

National Land Use Planning Act

(Act No. 92 of June 25, 1974)

Table of Contents

- Chapter I General Provisions (Article 1 to Article 3)
- Chapter II National Land Use Plans (Article 4 to Article 8)
- Chapter III Land Use Master Plans (Article 9 to Article 11)
- Chapter IV Permission of Transfer of Rights on Land (Article 12 to Article 22)
- Chapter V Notification of Transfer of Rights on Land (Article 23 to Article 27-10)
- Chapter VI Measures for Unused Land (Article 28 to Article 35)
- Chapter VII Council and Land Use Review Committee (Article 36 to Article 39)
- Chapter VIII Miscellaneous Provisions (Article 40 to Article 45)
- Chapter IX Penal Provisions (Article 46 to Article 50)

Chapter I General Provisions

(Purpose)

Article 1 The purpose of this Act is to facilitate the comprehensive and systematic use of national land in combination with measures taken under the National Spatial Planning Act (Act No. 205 of 1950) by providing for the necessary matters concerning the formulation of national land use plans, by preparing land use master plans, and by taking measures for controlling land transactions or other measures for coordinating the land use.

(Basic Principles)

Article 2 Considering the fact that national land is a finite resource for citizens present and in the future, and that land is a common foundation of various activities of daily living and production, national land is to be used based on the basic principles of ensuring a healthy and functioning lifestyle and the balanced development of national land, by giving priority to the public welfare and promoting conservation of the natural environments, and by paying due attention to the natural, social, economic, and cultural conditions of the regions.

Article 3 Deleted

Chapter II National Land Use Plans

(National Land Use Plans)

Article 4 National land use plans are; a plan for the use of national land to designate the regions of Japan (hereinafter referred to as a "National Plan"), a plan for the use of national land to designate the areas of prefectures (hereinafter individually referred to as a "Prefectural Plan"), and a plan for the use of national land to designate the areas of municipalities (hereinafter individually referred to as a "Municipal Plan").

(National Plan)

Article 5 (1) The national government is to formulate the National Plan for the basic matters concerning the use of national land, pursuant to the provisions of Cabinet Order.

(2) The Minister of Land, Infrastructure, Transport and Tourism must prepare a draft of the National Plan and request a cabinet decision.

(3) When preparing a draft of the National Plan, the Minister of Land, Infrastructure, Transport and Tourism must hear the opinions of the National Land Council and prefectural governors.

(4) The Minister of Land, Infrastructure, Transport and Tourism is to take necessary measures, in addition to hearing the opinions of prefectural governors pursuant to the provisions of the preceding paragraph, so that intentions of prefectural governors are fully reflected in a draft National Plan.

(5) In preparing a draft National Plan, the Minister of Land, Infrastructure, Transport and Tourism is to conduct a survey on the current status of national land use and future prospects.

(6) When a cabinet decision is made pursuant to the provisions of paragraph (2), the Minister of Land, Infrastructure, Transport and Tourism must publicize the National Plan without delay.

(7) The Minister of Land, Infrastructure, Transport and Tourism is to jointly administer the administrative affairs for the preparation of a draft National Plan for the basic policies on environmental conservation with the Minister of the Environment.

(8) The provisions of paragraph (2) through to the preceding paragraph apply mutatis mutandis to revisions of National Plans.

(Relation between a National Plan and Other Plans Formulated by the National Government)

Article 6 Plans other than a National Plan are to be formulated based on the National Plan with regard to the use of national land.

(Prefectural Plans)

Article 7 (1) Prefectural governments may formulate a Prefectural Plan for the matters necessary for the use of national land within the area of the relevant

prefecture, pursuant to the provisions of Cabinet Order.

- (2) Prefectural Plans are to be formulated based on the National Plan.
- (3) When formulating a Prefectural Plan, the prefectural governments must hear the opinions of the council or other council system referred to in Article 38, paragraph (1) and municipal mayors in advance.
- (4) Prefectural governments are to take necessary measures, in addition to hearing the opinions of municipal mayors pursuant to the provisions of the preceding paragraph, so that intentions of municipal mayors are fully reflected in the respective Prefectural Plans.
- (5) Having established a Prefectural Plan, the prefectural governments must endeavor to publicize the summary thereof and must report the Prefectural Plan to the Minister of Land, Infrastructure, Transport and Tourism, without delay.
- (6) Having received a report on a Prefectural Plan pursuant to the provisions of the preceding paragraph, the Minister of Land, Infrastructure, Transport and Tourism may hear the opinions of the National Land Council and offer advice or recommendations that the prefectural government needs.
- (7) Having received a report on a Prefectural Plan pursuant to the provisions of paragraph (5), the Minister of Land, Infrastructure, Transport and Tourism must send it to the heads of relevant administrative organs. In this case, the heads of relevant administrative organs may offer their opinions on the Prefectural Plan.
- (8) When opinions were offered pursuant to the provisions of the second sentence of the preceding paragraph, the Minister of Land, Infrastructure, Transport and Tourism may offer advice or recommendations that the prefectural government needs, after consulting with the heads of relevant administrative organs and hearing the opinions of the National Land Council.
- (9) The provisions of paragraph (3) through to the preceding paragraph apply *mutatis mutandis* to revisions of Prefectural Plans.

(Municipal Plans)

- Article 8 (1) Municipal governments may establish a Municipal Plan for the matters necessary for the use of national land within the areas of the municipalities, pursuant to the provisions of Cabinet Order.
- (2) If a Prefectural Plan have already been established, the Municipal Plans are to be established based on the Prefectural Plan.
 - (3) When establishing a Municipal Plan, municipal governments must endeavor to take necessary measures, such as holding public hearings in advance, so as to fully reflect the intentions of the residents.
 - (4) Having established a Municipal Plan, the municipal governments must endeavor to publicize the summary thereof and must report the Municipal Plan

to the relevant prefectural governor, without delay.

- (5) Having received a report on a Municipal Plan pursuant to the provisions of the preceding paragraph, the prefectural governor may offer advice or recommendations that the municipality needs, after hearing the opinions of the council or other council system referred to in Article 38, paragraph (1).
- (6) The provisions of the preceding three paragraphs apply mutatis mutandis to revisions of Municipal Plans.

