1), Article 149, Article 150, Article 3 of the Supplementary Provisions, Article 4, paragraph (2) of the Supplementary Provisions, Articles 5 through 8 of the Supplementary Provisions, Article 19 of the Supplementary Provisions, Article 20 of the Supplementary Provisions, and Articles 25 through 27 of the Supplementary Provisions come into effect as of the date specified by Cabinet Order within a period not exceeding nine months from the date of promulgation, and the provisions of Article 4, paragraph (1) of the Supplementary Provisions, Article 30 of the Supplementary Provisions, and Article 31 of the Supplementary Provisions come into effect as of the date of promulgation.

(公害に係る健康被害の救済に関する特別措置法の廃止)

Abolishment of the Law Concerning Special Measures for Relief of (Pollution-related Patients)

第二条 公害に係る健康被害の救済に関する特別措置法（昭和四十四年法律第九十号。以下「旧法」という。）は、廃止する。

Article 2 The Law Concerning Special Measures for Relief of Pollution-related Patients (Act No. 90 of 1969; hereinafter referred to as the "former act") is abolished.

(旧法の廃止に伴う経過措置)

(Transitional Measures by Abolishment of Former Act)

第三条 この法律の施行の際現に旧法第三条第一項の認定を受けている者は、政令で定めるところにより、この法律による認定を受けた者とみなす。

Article 3 As specified by Cabinet Order, a person who has been certified

pursuant to Article 3, paragraph (1) of the former act at the time of enforcement of this Act is deemed to have been certified under this Act.

第四条 この法律の施行の際現に旧法第三条第一項の認定の申請をしている者に対しては、従前の例によりその認定をすることができる。ただし、旧法第十三条から第十五条まで、第十八条及び第十九条の規定は、適用しない。

Article 4 (1) A person who has filed an application for certification pursuant to Article 3, paragraph (1) of the former act at the time of enforcement of this Act may be certified in accordance with prior laws; provided, however, that the provisions of Articles 13 through 15, 18, and 19 of the former act do not apply.

2 前項の認定を受けた者は、政令で定めるところにより、この法律による認定を受けた者とみなす。

(2) As specified by Cabinet Order, a person who has been certified pursuant to the preceding paragraph is deemed to have been certified under this Act.

3 政府は、予算の範囲内において、第一項の規定により従前の例によりその認定をすることができる者とされている者の認定に関し旧法第十条の規定により都道府県が支弁する費用及び旧法第十二条の規定により都道府県が補助する費用に充てるため、当該都道府県に対し、交付金を交付するものとする。

(3) Within the scope of its budget, the government provides a prefecture with grants to be allocated to expenses paid by the prefecture pursuant to the provisions of Article 10 of the former act and expenses subsidized by the prefecture pursuant to the provisions of Article 12 of the former act, with regard to the certification of a person who is deemed to be certified in accordance with prior laws pursuant to the provisions of paragraph (1).

第五条 前二条の規定によりこの法律による認定を受けた者とみなされる者の指定疾病に係る第七条第一項の規定による認定の有効期間の始期は、この法律の施行の日とする。

Article 5 The validity period of the certification under the provisions of Article 7, paragraph (1) pertaining to the designated disease of a person who is deemed to have been certified under this Act pursuant to the preceding two Articles commences on the date on which this Act comes into effect.

第六条 旧法第三条第一項の認定を受けた者及び附則第四条第一項の規定により旧法第三条第一項の規定の例による認定を受けた者についてのこの法律の施行前の医療又は介護に係る費用の支給に関しては、なお従前の例による。

Article 6 Prior laws continue to govern the payment of expenses for medical care or nursing care prior to the enforcement of this Act pertaining to a person who has been certified pursuant to Article 3, paragraph (1) of the former act and a person who has been certified in accordance with the provisions of Article 3, paragraph (1) of the former act pursuant to the provisions of Article 4,

paragraph (1) of the Supplementary Provisions.

第七条 旧法第三条第一項の認定を受けた者が当該認定に係る疾病に関し損害賠償その他の給付を受けた場合における旧法の規定により支給された医療費、医療手当及び介護手当の額に相当する金額の返還に関しては、なお従前の例による。

Article 7 (1) Prior laws continue to govern the refund of amounts of money equivalent to medical expenses, medical allowance, and nursing care allowance paid pursuant to the provisions of the former act if a person who has received certification set forth in Article 3, paragraph (1) of the former act receives compensation for loss or damage or any other payment for the disease pertaining to the certification.

2 前項においてなお従前の例によることとされる旧法第二十九条に基づく政令の規定により旧法第二十四条の規定による返還金の一部に相当する金額の納付を受けた機構は、その額の金銭を、旧法第十六条第一項に規定する法人が存続する限りその法人に引き継ぐものとする。

(2) When the Agency receives a payment of an amount equivalent to a part of the refund under the provisions of Article 24 of the former act pursuant to the provisions of Cabinet Order based on Article 29 of the former act which prior laws continue to govern pursuant to the preceding paragraph, the Agency carries over the amount of money to the juridical person set forth in Article 16, paragraph (1) of the former act as long as the juridical person continues to exist.

第八条 この法律の施行前にした行為及びこの法律の附則においてなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 8 Prior laws continue to govern the application of penal provisions to acts committed prior to the enforcement of this Act and acts committed after the enforcement of this Act which prior laws continue to govern pursuant to the Supplementary Provisions of this Act.

