

Wildlife Protection, Control, and Hunting Management Act (Tentative translation)

(Act No. 88 of July 12, 2002)

Revise all of Wildlife Protection, and Hunting Act (Act No. 32 of 1918).

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Chapter I General Provisions

(Purpose)

Article 1 This Act conducts programs to implement for protecting and controlling wildlife, and manages hunting in addition to protecting and controlling wildlife by preventing the risks related to the use of the hunting equipment. By these contents of this Act, this Act aims at contribution of maintaining the life of the people that receives the benefits of natural environment and the sound evolution of local communities through maintaining biological diversity (including preserving the ecosystem, the same applies hereinafter), and helping with maintaining the living conditions and the sound evolution of

agriculture, forestry, and fishery.

(Definitions)

- Article 2 (1) "Wildlife" in this Act means wild animals which belong to either the class of birds or mammals.
- (2) "Protection" in this Act about wildlife means either increasing the number of the habitat to the proper level, expanding the area of the habitat to the proper level, or maintaining the number and the area of the habitat from the perspective of maintaining biological diversity, and helping with maintaining the living environment and the sound evolution of agriculture, forestry, and fishery.
- (3) "Control" in this Act about wildlife means either decreasing the number of the habitat to the proper level, reducing the area of the habitat to the proper level from the perspective of maintaining biological diversity, and helping with maintaining the living environment and the sound evolution of agriculture, forestry, and fishery.
- (4) "Rare Wildlife Species" in this Act means wildlife which Ordinance of the Ministry of the Environment prescribes as the necessity for preserving globally or nationally in Japan.
- (5) "Designated Wildlife Species for Control" in this Act means wildlife which is except for rare wildlife species, and which Ordinance of the Ministry of the Environment prescribes as the necessity for controlling globally or nationally in Japan.
- (6) "Statutory Hunting Methods" in this Act means either guns (which is charger gun and air gun(including guns with the use of compression gas,; the same applies hereinafter); the same applies hereinafter), ropes or traps which are prescribed by Ordinance of the Ministry of the Environment, and other hunting methods prescribed by Ordinance of the Ministry of the Environment.
- (7) "Game Species" in this Act means wildlife which is except for rare wildlife species, wildlife (except for chicks in the class of birds) which subjects to hunting for the purpose of the use of its meat and its fur, for the purpose of controlling or for the other purposes (Capturing or killing ; the same applies hereinafter) , and refers to things specified by Ordinance of the Ministry of the Environment as having no possibility that to capture will significantly affect the habitat situation.
- (8) "Hunting" in this Act means such action by statutory hunting methods as is capturing game species and so on.
- (9) "Hunting Period" in this Act means the term which is from every year of October 15th (from every year of September 15th in Hokkaido) to the next year of April 15th and the term which is available for capturing game species and so on.

- (10) The Minister of the Environment must hold counsel with the Minister of Agriculture, Forestry and Fisheries after hearing the opinion of the stakeholders by holding a public hearing, and hear the opinion of Central Environmental Council for the intention of prescribing or changing Ordinance of the Ministry of the Environment concerning the paragraph 7.

Chapter II Basic Guidelines

(Basic Guidelines)

Article 3 (1) The Minister of the Environment shall prescribe basic guidelines (hereinafter referred to as "basic guidelines") to implement programs for wildlife protection and control (including both certain hunting equipment prohibited area and certain hunting equipment restricted area regulated by Article 35- paragraph 1, and paid game hunting area regulated by Article 1- paragraph 1. Hereinafter referred to as "wildlife protection and control program").

- (2) The following items shall be prescribed in basic guidelines:
- (i) Basic items to implement wildlife protection and control program.
 - (ii) Criteria to comply with and items to make plans for the wildlife protection and control program.
 - (iii) Items to protect rare wildlife species.
 - (iv) Items to manage designated wildlife species for control.
 - (v) The other necessary items to implement wildlife protection and control program.
- (3) The Minister of the Environment must hold counsel with the Minister of Agriculture, Forestry and Fisheries after hearing the opinion of the stakeholders by holding a public hearing and hear the opinion of Central Environmental Council for the intention of prescribing or changing basic guidelines.
- (4) The Minister of the Environment must publish and notify prefectural governor without delay when prescribing or changing basic guidelines .

(Wildlife Protection and Control Program Plan)

Article 4 (1) Prefectural governor shall prescribe plans to implement wildlife protection and control program (hereinafter referred to as "wildlife protection and control program plan") which prefectural governor conducts pursuant to basic guidelines.

- (2) The following items shall be prescribed in wildlife protection and control program plan:
- (i) The planning term for wildlife protection and control program plan.
 - (ii) Wildlife protection area which prefectural governor designates by the

- provisions of Article 28, paragraph (1), special protection zone by the provisions of Article 29, paragraph (1), and temporary closed hunting area by the provisions of Article 34, paragraph (1).
- (iii) Items about "artificial propagation of wildlife" (to increase the number of wildlife by the artificial method, the same applies to hereinafter) and "released wildlife" (to release the wildlife to habitats for wildlife protection, the same applies hereinafter).
 - (iv) Items to permit Article 9, paragraph (1) (limited to the purpose of wildlife control).
 - (v) Items about certain hunting equipment prohibited area and certain hunting equipment limited area according to Article 35, paragraph (1) and area for paid game hunting pursuant to Article 68, paragraph (1).
 - (vi) Items to make plans for category 1 specified wildlife control plan pursuant to Article 7, paragraph (1).
 - (vii) Items to make plans for category 2 specified wildlife control plan pursuant to Article 7-1, paragraph (1).
 - (viii) Items to conduct surveys about the living environment of wildlife.
 - (ix) Items about implementation system of wildlife protection and control program.
- (3) In wildlife protection and control program plan, the Minister of the Environment shall try to prescribe items about public awareness related to wildlife protection and control program and the other necessary items to implement wildlife protection and control program in addition to items published in the preceding paragraph.
- (4) Prefectural governor must hear the opinions of the Council pursuant to the provisions of Article 51 of nature conservation act (the Act of item (LXXXV) in Showa era of 47) of Article 51 and the other institution in a council system ("the institution in a council system" hereinafter).
- (5) Prefectural governor must publish and notice the Minister of the Environment without delay in prescribing wildlife protection and control program plan or changing this.

(The Promotion to achieve Wildlife Protection and Control Program Plan)
Article 5 Prefectural governor shall take the necessary measures to achieve wildlife protection and control program plan.

(National Aid)
Article 6 The State shall try to give necessary advices and the other assists so that the program can be conducted smoothly when prefectural governor plans to conduct the program according to wildlife protection and control program plan.

(Category 1 Specified Wildlife Protection Plan)

Article 7 (1) When there is the wildlife whose population is rapidly decreasing or living area is reducing (except for rare wildlife species) in the prefectural area and when the wildlife protection is necessary by the reason of its population or its living area, prefectural governor may prescribe the plans (hereinafter referred to as "Category 1 Specified Wildlife Protection Plan") for wildlife protection (hereinafter referred to as "Category 1 Specified Wildlife") .

- (2) The following items shall be prescribed in category 1 specified wildlife protection plan:
 - (i) The kinds of category 1 specified wildlife
 - (ii) The planning term for category 1 specified wildlife protection plan.
 - (iii) The area where category 1 specified wildlife should be protected.
 - (iv) The proper criteria of the population and the living area of category 1 specified wildlife and the other protection purpose.
 - (v) The other necessary items for category 1 specified wildlife protection plan.
- (3) In category 1 specified wildlife protection plan, the necessary items to implement category 1 specified wildlife protection in addition to items published in the preceding paragraph.
- (4) Category 1 specified wildlife protection plan must conform to wildlife protection and control program plan.
- (5) Prefectural governor must hear the opinion of stakeholders in prescribing category 1 specified wildlife protection plan or changing this Ordinance.
- (6) Prefectural governor must hold counsel with the Minister of the Environment in advance when there is wildlife protection area which the Minister of the Environment designates by Article 28, paragraph 1 in the area by paragraph 2, item 3 in prescribing category 1 specified wildlife protection plan or changing this Ordinance.
- (7) Prefectural governor must hold counsel with local public entity it may concern in prescribing category 1 specified wildlife protection plan or changing this Ordinance.
- (8) The regulation of Article 4, paragraph 4 and 5 applies to category 1 specified wildlife protection plan.

(Category 2 Specified Wildlife Protection Plan)

Article 7-2 (1) Prefectural governor may prescribe the plans ("Category 2 Specified Wildlife Protection Plan" hereinafter) for wildlife control ("Category 2 Specified Wildlife" hereinafter) when there is the wildlife whose population is rapidly increasing or living area is expanding (except for rare wildlife species) in the prefectural area and when the wildlife control is necessary by the reason of its population or its living area.

- (2) The following items shall be laid down in category 2 specified wildlife control plan:
- (i) The kinds of category 2 specified wildlife
 - (ii) The planning term for category 2 specified wildlife control plan.
 - (iii) The area where category 2 specified wildlife should be controlled.
 - (iv) The proper criteria of the population and the living area of category 2 specified wildlife and the other control purpose.
 - (v) The items to conduct the program for capturing the designated wildlife species for control ("Designated Wildlife Species for Control Capture Program" hereinafter) when category 2 specified wildlife is designated wildlife species for control and either prefecture or national government conducts programs.
 - (vi) The other necessary items for category 2 specified wildlife control plan.
- (3) The regulation of Article 4, paragraph 4 and 5 and Article 3, paragraph 3 to 7 applies to category 2 specified wildlife protection plan. In this case, "each item of the preceding paragraph in paragraph 3 of the same Article", "category 1 specified wildlife protection" and "paragraph 2, item 3" in paragraph 6 of the same Article shall be replaced by "each item of paragraph 2 of the following article", "category 2 specified wildlife control" and "paragraph 2, item 3 of the next Article".