Chapter III Land Use Master Plans

(Land Use Master Plans)

- Article 9 (1) Prefectural governments are to establish a land use master plan for the areas in their respective prefectures.
- (2) A land use master plan is to specify the following areas, pursuant to the provisions of Cabinet Order:
 - (i) urban areas;
 - (ii) agricultural areas;
 - (iii) forest areas;
 - (iv) nature park areas;
 - (v) nature conservation areas.
 - (3) In addition to the areas set forth in the items of the preceding paragraph, a land use master plan is to provide the matters concerning the coordination of land use, etc.
 - (4) Urban areas referred to in paragraph (2), item (i) are areas that need to be developed, improved and preserved as a city or a town.
 - (5) Agricultural areas referred to in paragraph (2), item (ii) are arable land that should be used for agriculture and agriculture needs to be promoted comprehensively.
 - (6) Forest areas referred to in paragraph (2), item (iii) are land that should be used for forestry and the forestry industry must be promoted or various functions of forests must be maintained and enhanced.
 - (7) Nature park areas referred to in paragraph (2), item (iv) are areas having excellent natural landscapes that need the protection and the use thereof needs to be promoted.
 - (8) Nature conservation areas referred to in paragraph (2), item (v) are areas constituting nature-rich environments which need to be conserved.
 - (9) Land use master plans are to be established based on the National Plan (if the Prefectural Plan has already been established, the land use master plan is to be established based on the National Plan and the Prefectural Plan).
 - (10) In establishing a land use master plan, the prefectural government must hear the opinions of the council or other council system referred to in Article 38,

paragraph (1), and the Minister of Land, Infrastructure, Transport and Tourism, and municipal mayors in advance.

- (11) When the Minister of Land, Infrastructure, Transport and Tourism intends to offer his/her opinions pursuant to the provisions of the preceding paragraph, the Minister must hear the opinions of the heads of relevant administrative organs in advance.
- (12) Prefectural governments are to take necessary measures, in addition to hearing the opinions of municipal mayors pursuant to the provisions of paragraph (10), so that the intentions of the municipal mayors are fully reflected in a land use master plan.
- (13) Having established a land use master plan, the prefectural government must endeavor to publicize the summary thereof without delay.
- (14) The provisions of paragraph (10) through to the preceding paragraph apply *mutatis mutandis* to revisions of land use master plans (excluding minor revisions specified by Cabinet Order).

(Measures for the Control of Land Use)

Article 10 In order to ensure the proper and efficient land use according to the land use master plan, the heads of relevant administrative organs and the relevant local governments, in addition to what is provided for in this Act, are to take measures for controlling land use and other measures, by giving due consideration to the pollution prevention, the conservation of the natural environments, farmlands and forests, the preservation of historical sites, and the soil and water conservation, as prescribed separately by law.

(Measures for the Control of Land Transactions)

Article 11 Measures for the control of land transactions are to be taken as provided in the following Chapter and Chapter 5, in consideration of the urgent need to strengthen measures for the control of land transactions in Japan, in order to eliminate the negative impacts of speculative land transactions and steep rise in land prices on citizens' lives and to ensure proper and efficient land use.

Chapter IV Permission of Transfer of Rights on Land

(Designation of Regulated Areas)

Article 12 (1) Prefectural governors are to designate the following areas in the prefecture as regulated areas for a specified period:

- (i) a city planning area prescribed in Article 4, paragraph (2) of the City Planning Act (Act No. 100 of 1968), is an area where speculative land transactions have been made frequently for large tracts of land which is all

- or part thereof or the transactions are likely to be made and land prices in that area have risen sharply or may rise sharply;
- (ii) in the case where a situation prescribed in the preceding item may occur, an area other than a city planning area prescribed in Article 4, paragraph (2) of the City Planning Act, is an area where it is obvious that ensuring the proper and efficient use of land is extremely difficult unless the situation is remedied urgently.
- (2) A regulated area is to be designated for a period not exceeding 5 years from the date on which the public notice under the following paragraph is issued.
- (3) Having designated a regulated area, the prefectural governor must issue a public notice on this to announce the relevant area and the designation period thereof.
- (4) The designation of a regulated area comes into effect by the issuance of a public notice under the preceding paragraph.
- (5) Having issued a public notice under paragraph (3), the prefectural governor must report the designated area, period, and other matters specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism to the Minister of Land, Infrastructure, Transport and Tourism, and notify the relevant municipal mayors of this, and take necessary measures to make this known to the public, promptly.
- (6) Having issued a public notice under paragraph (3), the prefectural governor must request the Committee to confirm that the designation of the regulated area is appropriate, by attaching written opinions of the relevant municipal mayors within two weeks from the issue date of the public notice.
- (7) Having received a request for confirmation pursuant to the provisions of the preceding paragraph, the Land Use Review Committee must make a decision on whether the designation of the regulated area is appropriate or not and notify the prefectural governor of the committee's decision within two weeks.
- (8) Having failed to obtain confirmation on the designation of the regulated area referred to in paragraph (6), the prefectural governor must issue a public notice on this and make a report to the Minister of Land, Infrastructure, Transport and Tourism.
- (9) When a public notice is issued pursuant to the provisions of the preceding paragraph, the designation of the regulated area ceases to have effect retroactively as of the date on which it was designated.
- (10) Having designated a regulated area, the prefectural governor must conduct surveys regularly on the trends in land prices and the status of land transactions in the regulated area and surrounding areas thereof in order to understand these matters.
- (11) In the case where the designation period of a regulated area expires and if the prefectural governor finds that the grounds for the designation remain

valid as a result of the surveys under the preceding paragraph, the governor is to designate the area as a regulated area pursuant to the provisions of paragraph (1).

- (12) If the prefectural governor finds that the grounds for the designation are no longer valid as a result of the surveys under paragraph (10), the governor is to issue a public notice on this and revoke the designation of the regulated area.
- (13) When intending to issue a public notice under the preceding paragraph, the prefectural governor must notify the relevant municipal mayors of this and obtain confirmation stating that the revocation of designation of the regulated area is appropriate from the Land Use Review Committee, by attaching written opinions of the relevant municipal mayors.
- (14) The provisions of paragraph (5) apply mutatis mutandis to a public notice under paragraph (12). In this case, the terms "the designated area, period, and other matters specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism" and "the relevant matters" in paragraph (5) are deemed to be replaced with "to that effect (of this)".
- (15) The provisions of the preceding three paragraphs apply mutatis mutandis to a decrease in area of a regulated area and a public notice on this.

(Instructions Given by the Minister of Land, Infrastructure, Transport and Tourism)

- Article 13 (1) In order to eliminate the negative impacts of speculative land transactions and steep rise in land prices on citizens' lives and to ensure the proper and efficient land use, if the Minister of Land, Infrastructure, Transport and Tourism finds it particularly necessary for the national government to do so, the Minister may instruct a prefectural governor to designate a regulated area, to revoke the designation of a regulated area, or to decrease the regulated areas by setting a deadline. In this case, the prefectural governor must follow the Minister's instructions unless the governor has just cause.
- (2) If the prefectural governor has failed to take measures as instructed pursuant to the provisions of the preceding paragraph by the given deadline without just cause, the Minister of Land, Infrastructure, Transport and Tourism may take the relevant measures ex officio after obtaining confirmation from the National Land Council stating that the prefectural governor does not have just cause.