(交付金)

(Grant)

第九条 政府は、当分の間、機構に対し、各年度ごとに、第一種地域に係る指定疾病に関する第四十七条第一号に掲げる費用及び第一種地域に係る指定疾病による被害に関して行う公害保健福祉事業に要する費用に充てるための機構の納付金のうち大気汚染の原因である物質を排出する自動車に係る分として当該年度において必要であると見込まれる金額に相当する当該年度の自動車重量税の収入見込額の一部に相当する金額を交付する。

Article 9 (1) Until otherwise provided for by law, the government grants the Agency, each fiscal year, an amount of money equivalent to a part of the

estimated revenue from automobile weight tax of the fiscal year that is expected to be necessary in the fiscal year pertaining to automobiles generating substances that cause air pollution, which is equivalent to a part of the payments by the Agency to be allocated to the expenses set forth in Article 47, item (i) for the designated disease pertaining to the Class I Area and the expenses required for pollution-related health and welfare services provided with regard to damage caused by the designated disease pertaining to the Class I Area.

2 第四十九条第一項及び第三項の規定の適用については、当分の間、同条第一項中「のほか、別に法律で定めるところにより徴収される金員」とあるのは「及び自動車重量税の年度ごとの収入見込額の一部に相当する金額の政府の交付金」と、同条第三項中「別に法律で定めるところにより徴収される金員」とあるのは「政府の交付金」とする。

(2) With regard to the application of the provisions of Article 49, paragraphs (1) and (3), the term "money collected as specified separately by law, in addition to" in paragraph (1) of the same Article is deemed to be replaced with "and grants from the government equivalent to a part of the estimated revenue from automobile weight tax of each fiscal year," and the term "money collected as specified separately by law" in paragraph (3) of the same Article is deemed to be replaced with "grants from the government," until otherwise provided for by law.

(拠出金の事業費への充当)

(Appropriation of Contributions to Operational Expenses)

第十条 機構は、独立行政法人環境再生保全機構法（平成十五年法律第四十三号。以下「機構法」という。）第十四条第一項の規定にかかわらず、当分の間、環境大臣の認可を受けて、同項に規定する大気汚染物質排出施設設置者等から拠出される拠出金の一部を第六十八条に規定する業務に要する費用に充てることができる。

Article 10 (1) Notwithstanding the provisions of Article 14, paragraph (1) of the Act on the Environmental Restoration and Conservation Agency (Act No. 43 of 2003; hereinafter referred to as the "Agency Act"), the Agency may allocate a part of the contributions made by establishers of facilities that discharge air pollutant set forth in the same paragraph to the operational expenses set forth in Article 68, with the approval of the Minister of the Environment, until otherwise provided for by law.

2 環境大臣は、前項の認可をしようとするときは、財務大臣に協議しなければならない。

(2) When the Minister of the Environment intends to give approval set forth in the preceding paragraph, the Minister of the Environment must consult with the Minister of Finance.

附 則 〔昭和四十九年六月十一日法律第八十五号〕
Supplementary Provisions [Act No. 85 of June 11, 1974]

この法律は、公布の日から施行する。

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

附 則 〔昭和五十一年三月三十一日法律第八号〕
Supplementary Provisions [Act No. 8 of March 31, 1976]

この法律は、公布の日から施行する。

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

附 則 〔昭和五十五年三月三十一日法律第十六号〕
Supplementary Provisions [Act No. 16 of March 31, 1980]

この法律は、公布の日から施行する。

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

附 則 〔昭和五十八年三月三十一日法律第十六号〕
Supplementary Provisions [Act No. 16 of March 31, 1983]

この法律は、公布の日から施行する。

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

附 則 〔昭和五十八年十二月二日法律第七十八号〕
Supplementary Provisions [Act No. 78 of December 2, 1983]

1 この法律（第一条を除く。）は、昭和五十九年七月一日から施行する。

(1) This Act (excluding Article 1) comes into effect as of July 1, 1984.

2 この法律の施行の日の前日において法律の規定により置かれている機関等で、この法律の施行の日以後は国家行政組織法又はこの法律による改正後の関係法律の規定に基づく政令（以下「関係政令」という。）の規定により置かれることとなるものに関し必要となる経過措置その他この法律の施行に伴う関係政令の制定又は改廃に関し必要となる経過措置は、政令で定めることができる。

(2) Transitional measures necessary for organizations, etc. which have been established under the provisions of laws as of the day preceding the date on which this Act comes into effect and those to be established under the provisions of the National Administrative Organization Act or the provisions of Cabinet Order based on the provisions of relevant laws amended by this Act (hereinafter referred to as the "Relevant Cabinet Order") after the date on which this Act comes into effect, and other transitional measures necessary for

the enactment, revision, or abolition of the Relevant Cabinet Order in accordance with the enforcement of this Act may be specified by Cabinet Order.

附 則 〔昭和六十年三月三十日法律第十五号〕
Supplementary Provisions [Act No. 15 of March 30, 1985]

この法律は、公布の日から施行する。

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

附 則 〔昭和六十二年六月二日法律第四十三号〕 〔抄〕
Supplementary Provisions [Act No. 43 of June 2, 1987 Extract] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、昭和六十二年十月一日から施行する。ただし、附則第九条の規定は、公害健康被害補償法の一部を改正する法律（昭和六十二年法律第九十七号）の施行の日から施行する。

Article 1 This Act comes into effect as of October 1, 1987; provided, however, that the provisions of Article 9 of the Supplementary Provisions come into effect as of the date on which the Act for Partial Revision of the Pollution-related Health Damage Compensation Act (Act No. 97 of 1987) comes into effect.

附 則 〔昭和六十二年九月二十六日法律第九十七号〕 〔抄〕
Supplementary Provisions [Act No. 97 of September 26, 1987 Extract] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して三月を超え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 exceeding three months but not exceeding six months from the date of promulgation.