(Threatened Wildlife Protection Plan)

- Article 7-3 (1) The Minister of the Environment may set a plan concerning the protection of the threatened wildlife (Hereinafter referred to as "Threatened Wildlife Protection Plan".) when we find it particularly necessary to protect threatened wildlife.
- (2) In the rare wildlife protection plan, the following matters shall be established.
- (i) Types of rare wildlife.
 - (ii) The period for planning of the rare wildlife protection plan.
 - (iii) The area where rare wildlife protection should be done.
 - (iv) The proper level concerning the number of the population of the rare wildlife, the proper range of the habitat and the goal of the other rare wildlife protection.
 - (v) The other matters necessary for implementing projects to protect threatened wildlife.
- (3) The Minister of the Environment must hear the opinion of Central Environmental Council in advance when specifying rare wildlife protection plan or trying to change this.
- (4) The Minister of the Environment must publish this without delay and notify the related local public entity when defining rare wildlife protection plan or changing this.

(5) The provisions of Article 7, paragraph 4, paragraph 5 and paragraph 7 apply mutatis mutandis to rare wildlife protection plan. In this case, "wildlife protection and control program plan" in paragraph 4 of the same Article shall be read over by "basic guidelines", and "prefectural governor" in paragraph 5 and paragraph 7 of the said Article shall be read over by "the Minister of the Environment."

(Specified Threatened Wildlife Control Plan)

Article 7-4 (1) The Minister of the Environment may prescribe a plan (hereinafter referred to as "Specified Threatened Wildlife Control Plan") concerning the control of the rare wildlife (hereinafter referred to as "Specific Threatened Wildlife") when it is deemed necessary particularly for the control of the rare wildlife in the specific area, considering the situation of the habitat of the rare wildlife and the other circumstances in case where its population increases significantly or there are rare wildlife which have expanded the range of their habitat in the specific area.

(2) In the specified rare wildlife control plan, the following matters shall be established.

(i) Types of specified rare wildlife.

(ii) The period for planning of the specified rare wildlife control plan.

(iii) The area where specified rare wildlife control should be done.

(iv) The proper level concerning the number of the population of the specified rare wildlife, the proper range of the habitat and the goal of the other specified rare wildlife control.

(v) The other matters necessary for implementing projects to control specified rare wildlife.

(3) The provisions of Article 7, paragraph 4, paragraph 5 and paragraph 7, and the preceding Article of paragraph 3 and paragraph 4 apply mutatis mutandis to specified rare wildlife control plan. In this case, "wildlife protection and control program plan" in Article 7, paragraph 4 shall be read over by "basic guidelines," and "prefectural governor" in paragraph 5 and paragraph 7 of the said Article shall be read over by "The Minister of the Environment."

Chapter III Conducting Wildlife Protection and Control Program

Section 1 Regulation for Wildlife capture or collect of eggs of the class of birds

(Prohibition for Wildlife capture or collect of eggs of the class of birds)

Article 8 Wildlife and eggs of the class of birds must not be captured or collected ("collection or damaging," the same applies hereinafter), however this shall not apply to:

- (i) The case of capture or collect by the permission according to paragraph 1 in the next Article.
- (ii) The case of capture of game species according to Article 11, paragraph 1.
- (iii) The case of capture or collect of wildlife or the eggs of the class of birds according to Article 13, paragraph 1.

(Permission for Wildlife capture or collect of eggs of the class of birds)

Article 9 (1) A person who captures wildlife or collects eggs of the class of birds for the purpose of academic study, protection or control of wildlife, and the other purpose according to Ordinance of the Ministry of the Environment must obtain permission by the Minister of the Environment in the case as below, or permission by prefectural governor in other case.

- (i) The case of capture of wildlife or collect of eggs of the class of birds in the wildlife protection area which the Minister of the Environment designates according to Article 28, paragraph 1.
 - (ii) The case of capture of rare wildlife species or collect of eggs of the class of rare birds.
 - (iii) The case of capture of wildlife by using ropes or traps which have risk considered the structure, material, and the method of use according to Ordinance of the Ministry of the Environment.
- (2) A person who obtains permission by the preceding paragraph must apply for the permission to the Minister of the Environment or prefectural governor according to Ordinance of the Ministry of the Environment.
- (3) The Minister of the Environment or prefectural governor must permit paragraph 1 when the application for the permission about the preceding paragraph is performed with the exceptions as below:
- (i) The purpose of capture or collect does not conform to that of paragraph 1.
 - (ii) The case that capture or collect has a great influence on wildlife protection (except for the situation where capture or collect is done for the purpose of wildlife control by Ordinance of the Ministry of the Environment).
 - (iii) The case that capture or collect has a great influence on wildlife control related with category 2 specified wildlife control plan or specified rare wildlife control plan.
 - (iv) The case that capture or collect has an influence on maintaining residents' safety or quietness of the region by Ordinance of the Ministry of the Environment (hereinafter referred to as "Designated Areas").
- (4) The Minister of the Environment or prefectural governor shall prescribe the expiration date in the permission of paragraph 1.
- (5) The Minister of the Environment or prefectural governor may set the requirements on the permission of paragraph 1 in case that wildlife protection, wildlife control related with category 2 specified wildlife control plan or

specified rare wildlife control plan, or maintaining residents' safety and quietness of designated areas are required.

- (6) The Minister of the Environment or prefectural governor shall consider the appropriate method for each item as below in case that the permission on paragraph 1 is performed for wildlife prescribed each item as below.
 - (i) Category 1 specified wildlife protection plan, category 1 specified wildlife related with category 1 specified wildlife protection plan.
 - (ii) Category 2 specified wildlife control plan, category 2 specified wildlife related with category 2 specified wildlife protection plan.
 - (iii) Rare wildlife protection plan or specified rare wildlife control plan, rare species related with rare wildlife protection plan or specified rare wildlife control plan.
- (7) The Minister of the Environment or prefectural governor must issue the permission certificate according to Ordinance of the Ministry of the Environment in case of the permission on paragraph 1.
- (8) The State, local public entity, and certified wildlife capture program implementers regulated in Article 18-5, paragraph 2, item 1 (referred as to "Certified Wildlife Capture Program Implementers" by Article 14-2), and other corporations which are allowed by the Minister of the Environment to capture or collect appropriately and effectively according to paragraph 1 in those who received the permission under paragraph 1 may apply to the Minister of the Environment or prefectural governor according to Ordinance of the Ministry of the Environment, and be issued the employee certificate to prove that the corporation is engaged in capture or collect under the supervision.
- (9) A person who received the permission under paragraph 1 may apply to the Minister of the Environment or prefectural governor according to Ordinance of the Ministry of the Environment to receive re-issuance of the permit certificate set forth in paragraph 7 (hereinafter simply referred to as "permit certificate") or employee certificate set forth in the preceding paragraph (hereinafter simply referred to as "employee certificate") in case that the person or employee loses or has been lost the permit certificate or employee certificate.
- (10) A person or the employee who received the permission under paragraph 1 must carry a permit certificate or an employee certificate when they capture or collect, and present it when it is requested by the staffs of the State, local public entity, police officers, or other related persons.
- (11) A person who received the permission under paragraph 1 must return the permit certificate or the employee certificate (in the case of item 4, a permit certificate or an employee certificate which has been found or recovered) to the Minister of the Environment or prefectural governor according to Ordinance of the Ministry of the Environment in case as below:
 - (i) The case that the permission is canceled according to the provisions of

- paragraph 2 of the following Article.
- (ii) The case that the permission has been expired according to the provision of Article 87.
 - (iii) The case that the term of validity according to the provisions of paragraph 4 has expired.
 - (iv) The case that the permit certificate or the employee certificate which is lost is discovered or recovered after receiving a reissue the permit certificate or the employee certificate according to the provision of paragraph 9.
- (12) A person or the employee who received the permission under paragraph 1 must show the address, the name or the other name, and the other matters prescribed by Ordinance of the Ministry of the Environment on the hunting implements (limited to those specified by Ordinance of the Ministry of the Environment) at the time of capture.
- (13) A person who received permission under paragraph 1 must report the results of capture or collect concerning the permission to the Minister of the Environment or prefectural governor within 30 days from the said date according to Ordinance of the Ministry of the Environment when the term of validity set by the paragraph 4 has expired.
- (14) As for capture of wildlife as referred to paragraph 1 and collect of eggs of the class of birds related with the domestic rare wild animals and plants prescribed in Article 4, paragraph 3 and the emergency designated species (hereinafter referred to as "domestic rare wild animals and plants etc.") prescribed in Article 5, paragraph 1 of the Act on Conservation of Endangered Species of Wild Fauna and Flora (Act No. 75 of 1992), it is not necessary to obtain permission under paragraph 1 (limited to those related with the Minister of the Environment). This is available when the permission under Article 10, paragraph 1 of the said Act, or it is considered as an accredited protected proliferation project, or the national agency or local public entity consults with the Minister of the Environment according to the provisions of Article 54, paragraph 2 of said Act.

(Instruction concerning permission etc.)

- Article 10 (1) The Minister of the Environment or prefectural governor may order to release wildlife or to take other necessary measures. This is applied to either a person who has captured wildlife and collected the eggs of the class of birds without permission against the provisions of paragraph 1 or a person against the provisions of paragraph 5 of the same Article.
- (i) The case that we find it necessary for wildlife protection.
 - (ii) The case that we find it necessary for wildlife control related with category 2 specified wildlife control plan or specified rare wildlife control plan.
 - (iii) The case that we find it necessary for securing residents' safety or for

maintaining quietness in designated areas in capture or collect.

- (2) The Minister of the Environment or prefectural governor may cancel the permission when a person who obtained the permission under paragraph 1 of the preceding Article has violated this Act or the provision of an order based on this Act or a disposition under this Act. This is in the case that it is listed in each item of the preceding paragraph.

(Capture of Game Species)

Article 11 (1) In the following cases, regardless of the provision of Article 9, paragraph 1, it is possible to capture game species (only for category 2 specified wildlife pertaining to that area when the area is designated pursuant to the provision of Article 14, paragraph 1 and only for category 2 specified wildlife pertaining to that extension period when the period is extended according to the provisions of paragraph 2 of the same Article) without the permission by the Minister of the Environment or prefectural governor in the area other than wildlife protection area prescribed in Article 28 paragraph 1, temporary closed hunting area as prescribed in Article 34 paragraph 1 (when there is an area designated according to the provisions of Article 14 paragraph 1, that area shall be excluded), and areas which is specified by Ordinance of the Ministry of the Environment which need protection of the ecosystem securing residents' safety, or maintaining quietness (hereinafter referred to as "Hunting Open Area"). This is within the hunting period (when it is limited by the provisions of the next paragraph, it shall be the period, and if it is extended according to the provision of Article 14, paragraph 2, it shall be the period thereof).