(Permission to Transfer Rights on Land)

- Article 14 (1) When intending to conclude a contract (including reservations of rights: (hereinafter referred to as a "contract for land transaction") for transfer or establishment (limited to transfer or establishment of rights for which payment is made; the same applies hereinafter) of rights of land ownership, superficies rights, rights to use and profit specified by Cabinet Order, or right

to acquire any of these rights (hereinafter referred to as a "right on land") of land located in a regulated area, parties must obtain permission from the prefectural governor. The same applies in the case where the parties intend to conclude the contract by changing the estimated purchase price of land (excluding a purchase price reduction) to be paid for transfer or establishment of land ownership (if the estimated purchase price is paid with anything other than money, the amount that is estimated based on the current market value of land; the same applies hereinafter), or by changing the purpose of land use after the rights on land are transferred or established.

- (2) The provisions of the preceding paragraph do not apply in the case if a contract is concluded through conciliation under the Civil Conciliation Act (Act No. 222 of 1951) or in other cases specified by Cabinet Order.
- (3) A contract for land transaction concluded without obtaining permission as referred to in paragraph (1) does not become effective.

(Procedures for Requesting Permission)

Article 15 (1) A person who intends to obtain permission as referred to in paragraph (1) of the preceding Article must submit a request form providing the following information to the prefectural governor via the mayor of the municipality where the land pertaining to the request is located, pursuant to the provisions of the Order of the Ministry of Land, Infrastructure, Transport and Tourism:

- (i) name and address of the party, and in the case of a corporation, name of its representative;
 - (ii) location and area pertaining to the transfer or establishment of right on land;
 - (iii) type and details of rights on land pertaining to the transfer or establishment;
 - (iv) estimated purchase price for the transfer or establishment of right on land;
 - (v) purpose of land use after right on land is transferred or established;
 - (vi) beyond what is set forth in the preceding items, the matters specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism.
- (2) Having received a request form pursuant to the provisions of the preceding paragraph, the municipal mayor must send it to the prefectural governor, without delay. In this case, if the mayor has an opinion on the contents of the request for permission, the mayor must attach written opinions to the request form.

(Criteria to Grant Permission)

Article 16 (1) If the prefectural governor considers that a request for permission referred to in Article 14, paragraph (1) falls under any of the following items,

the governor must not grant permission:

- (i) the estimated purchase price for transfer or establishment of a right on land pertaining to the request is inappropriate compared to the amount obtained by multiplying a fair price for a right on land as of issue date of the public notice under Article 12, paragraph (3) that was calculated pursuant to the provisions of Cabinet Order, by taking into account the transaction prices of similar lots of land in the neighboring area (the price for land ownership as of the issue date of public notice under Article 12, paragraph (3) that was calculated based on the posted price under Article 6 of that Act pursuant to the provisions of Cabinet Order, if the land pertaining to the request is located in an area announced to the public prescribed in Article 2, paragraph (1) of the Land Price Announcement Act (Act No. 49 of 1969) as of the issue date of public notice under Article 12, paragraph (3), and the posted price under Article 6 of that Act should be used as a transaction indicator) by using the price adjustment factor for price fluctuation during the period from the issue date of public notice to the filing date of the request that was calculated using the method specified by Cabinet Order (if a person having filed the request during the period from the issue date of public notice to the filing date of the request has a right on land (including a person who has transferred or established a right on land after the public notice was issued pursuant to the provisions of Article 14, paragraph (1), in case a right on land was transferred to or established by the person who has obtained permission under Article 14, paragraph (1)) has borne the development cost for residential land, etc. specified by Cabinet Order for a right on land pertaining to the request, during the period from the issue date of public notice under that paragraph to the filing date of the request, the amount of the cost approved by the prefectural governor is to be added);
- (ii) purpose of land use does not fall under any of the following items after a right on land pertaining to the request is transferred or established:
 - (a) when the land is used by a person who operates a business in which land may be expropriated or used for that purpose pursuant to the Expropriation of Land Act (Act No. 219 of 1951) or other Acts;
 - (b) when the land is used for individual residential property;
 - (c) when the land is used by a person who operates a business within the regulated area when it was designated for that purpose, or used by a person who operates a business closely related to the business of the former for that purpose;
 - (d) when the land is used for the purpose of establishing a facility by a person who intends to establish the facility that is necessary for the welfare or convenience of the residents living in a regulated area, that has been approved by the mayor of the municipality where the land pertaining

- to the request is located;
- (e) when the land is used for the purpose of business by a person who operates a business that is necessary for the sound development of the area including a regulated area that is considered appropriate land use in the regulated area;
 - (f) beyond what is prescribed in (a) through (e), a land use falling under any of the cases specified by Cabinet Order;
 - (iii) purpose of the land use after a right on land pertaining to the request was transferred or established does not conform to a land use master plan or other land use plan;
 - (iv) purpose of use of the land after a right on land pertaining to the request is transferred or established is obviously inappropriate taking into account a plan for developing roads, water facilities or other public facilities, or schools or other facilities that serve the public interest, or from the perspective of conservation of the natural environments in the surrounding area.
- (2) When granting permission for land use falling under (e) or (f) of item (ii) of the preceding paragraph, the prefectural governor must hear the opinions of the Land Use Review Committee in advance.

(Disposition of Granting or Not Granting Permission)

- Article 17 (1) Having received a request for permission referred to in Article 14, paragraph (1), the prefectural governor must grant or refuse permission within six weeks from the day on which the request was filed.
- (2) If a disposition referred to in the preceding paragraph is not taken within the period referred to in that paragraph, permission referred to in Article 14, paragraph (1) is deemed to have been granted on the day following the expiration date.

(Special Provisions on Transfer of Rights on Land Made by the National Government)

- Article 18 In the case prescribed in Article 14, paragraph (1), if either or both of the parties is (are) the national government, a local government or corporation specified by Cabinet Order (hereinafter referred to as the "national government, etc."), the permission referred to in that paragraph is deemed to have been granted when an organ including the national government, etc., reached an agreement with a prefectural governor after having consulted with the governor.

(Request for Purchase of Rights on Land)

- Article 19 (1) In the case where a request for permission under Article 14, paragraph (1) filed by a person holding the right on land for the land located in

a regulated area was rejected, the person may request the prefectural governor to purchase a right on land.

- (2) Having received a request under the preceding paragraph, the prefectural governor is to purchase a right on land at the amount obtained by multiplying a fair price for a right on land as of the issue date of public notice under Article 12, paragraph (3) that was calculated pursuant to the provisions of Cabinet Order, by taking into account the transaction prices of similar lots of land in the neighboring area (the price for land ownership as of the issue date of public notice under Article 12, paragraph (3) that was calculated based on the posted price under Article 6 of that Act pursuant to the provisions of Cabinet Order, if the land pertaining to the request is located in an area announced to the public prescribed in Article 2, paragraph (1) of the Land Price Announcement Act as of the issue date of public notice under Article 12, paragraph (3) and the posted price under Article 6 of that Act should be used as a transaction indicator) by using the price adjustment factor for price fluctuation during the period from the issue date of public notice to the filing date of the request that was calculated using the method specified by Cabinet Order referred to in Article 16, paragraph (1), item (i) (if a person who has filed the request during the period from the issue date of public notice to the filing date of the request (including a person who has transferred or established a right on land after the public notice was issued pursuant to the provisions of Article 14, paragraph (1), in case a right on light on land was transferred to or established by the person who has obtained the permission under Article 14, paragraph (1)) has borne the development cost for residential land, etc. specified by Cabinet Order for a right on land pertaining to the request, during the period from the issue date of public notice under that paragraph to the filing date of the request, the amount of the cost approved by the prefectural governor is to be added).