(経過措置)

(Transitional Measures)

第二条 この法律の施行の際現に公害健康被害補償予防協会という名称を使用している者については、改正後の公害健康被害の補償等に関する法律第七十二条の規定は、この法律の施行後六月間は、適用しない。

Article 2 The provisions of Article 72 of the Act on Compensation for Pollution-

related Health Damage after amendment do not apply to a person who has used the name "Pollution-related Health Damage Compensation Prevention Association" at the time of enforcement of this Act, for a period of six months from the enforcement of this Act.

第三条 この法律の施行の際現に公害健康被害補償予防協会の理事又は監事である者の任期については、なお従前の例による。

Article 3 Prior laws continue to govern the term of office of a person who has been a director or auditor of the Pollution-related Health Damage Compensation Prevention Association at the time of enforcement of this Act.

第四条 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 4 Prior laws continue to govern the application of penal provisions to acts committed prior to the enforcement of this Act.

附 則 〔昭和六十三年三月三十一日法律第七号〕

Supplementary Provisions [Act No. 7 of March 31, 1988]

この法律は、昭和六十三年四月一日から施行する。

This Act comes into effect as of April 1, 1988.

附 則 〔平成四年五月六日法律第三十九号〕〔抄〕

Supplementary Provisions [Act No. 39 of May 6, 1992 Extract] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成四年十月一日から施行する。

Article 1 This Act comes into effect as of October 1, 1992.

附 則 〔平成五年三月三十一日法律第五号〕

Supplementary Provisions [Act No. 5 of March 31, 1993]

この法律は、公布の日から施行する。

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

附 則 〔平成五年十一月十九日法律第九十二号〕〔抄〕

Supplementary Provisions [Act No. 92 of November 19, 1993 Extract] [Extract]

この法律は、公布の日から施行する。

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

附 則 〔平成六年六月二十九日法律第五十六号〕 〔抄〕

Supplementary Provisions [Act No. 56 of June 29, 1994 Extract] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成六年十月一日から施行する。

Article 1 This Act comes into effect as of October 1, 1994.

附 則 〔平成七年三月十七日法律第二十六号〕

Supplementary Provisions [Act No. 26 of March 17, 1995]

1 この法律は、公布の日から施行する。ただし、第三十条第一項第二号及び第三十三条第五号の改正規定は、平成七年四月一日から施行する。

(1) This Act comes into effect as of the date of promulgation; provided, however, that the provisions revising Article 30, paragraph (1), item (ii) and Article 33, item (v) come into effect as of April 1, 1995.

2 改正後の第八条の二の規定は、この法律の施行の日以後に生じた災害その他やむを得ない理由により第八条第一項の規定による申請をすることができなかつた者について適用する。

(2) The provisions of Article 8-2 after amendment apply to a person who is unable to file an application under the provisions of Article 8, paragraph (1) due to a disaster or any other unavoidable reason that occurred on or after the date on which this Act comes into effect.

3 前項の規定にかかわらず、平成七年の兵庫県南部地震による災害により第八条第一項の規定による申請をすることができなかつた者については、改正後の第八条の二の規定を適用する。この場合においては、同条第一項中「その理由のやんだ日」とあるのは、「公害健康被害の補償等に関する法律の一部を改正する法律（平成七年法律第二十六号）の施行の日」とする。

(3) Notwithstanding the provisions of the preceding paragraph, the provisions of Article 8-2 after amendment apply to a person who is unable to file an application under the provisions of Article 8, paragraph (1) due to disaster by the Southern Hyogo Earthquake in 1995. In this case, the term "the date on which the reason ceases to exist" in paragraph (1) of the same Article is deemed to be replaced with "the date on which the Act for Partial Revision of the Act on Compensation for Pollution-related Health Damage (Act No. 26 of 1995) comes into effect."

附 則 〔平成九年六月二十四日法律第百三号〕 〔抄〕

Supplementary Provisions [Act No. 103 of June 24, 1997 Extract]

[Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から施行する。

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

(経過措置)

(Transitional Measures)

第二条 第一条から第五条まで、第七条から第二十四条まで、第二十六条から第三十二条まで、第三十四条から第三十七条まで、第三十九条、第四十一条から第五十条まで、第五十二条から第六十四条まで及び第六十六条から第七十二条までの規定による改正後の法律の規定は、平成八年四月一日に始まる事業年度に係る当該法律の規定に規定する書類（第十八条の規定による改正後の日本輸出入銀行法第三十五条第二項及び第十九条の規定による改正後の日本開発銀行法第三十三条第二項に規定する書類のうち、平成八年四月から九月までの半期に係るものを除く。）から適用する。

Article 2 The provisions of laws amended by the provisions of Articles 1 through 5, Articles 7 through 24, Articles 26 through 32, Articles 34 through 37, Article 39, Articles 41 through 50, Articles 52 through 64, and Articles 66 through 72 apply to documents set forth in the provisions of the laws that pertain to a business year beginning April 1, 1996 and subsequent business years (excluding documents set forth in Article 33, paragraph (2) of the Act on the Development Bank of Japan amended by the provisions of Article 35, paragraph (2) and Article 19 of the Act on the Export-Import Bank of Japan amended by the provisions of Article 18 that pertain to a six-month period from April to September 1996).