(i) The case of hunting in accordance with the provisions of the following Article, Article 14, Article 15 to Article 17 and the provisions of the following Chapter 1 to 3.

(ii) The case of capture of game species as below according to the provisions of the following Article, Article 14, Article 15 to Article 17, Article 36, and Article 37.

(a) Capture of game species by the hunting method other than the statutory hunting method.

(b) Capture of game species without the use of firearms in the area on the premises of houses surround by fences, or similar other items.

(2) The Minister of the Environment may limit the period of capture within the hunting period when it is necessary to protect game species (including chick of the class of birds (limited to birds of game species. Hereinafter referred to as "Game Species Including Chicks"))).

(3) The provision of paragraph 3 of Article 3 shall apply to the limitation of hunting period under the provision of the preceding paragraph.

(Prohibition or restriction on capture of game species including chicks)

- Article 12 (1) The Minister of the Environment may make prohibitions or restrictions as listed below, if there are game species including chicks that are deemed necessary for protection, especially internationally or nationwide:
- (i) To prohibit the capture of game species including chicks by setting the area or period.
 - (ii) To limit the number of game species including chicks by setting the area or period.
 - (iii) To prohibit capture by specifying the hunting method which should be prohibited that interfere with the protection of game species including chicks.
- (2) Prefectural governor may make prohibitions or restrictions listed in each item of the same paragraph in the case where there are game species including chicks that are deemed to need protection particularly within the area of said prefecture in addition to the prohibition or restriction set forth in the preceding paragraph.
- (3) In the cases set forth in the preceding two paragraphs, the Minister of the Environment or prefectural governor may obtain certification in advance for capturing of game species including chicks when it is deemed necessary in order to make the restrictions set forth in item (2) of paragraph 1.
- (4) Prefectural governor shall notify the Minister of the Environment in case of intention to prohibit or restrict pursuant to paragraph 2 or restrict the preceding paragraph or to change these.
- (5) A person or the employee who received the permission under Article 9, paragraph 1 may capture pertaining to said permission regardless of the prohibition or restriction under the provision of paragraph 1 or 2 or the restriction under the provisions of paragraph 3.
- (6) The provisions of Article 2, paragraph 10 shall apply to the prohibition or restriction according to the provisions of paragraph 1 or the restrictions imposed by the Minister of the Environment according to the provisions of paragraph 3. The provisions of Article 4, paragraph 4 and Article 7, paragraph 5 shall apply to the prohibition or restriction according to the provision of paragraph 2 or the restrictions imposed by prefectural governor according to the provisions of paragraph 3.

(Capture of wildlife specified by Ordinance of the Ministry of the Environment)

- Article 13 (1) Regardless of the provisions of Article 9 paragraph 1, it is possible to capture wildlife or collect the eggs of the class of birds according to Ordinance of the Ministry of the Environment for the business activities of agriculture or forestry without obtaining permission from the Minister of the Environment or prefectural governor.
- (2) The provision of paragraph 3 of Article 3 shall apply to Ordinance of the

Ministry of the Environment in the preceding paragraph.

(Special case for Category 2 Specified Wildlife)

- Article 14 (1) Prefectural governor may designate the area where you can capture regarding category 2 specified wildlife with regard to all or part of the resting areas designated according to the provision of Article 34 paragraph 1, when there is a particular need for achieving category 2 specified wildlife control plan when category 2 specified wildlife in case that category 2 specified wildlife are game species.
- (2) Prefectural governor may extend the limited term prescribed by category 2 specified wildlife within the scope of the relevant hunting period when category 2 specified wildlife are game species, and the hunting period is limited according to the provisions of Article 11, paragraph 2. This is when prefectural governor finds it necessary to achieve category 2 specified wildlife plan.
- (3) Prefectural governor may withdraw either prohibition or all or part of the restriction according to the provisions of Article 12, paragraph 1 conducted by the Minister of the Environment concerning category 2 specified wildlife within the prefecture's area, when there is a particular need for achieving category 2 specified wildlife control plan according to category 2 specified wildlife in case that category 2 specified wildlife are game species.
- (4) The provisions of paragraph 4 of Article 4, paragraph 5 of Article 7, and paragraph 4 of Article 12 shall apply to the extension of the period pursuant to the provisions of paragraph 2 and the prohibition or withdrawal of restriction pursuant to the provisions of the preceding paragraph. The provision of paragraph 5 of the same Article shall apply to prohibition or withdrawal of restriction under the provision of the preceding paragraph. The provisions of paragraph 3 and paragraph 4 of Article 34 shall apply to designation of the area pursuant to the provisions of paragraph 1. In this case, the phrase "that fact and its name, area, and duration" in paragraph 3 of the same Article shall be deemed to be replaced with "the fact and area and duration" and the "public notice under the provisions of the preceding paragraph" in paragraph 4 of the same Article with "public notice under the provisions of the preceding paragraph applied according to Article 14, paragraph 4".

(Designated Wildlife Species for Control Capture Program)

- Article 14-2 (1) Prefectural governor shall establish an implementation plan concerning designated wildlife species for control capture program (hereinafter referred to as "implementation plan" in this Article) for each type of designated wildlife species for control when trying to implement designated wildlife species for control capture program based on category 2 specified wildlife control plan in the case that the matters listed in Article 7-2, paragraph 2,

- item 5 of Category 2 specified wildlife control plan are established.
- (2) In the implementation plan, the following matters shall be established:
- (i) The type of designated managed wildlife.
 - (ii) Implementation period of designated wildlife species for control capture program.
 - (iii) Implementation area of designated wildlife species for control capture program.
 - (iv) The goal of designated wildlife species for control capture program.
 - (v) The content of designated wildlife species for control capture program (in the case of putting designated wildlife species for control in the place where they were captured, or capture of wildlife by using firearms before sunrise or after sunset (hereinafter referred to as "night gun hunting")).
 - (vi) Implementation system of designated wildlife species for control capture program.
 - (vii) Matters which is necessary for ensuring the safety of the residents or for maintaining the quietness of designated areas.
 - (viii) The other necessary things to conduct designated wildlife species for control capture program.
- (3) Prefectural governor must report the results of capture on designated wildlife species for control capture program carried out by prefecture to the Minister of the Environment by the day that thirty days have elapsed from that day in case that there is a wildlife protection area designated by the Minister of the Environment according to the provisions of paragraph 1 of Article 28 within the execution area prescribed in item 3 of the preceding paragraph, and when the implementation period prescribed in item 2 of the preceding paragraph expires according to Ordinance of the Ministry of the Environment.
- (4) The provisions of Article 4, paragraph 5 and Article 7, paragraph 5 to paragraph 7 shall apply to implementation plan. In this case, in the paragraph 6 of the same Article "the area prescribed in item 3 of paragraph 2" shall be deemed to be replaced with "implementation area prescribed in item 14 of paragraph 2 of Article 14-2".
- (5) A national agency may implement designated wildlife species for control capture program according to the implementation plan, as provided for by Ordinance of the Ministry of the Environment. In this case, the national agency that intends to conduct designated wildlife species for control capture program in accordance with the implementation plan must receive confirmation from prefectural governor that has set the implementation plan in advance that designated wildlife species for control capture program conforms to the implementation plan by Ordinance of the Ministry of the Environment.
- (6) A national agency which received the confirmation set forth in the preceding paragraph must report the results of capture on designated wildlife species for

control capture program carried out by the national agency to prefectural governor by the day that twenty days have elapsed from that day when the implementation period prescribed in item 2 of the preceding paragraph expires according to Ordinance of the Ministry of the Environment.

- (7) Prefecture and the national agency which received the confirmation under paragraph 5 can entrust the implementation to certified wildlife capture program Implementers and other specified by Ordinance of the Ministry of the Environment with regard to all or part of designated wildlife species for control capture program.
- (8) The action conducted as designated wildlife species for control capture program by prefecture which conducts designated wildlife species for control capture program, the national agency that received confirmation under paragraph 5 or a person who received consignment according to the provision of the preceding paragraph ("prefecture etc." in the following paragraph) does not apply to the provisions of Article 8, Article 18 and Article 38, paragraph 1. Provided, however, that the provisions listed in the following items shall be limited to those specified in each of the items.
- (i) Article 18 The case that to leave wildlife that captured in the place where they were captured correspond to the situation where there is no risk of having a serious impact on the ecosystem and it is deemed particularly necessary for the implementation of designated wildlife species for control capture program by Ordinance of the Ministry of the Environment.
- (ii) Article 38, paragraph 1 The case that certified wildlife capture program implementers entrusted according to the provision of the preceding paragraph (only those that conform to any of the standards listed in each item of Article 18-5, paragraph 1) are confirmed by prefectural governor who stipulated the implementation plan to comply with the implementation plan concerning on date and time of night gun, implementation area, implementation method and implementation system, persons who do night gun hunting and other matters concerning night gun hunting according to Ordinance of the Ministry of the Environment for each implementation plan according to such confirmation.
- (9) Prefecture etc. which is to implement designated wildlife species for control capture program are considered as person which received permission from prefectural governor according to the provision of Article 9, paragraph 1 and applied to paragraph 8 to paragraph 12 of said Article, paragraph 5 of Article 12 (including cases applied according to paragraph 4 of the preceding Article), paragraphs 1 and 2 of Article 16 and of paragraphs 2 and 3 of Article 35 (including penal provisions pertaining to these provisions). In this case, "Other" in Article 9, paragraph 8 shall be deemed to be replaced with "Person specified by Ordinance of the Ministry of the Environment under Article 14-2,

paragraph 7 Other", "the Minister of the Environment or prefectural governor" with "Prefectural governor", "Under the supervision of the person, the capture, or collection concerning the permission" with "designated wildlife species for control", "the Minister of the Environment or prefectural governor" in paragraph 9 of said Article with "Prefectural governor", in the same paragraph 11 of the same Article "each of the following items" with "Item 3 or item 4", "the Minister of the Environment or prefectural governor" with "prefectural governor", and "Effective period prescribed under the provisions of paragraph 4" in item 3 of the same paragraph with "Period of implementation prescribed in item 2 of paragraph 2 of Article 14-2".