(Filing of Complaint)

- Article 20 (1) A person who dissatisfied with a disposition under Article 14, paragraph (1) may file a request for review with the Land Use Review Committee.
- (2) Having received a request for review under the preceding paragraph, the Land Use Review Committee must make a decision within two months from the day on which the request was filed (from the day on which the defects were corrected, if the committee has ordered to correct defects pursuant to the provisions of Article 23 of the Administrative Complaint Review Act (Act No. 68 of 2014)).
 - (3) When making a decision referred to in the preceding paragraph, the Land Use Review Committee must hold an open oral hearing by summoning a requestor for review, administrative agency that has taken the disposition, and other

relevant parties or their agents, in advance, except for the case where the request is rejected pursuant to the provisions of Article 24 of the Administrative Complaint Review Act.

- (4) The provisions of Article 31 of the Administrative Complaint Review Act do not apply to a request for review under paragraph (1), and the provisions of Article 31, paragraph (2) through paragraph (5) of that Act that are replaced pursuant to Article 9, paragraph (3) of that Act apply mutatis mutandis to an oral hearing referred to in the preceding paragraph.
- (5) A person who is dissatisfied with the decision made by the Land Use Review Committee may file a request for re-review with the Minister of Land, Infrastructure, Transport and Tourism.

Article 21 Deleted

(Ensuring of Proper and Efficient Land Use)

Article 22 Having designated a regulated area, the prefectural governor must endeavor to ensure the proper and efficient land use in the area after the designation period of the regulated area has elapsed or the designation thereof is revoked, by establishing a city plan or other land use plan, or by taking measures, such as implementing a project on land use plan promptly.

Chapter V Notification of Transfer of Rights on Land

(Notification of Purpose of Use after Rights on Land are Transferred or Established)

Article 23 (1) Having concluded a contract for land transaction, a person among the parties to or by whom right on land under the contract for land transaction is transferred or established (referred to as an "acquirer of a right" in the following paragraph) must file a notification providing the following information to the prefectural governor via the mayor of the municipality where the land is located within two weeks from the contract date, pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism:

- (i) name and address of contracting party for land transaction, and in the case of a corporation, name of its representative;
- (ii) date of contract for land transaction;
- (iii) location and area of land pertaining to a contract for land transaction;
- (iv) type and details of a right on land pertaining to a contract for land transaction;
- (v) purpose of land use after a right on land pertaining to a contract for land transaction is transferred or established;

- (vi) amount to be paid for transfer or establishment of a right on land for the land pertaining to a contract for land transaction (if the purchase price is paid with anything other than money, the amount that is estimated based on the current market value of land);
 - (vii) beyond what is set forth in the preceding items, the matters specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism.
- (2) The provisions of the preceding paragraph do not apply in cases falling under any of the following items:
- (i) in the case of a contract for land transaction for land whose area is smaller than the area prescribed in (a) through (c) below in accordance with the area prescribed respectively in (a) through (c) below (excluding the case where the right on land for a tract of land including the land whose area is larger than the area prescribed in (a) through (c) below is transferred to or established by an acquirer of a right in accordance with the area prescribed respectively in (a) through (c) below):
 - (a) 2,000 square meters for urbanization promotion areas under Article 7, paragraph (1) of the City Planning Act;
 - (b) 5,000 square meters for city planning areas (excluding those prescribed in in (a) above);
 - (c) 10,000 square meters for areas other than those prescribed in (a) and (b) above;
 - (ii) a contract concluded for land transaction for the land located in a regulated area designated pursuant to the provisions of Article 12, paragraph (1), an observed area designated pursuant to the provisions of Article 27-3, paragraph (1), or an observed area designated pursuant to the provisions of Article 27-6, paragraph (1);
 - (iii) beyond what is prescribed in the preceding two items, the case where a contract is concluded through conciliation under the Civil Conciliation Act, the case where either or both of the parties are the national government, etc. or other cases specified by Cabinet Order.
- (3) The provisions of Article 15, paragraph (2) apply mutatis mutandis to the case where a notification under paragraph (1) has been filed.

(Recommendation on the Purpose of Land Use)

Article 24 (1) In the case where a notification under paragraph (1) of the preceding Article has been filed and if the purpose of land use after a right on land pertaining to the notification is transferred or established is considered not to conform to a land use master plan or other land use plan (limited to a plan publicized pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism) and is considered to hinder the proper and efficient land use in the surrounding area including the land, a prefectural

governor may recommend the person who filed the notification that the person should change the purpose of land use pertaining to the notification as required, after hearing the opinions of the Land Use Review Committee.

- (2) A recommendation under the preceding paragraph must be given within three weeks from the day on which a notification under paragraph (1) of the preceding Article was filed.
- (3) In the case where a notification under paragraph (1) of the preceding Article has been filed and if it is necessary to conduct an on-site survey or a prefectural governor has other reasonable grounds for being unable to give a recommendation under paragraph (1) to the person who filed the notification within the period referred to in the preceding paragraph, a governor may extend the period referred to in that paragraph for another three weeks. In this case, the governor must issue a notice on the extension period and the reason for extension to the person who filed the notification within the period referred to in that paragraph.

(Report on Measures Taken Based on Recommendations)

Article 25 In the case where a prefectural governor has given a recommendation under paragraph (1) of the preceding Article and finds it necessary to do so, the governor may have a person who received the recommendation make a report on the measures that the person has taken based on the recommendation.

(Publication)

Article 26 In the case where a prefectural governor has given a recommendation under Article 24, paragraph (1), and if a person who received the recommendation has failed to follow the recommendation, the governor may make this and the details of the recommendation known to the public.

(Arrangements for Disposition of Rights on Land)

Article 27 In the case where the purpose of land use has been changed based on a recommendation under Article 24, paragraph (1), and if a prefectural governor finds it necessary to do so, the governor must endeavor to make arrangements or take other measures for the disposition of a right on the land.

(Advice)

Article 27-2 In the case where a notification under Article 23, paragraph (1) has been filed, a prefectural governor may provide the person who filed the notification with advice necessary to facilitate the proper and efficient land use in the surrounding area including the land with regard to the purpose of land use after a right on land pertaining to the notification is transferred or established.