附 則 [平成十年三月三十一日法律第十八号]

Supplementary Provisions [Act No. 18 of March 31, 1998]

この法律は、公布の日から施行する。

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

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] [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 set forth in the following items come into effect as of the dates specified in the items:

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 adding five articles, section headings, two subsections, and subsection headings after Article 250 of the Local Autonomy Act in Article 1 (limited to the part pertaining to Article 250-9, paragraph (1) of the same Act (limited to the part pertaining to obtaining the consent of both Houses of the Diet)), the provisions revising paragraphs (9) and (10) of the Supplementary Provisions of the Natural Parks Act in Article 40 (limited to the part pertaining to paragraph (10) of the Supplementary Provisions of the same Act), the provisions of Article 244 (excluding the part pertaining to the provisions revising Article 14-3 of the Agricultural Improvement Promotion Act), the provisions of Article 472 (excluding the part pertaining to the provisions revising Articles 6, 8, and 17 of the Act on Special Provisions of the Merger of Municipalities), and the provisions of Articles 7, 10, 12, the proviso to Article 59, Article 60, paragraphs (4) and (5), Article 73, Article 77, Article 157, paragraphs (4) through (6), Article 160, Article 163, Article 164, and Article 202 of the Supplementary Provisions: the date of promulgation

(国等の事務)

(Affairs 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 in the respective laws prior to amendment by this Act, affairs of the national government, other local governments, or other public organizations managed or executed by an organization of a local government based on laws or Cabinet Order thereof prior to the enforcement of this Act (hereinafter referred to as the "affairs of the national government" in Article 161 of the Supplementary Provisions) are handled by the local

government as its affairs based on laws or Cabinet Order thereof after the enforcement of this Act.

(不服申立てに関する経過措置)

(Transitional Measures for 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) The provisions of the Administrative Complaint Review Act apply to an appeal against a disposition pertaining to the affairs of the national government which has been made under the same Act prior to the effective date by an administrative agency (hereinafter referred to as the "administrative agency reaching the disposition" in this Article) having its higher agency set forth in the same Act (hereinafter referred to as the "higher administrative agency" in this Article) prior to the effective date, by considering that the administrative agency reaching the disposition continues to have the higher administrative agency on and after the effective date. In this case, an administrative agency that is deemed to be the higher administrative agency of the administrative agency reaching the disposition shall be the administrative agency which has been the higher administrative agency of the administrative agency reaching the disposition prior to the effective 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 organization of a local government, the affairs to be handled by the organization pursuant to the provisions of the Administrative Complaint Review Act shall be Item I statutory entrusted affairs set forth in Article 2, paragraph (9), item (i) of the New Local Autonomy Act.

(罰則に関する経過措置)

(Transitional Measures for 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 application of penal provisions to

acts committed prior to the 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 Beyond what is provided in the Supplementary Provisions, transitional measures (including transitional measures pertaining to penal provisions) necessary for the enforcement of this Act are specified by Cabinet Order.

(検討)

(Examination)

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 Item I statutory entrusted affairs set forth in Article 2, paragraph (9), item (i) of the New Local Autonomy Act are created to the minimum possible extent, and the affairs listed in Appended Table I of the New Local Autonomy Act and those provided in Cabinet Order based on the New Local Autonomy Act are examined from the perspective of promoting decentralization and reviewed 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 In order to enable local governments to execute their affairs and services voluntarily and independently, the government examines how to secure adequate sources of local tax revenue based on the sharing of roles between the national government and local governments, taking into consideration the economic transition, etc., and takes necessary measures based on the examination results.

附 則 〔平成十一年七月十六日法律第百二号〕 〔抄〕

Supplementary Provisions [Act No. 102 of July 16, 1999 Extract]

[Extract]

(施行期日)

(Effective Date)

第一条 この法律は、内閣法の一部を改正する法律（平成十一年法律第八十八号）の施行の日から施行する。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 on which the Act for Partial Revision of the Cabinet Act (Act No. 88 of 1999) comes into effect; provided, however, that the provisions set forth in the following items come into effect as of the dates specified in the items:

一 略

(i) omitted

二 附則第十条第一項及び第五項、第十四条第三項、第二十三条、第二十八条並びに第三十条の規定 公布の日

(ii) the provisions of Article 10, paragraphs (1) and (5), Article 14, paragraph (3), Article 23, Article 28, and Article 30 of the Supplementary Provisions: the date of promulgation

（公害健康被害の補償等に関する法律の一部改正に伴う経過措置）

(Transitional Measures upon Partial Amendment of the Act on Compensation for Pollution-related Health Damage)

第二十七条 この法律の施行の際現に従前の環境庁の公害健康被害補償不服審査会の委員である者は、この法律の施行の日、第百八十三条の規定による改正後の公害健康被害の補償等に関する法律（以下この条において「新公害健康被害補償法」という。）第百十三条第一項の規定により、環境省の公害健康被害補償不服審査会の委員として任命されたものとみなす。この場合において、その任命されたものとみなされる者の任期は、新公害健康被害補償法第百十四条第一項の規定にかかわらず、同日における従前の環境庁の公害健康被害補償不服審査会の委員としての任期の残任期間と同一の期間とする。

Article 27 (1) A person who has been a member of the former Examination Board for Dissatisfaction with Pollution-related Health Damage Compensation of the Environment Agency at the time of enforcement of this Act is deemed to be appointed as a member of the Examination Board for Dissatisfaction with Pollution-related Health Damage Compensation of the Ministry of the Environment on the date on which this Act comes into effect pursuant to the provisions of Article 113, paragraph (1) of the Act on Compensation for Pollution-related Health Damage amended by the provisions of Article 183 (hereinafter referred to as the "New Pollution-related Health Damage Compensation Act" in this Article). In this case, the term of office of the person deemed to have been appointed is for the same period as the remaining term of office of a member of the former Examination Board for Dissatisfaction with Pollution-related Health Damage Compensation of the Environment Agency as of the date of enforcement, notwithstanding the provisions of Article 114, paragraph (1) of the New Pollution-related Health Damage Compensation Act.