(Designated Hunting Methods Prohibited Area)

Article 15 (1) The Minister of the Environment or prefectural governor may designate the hunting methods which has a risk of serious obstacle to wildlife protection (hereinafter referred as to "Designated Hunting Methods"), and designate the area which is forbidden capturing wildlife by designated hunting methods as designated hunting methods prohibited area when it is found particularly necessary concerning on this area.

(i) The Minister of the Environment may designate the area which needs for protection of international or national wildlife.

(ii) Prefectural governor may designate the area which needs for protection of wildlife within the prefecture's area and areas other than those listed in the preceding item.

(2) The Minister of the Environment or prefectural governor must publicly notify the fact, the name, the area and the duration when designating according to the provision of the preceding paragraph.

(3) The designation under the provisions of paragraph 1 shall become effective by public notice under the provision of the preceding paragraph.

(4) Capture of wildlife in designated hunting methods prohibited area is not allowed by designated hunting methods. Provided, however, that this shall not apply in case that the Minister of the Environment or prefectural governor obtains permission to capture concerning on such permission.

(5) The Minister of the Environment or prefectural governor must give permission of the provision of the preceding paragraph when there is an application under Article 9, paragraph 2 as applied according to paragraph 11 unless the capture pertaining to the application is likely to interfere with wildlife protection by capture by designated hunting methods.

(6) The Minister of the Environment or prefectural governor may attach conditions to the permission for granting permission of the proviso to paragraph 4 when it is necessary for wildlife protection.

(7) A person who received the permission under the proviso to paragraph 4 may

- apply to the Minister of the Environment or prefectural governor to receive re-issuance of designated hunting methods ("Designated Hunting Methods Insurance" in the following) according to Ordinance of the Ministry of the Environment in case that the person loses designated hunting methods insurance given under Article 9, paragraph 7 to be applied to paragraph 11. Or in case that the designated hunting methods insurance has been lost.
- (8) A person who received the permission under the proviso to paragraph 4 must carry designated hunting methods insurance and present it when it is requested by the staffs of the State, local public entity, police officers, or other related persons.
- (9) A person who received the permission under the proviso to paragraph 4 must return designated hunting methods insurance (in the case of item 3, designated hunting methods insurance which has been found or recovered) to the Minister of the Environment or prefectural governor according to Ordinance of the Ministry of the Environment in case as below:
- (i) The case that permission has been rescinded according to the provision of paragraph 2 of Article 10 to be applied according to paragraph 11.
 - (ii) The case that the term of validity established according to the provisions of Article 9, paragraph 4 as applied according to paragraph 11 has expired.
 - (iii) The case that designated hunting methods insurance has been discovered or recovered after receiving the reissuance of the designated hunting methods insurance according to the provision of paragraph 7.
- (10) The Minister of the Environment or prefectural governor may order a person who is against the provision of paragraph 4 or conditions attached according to the provision of paragraph 6 to release wildlife concerned with the violation and to take other necessary measures when it is necessary for wildlife protection.
- (11) The provisions of Article 9, paragraph 2, paragraph 4, and paragraph 7 shall apply to permission of the proviso to paragraph 4 and the provision of paragraph 2 of Article 10 shall apply to a person who obtained permission from the proviso to paragraph 4. In this case, "permit certificate" in Article 9, paragraph 7 shall be deemed to be replaced with "designated hunting methods insurance", "listed in each item of the preceding paragraph" in paragraph 2 of Article 10 with "prescribed in Article 15, paragraph 10".
- (12) When designated hunting methods prohibited area designated by the Minister of the Environment is designated for all or part of it designated by prefectural governor according to the provisions of paragraph 1 pursuant to the same paragraph, designated hunting methods prohibited area designated by said prefectural governor is considered to be withdrew regardless of the provisions of paragraphs 2 and 3 or to be changed to areas other than those designated by the Minister of the Environment that overlap with designated

hunting methods prohibited area.

(13) The Minister of the Environment or prefectural governor must set up signs in the area of designated hunting methods prohibited area when designated hunting methods prohibited area is designated.

(14) The necessary things about signs in the previous section is prescribed by Ordinance of the Ministry of the Environment. However, the size of the signs set up by prefectural governor is prescribed by Prefectural Ordinance referring to the concerning points of Ordinance of the Ministry of the Environment.

(Restriction on the possession of prohibited hunting equipment)

Article 16 (1) Hunting equipment used for hunting methods prescribed in Article 12, paragraph 1 item 3 and prescribed by Ordinance of the Ministry of the Environment (hereinafter referred to as "Prohibited Hunting Equipment" in this Article) must not possessed for the purpose of capture of wildlife, but this shall not apply to the following cases:

(i) The case that a person or an employee who obtains permission under Article 9, paragraph 1 owns for the purpose of capture by using prohibited hunting equipment concerning to this permission possess it.

(ii) The case that a person who is not to require the permission with Article 9, paragraph 14 for capturing wildlife regard to domestic rare wild animals and plants etc. under Article 9, paragraph 1 (hereinafter referred to as "persons without permission") possess it.

(2) Prohibited hunting equipment must not be sold or given. However, this shall not apply to the following cases:

(i) The case that prohibited hunting equipment is sold or given to a person or an employee who obtained permission under Article 9, paragraph 1.

(ii) The case that prohibited hunting equipment concerning on capture domestic rare wild animals and plants etc. is sold or given to persons without permission.

(iii) The case that prohibited hunting equipment for exporting is sold or given after notifying to the Minister of the Environment according to Ordinance of the Ministry of the Environment.

(3) The Minister of the Environment must hold counsel with the Minister of Agriculture, Forestry and Fisheries and the Minister of the Economy, Trade and Industry when prescribed paragraph 1 in Ordinance of the Ministry of the Environment.

(Permission by the land owner)

Article 17 A person who has intention of capture of wildlife or collect of eggs of the class of birds in the land surrounded by fence, bamboo shoots, and other similar items or the land with the produce must obtain the consent by the land

owner beforehand.

(Prohibition of Leaving Wildlife)

Article 18 A person who capture wildlife or collect the eggs of the class of birds must not leave the wildlife or the eggs of the class of birds in the area where the capture or the collect is done with the exception that appropriate processing is difficult or the possibility of affecting the ecosystem is minor as specified by Ordinance of the Ministry of the Environment.

Section 1-2 Certification for wildlife capture program

(Certification for wildlife capture program)

Article 18-2 Corporations (limited to corporations. Hereinafter referred to as "Wildlife Capture Program Implementers") which conduct capture of wildlife (hereinafter referred to as "Wildlife Capture Program") may be certificated by prefectural governor with the conditions that the wildlife capture program implementers conforms to the standards prescribed in Article 18-5, paragraph 1.

(Application for Certification)

Article 18-3 (1) A person who intends to obtain the certification under the preceding Article must submit an application form describing the following matters to prefectural governor according to the provision of Ordinance of the Ministry of the Environment.

(i) Name, address, and the name of representative.

(ii) Types of wildlife to capture by wildlife capture program and its method.

(iii) The things concerning on implementation system of wildlife capture program.

(iv) The things concerning on skill and knowledge of wildlife capture program implementers.

(v) The things concerning on conducting training for wildlife capture program implementers.

(vi) The other things prescribed by Ordinance of the Ministry of the Environment.

(2) In the application form set forth in the preceding paragraph, the Articles of incorporation and other documents specified by Ordinance of the Ministry of the Environment must be attached.

(Grounds for disqualification)

Article 18-4 A person who falls under any of the following items shall not be subjected to the certification under Article 18-2.

- (i) A person who has been canceled according to the provision of Article 18-10, paragraph 2 within three years.
- (ii) A person whose director corresponds to either Article 40, item 5 or item 6.

(Enforcement of Certification)

Article 18-5 (1) Prefectural governor must not certificate Article 18-2 if the application for certification under Article 18-3, paragraph 1 does not correspond to the criteria as below (except for the criteria shown in item 2 in case that wildlife capture program implementers pertaining to the application do not do night gun hunting.):

- (i) The implementation system for the safety control in capture of wildlife (except for night gun hunting) corresponds to the criteria under Ordinance of the Ministry of the Environment.
 - (ii) The implementation system for the safety control in night gun hunting corresponds to the criteria under Ordinance of the Ministry of the Environment.
 - (iii) Wildlife capture program implementers who corresponds to the criteria under Ordinance of the Ministry of Environment as the persons who has skill or knowledge for capture of wildlife appropriately and efficiently.
 - (iv) The content of training for wildlife capture program implementers is appropriate and efficient enough for the necessary skill and knowledge.
 - (v) Other necessary items which corresponds to the criteria under Ordinance of the Ministry of Environment for capture of wildlife appropriately and efficiently.
- (2) Prefectural governor must announce publicly the things as below when certification Article 18-2 and notify the applicant of the fact without delay:
- (i) The name, the address of wildlife capture program implementers certificated the application (hereinafter referred to as "Certified Wildlife Capture Program Implementers"), and the name of the representative.
 - (ii) The fact when the certified wildlife capture program implementers correspond to the criteria of item 2 of the preceding paragraph.

(Maintaining Certified Wildlife Capture Program)

Article 18-6 (1) Certified wildlife capture program implementers must maintain certified wildlife capture program pertaining to the approval under Article 18-2 (hereinafter referred to as "Certified Wildlife Capture Program") so that it should conform to the standards listed in each item of paragraph 1 of the preceding Article (the criterion listed in item 2 of the same paragraph will be excluded when the certified wildlife capture program implementers do not do night gun hunting).

- (2) Prefectural governor may order the certified wildlife capture program

implementers to take the necessary measures to make the certified wildlife capture program adapt to the criterion when the program conducted by the certified wildlife capture program implementers is considered not to adapt to the criterion listed in each item of paragraph 1 of the preceding Article.

(Certification for changing)

Article 18-7 (1) Certified wildlife capture program implementers must be certificated by prefectural governor when certified wildlife capture program implementers are going to change the matters listed in item 2 to item 5 of paragraph 1 of Article 18-3. However, for minor changes specified by Ordinance of the Ministry of the Environment, this shall not apply.

(2) The provision of Article 18-3 and Article 18-5 applies to the certification of change under the preceding paragraph.