(Designation of Observed Areas)

- Article 27-3 (1) If any area in a prefecture that falls under the criteria specified by the Minister of Land, Infrastructure, Transport and Tourism regarding areas where land prices have increased or are likely to increase to a considerable degree taking into account the changes in socioeconomic circumstances within a certain period of time and it is considered that this may hinder proper and efficient land use (excluding areas designated as regulated areas pursuant to the provisions of Article 12, paragraph (1) and areas designated as monitored areas pursuant to the provisions of Article 27-6, paragraph (1)), the prefectural governor may designate that area as an observed area by specifying a period.
- (2) When intending to designate an observed area, a prefectural governor must hear the opinions of the Land Use Review Committee and relevant municipal mayors.
- (3) The provisions of Article 12, paragraph (2) through paragraph (5) and paragraph (10) through paragraph (12) apply mutatis mutandis to designation of an observed area. In this case, the terms "must designate" and "paragraph (1)" in paragraph (11) of that Article are deemed to be replaced with "may designate" and "Article 27-3, paragraph (1)", respectively.
- (4) The provisions of paragraph (2) and Article 12, paragraph (5) apply mutatis mutandis to revocation of the designation of an observed area and a public notice on this under paragraph (12) of the same Article as applied mutatis mutandis pursuant to the preceding paragraph. In this case, in paragraph (5) of the same Article, the term "paragraph (3)" is deemed to be replaced with "Article 12, paragraph (12) as applied mutatis mutandis pursuant to Article 27-3, paragraph (3)", the term a "designated area, period, and other matters specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism" is deemed to be replaced with "to that effect (on this)", and the term "those matters" is deemed to be replaced with "to that effect (on this)".
- (5) The provisions of Article 12, paragraph (12) as applied mutatis mutandis pursuant to paragraph (3) and the provisions of the preceding paragraph apply mutatis mutandis to a decrease in area of an observed area and a public notice on this.
- (6) In the case where all or part of an observed area has been designated as a regulated area pursuant to the provisions of Article 12, paragraph (1) or as a monitored area pursuant to the provisions of Article 27-6, paragraph (1), the designation of the observed area is deemed to have been revoked or an area in the observed area is deemed to have been decreased for that part of the area. In this case, a public notice under Article 12, paragraph (3) (including the case where applied mutatis mutandis pursuant to Article 27-6, paragraph (3)) is

deemed as a public notice on revocation of the designation or a decrease in area of the observed area.

(Notification of Transfer of Rights on Land in Observed Areas)

- Article 27-4 (1) When intending to conclude a contract for land transaction for the land located in an observed area, parties must file a notification on the matters set forth in the items of Article 15, paragraph (1) to the prefectural governor via the mayor of the municipality where the land is located, in advance, pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism. The same applies in the case where the parties intend to conclude the contract by changing the estimated purchase price for a right on land to be transferred or established among the information pertaining to the notification (excluding the case of estimated price reduction), or by changing the purpose of land use after the right on land is transferred or established.
- (2) The provisions of the preceding paragraph do not apply in cases falling under any of the following items:
- (i) the case of concluding a contract for land transaction for the land whose area is smaller than the area prescribed in Article 23, paragraph (2), item (i), (a) through (c) in accordance with the area prescribed respectively in (a) through (c) of that item (excluding the case where either or both of the parties are to transfer or establish the right on land for tract of land including the land consisting of land whose area is larger than the area prescribed in (a) through (c) of that item in accordance with the area prescribed respectively in (a) through (c) of that item);
 - (ii) beyond what is prescribed in the preceding item, the case where a contract is concluded through conciliation under the Civil Conciliation Act, the case where either or both of the parties are the national government, etc. or other cases specified by Cabinet Order.
- (3) A person who has filed a notification under paragraph (1) must not conclude a contract for land transaction pertaining to the notification during a period up to the day on which six weeks elapse from the filing date of the notification; provided, however, that this does not apply in the case where a person has received a recommendation under paragraph (1) of the following Article or a notice under paragraph (3) of that Article.
- (4) The provisions of Article 15, paragraph (2) apply mutatis mutandis to the case where a notification under paragraph (1) has been filed.

(Recommendation on Land Transaction Contract in Observed Area)

- Article 27-5 (1) In the case where a notification under paragraph (1) of the preceding Article has been filed and it is considered that the matters

pertaining to the notification fall under any of the following items, which are considered to hinder proper and efficient land use in the surrounding area including the land, a prefectural governor may recommend that the person who filed the notification should suspend a contract for land transaction or take other measures for the matters pertaining to the notification as required, after hearing the opinions of the Land Use Review Committee:

- (i) the estimated purchase price for transfer or establishment of a right on land pertaining to the notification is extremely inappropriate compared to a fair price for a right on land that was calculated pursuant to the provisions of Cabinet Order by taking into account the transaction prices of similar lots of land in the neighboring area (the price for land ownership that was calculated based on the posted price under Article 6 of that Act, pursuant to the provisions of Cabinet Order if the land pertaining to the notification is located in an area announced to the public prescribed in Article 2, paragraph (1) of the Land Price Announcement Act and the posted price under Article 6 of that Act should be used as a transaction indicator);
 - (ii) the purpose of land use after a right on land pertaining to the notification is transferred or established does not conform to a land use master plan or other land use plan;
 - (iii) it is obvious that the purpose of land use after a right on land pertaining to the notification is transferred or established is inappropriate taking into account a plan for developing roads, water facilities or other public facilities, or schools or other facilities that serve the public interest or from the perspective of the conservation of the natural environments in the surrounding area.
- (2) A recommendation under the preceding paragraph must be given within six weeks from the day on which a notification under paragraph (1) of the preceding Article was filed.
 - (3) If a prefectural governor finds it unnecessary to give a recommendation under paragraph (1), the governor must notify the person who filed a notification under paragraph (1) of the preceding Article of this, without delay.
 - (4) The provisions of Article 25 through Article 27 apply mutatis mutandis to a recommendation under paragraph (1). In this case, the term the "purpose of land use has been changed" in that Article is deemed to be replaced with a "contract for land transaction has been suspended".

(Designation of Monitored Areas)

Article 27-6 (1) A prefectural governor may designate an area in a prefecture where land prices increased sharply or may rise sharply and it is considered that this may hinder the prefectural government from ensuring proper and efficient land use (excluding areas designated as regulated areas pursuant to

the provisions of Article 12, paragraph (1)), as a monitored area, by specifying a period.