2 この法律の施行の際現に従前の環境庁の公害健康被害補償不服審査会の会長である者は、この法律の施行の日に、新公害健康被害補償法第百十八条第一項の規定により、環境省の公害健康被害補償不服審査会の会長に定められたものとみなす。

(2) A person who has been the chairperson of the former Examination Board for Dissatisfaction with Pollution-related Health Damage Compensation of the Environment Agency at the time of enforcement of this Act is deemed to be appointed as the chairperson of the Examination Board for Dissatisfaction with Pollution-related Health Damage Compensation of the Ministry of the Environment on the date on which this Act comes into effect pursuant to the provisions of Article 118, paragraph (1) of the New Pollution-related Health Damage Compensation Act.

(別に定める経過措置)

(Transitional Measures Provided Separately)

第三十条 第二条から前条までに規定するもののほか、この法律の施行に伴い必要となる経過措置は、別に法律で定める。

Article 30 Beyond what is provided in Article 2 through the preceding Article, transitional measures necessary for the enforcement of this Act are specified separately by law.

附 則 [平成十一年十二月八日法律第百五十一号] [抄]

**Supplementary Provisions [Act No. 151 of December 8, 1999 Extract]
[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。

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

(経過措置)

(Transitional Measures)

第三条 民法の一部を改正する法律（平成十一年法律第百四十九号）附則第三条第三項の規定により従前の例によることとされる準禁治産者及びその保佐人に関するこの法律による改正規定の適用については、次に掲げる改正規定を除き、なお従前の例による。

Article 3 Prior laws continue to govern the application of the provisions amended by this Act pertaining to a person with limited legal capacity and the person's curator whom prior laws continue to govern pursuant to Article 3, paragraph (3) of the Supplementary Provisions of the Act for Partial Revision of the Civil Code (Act No. 149 of 1999), except for the following revised provisions:

一から十八まで 略

(i) to (xviii) omitted

十九 第八十条の規定による労働保険審査官及び労働保険審査会法第三十条、公害等調整委員会設置法第九条及び公害健康被害の補償等に関する法律第百十六条の改正規定

(xix) the provisions revising Article 30 of the Act on Labor Insurance

Examiners and the Labor Insurance Appeal Committee, Article 9 of the Act for Establishment of the Environmental Dispute Coordination Commission, and Article 116 of the Act on Compensation for Pollution-related Health Damage under the provisions of Article 80

第四条 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 4 Prior laws continue to govern the application of penal provisions to acts committed prior to the enforcement of this Act.

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]
[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。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 (excluding Article 2 and Article 3) as of January 6, 2001; provided, however, that the provisions set forth in the following items come into effect as of the dates specified in the items:

一 第九百九十五条（核原料物質、核燃料物質及び原子炉の規制に関する法律の一部を改正する法律附則の改正規定に係る部分に限る。）、第千三百五条、第千三百六条、第千三百二十四条第二項、第千三百二十六条第二項及び第千三百四十四条の規定 公布の日

(i) the provisions of Article 995 (limited to the part pertaining to the provisions revising the Supplementary Provisions of the Act for Partial Revision of the Act on the Regulation of Nuclear Source Material, Nuclear Fuel Material, and Reactors), Article 1305, Article 1306, Article 1324, paragraph (2), Article 1326, paragraph (2), and Article 1344 : the date of promulgation

附 則 [平成十二年五月十九日法律第七十一号] [抄]

Supplementary Provisions [Act No. 71 of May 19, 2000 Extract] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から施行する。

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

附 則 〔平成十四年八月二日法律第百二号〕〔抄〕

**Supplementary Provisions [Act No. 102 of August 2, 2002 Extract]
[Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、平成十四年十月一日から施行する。

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

附 則 〔平成十五年三月三十一日法律第十七号〕

Supplementary Provisions [Act No. 17 of March 31, 2003]

この法律は、平成十六年三月三十一日までの間において政令で定める日から施行する。ただし、附則第十九条の二の改正規定は、公布の日から施行する。

This Act comes into effect as of the date specified by Cabinet Order on or before March 31, 2004; provided, however, that the provisions revising Article 19-2 of the Supplementary Provisions come into effect as of the date of promulgation.

附 則 〔平成十五年五月十六日法律第四十三号〕〔抄〕

Supplementary Provisions [Act No. 43 of May 16, 2003 Extract] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から施行する。ただし、附則第十八条から第二十七条まで及び第二十九条から第三十六条までの規定は、平成十六年四月一日から施行する。

Article 1 This Act comes into effect as of the date of promulgation; provided, however, that the provisions of Articles 18 through 27 and Articles 29 through 36 of the Supplementary Provisions come into effect as of April 1, 2004.

(公害健康被害の補償等に関する法律の一部改正に伴う経過措置)

(Transitional Measures upon Partial Amendment of the Act on Compensation for Pollution-related Health Damage)

第十九条 旧補償法（第七十六条及び第八十六条を除く。）の規定によりした処分、手続その他の行為は、通則法、この法律又は前条の規定による改正後の公害健康被害の補償等に関する法律中の相当する規定によりした処分、手続その他の行為とみなす。

Article 19 Dispositions imposed, procedures taken, or other acts committed pursuant to the provisions of the Former Compensation Act (excluding Article

76 and Article 86) are deemed to be dispositions imposed, procedures taken, or other acts committed pursuant to the Act on General Rules and the corresponding provisions of the Act on Compensation for Pollution-related Health Damage amended by the provisions of this Act or the preceding Article.