(3) When certified wildlife capture program implementers make a minor change specified by Ordinance of the Ministry of the Environment in the proviso of paragraph 1 or there is a change in the matters listed in Article 18-3, paragraph 1 item 1 or 6, certified wildlife capture program implementers shall notify prefectural governor of the fact from the day until the thirty days have elapsed according to Ordinance of the Ministry of the Environment.

(4) When certified wildlife capture program implementers abolish certified wildlife capture program, certified wildlife capture program implementers shall notify prefectural governor of the fact from the day until the thirty days have elapsed.

(5) When there is a notification under the provisions of the preceding two paragraphs, prefectural governor must announce publicly the fact without delay.

(The term of validity of Certification)

Article 18-8 (1) The term of validity under Article 18-2 shall be within three years from the date of the accreditation.

(2) Certified wildlife capture program implementers who are going to continue certified wildlife capture program may receive updates after the expiration of the valid term under the preceding paragraph.

(3) Certified wildlife capture program implementers who are going to receive updates of the expiration of the valid term under the preceding paragraph must apply to prefectural governor for the updates of the expiration of the valid term between ninety days and sixty days prior to the expiration date of the valid term set forth in paragraph 1 (hereinafter referred to as "renewal application period").

(4) In case of the application under the preceding paragraph, previous certification still has efficacy after the expiration of the term of validity under

that paragraph, until the disposition thereof when the dealing for the application is not performed until the expiration date of the validity term under paragraph 1.

- (5) In case of the preceding paragraph, the valid period of the certification shall start from the day following the expiration date of the previous validity period of the accreditation when the valid term under paragraph 2 is renewed.
- (6) Provision under Article 18-3, Article 18-4 (except for item1) and Article 18-5 apply accordingly update validity period. However, the attachment of documents prescribed in Article 18-3, paragraph 2 may be omitted when there is no change in the documents already submitted to prefectural governor.

(Restriction for the Usage of the Name)

Article 18-9 A person who is not certified wildlife capture program implementer must not use the name of certified wildlife capture program implementers or confusing names.

(Revocation of Certification)

Article 18-10 (1) Certification under Article 18-2 loses its efficacy when certified wildlife capture program implementers do not receive updates for the term of validity under Article 18-8, paragraph 2 (in the case of Paragraph 4 of the same Article, the renewal is rejected).

- (2) Prefectural governor may revoke all or part of the accreditation under Article 18-2 when certified wildlife capture program implementers apply for any of the following items.
 - (i) In case that certified wildlife capture program implementers violate this Act, provision of order under this Act, or disposal under this Act.
 - (ii) In case that certified wildlife capture program implementers receive certification under Article 18-2, approval of change under Article 18-7, paragraph 1 or renewal of the term of validity set forth in Article 18-8, paragraph 2 by means of fraud.
 - (iii) In case of Article 18-4, paragraph 2.
- (3) Prefectural governor must announce publicly the fact without delay when approval under Article 18-2 pursuant to the provision of paragraph 1 loses efficacy or certification under the provision of the preceding paragraph is canceled.

Section 2 Regulations on feeding and selling of Wildlife

(Registration of Feeding)

Article 19 (1) A person who is going to feed wildlife except for game species including chicks (including class of birds hatched from eggs collected with

permission by the provision of that paragraph. This is the same as in Article 22, paragraph 1 and Article 84, paragraph 1, item 7) which was captured with permission under Article 9, paragraph 1 must receive registration from prefectural governor who has jurisdiction over the address location of that person. However, this does not mean in case that between the end of the valid period prescribed in Article 9 paragraph 4 and the day on which thirty days have elapsed.

- (2) A person who is going to receive registration in the previous section (hereinafter referred to simply as "registration") must apply to prefectural governor for registration according to Ordinance of the Ministry of the Environment.
- (3) Prefectural governor must issue registration card to the applicant according to Ordinance of the Ministry of Environment in registration.
- (4) Validity period of registration shall be one year from the date of registration.
- (5) Effective period of the preceding paragraph may be updated by the application of the person who received registration, or the person who accept or underwrite the registered wildlife by the provisions of paragraph 1 of the next Article (wildlife registered under the provisions of paragraph 1, the same in this section).
- (6) A person who feed the registered wildlife may receive reissued registration card after the application to prefectural governor according to Ordinance of the Ministry of the Environment when the person loses the registration card in paragraph 3 (hereinafter referred to simply as "registration card" in the following) related to the registered wildlife or the registration card has gone.

(Control of registered wildlife and registration card)

- Article 20 (1) Transfer, acceptance, delivery or underwriting of registered wildlife (hereinafter referred to as "transfer") must be done with registration card related to the registered wildlife.
- (2) Registration card must not be transferred except for the case of registering with registered wildlife related to the registration card.
 - (3) A person who transfers or accepts registered wildlife must notify the fact to prefectural governor who has jurisdiction over the address location of that person according to Ordinance of the Ministry of the Environment from the day until the day that thirty days have passed.

(Return of registration card)

- Article 21 (1) Registration card (in case of item 2, discovered or recovered registration card) must be returned to prefectural governor from the day until the day that thirty days have passed when it falls under any of the following items.

- (i) In case of finishing feeding registered wildlife related to registration card (except for the case of transfer of registered wildlife related to the registration card along with the registration card).
 - (ii) In case of discovering or recovering the lost registration card after receiving the registration card again under the provision of Article 19, paragraph 6.
- (2) The provision of Article 19, paragraph 6 applies for the case of discovering or recovering the registered wildlife after returning the registration card to prefectural governor by the provision of that paragraph, applying the case of listed in item 1 of the preceding paragraph due to the loss of registered wildlife because of theft or other reasons.

(Instructions for measures against those who received registration)

- Article 22 (1) Prefectural governor may order the person who feeds wildlife except for game species including chicks without registration against Article 19, paragraph 1 to release wildlife related to the violation and take the other necessary measure.
- (2) Prefectural governor may cancel the registration when a person who received registration violates this Act, provisions of order under this Act or disposal under this Act.

(Banned Wildlife for sale)

- Article 23 Wildlife (including processed products specified by Ordinance of the Ministry of the Environment and breeding wildlife) or eggs of class of birds which may be seriously hindered by being sold according to Ordinance of the Ministry of the Environment (referred to as "Banned wildlife for sale " in the next Article) must not be sold. However, this does not mean in case of selling with permission under paragraph 1 of the next Article.

(Permission of sales of banned wildlife for sale)

- Article 24 (1) A person who is going to sell banned wildlife for sale for the purpose of academic research, breeding, and the other purpose according to Ordinance of the Ministry of the Environment must obtain permission by prefectural governor.
- (2) Prefectural governor must give permission under the preceding paragraph except for the case that the sales pertaining to the application falls under any of the following items when there is the application under Article 19, paragraph 2 as applied mutatis mutandis pursuant to paragraph 11.
- (i) In case that the purpose of sales does not apply for the one set forth in the preceding paragraph.
 - (ii) In case that wildlife protection as provided in the preceding Article may be seriously hindered by being sold.

- (3) Prefectural governor shall define the validity period of the permission when granting permission under paragraph 1.
- (4) Prefectural governor may attach condition to the permission in case of permission under paragraph 1 when it is deemed necessary for protection of banned wildlife for sale.
- (5) Prefectural governor must issue sales permit certificate in case of permission under paragraph 1 according to Ordinance of the Ministry of the Environment.
- (6) A person who received permission under paragraph 1 may receive reissued sales permit certificate (hereinafter simply referred to as "sales permit certificate") after the application to prefectural governor according to Ordinance of the Ministry of the Environment when the person loses sales permit certificate in the preceding paragraph or sales permit certificate has gone.
- (7) A person who received permission under paragraph 1 must carry sales permit certificate in sales of banned animal for sale and must present it when it is requested by the staffs of the State or local public entity, police officers or other related persons.
- (8) A person who received permission under paragraph 1 must return sales permit certificate (in the case of item 3, the discovered or recovered sales permit certificate) to the Minister of the Environment or prefectural governor according to Ordinance of the Ministry of the Environment in case as below:
 - (i) The case that the permission is canceled according to the provisions of paragraph 10.
 - (ii) The case that the term of validity according to the provisions of paragraph 3 has expired.
 - (iii) The case that sales permit certificate lost after receiving a reissue sales permit certificate according to the provision of paragraph 6 is discovered or recovered.
- (9) Prefectural governor may order to release wildlife concerned with the violation and to take other necessary measures when it is necessary for wildlife protection prescribed in the same Article. This is applied to a person against the provision of previous Article or conditions attached according to the provision of paragraph 4.
- (10) Prefectural governor may cancel the permission when a person who obtained the permission under paragraph 1 has violated this Act or the provision of an order based on this Act or a disposition under this Act. This is in the case that it is listed in the preceding paragraph.
- (11) The provision of paragraph 2 of Article 19 shall apply to a person who is going to obtain permission from the proviso to paragraph 1.

(Regulation of exports of Wildlife)

Article 25 (1) Wildlife (including processed goods specified by Ordinance of the Ministry of the Environment. Hereinafter the same in this Article.) or eggs of the class of birds which are under Ordinance of the Environment must not be exported as long as the certificate (referred to as "certificate of legal capture") to prove that these are not captured or collected against this Act is not attached.

- (2) A person who is going to receive legal capture certificate must apply to the Minister of the Environment according to Ordinance of the Ministry of the Environment
- (3) The Minister of the Environment must issue certificate of legal capture according to Ordinance of the Ministry of the Environment when it is recognized that wildlife or eggs of the class of birds pertaining to the application under the preceding paragraph are not illegally captured or collected.
- (4) A person who receives certificate of legal capture may apply to the Minister of the Environment and receive re-issuance of certificate of legal capture according to Ordinance of the Ministry of the Environment when the person loses certificate of legal capture or the legal capture certificate has gone.
- (5) A person who receives issuance of certificate of legal capture must return the certificate of legal capture (in the case of item 2, discovered or recovered certificate of legal capture) to the Minister of the Environment or prefectural governor according to Ordinance of the Ministry in case as below:
 - (i) When the efficacy of certificate of legal capture has been canceled pursuant to the provisions of paragraph 7.
 - (ii) When the lost certification of legal capture is discovered or recovered after receiving the re-issuance of certificate of legal capture pursuant to the provisions of the preceding paragraph.
- (6) The Minister of the Environment may order to release wildlife concerned with the violation and to take other necessary measures when it is necessary for wildlife protection prescribed in that paragraph. This is applied to a person who violates the provisions of paragraph 1.
- (7) The Minister of the Environment may cancel the efficacy of the certificate of legal capture when a person who receives issuance of certificate of the legal capture has violated this Act or the provision of an order based on this Act or a disposition under this Act. This is in the case that it is listed in the preceding paragraph.