- (2) When intending to designate a monitored area, a prefectural governor must hear the opinions of the Land Use Review Committee and relevant municipal mayors.
- (3) The provisions of Article 12, paragraph (2) through paragraph (5) and paragraph (10) through paragraph (12) apply mutatis mutandis to designation of a monitored area. In this case, the terms "must designate" and "paragraph (1)" in paragraph (11) of that Article are deemed to be replaced with "may designate" and "Article 27-6, paragraph (1)", respectively.
- (4) The provisions of paragraph (2) and Article 12, paragraph (5) apply mutatis mutandis to revocation of the designation of a monitored area and a public notice on this under paragraph (12) of that Article as applied mutatis mutandis pursuant to the preceding paragraph. In this case, in paragraph (5) of that Article, the term "paragraph (3)" is deemed to be replaced with "Article 12, paragraph (12) as applied mutatis mutandis pursuant to Article 27-6, paragraph (3)", the term "the designated area, period, and other matters specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism" is deemed to be replaced with "to that effect (on this)", and the term "those matters" is replaced with "on this".
- (5) The provisions of Article 12, paragraph (12) as applied mutatis mutandis pursuant to paragraph (3) and the provisions of the preceding paragraph apply mutatis mutandis to a decrease in area of a monitored area and a public notice on this.
- (6) In the case where all or part of a monitored area has been designated as a regulated area pursuant to the provisions of Article 12, paragraph (1), the designation of the monitored area is deemed to have been revoked or an area in part of the monitored area is deemed to have been decreased. In this case, a public notice under paragraph (3) of the same Article is deemed as a public notice on the revocation of the designation or a decrease in area of the monitored area.

(Notification of Transfer of Rights on Land in Monitored Areas)

Article 27-7 (1) The provisions of Article 27-4 apply mutatis mutandis to the case where a contract for land transaction for land located in a monitored area is to be concluded. In this case, in paragraph (2), item (i) of that Article, the term "smaller than the area prescribed in Article 23, paragraph (2), item (i), (a) through (c)" is deemed to be replaced with "smaller than the area specified in the prefectural rules issued by the prefectural governor prescribed in Article 23, paragraph (2), item (i), (a) through (c)", and the term "larger than the area prescribed in (a) through (c) of that item" is deemed to be replaced with "larger

than the area specified in the prefectural rules"; in paragraph (3) of that Article, the term "paragraph (1) of the following Article" is deemed to be replaced with "Article 27-8, paragraph (1)", and the term "paragraph (3) of that Article" is deemed to be replaced with "Article 27-5, paragraph (3) as applied mutatis mutandis pursuant to paragraph (2) of that Article".

- (2) When designating a monitored area pursuant to the provisions of paragraph (1) of the preceding Article, a prefectural governor must establish the prefectural rules prescribed in Article 27-4, paragraph (2), item (i) as applied mutatis mutandis pursuant to the preceding paragraph following the deemed replacement of terms.
- (3) If a prefectural governor finds it necessary to do so as a result of surveys under Article 12, paragraph (10) as applied mutatis mutandis pursuant to paragraph (3) of the preceding Article, the governor is to change the land areas specified in the prefectural rules referred to in the preceding paragraph.
- (4) The provisions of paragraph (2) of the previous Article apply mutatis mutandis when intending to establish the prefectural rules referred to in paragraph (2).

(Recommendation on Contract for Land Transaction in Monitored Areas)

Article 27-8 (1) In the case where a notification under Article 27-4, paragraph (1) as applied mutatis mutandis pursuant to paragraph (1) of the preceding Article has been filed and if the matters pertaining to the notification fall under any of the following items, a prefectural governor may recommend the person who filed the notification that the person should suspend a contract for land transaction or take other measures for the matters pertaining to the notification as required, after hearing the opinions of the Land Use Review Committee:

- (i) the matters pertaining to the notification fall under any items of Article 27-5, paragraph (1) which hinder proper and efficient land use in the surrounding area including the land;
- (ii) in the case where the notification on a contract for transfer of a right on land has been filed, the matters pertaining to the notification fall under all (a) through (f) below and are likely to hinder formation of appropriate land prices in the surrounding area including the land:
 - (a) a person intending to transfer a right on land pertaining to the notification has acquired the right after having signed a contract for land transaction (excluding the case where a contract is concluded through conciliation under the Civil Conciliation Act, the case where the right has been acquired from the national government, etc. or other cases specified by Cabinet Order):
 - (b) a notification was filed by the person intending to transfer a right on land

- pertaining to the notification within the period specified by Cabinet Order not exceeding 2 years from the day on which the right was acquired;
- (c) a person intending to transfer a right on land pertaining to the notification has not used the land pertaining to the notification as residential property, for business, or otherwise for private use (excluding temporary use and other use specified by Cabinet Order; hereinafter referred to as "for private use" in this item) since the right was acquired;
 - (d) a person intending to transfer a right on land pertaining to the notification does not fall under any of the following items:
 - 1. a person who has change the lots and types of land or has built or constructed a building or other structure (hereinafter referred to as the "change, etc. in lots and types of land" in this item) with regard to the land pertaining to the notification as a business;
 - 2. a person who has acquired a right on land pertaining to the notification as security for a claim or other ordinary economic activities specified by Cabinet Order;
 - (e) transfer of a right on land pertaining to the notification does not fall under any of the following items:
 - 1. transfer is made as security for a claim or other ordinary economic activities specified by Cabinet Order;
 - 2. transfer of a right on land is made for a person whose right on land has been purchased so as to use the land for a business in which lots and types of land may change or to use the land for these businesses as an alternative lot of land, which is specified by Cabinet Order;
 - 3. transfer is made by a person intending to transfer a right on land pertaining to the notification under special circumstances specified by Cabinet Order;
 - (f) a person intending to obtain a right on land pertaining to the notification does not fall under any of the following:
 - 1. a person who intends to use the land pertaining to the notification for private use;
 - 2. a person who intends to change lots and types of land pertaining to the notification as a business and then transfer a right on land pertaining to the notification as a business;
 - 3. a person who is considered to be the person who will definitely transfer the right on land pertaining to the notification to a person who intends to use the land pertaining to the notification for private use;
 - 4. a person who is considered to be the person who definitely transfer a right on land pertaining to the notification to another person who intends to change lots and types of land pertaining to the notification as a business.

(2) The provisions of Article 25 through Article 27 and Article 27-5, paragraph (2) and paragraph (3) apply mutatis mutandis to recommendation under the preceding paragraph. In this case, the term the "purpose of land use has been changed" in Article 27 is deemed to be replaced with a "contract for land transaction has been suspended", and the term "paragraph (1) of the preceding Article" in Article 27-5, paragraph (2) and paragraph (3) is deemed to be replaced with "Article 27-4, paragraph (1) as applied mutatis mutandis pursuant to Article 27-7, paragraph (1)".

(Correction of Reports)

Article 27-9 If a prefectural governor finds it necessary to conduct surveys under Article 12, paragraph (10) properly as applied mutatis mutandis pursuant to Article 27-6, paragraph (3), the governor may request a person who has concluded a contract for land transaction for land located in a monitored area (excluding a person who has filed a notification under Article 27-4, paragraph (1) as applied mutatis mutandis pursuant to Article 27-7, paragraph (1), and a person who has concluded a contract for land transaction without filing a notification under Article 27-4, paragraph (1) due to the case falling under paragraph (2), item (ii) of that Article) to make a report on the contract for land transaction and the land use pertaining to that contract, pursuant to the provisions of Cabinet Order.