(罰則の適用に関する経過措置)

(Transitional Measures for Application of Penal Provisions)

第二十七条 附則第十八条及び第二十条の規定の施行前にした行為並びにこの附則の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 27 Prior laws continue to govern the application of penal provisions to acts committed prior to the enforcement of the provisions of Article 18 and Article 20 of the Supplementary Provisions and acts committed after the enforcement of this Act which prior laws continue to govern pursuant to the Supplementary Provisions of this Act.

(政令への委任)

(Delegation to Cabinet Order)

第二十八条 附則第三条から第五条まで、第七条から第十七条まで、第十九条、第二十一条、第二十四条及び前二条に規定するもののほか、機構の設立に伴い必要な経過措置その他この法律の施行に関し必要な経過措置は、政令で定める。

Article 28 Beyond what is provided in Articles 3 through 5, Articles 7 through 17, Article 19, Article 21, Article 24, and preceding two Articles of the Supplementary Provisions, transitional measures necessary for the establishment of the Agency and the enforcement of this Act are specified by Cabinet Order.

附 則 〔平成十六年六月二日法律第七十六号〕 〔抄〕

Supplementary Provisions [Act No. 76 of June 2, 2004 Extract] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、破産法（平成十六年法律第七十五号。次条第八項並びに附則第三条第八項、第五条第八項、第十六項及び第二十一項、第八条第三項並びに第十三条において「新破産法」という。）の施行の日から施行する。

Article 1 This Act comes into effect as of the date on which the Bankruptcy Act (Act No. 75 of 2004; hereinafter referred to as the "New Bankruptcy Act" in paragraph (8) of the following Article, and Article 3, paragraph (8), Article 5, paragraphs (8), (16), and (21), Article 8, paragraph (3), and Article 13 of the Supplementary Provisions) comes into effect.

(罰則の適用等に関する経過措置)

(Transitional Measures for Application of Penal Provisions)

第十二条 施行日前にした行為並びに附則第二条第一項、第三条第一項、第四条、第五条第一項、第九項、第十七項、第十九項及び第二十一項並びに第六条第一項及び第三項の規定によりなお従前の例によることとされる場合における施行日以後にした行為に対する罰則の適用については、なお従前の例による。

Article 12 Prior laws continue to govern the application of penal provisions to acts committed prior to the effective date and acts committed after the effective date which prior laws continue to govern pursuant to the provisions of Article 2, paragraph (1), Article 3, paragraph (1), Article 4, Article 5, paragraphs (1), (9), (17), (19), and (21), and Article 6, paragraphs (1) and (3) of the Supplementary Provisions.

(政令への委任)

(Delegation to Cabinet Order)

第十四条 附則第二条から前条までに規定するもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

Article 14 Beyond what is provided in Article 2 through the preceding Article of the Supplementary Provisions, transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

附 則 〔平成十八年二月十日法律第四号〕〔抄〕

Supplementary Provisions [Act No. 4 of February 10, 2006 Extract]

[Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成十八年三月三十一日までの間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 on or before March 31, 2006.

附 則 〔平成十九年四月二十三日法律第三十号〕〔抄〕

Supplementary Provisions [Act No. 30 of April 23, 2007 Extract] [Extract]

(施行期日)

(Effective Date)

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

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

of the dates specified in the items:

一から二まで 略

(i) to (ii) omitted

三 第二条、第四条、第六条及び第八条並びに附則第二十七条、第二十八条、第二十九条第一項及び第二項、第三十条から第五十条まで、第五十四条から第六十条まで、第六十二条、第六十四条、第六十五条、第六十七条、第六十八条、第七十一条から第七十三条まで、第七十七条から第八十条まで、第八十二条、第八十四条、第八十五条、第九十条、第九十四条、第九十六条から第百条まで、第百三条、第百五条から第百八条まで、第百二十条、第百二十一条、第百二十三条から第百二十五条まで、第百二十八条、第百三十条から第百三十四条まで、第百三十七条、第百三十九条及び第百三十九条の二の規定 日本年金機構法の施行の日

(iii) the provisions of Article 2, Article 4, Article 6, and Article 8, and the provisions of Article 27, Article 28, Article 29, paragraphs (1) and (2), Articles 30 through 50, Articles 54 through 60, Article 62, Article 64, Article 65, Article 67, Article 68, Articles 71 through 73, Articles 77 through 80, Article 82, Article 84, Article 85, Article 90, Article 94, Articles 96 through 100, Article 103, Articles 115 through 118, Article 120, Article 121, Articles 123 through 125, Article 128, Articles 130 through 134, Article 137, Article 139, and Article 139-2 of the Supplementary Provisions: the date on which the Japan Pension Organization Act comes into effect

附 則 〔平成十九年七月六日法律第百九号〕 〔抄〕

Supplementary Provisions [Act No. 109 of July 6, 2007 Extract] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成二十二年四月一日までの間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 on or before April 1, 2010; provided, however, that the provisions set forth in the following items come into effect as of the dates specified in the items:

一 附則第三条から第六条まで、第八条、第九条、第十二条第三項及び第四項、第二十九条並びに第三十六条の規定、附則第六十三条中健康保険法等の一部を改正する法律（平成十八年法律第八十三号）附則第十八条第一項の改正規定、附則第六十四条中特別会計に関する法律（平成十九年法律第二十三号）附則第二十三条第一項、第六十七条第一項及び第百九十一条の改正規定並びに附則第六十六条及び第七十五条の規定 公布の日