(Regulation of imports of Wildlife)

Article 26 (1) Wildlife (including processed goods specified by Ordinance of the Ministry of the Environment. Hereinafter the same in this Article.) or eggs of the class of birds which are under Ordinance of the Ministry of the

Environment must not be imported as long as the certificate issued by foreign government agencies that prove that the wildlife or eggs of birds are captured or collected legally or that exports are permitted or issued by those who are determined by the Minister of the Environment is not attached. However, in the case of importing from the country or the region determined by the Minister of the Environment as the country or the region where there is no regulation to certificate of capturing wildlife or collecting eggs of the class of birds or exporting, it is not limited to this.

- (2) Those who import wildlife specified by Ordinance of the Minister of the Environment prescribed in the preceding paragraph must receive signage which show that the wildlife (hereinafter referred to as "Specific Import Wildlife") is imported in conformity with the provision of that paragraph from the Ministry of the Environment (hereinafter simply referred to as "signage") and attach the signage to specific import wildlife.
- (3) A person who is going to receive signage must apply to the Minister of the Environment according to Ordinance of the Ministry of the Environment.
- (4) The Minister of the Environment must issue the signage according to Ordinance of the Ministry of the Environment when specific import wildlife related to the application under the preceding paragraph is accepted as those imported in conformity with the provisions of paragraph 1.
- (5) The signage must not be removed from the specific import wildlife related to the signage except for the unavoidable case as specified by Ordinance of the Ministry of the Environment.
- (6) Specific import wildlife without signage must not be transferred.
- (7) Those who apply for signage pursuant to the provisions of paragraph 3 must pay fees of the amount specified by Cabinet Order for the State, considering actual expenses.

(Prohibition on breeding or transfer of captured or imported illegally Wildlife)
Article 27 Wildlife which was captured or imported against this Act (including the class of birds hatched from eggs which were collected or imported against this Act and these processed items according to Ordinance of the Ministry of the Environment) or eggs of the class of birds which were collected or imported must not be fed, transferred or received a transfer, delivered or received a delivery for the purpose of selling, processing, or preserving.

Section 3 Wildlife Protection Area

(Wildlife Protection Area)

Article 28 (1) The Minister of the Environment or prefectural governor may designate each of the following areas as Wildlife Protection Area when it is

particularly necessary for the wildlife protection, considering the type of wildlife and other habitat of wildlife.

- (i) By the Minister of the Environment, areas considered important for international or national protection of wildlife.
 - (ii) By prefectural governor, areas considered important for protection of wildlife within the prefecture's area and area other than those in the preceding issue.
- (2) Designation or change thereof under the provision of the preceding paragraph shall be specified by the guideline as to the name of wildlife protection area, the region, the duration, and the protection of the wildlife protection area.
 - (3) The Minister of the Environment or prefectural governor must hear the opinion of related local public entity in advance when making a designation pursuant to the provisions of paragraph 1 or making a change thereof (As for changing, only when extending wildlife protection area. The same applies in the following paragraph to paragraph 6.).
 - (4) The Minister of the Environment or prefectural governor must announce the fact publicly in advance according to Ordinance of the Ministry of the Environment and provide the draft guideline as to the name of wildlife protection area, the region, the duration, and the protection of the wildlife protection area for public inspection (referred to as "draft guideline" in the next paragraph and paragraph 6) within fourteen days from the date of publication (according to prefectural governor, within about fourteen days) when making a designation pursuant to the provisions of paragraph 1 or making a change thereof.
 - (5) Residents of the area and those it may concern who are living in the area going to be made a designation under the provision of paragraph 1 or made the change may submit a written opinion as to guideline to the Minister of the Environment or prefectural governor until the day that the period prescribed in the preceding paragraph passes when there is a public notice under the provision of the preceding paragraph.
 - (6) The Minister of the Environment and prefectural governor shall hold a hearing and take other necessary measures when the opinion in the preceding paragraph stating that there is an objection on the draft guideline is submitted and there is the necessity to hear widely about other designation or change of wildlife protection area.
 - (7) Duration of wildlife protection area may not be over twenty years. However, this can be updated within a period of twenty years or less.
 - (8) The Minister of the Environment or prefectural governor must withdraw that designation when it is deemed that the designation under the provisions of paragraph 1 is no longer necessary due to changes in the situation of wildlife habitat and other circumstances or when it is not appropriate to continue the

designation.

- (9) The provisions of paragraph 2 and Article 15, paragraphs 2, 3, 13 and 14 apply mutatis mutandis to be updated pursuant to the proviso of paragraph 7. The provision of paragraph 3 of Article 3 applies mutatis mutandis to designation made by the Minister of the Environment pursuant to the provisions of paragraph 1 and modification thereof (Only those that extend the wildlife protection area). The provisions of Article 4 paragraph 4 and Article 12 paragraph 4 apply mutatis mutandis to designation made by prefectural governor pursuant to the provision of paragraph 1 and its change (In the case of paragraph 4 of Article 4, limited to those that extend the wildlife protection area). The provisions of Article 15, paragraph 2, paragraph 3, paragraph 13, and paragraph 14 apply mutatis mutandis to designation and modification according to paragraph 1. In this case, "the fact and the name, the area, and the duration" in paragraph 2 of the same Article shall be read over by "the fact and the guideline as to the name of wildlife protection area, the region, the duration, and the protection of the wildlife protection area". "Public notice under the provision of the preceding paragraph" in paragraph 3 of the same Article shall be read over by "public notice pursuant to the provisions of the preceding paragraph to apply mutatis mutandis pursuant to Article 28, paragraph 9".
- (10) The provision of paragraph 4 of Article 12 applies mutatis mutandis to withdrawal of designation of the wildlife protection area by prefectural governor pursuant to the provisions of paragraph 8. The provisions of Article 15, paragraph 2 and paragraph 3 apply mutatis mutandis to withdrawal of designation pursuant to the provision of paragraph 8. In this case, "the fact and its name, area and duration" in paragraph 2 of the same Article shall be read over by "the fact and the area concerning withdrawal". "Public notice under the provision of the preceding paragraph" in paragraph 3 of the same Article shall be read over by "public notice pursuant to the provisions of the preceding paragraph applied mutatis mutandis pursuant to Article 28, paragraph 10".
- (11) As for lands or wood bamboos in wildlife protection area, those who own ownership or other rights must not reject for the Minister of the Environment or prefectural governor to establish such facilities as nesting, water supply, and feeding necessary for wildlife inhabiting and breeding in the lands or wood bamboos unless there is a legitimate reason.

(Conservation program in Wildlife Protection Area)

Article 28-2 (1) The State or prefecture shall conduct conservation program (Establishment of reproductive facilities to protect and maintain habitats of wildlife and other projects designated by Ordinance of the Ministry of the

Environment. The same applies hereinafter.) in wildlife protection area designated by the State, the Minister of the Environment pursuant to the provision of paragraph 1 (hereinafter referred to as "National Wildlife Protection Area") or in wildlife protection area specified by prefectural governor pursuant to the same paragraph (hereinafter referred to as "Prefectural Wildlife Protection Area") when it is deemed necessary according to wildlife habitat situation in wildlife protection area.

- (2) Agencies of the State except for the Minister of the Environment must discuss with the Minister of the Environment when conservation program in national wildlife protection area is about to be conducted.
- (3) Local public entity may conduct the part of conservation program in national wildlife protection area in the case of the following by discussing with the Minister of the Environment and getting the agreement and in other cases by discussing with the Minister of the Environment.
 - (i) In case of capture of rare wildlife species or collect of eggs of the class of birds out of rare wildlife species as the conservation program.
 - (ii) In case of capture of wildlife by using rope or trap according to Ordinance of the Ministry of the Environment of Article 9, paragraph 1, item 3 as the conservation program.
- (4) Local public entity except for prefecture may conduct the part of conservation program in prefectural wildlife protection area in the case of each item of the previous paragraph by discussing with prefectural governor and getting the agreement and in other cases by discussing with prefectural governor.
- (5) Prefecture or prefectural governor must hold counsel with the Minister of the Environment and get the agreement when falling under the cases listed in each item of paragraph 3 in case where prefecture implements conservation programs under the provisions of paragraph 1 or when prefectural governor intends to agree on the conservation program pursuant to the provisions of the preceding paragraph.
- (6) As for the action conducted as conservation program under the provisions of paragraph 1, paragraph 3 and paragraph 4, the provisions of Article 8, Article 16, paragraph 1 and 2 and the next Article 7 are not applied.

(Special Protection Zone)

- Article 29 (1) The Minister of the Environment or prefectural governor may designate areas that are deemed to be particularly necessary for wildlife protection or protection of habitats of wildlife in each of wildlife protection area as Special Protection Zone.
- (2) Duration of special protection zone shall be the term specified by the Minister of the Environment or prefectural governor within the duration of the wildlife sanctuary to which the special protection zone belongs.