(Consideration by the National Government for the Formation of Appropriate Land Prices)

Article 27-10 When the national government, etc. intends to conclude a contract for land transaction, due consideration is to be given so that land prices are formed appropriately.

Chapter VI Measures for Unused Land

(Notice to Inform the Public about Unused Land)

Article 28 (1) If a prefectural governor finds that land (excluding land pertaining to a notification under Article 58-6, paragraph (1) of the City Planning Act) owned by a person who owns the land pertaining to permission under Article 14, paragraph (1) or a notification under Article 23, paragraph (1) or Article 27-4, paragraph (1) (including the case as applied mutatis mutandis pursuant to Article 27-7, paragraph (1)) falls under the requirements referred to in following items, the governor is to issue a notice to the owner of the land stating that the relevant land is unused (if superficies right or other rights to use and profit specified by Cabinet Order have been established for all or part of the land, a person who owns a right and an owner of the land), pursuant to

the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism:

- (i) tract of land whose area is larger than an area of the land prescribed in (a) through (c) below in accordance with the area prescribed respectively in (a) through (c) below, where the relevant land is located:
 - (a) regarding a regulated area, an area of the land prescribed in 1. through 3. below in accordance with the area respectively prescribed in 1. through 3. below:
 - 1. 1,000 square meters for urbanization promotion areas under Article 7, paragraph (1) of the City Planning Act;
 - 2. 3,000 square meters for city planning areas (excluding areas prescribed in 1. above)
 - 3. 5,000 square meters for areas other than those prescribed in 1. and 2. above;
 - (b) regarding a observed area, an area of the land specified in the prefectural rules referred to in Article 27-7, paragraph (2) (if area of land is smaller than those prescribed in 1. through 3. of (a) in accordance with areas of the land prescribed in 1. through 3. of (a) respectively, those prescribed in 1. through 3. of (a) respectively);
 - (c) regarding an area other than a regulated area and a observed area, an area of the land prescribed in Article 23, paragraph (2), item (i), (a) through (c) in accordance with those prescribed respectively in (a) through (c) of that item;
 - (ii) 2 years have elapsed after the owner of the land acquired the land;
 - (iii) land is not used for residential property or for a facility for business, or for other purposes, or meets the requirements specified by Cabinet Order;
 - (iv) it is particularly necessary to promote effective and proper use of the land in order to promote planned land use in the surrounding area including the land according to a land use master plan or other land use plan.
- (2) If any land located in the municipality meets the requirements referred to in the preceding paragraph, a mayor of the municipality may request the relevant prefectural governor to issue a notice under that paragraph.
- (3) If a prefectural governor has issued a notice under paragraph (1) on land located in an urbanization promotion area under Article 7, paragraph (1) of the City Planning Act, the governor must notify the relevant mayor of the municipality where the land pertaining to the notice is located of this, without delay.

(Notification of Plan on Unused Land)

Article 29 (1) A person who has received a notice under paragraph (1) of the preceding Article must file a notification on a plan for the use or disposition of

the unused land pertaining to the notice to the prefectural governor via the mayor of the municipality where the land is located within six weeks from the day on which the notice was issued, pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism.

- (2) The provisions of Article 15, paragraph (2) apply *mutatis mutandis* to the case where a notification under the preceding paragraph has been filed.

(Advice)

Article 30 Prefectural governor may provide a person who has filed a notification under paragraph (1) of the preceding Article with advice necessary for the promotion of effective and proper use of the unused land pertaining to the notification.

(Recommendation)

Article 31 (1) In the case where a notification under Article 29, paragraph (1) has been filed and if a prefectural governor finds that the use or disposition of the unused land in accordance with the plan pertaining to the notification hinders the prefectural government from promoting effective and proper use of the land, the governor may recommend the person who filed the notification that the person should change the plan pertaining to the notification and that the person should take other measures, by specifying an appropriate period of time, after hearing the opinions of the Land Use Review Committee.

- (2) The provisions of Article 25 apply *mutatis mutandis* to recommendation under the preceding paragraph.

(Consultations on the Purchase of Unused Land)

Article 32 (1) In the case where a prefectural governor has issued a recommendation under paragraph (1) of the preceding Article, and if a person who received the recommendation has failed to follow it, the governor is to designate parties to hold consultations on the purchase from among local governments, land development corporations, and other corporations specified by Cabinet Order (hereinafter referred to as "local governments, etc.") that wish to purchase the unused land pertaining to the recommendation, and notify the person who received the recommendation that the designated parties will hold consultations on the purchase.

- (2) Local governments, etc. that were designated as parties to hold consultations pursuant to the provisions of the preceding paragraph may hold consultations on the purchase of the unused land with the person who received the notice under that paragraph for a period not exceeding 6 weeks from the day on which the notice was issued. In this case, the person who received the notice must not refuse to hold consultations on the purchase of the unused land unless the

person has just cause.

(Purchase Price of Unused Land)

Article 33 In the case where local governments, etc. purchase unused land pursuant to the provisions of the preceding Article, the purchase price must be based on a land price that was calculated pursuant to the provisions of Cabinet Order taking into account the transaction prices of similar lots of land in the neighboring area (in the case where the unused land pertaining to the consultations on the purchase is located in an posted area prescribed in Article 2, paragraph (1) of the Land Price Announcement Act and the posted price under Article 6 of that Act should be used as a transaction indicator, the price that was calculated based on the posted price under Article 6 of that Act pursuant to the provisions of Cabinet Order) and must be calculated by taking the purchase price of the land and the expenses required for the management thereof into consideration.

(Use of Purchased Unused Land)

Article 34 Local governments, etc. that have purchased unused land pursuant to the provisions of Article 32 must endeavor to use the land effectively and properly in accordance with a land use master plan or other land use plan.

(Measures: Decision-making on Plan for Land Use)

Article 35 In the case where an agreement is not reached through consultations on the purchase of unused land under Article 32 and if a prefectural governor finds it particularly necessary to build houses or develop parks, recreation ground or other public facilities, or schools or other facilities that serve the public interest, the governor must take measures, such as making a decision on a city plan or other land use plan promptly, so that the land will be used effectively and properly.

Chapter VII Council and Land Use Review Committee

Article 36 Deleted

Article 37 Deleted

(Council)

Article 38 (1) A prefectural government is to have a council or other council system (referred to as a "council, etc." in the following paragraph) in order to examine and discuss basic matters on the use of national land in areas in the prefecture and important matters on land use in response to requests made by

the governor, in addition to examining and discussing matters over which the council has authority pursuant to the provisions of this Act.

(2) Matters necessary for the structure and operation of the council, etc. are to be provided for by Prefectural Ordinance.

(Land Use Review Committee)

Article 39 (1) A prefecture is to have a Land Use Review Committee.