(i) the provisions of Articles 3 through 6, Article 8, Article 9, Article 12, paragraphs (3) and (4), Article 29, and Article 36 of the Supplementary Provisions, the provisions revising Article 18, paragraph (1) of the Supplementary Provisions of the Act for Partial Revision of the Health

Insurance Act (Act No. 83 of 2006) in Article 63 of the Supplementary Provisions, the provisions revising Article 23, paragraph (1), Article 67, paragraph (1), and Article 191 of the Supplementary Provisions of the Act on Special Accounts (Act No. 23 of 2007) in Article 64 of the Supplementary Provisions, and the provisions of Article 66 and Article 75 of the Supplementary Provisions: the date of promulgation

附 則 [平成十九年七月六日法律第百十一号] [抄]

Supplementary Provisions [Act No. 111 of July 6, 2007 Extract] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から施行する。

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

附 則 [平成二十年四月十六日法律第十三号]

Supplementary Provisions [Act No. 13 of April 16, 2008]

(施行期日)

(Effective Date)

1 この法律は、公布の日から施行する。

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

(経過措置)

(Transitional Measures)

2 この法律の施行の日が平成二十年四月一日後となる場合においては、この法律による改正後の公害健康被害の補償等に関する法律第五十五条第一項の規定により汚染負荷量賦課金を納付すべきばい煙発生施設等設置者の平成二十年度における同条の規定の適用については、同条第一項中「各年度ごとに、汚染負荷量賦課金」とあるのは「汚染負荷量賦課金」と、「その年度」とあるのは「平成二十年度」と、「四十五日以内」とあるのは「四十五日にその年度の初日から公害健康被害の補償等に関する法律の一部を改正する法律（平成二十年法律第十三号）の施行の日の前日までの日数を加えた日数以内」と、同条第三項中「第一項」とあるのは「公害健康被害の補償等に関する法律の一部を改正する法律附則第二項の規定により読み替えて適用される第一項」とする。

(2) If the date on which this Act comes into effect is on or after April 1, 2008, the term "imposition on pollution load for each fiscal year" in Article 55, paragraph (1) of the Act on Compensation for Pollution-related Health Damage amended by this Act is deemed to be replaced with "imposition on pollution load," the term "the fiscal year" with "FY 2008," the term "within 45 days" with "within the number of days calculated by adding to 45 days the number of days from

the first day of the fiscal year to the day preceding the date on which the Act for Partial Revision of the Act on Compensation for Pollution-related Health Damage (Act No. 13 of 2008) comes into effect," and the term "paragraph (1)" in paragraph (3) of the same Article is deemed to be replaced with "paragraph (1) applied by replacing the terms pursuant to the provisions of paragraph (2) of the Supplementary Provisions of the Act for Partial Revision of the Act on Compensation for Pollution-related Health Damage," with regard to the application of the provisions of Article 55 of the Act on Compensation for Pollution-related Health Damage amended by this Act in FY 2008 to the establisher of soot and smoke generating facilities, etc. that should pay the imposition on pollution load pursuant to the provisions of paragraph (1) of the same Article.

附 則 〔平成二十五年六月十四日法律第四十四号〕 〔抄〕

Supplementary Provisions [Act No. 44 of June 14, 2013 Extract] [Extract]

(施行期日)

(Effective Date)

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

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

一 略

(i) omitted

二 第一条、第五条、第七条（消防組織法第十五条の改正規定に限る。）、第九条、第十条、第十四条（地方独立行政法人法目次の改正規定（「第六章 移行型地方独立行政法人の設立に伴う措置（第五十九条―第六十七条）」を「／第六章 移行型地方独立行政法人の設立に伴う措置（第五十九条―第六十七条）／第六章の二 特定地方独立行政法人から一般地方独立行政法人への移行に伴う措置（第六十七条の二―第六十七条の七）／」に改める部分に限る。）、同法第八条、第五十五条及び第五十九条第一項の改正規定並びに同法第六章の次に一章を加える改正規定を除く。）、第十五条、第二十二条（民生委員法第四条の改正規定に限る。）、第三十六条、第四十条（森林法第七十条第一項の改正規定に限る。）、第五十条（建設業法第二十五条の二第一項の改正規定に限る。）、第五十一条、第五十二条（建築基準法第七十九条第一項の改正規定に限る。）、第五十三条、第六十一条（都市計画法第七十八条第二項の改正規定に限る。）、第六十二条、第六十五条（国土利用計画法第十五条第二項の改正規定を除く。）及び第七十二条の規定並びに次条、附則第三条第二項、第四条、第六条第二項及び第三項、第十三条、第十四条（地方公務員等共済組合法（昭和三十七年法律第百五十二号）第百四十一条の二の次に二条を加える改正規定中第百四十一条の四に係る部分に限る。）、第十六条並びに第十八