- (3) The Minister of the Environment or prefectural governor must withdraw the designation when it is deemed that the designation under the provisions of paragraph 1 is no longer necessary due to changes in the situation of wildlife habitat and other circumstances or when it is not appropriate to continue the designation.
- (4) The provision of paragraph 2 applies mutatis mutandis to change of designation under the provision of paragraph 1. The provision of paragraph 3 of Article 3 applies mutatis mutandis to designation made by the Minister of the Environment pursuant to the provisions of paragraph 1 and modification thereof (limited to extension the area of the special protection zone or prolong the duration). The provisions of Article 4, paragraph 4 and Article 12, paragraph 4 apply mutatis mutandis to designation made by prefectural governor pursuant to the provisions of paragraph 1 and modification thereof (in case of Article 4, paragraph 4, limited to extension the area of the special protection zone or prolong the duration). The provisions of Article 15, paragraph 2, paragraph 3, paragraph 13, paragraph 14, and Article 28 paragraphs 2 to 6 apply mutatis mutandis to designation and modification according to paragraph 1 (In the case of paragraphs 3 to 6 of the same Article, limited to extension the area of the special protection zone or prolong the duration). In this case, "must notify the Minister of the Environment" in Article 12, paragraph 4 shall be read over by "after the end of the duration of special protection zone, when continuing to designate the same area as special protection zone as the special protection zone or when extending the duration of special protection zone, notify the Minister of the Environment. In cases other than these, discuss with the Minister of the Environment". "The fact, the name, the area, and the duration" in Article 15, paragraph 2, shall be read over by "the fact and the guideline as to the name of wildlife protection area, the region, the duration and the protection of the special protection zone". "Public notice under the provision of the preceding paragraph" in paragraph 3 of the same Article shall be read over by "public notice pursuant to the provisions of the preceding paragraph to apply mutatis mutandis pursuant to Article 29, paragraph 4".
- (5) The provision of paragraph 4 of Article 12 applies mutatis mutandis to withdrawal of designation made by prefectural governor pursuant to the provision of paragraph 3. The provisions of Article 15, paragraph 2 and paragraph 3 apply mutatis mutandis to withdrawal of designation pursuant to the provision of paragraph 3. In this case, "must notify" in Article 12, paragraph 4 shall be read over by "must discuss". "The fact, the name, the area, and the duration" in Article 15, paragraph 2, shall be read over by "the fact and the area concerning withdrawal". "Public notice under the provision of the preceding paragraph" in paragraph 3 of the same Article shall be read over by

"public notice pursuant to the provisions of the preceding paragraph applied mutatis mutandis pursuant to Article 29, paragraph 5".

- (6) The Minister of the Environment must hold counsel with the Minister of Agriculture, Forestry and Fisheries in the case of counsel pursuant to the provisions of Article 12, paragraph 4 to be applied mutatis mutandis pursuant to the provision of paragraph 4.
- (7) In the area of Special Protection Zone, the following actions as to special protection zone designated by the Minister of the Environment pursuant to the provisions of paragraph 1 ("National Special Protection Zone" in the following) must not be conducted without permission by the Minister of the Environment and the ones as to special protection zone designated by prefectural governor pursuant to the provision of the same paragraph ("Prefecture Special Protection Zone" in the following) must not be conducted without permission by prefectural governor. However, this shall not apply for those designated by the Minister of the Environment in the case of national special protection zone, and for those designated by prefectural governors in the case of prefecture special protection zone as a recognized act with no hindrance to wildlife protection.
 - (i) New building, renovation, or expansion of buildings and other works.
 - (ii) To landfill or reclaim the surface of the water.
 - (iii) To cut down wood bamboos.
 - (iv) In addition to what is listed in the preceding item 3, doing what is designated by Cabinet Order as an act that may affect wildlife protection within each special protection zone designated by the Minister of the Environment in the case of national special protection zone, and designated by prefectural governors in the case of prefecture special protection zone.
- (8) A person who obtains permission by the preceding paragraph must apply for the permission as to national special protection zone to the Minister of the Environment or for the permission as to prefecture special protection zone to prefectural governor.
- (9) The Minister of the Environment or prefectural governor must permit paragraph 7 when the application for the permission about the preceding paragraph is performed with the exceptions as below:
 - (i) When there is a risk that the act may have serious obstacles to wildlife protection.
 - (ii) When there is a risk that the act may seriously hinder wildlife habitats protection.
- (10) The Minister of the Environment or prefectural governor may attach condition to the permission under paragraph 7 when it is deemed necessary for wildlife protection or wildlife habitats protection.

(Action Order)

Article 30 (1) When the Minister of the Environment considers national special protection zone and prefectural governor considers prefecture special protection zone as necessity for wildlife protection, to those who is receiving the permission under paragraph 7 of the preceding Article and conducting the acts listed in each item of the same paragraph within each zone, the Minister of the Environment or prefectural governor may give instructions on how to implement the act.

(2) When the Minister of the Environment considers national special protection zone and prefectural governor considers prefecture special protection zone as necessity for wildlife protection or habitats of wildlife protection, to those who is against paragraph 7 of the preceding Article or the conditions attached pursuant to the provisions of paragraph 10 of the same Article, to the extent necessary for wildlife protection or habitats of wildlife protection, the Minister of the Environment or prefectural governor may order to stop the action. And to these persons or to those who succeeded the rights on the land, buildings or other structures or properties from these persons, by setting reasonable deadline, the Minister of the Environment or prefectural governor may order recovery. Or when the recovery is extremely difficult, the Minister of the Environment or prefectural governor may order the necessary measures to take this alternative.

(3) In the case where an attempt is made to order recovery pursuant to the provisions of the preceding paragraph or any necessary measures to be replaced (hereinafter referred to as "Restoration of Original Condition" in the following), when there is no negligence and it is impossible to ascertain those who should order recovery, the Minister of the Environment or prefectural governor may do the restoration of original condition by oneself at the burden of these persons or let these persons or those who delegated do it. In this case, the Minister of the Environment or prefectural governor must announce publicly the order that the restoration of original condition should be done by setting reasonable deadline. When the restoration of original condition is not done, the Minister of the Environment or prefectural governor must announce publicly the order that these persons or those who delegated do the restoration of original condition in advance.

(4) A person who is going to conduct restoration of original condition pursuant to the provision of the preceding paragraph must bring his/ her identification with him/ her and show it when there is a request from a related person.

(Field Survey)

Article 31 (1) The Minister of the Environment or prefectural governor may let the staffs enter the land of others' in the limit necessary for the field survey for

designation under the provisions of Article 28 paragraph 1 or Article 29 paragraph 1 or paragraph 7 item 4.

- (2) When the Minister of the Environment or prefectural governor lets the staffs enter the others' land according to the provisions of preceding paragraph, the Minister of the Environment or prefectural governor must inform the fact to the owner or the occupier of the land and give them the opportunity to express their opinion.
- (3) The staffs entering in accordance with the provisions of paragraph 1 must bring their identification with them and show the participants it.
- (4) The owner or the occupier of the land must not refuse and prevent entry under the provision of paragraph 1 unless there is a justifiable reason.

(Compensation for Loss)

Article 32 (1) As to national wildlife protection area, the State shall compensate and as to prefectural wildlife protection area, prefectural governor shall compensate those who received the loss due to the reason that facilities were established pursuant to the provisions of Article 28, paragraph 1, and it is impossible to obtain the permission under paragraph 7 of Article 29 or due to the reason that conditions were given under the provisions of paragraph 10 of said Article, for the loss to be normally generated

- (2) Those who intend to receive the compensation set forth in the preceding paragraph must make a request to the Minister of the Environment or prefectural governor thereof.
- (3) When receiving the request set forth in the preceding paragraph, the Minister of the Environment or prefectural governor shall determine the amount to be compensated and notify the person who made the request.
- (4) Those who are dissatisfied with the determination of the amount pursuant to the provisions of the preceding paragraph may request an increase by filing an appeal between the day of receiving the notice under the same paragraph and the day of six months passed.
- (5) In the action set forth in the preceding paragraph, the State or prefecture shall be the defendant.

(The Relation between National Wildlife Protection Area and Prefectural Wildlife Protection Area)

Article 33 When national wildlife protection area is designated for all or part of prefectural wildlife protection area, the prefectural wildlife protection area shall be deemed to have been withdrew or to have been changed to a zone other than the area overlapping the area of national wildlife protection area unless the provisions of paragraphs 2 and 3 of Article 15 applied mutatis mutandis pursuant to Article 28, paragraph 2 and paragraphs 9 and 10 of said Article.

Section 4 Temporally Closed Hunting Area

(Designation of temporally closed hunting area)

- Article 34 (1) Prefectural governor may designate the area as a Temporally Closed Hunting Area when there is an area where it is deemed necessary to increase its population in cases where the number of hunting wildlife has decreased significantly.
- (2) The duration of the temporally closed hunting area may not exceed three years
 - (3) When making a designation under the provisions of paragraph 1, prefectural governor must notify publicly the fact, its name, area, and duration.
 - (4) The designation under the provisions of paragraph 1 shall become effective by public notice under the provision of the preceding paragraph.
 - (5) When prefectural governor designates a temporally closed hunting area, it must establish a sign indicating this within the area of the said temporally closed hunting area
 - (6) Matters necessary for the signs set forth in the preceding paragraph (excluding the dimensions of said signs) shall be specified by Ordinance of the Ministry of the Environment.
 - (7) The size of the signs set forth in paragraph 5 shall be prescribed by Prefectural Ordinance, taking into consideration the standards specified by Ordinance of the Ministry of the Environment.

Chapter IV Appropriate Hunting

Section 1 Prevention of Danger

(Certain Hunting Equipment Prohibited Area etc.)

- Article 35 (1) Prefectural governor shall designate the areas where it is prohibited or restricted to capture wildlife using certain hunting equipment as certain hunting equipment prohibited area or certain hunting equipment restricted area for each type of certain hunting equipment for the purpose of prevention of danger or maintaining the quietness of the designated area accompanying capturing wildlife by using the firearms or traps specified by the Ordinance of the Ministry of the Environment (hereinafter referred to as "certain hunting equipment") .
- (2) In certain hunting equipment prohibited area, wildlife must not be captured by using certain hunting equipment pertaining to the area is not allowed. However, this shall not apply in cases that a person or an employee capture pertaining permission under Article 9, paragraph 1 or a person who is not requiring permission pertaining to capturing domestic rare wild animals and

plants etc.