(2) The Land Use Review Committee is to process matters over which it has authority pursuant to the provisions of this Act.

(3) The Land Use Review Committee consists of 5 or more members.

(4) A prefectural governor is to appoint committee members among persons with outstanding experience and knowledge of land use, land prices and other matters relating to land who can make fair judgment on public welfare, after obtaining the consent of the prefectural assembly.

(5) A person falling under either of the following items may not be appointed as a committee member:

(i) a bankrupt who has not yet had rights restored;

(ii) a person who has been sentenced to imprisonment without work or heavier punishment, and has not completed the execution of the sentence or to whom the sentence still applies.

(6) If any committee member falls under either of items of the preceding paragraph, a prefectural governor must dismiss that member.

(7) If any committee member falls under either of following items, a prefectural governor may dismiss that member after obtaining the consent of the prefectural assembly:

(i) when a member is unable to perform their duties due to a mental disorder or physical disability;

(ii) when a member has breached an obligation of their duties or has engaged in other misconduct which is inappropriate for a committee member.

(8) A committee member may not participate in proceedings concerning cases relating to their own interest or interest of family members within third degree of kinship.

(9) When the Land Use Review Committee performs functions over which it has authority prescribed in Article 12, paragraph (6), paragraph (13) of that Article (including the case as applied mutatis mutandis pursuant to paragraph (15) of that Article), Article 16, paragraph (2), Article 24, paragraph (1), Article 27-3, paragraph (2) (including the case as applied mutatis mutandis pursuant to paragraph (4) of that Article (including the case as applied mutatis mutandis pursuant to paragraph (5) of that Article)), Article 27-5, paragraph (1), Article 27-6, paragraph (2) (including the case as applied mutatis mutandis pursuant to paragraph (4) of that Article (including the case as applied mutatis

mutandis pursuant to paragraph (5) of that Article), and Article 27-7, paragraph (4)), Article 27-8, paragraph (1), or Article 31, paragraph (1), the committee must request the relevant municipal mayors to attend committee meetings and hear their opinions.

(10) Beyond what is prescribed in paragraph (3) through to the preceding paragraph, matters necessary for the structure and operation of the Land Use Review Committee are provided for by Prefectural Ordinance.

Chapter VIII Miscellaneous Provisions

Article 40 Deleted

(On-site Inspection)

Article 41 (1) A prefectural governor may, to the extent necessary for the enforcement of this Act, have officials of the prefectural government enter the land pertaining to a request for permission under Article 14, paragraph (1) or a notification under Article 23, paragraph (1), Article 27-4, paragraph (1) (including the case as applied mutatis mutandis pursuant to Article 27-7, paragraph (1)), or Article 29, paragraph (1), or business offices or other offices or other places of the parties pertaining to the request for permission or the notification, to inspect the land, books, documents, and any other properties, or may have those officials question persons concerned.

(2) An official who conducts an on-site inspection or questions persons concerned under the preceding paragraph must carry an identification card and present it at the request of the relevant persons.

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

(Land Inspectors)

Article 42 (1) A prefecture may have land inspectors who conduct an on-site inspection and question persons concerned under paragraph (1) of the preceding Article.

(2) Matters necessary for land inspectors are provided for by Cabinet Order.

(Inspection of Documents)

Article 43 If a prefectural governor finds it necessary to do so in order to calculate a fair price for a right on land prescribed in Article 16, paragraph (1), item (i), Article 19, paragraph (2), or Article 27-5, paragraph (1), item (i), the governor may request a public agency to allow the governor to inspect necessary documents or record the content thereof.

(Special Provisions for Large Cities)

Article 44 The administrative affairs over which a prefectural governor has authority pursuant to the provisions of Article 12, Article 14, Article 16, Article 18, Article 19, Article 22 through Article 27-9, Article 28 through Article 32, Article 35, Article 41, and the preceding Article are to be administered by a mayor of a designated city referred to in Article 252-19, paragraph (1) of the Local Autonomy Act (Act No. 67 of 1947) (hereinafter referred to as a "designated city") in the designated city. In this case, the provisions regarding prefectures or prefectural governors in the provisions of Article 12 through Article 19, Article 22 through Article 27-9, Article 28 through Article 32, Article 35, Article 39, and the preceding three Articles apply to designated cities or mayors of designated cities as the provisions relating thereto.

(Classification of Administrative Affairs)

Article 44-2 Administrative affairs to be administered by municipal governments pursuant to the provisions of Article 15, paragraph (1), Article 23, paragraph (1), Article 27-4, paragraph (1) (including the case as applied mutatis mutandis pursuant to Article 27-7, paragraph (1)), and Article 29, paragraph (1) are to be classified as Type 2 statutory entrusted functions prescribed in Article 2, paragraph (9), item (ii) of the Local Autonomy Act.

(Particulars Governed by Cabinet Order)

Article 45 Beyond what is provided for in this Act, matters necessary for the enforcement of this Act are provided for by Cabinet Order.

Chapter IX Penal Provisions

Article 46 A person who has concluded a contract for land transaction without obtaining permission, in violation of the provisions of Article 14, paragraph (1), is punished with imprisonment with work for not more than three years or a fine not exceeding 2,000,000 yen.

Article 47 A person who falls under any of the following items is punished with imprisonment with work for not more than six months or a fine not exceeding 1,000,000 yen:

- (i) a person who has failed to file a notification, in violation of the provisions of Article 23, paragraph (1) or Article 29, paragraph (1);
- (ii) a person who has concluded a contract for land transaction without filing a notification, in violation of the provisions of Article 27-4, paragraph (1) (including the case as applied mutatis mutandis pursuant to Article 27-7,

paragraph (1));

- (iii) a person who has filed a false notification with regard to a notification under Article 23, paragraph (1), Article 27-4, paragraph (1) (including the case as applied mutatis mutandis pursuant to Article 27-7, paragraph (1)), or Article 29, paragraph (1).

Article 48 A person who has concluded a contract for land transaction, in violation of the provisions of Article 27-4, paragraph (3) (including the case as applied mutatis mutandis pursuant to Article 27-7, paragraph (1)), is punished with a fine not exceeding 500,000 yen.

Article 49 A person who falls under either of the following items is punished with a fine not exceeding 300,000 yen:

- (i) a person who has failed to make a report or has made a false report under Article 25 (including the case as applied mutatis mutandis pursuant to Article 27-5, paragraph (4), Article 27-8, paragraph (2), and Article 31, paragraph (2));
- (ii) a person who has refused, hindered, or challenged an inspection under Article 41, paragraph (1), or has failed to answer the questions prescribed in that paragraph or has given a false answer.

Article 50 If a representative of a corporation or an agent, employee or any other worker of a corporation or an individual has committed a violation referred to in Article 46 through to the preceding Article in the course of business of the corporation or the individual, the offender is punished, and the corporation or the individual is punished with a fine prescribed in respective Articles.