条の規定 平成二十六年四月一日

(ii) the provisions of Article 1, Article 5, Article 7 (limited to the part pertaining to the provisions revising Article 15 of the Fire Defense Organization Act), Article 9, Article 10, Article 14 (excluding the provisions revising the table of contents of the Local Incorporated Administrative Agency Act (limited to the part revising "Chapter VI Measures in Connection with Establishment of Transitional Local Incorporated Administrative Agency (Articles 59 through 67)" to "/ Chapter VI Measures in Connection with Establishment of Transitional Local Incorporated Administrative Agency (Articles 59 through 67)/ Chapter VI-II Measures in Connection with Transition from Specific Local Incorporated Administrative Agency to General Local Incorporated Administrative Agency (Articles 67-2 through 67-7)"/), the provisions revising Article 8, Article 55, and Article 59, paragraph (1) of the same Act, and the provisions adding a Chapter after Chapter VI of the same Act), Article 15, Article 22 (limited to the part pertaining to the provisions revising Article 4 of the Welfare Commissioners Act), Article 36, Article 40 (limited to the part pertaining to the provisions revising Article 70, paragraph (1) of the Forest Act), Article 50 (limited to the part pertaining to the provisions revising Article 25-2, paragraph (1) of the Construction Industry Act), Article 51, Article 52 (limited to the part pertaining to the provisions revising Article 79, paragraph (1) of the Building Standards Act), Article 53, Article 61 (limited to the part pertaining to the provisions revising Article 78, paragraph (2) of the City Planning Act), Article 62, Article 65 (excluding the provisions revising Article 15, paragraph (2) of the National Land Use Planning Act), and Article 72, the provisions of the following Article, and the provisions of Article 3, paragraph (2), Article 4, Article 6, paragraphs (2) and (3), Article 13, Article 14 (limited to the part pertaining to Article 141-4 in the provisions adding two Articles after Article 141-2 of the Local Public Service Mutual Aid Association Act (Act No. 152 of 1962)), Article 16, and Article 18 of the Supplementary Provisions: April 1, 2014

(罰則に関する経過措置)

(Transitional Measures for Penal Provisions)

第十条 この法律（附則第一条各号に掲げる規定にあっては、当該規定）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 10 Prior laws continue to govern the application of penal provisions to acts committed prior to the enforcement of this Act (in the case of the provisions set forth in the items of Article 1 of the Supplementary Provisions, prior to the enforcement of the provisions).

(政令への委任)

(Delegation to Cabinet Order)

第十一条 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 11 Beyond what is provided in the Supplementary Provisions, transitional measures (including transitional measures pertaining to penal provisions) necessary for the enforcement of this Act are specified by Cabinet Order.

附 則 〔平成二十六年五月三十日法律第四十二号〕〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して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。

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.

附 則 〔平成二十六年六月十三日法律第六十九号〕〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、行政不服審査法（平成二十六年法律第六十八号）の施行の日から施行する。

Article 1 This Act comes into effect as of the date on which the Administrative Complaint Review Act (Act No. 68 of 2014) comes into effect.

(経過措置の原則)

(Principle of Transitional Measures)

第五条 行政庁の処分その他の行為又は不作為についての不服申立てであってこの法律の施行前にされた行政庁の処分その他の行為又はこの法律の施行前にされた申請に係る行政庁の不作為に係るものについては、この附則に特別の定めがある場合を除き、なお従前の例による。

Article 5 Prior laws continue to govern an appeal against a disposition or any other act or inaction by an administrative agency which pertains to a disposition or any other act by an administrative agency made prior to the enforcement of this Act, or an inaction by an administrative agency pertaining to an application filed prior to the enforcement of this Act, except as otherwise provided by the Supplementary Provisions.

(訴訟に関する経過措置)

(Transitional Measures for Action)

第六条 この法律による改正前の法律の規定により不服申立てに対する行政庁の裁決、決定その他の行為を経た後でなければ訴えを提起できないこととされる事項であつて、当該不服申立てを提起しないでこの法律の施行前にこれを提起すべき期間を経過したもの（当該不服申立てが他の不服申立てに対する行政庁の裁決、決定その他の行為を経た後でなければ提起できないとされる場合にあつては、当該他の不服申立てを提起しないでこの法律の施行前にこれを提起すべき期間を経過したものを含む。）の訴えの提起については、なお従前の例による。

Article 6 (1) Prior laws continue to govern the filing of an action against matters for which an action may be filed only after the determination, decision, or any other act of an administrative agency on an appeal pursuant to the provisions of laws prior to amendment by this Act and for which a period for filing the action has expired prior to the enforcement of this Act with no appeal being filed within the period (including matters which a period for filing the action has expired prior to the enforcement of this Act without other appeals being filed within the period if the appeal may be filed only after the determination, decision, or any other act of an administrative agency on other appeals).

2 この法律の規定による改正前の法律の規定（前条の規定によりなお従前の例によることとされる場合を含む。）により異議申立てが提起された処分その他の行為であつて、この法律の規定による改正後の法律の規定により審査請求に対する裁決を経た後でなければ取消しの訴えを提起することができないこととされるものの取消しの訴えの提起については、なお従前の例による。

(2) Prior laws continue to govern the filing of an action for revocation of a disposition or any other act against which an objection is filed pursuant to the provisions of laws prior to amendment by the provisions of this Act (including cases where prior laws continue to govern pursuant to the provisions of the preceding Article) and which may be filed only after the determination on request for examination pursuant to the provisions of laws amended by the provisions of this Act.

3 不服申立てに対する行政庁の裁決、決定その他の行為の取消しの訴えであつて、この法律の施行前に提起されたものについては、なお従前の例による。

(3) Prior laws continue to govern an action for revocation of a determination, decision, or any other act of an administrative agency against an appeal that has been filed prior to the enforcement of this Act.

(罰則に関する経過措置)

(Transitional Measures for Penal Provisions)

第九条 この法律の施行前にした行為並びに附則第五条及び前二条の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の

適用については、なお従前の例による。

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

(その他の経過措置の政令への委任)

Delegation of Other Transitional Measures to Cabinet Order

第十条 附則第五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（罰則に関する経過措置を含む。）は、政令で定める。

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

附 則 [平成三十年三月三十一日法律第十一号]

Supplementary Provisions [Act No. 11 of March 31, 2018]

この法律は、公布の日から施行する。

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