- (3) In certain hunting equipment restricted area, wildlife must not be captured by using certain hunting equipment pertaining to said area (hereinafter referred to as "capture targeted for approval") is prohibited without obtaining the approval of prefectural governor. However, this shall not apply in cases that a person or an employee capture pertaining permission under Article 9, paragraph 1 or in cases that a person who is not requiring permission pertaining capture on domestic rare wild animals and plants etc.
- (4) Those who intend to receive the approval set forth in the preceding paragraph (hereinafter simply referred to as "approval" in this Article) must apply for approval to prefectural governor according to the provision of Ordinance of the Ministry of the Environment.
- (5) When there is an application under the preceding paragraph, prefectural governor must approve it unless capture targeted for approval pertaining to said application falls under any of the following items.
 - (i) When there is a risk of interfering with the prevention of hazards associated with capture targeted for approval.
 - (ii) When there is a risk of interfering with the maintenance of the quiet of the designated area.
- (6) Approval shall be carried out with respect to the number of persons who intend to make capture targeted for approval within the range of the number specified by prefectural governor in accordance with the standards specified by Ordinance of the Ministry of the Environment.
- (7) In case of approval, prefectural governor may attach the condition to the approval when prefectural governor finds it necessary for the prevention of danger or the maintenance of the quietness of the designated area.
- (8) Those who received the permission may apply to prefectural governor to receive re-issuance of approval certificate according to Ordinance of the Ministry of the Environment in case that the person has lost the approval certificate referred to in paragraph 5 of Article 24 as applied mutatis mutandis pursuant to paragraph 12 (hereinafter simply referred to as "approval certificate"). Or in case that the approval certificate has been lost.
- (9) When a person who has received approval capture targeted for approval in certain hunting equipment restricted area, the person must carry the approval certificate and present it when it is requested by the staffs of the State or local public entity, police officers or other related persons.
- (10) When it falls under any of the following items, a person who received approval must return an approval certificate (in the case of item 3, discovered or recovered approval certificate) to prefectural governor pursuant to the provisions of Ordinance of the Ministry of the Environment.
 - (i) When approval has been canceled pursuant to the provision of Article 24,

- paragraph 10 to be applied mutatis mutandis pursuant to paragraph 12.
- (ii) When the term of validity established pursuant to the provisions of Article 24, paragraph 3 as applied mutatis mutandis pursuant to paragraph 12 has expired.
 - (iii) When finding or recovering a lost approval certificate after receiving the reissue of the approval certificate pursuant to the provision of paragraph 8.
- (11) Prefectural governor may order the person who violates the provision of paragraph 3 or violates the conditions attached pursuant to the provision of paragraph 7 to change the place for capture targeted for approval and to take other necessary measures in the following cases:
- (i) When it is deemed necessary for the prevention of dangers accompanying capture targeted for approval.
 - (ii) When it is deemed necessary for maintaining the quietness of the designated area.
- (12) The provisions of Article 24, paragraph 3 and paragraph 5 apply mutatis mutandis to the approval, the provision of paragraph 10 of the same Article applies mutatis mutandis to a person who got approval, the provisions of paragraphs 3 to 7 of the preceding Article apply mutatis mutandis to designation under paragraph 1. In this case, "sales permit certificate" in Article 24, paragraph 5 shall be read over by "approval certificate.", "Prescribed in the preceding paragraph" in paragraph 10 of the same Article shall be read over by "Listed in each item of Article 35, paragraph 11.", "To that effect and its name, area and duration" in paragraph 3 of the preceding Article shall be read over by "to that effect and its name, area, duration, and type of specific hunting equipment pertaining to prohibition or restriction.", in the paragraph 4 of the same Article "public notice under the provisions of the preceding paragraph" shall be read over by "an public notice under the provisions of the preceding paragraph applied mutatis mutandis pursuant to paragraph 12 of the next Article."

(Prohibition of Hazard Hunting Act)

Article 36 The capture of wildlife by using explosives, powerful drugs, poisons, or other hunting methods specified by Ordinance of the Ministry of the Environment (hereinafter referred to as "Danger Hunting Method") is prohibited. However, this shall not apply in the case of capture of wildlife pursuant to the provisions of Article 13, paragraph 1, or in case of obtaining the permission under paragraph 1 of the next Article to capture wildlife pertaining to the permission.

(Permission of Hazard Hunting Act)

Article 37 (1) A person who intends to capture wildlife by danger hunting

method for the purpose prescribed in Article 9, paragraph 1 shall obtain permission from the Minister of the Environment.

- (2) A person who intends to obtain permission under the preceding paragraph must apply to the Minister of the Environment for permission pursuant to the provision of Ordinance of the Ministry of the Environment.
- (3) When the application under the preceding paragraph is applied, the Minister of the Environment must permit under paragraph 1, except in cases that the capture of wildlife pertaining to said application falls under any of the following items:
 - (i) When the purpose of capture of wildlife does not conform to the one prescribed in paragraph 1.
 - (ii) When there is a risk which is danger of harm to human life or body.
- (4) The Minister of the Environment shall prescribe the expiration date in the permission of paragraph 1.
- (5) In the case of granting permission under paragraph 1, the Minister of the Environment may give a condition to the permission when the Minister of the Environment finds it necessary for the prevention of danger.
- (6) The Minister of the Environment must issue permit certificate of danger hunting method pursuant to the provision of Ordinance of the Ministry of the Environment when the Minister of the Environment permit under paragraph 1.
- (7) A person who received the permission under paragraph 1 may receive reissued the permit certificate of danger hunting method after the application to the Minister of the Environment according to Ordinance of the Ministry of the Environment when the person loses the permit certificate of danger hunting method according to the preceding paragraph (hereinafter simply referred to as "permit certificate of danger hunting method"), or when the permit certificate of danger hunting method is lost.
- (8) A person who received permission under paragraph 1 must carry the permit certificate of danger hunting method with the person when the person captures wildlife by danger hunting method and must present it when it is requested by the staffs of the State or local public entity, police officers or other related persons.
- (9) A person who received the permission under paragraph 1 must return the permit certificate of danger hunting method (in the case of item 3, the permit certificate of danger hunting method to discover or recover) to the Minister of the Environment according to Ordinance of the Ministry in case as below:
 - (i) When the permission has been canceled pursuant to the provisions of paragraph 11.
 - (ii) When the term of validity established pursuant to the provision of paragraph 4 has expired.
 - (iii) When the permit certificate of danger hunting method has been discovered

or recovered after re-issued the permit certificate of danger hunting method pursuant to the provision of paragraph 7.

- (10) The Minister of the Environment may order a person who has capture wildlife without obtaining permission in violation of the provision of paragraph 1 or who has violated the conditions attached pursuant to the provisions of paragraph 5 to change the places to capture wildlife and take other necessary measures when it is deemed necessary for the prevention of danger.
- (11) The Minister of the Environment may cancel the permission when it is deemed necessary for prevention of danger in the case where a person who received permission under paragraph 1 violates this Act or the provision of an order based on this Act or the disposition under this Act.

(Restrictions on Gunning)

Article 38 (1) The capture of wildlife by using firearms (hereinafter referred to as "gun hunting") before sunrise and after sunset.

- (2) In the area where housing gathers, or the place where plazas, stations and many others gather (hereinafter referred to as "residential gathering areas"), gun hunting is not permitted. However, this shall not apply in the case of the capture of wildlife using an anesthesia gun (hereinafter referred to as "anesthesia gun hunting") with the permission under paragraph 1 of the next Article.
- (3) Gun hunting towards people who bullets are likely to reach, feeding or kept animals, buildings or trains, cars, ships, and other vehicles are not permitted.

(Permission of anesthesia gunning in residential gathering areas)

Article 38-2 (1) A person who intends to conduct anesthesia gun hunting for the purpose of preventing damages related to the living environment by wildlife in the residential gathering area shall obtain permission of prefectural governor in addition to those prescribed in Article 9, paragraph 1.

- (2) A person who intends to obtain permission under the preceding paragraph must apply to prefectural governor for the permission pursuant to the provision of Ordinance of the Ministry of the Environment.
- (3) Prefectural governor must permit set forth in paragraph 1 when there is an application under the preceding paragraph unless an anesthesia gun hunting pertaining to said application falls under any of the following items:
 - (i) When the purpose of anesthetic gun hunting does not conform to the purpose prescribed in paragraph 1.
 - (ii) When there is a danger of harm to human life or body.
- (4) Prefectural governor shall prescribe the valid period of the permission for the permission under paragraph 1.
- (5) Prefectural governor may attach conditions to the permission in case of the

- permission under paragraph 1 when it is necessary for prevention of danger.
- (6) Prefectural governor must issue a permit certificate of anesthesia gun hunting pursuant to the provision of Ordinance of the Ministry of the Environment when prefectural governor permit set forth in paragraph 1.
- (7) A person who received permission under paragraph 1 may be reissued a permit certificate of anesthesia gun hunting prescribe under the preceding paragraph (hereinafter simply referred to as "permit certificate of anesthesia gun hunting") after applying to prefectural governor according to Ordinance of the Ministry of the Environment when the person loses or has lost the permit certificate of anesthesia gun hunting
- (8) A person who received permission under paragraph 1 must carry a permit certificate of anesthesia gun hunting and must present it when it is requested by the staffs of the State or local public entity, police officers or other related persons.
- (9) A person who received the permission under paragraph 1 must return the permit certificate of anesthesia gun hunting (in the case of item 3, the permit certificate of anesthesia gun hunting to discover or recover) to prefectural governor according to Ordinance of the Ministry in case as below:
- (i) When the permission has been canceled pursuant to the provision of paragraph 11.
 - (ii) When the term of validity established pursuant to the provision of paragraph 4 has expired.
 - (iii) When discovering or recovering the lost permit certificate of anesthesia gun hunting after receiving reissued permit certificate of anesthesia gun hunting pursuant to paragraph 7.
- (10) Prefectural governor may order a person who has conducted anesthesia gun hunting without obtaining permission in violation of the provision of paragraph 1 or who has violated the conditions attached pursuant to the provisions of paragraph 5 to change the places to conduct anesthesia gun hunting and take other necessary measures when it is deemed necessary for the prevention of danger.
- (11) Prefectural governor may cancel the permission when it is deemed necessary for prevention of danger in the case that a person who received permission under paragraph 1 violates this Act or the provision of an order based on this Act or the disposition under this Act.

Section 2 Hunting License

(hunting license)

Article 39 (1) Those who intend to hunt must receive a license from prefectural governor (hereinafter referred to as "hunting license").

- (2) Hunting licenses are classified as net hunting license, trap hunting license, the first type of gun hunting license, and the second type of gun hunting license.
- (3) Those who intend to capture game species by the hunting method listed in the top column of the following table must receive the hunting license listed in the lower column of the same table according to the type of hunting method respectively. However, this shall not apply in the case of obtaining under the permission set forth in Article 9 paragraph 1 and in the case listed in Article 11 paragraph 1 item 2 (excluding the portion pertaining to item a).

Types of hunting method	Types of hunting licenses
The hunting method using the net or the hunting method specified by Ordinance of the Ministry of the Environment in paragraph 6 of Article 2	Net hunting license
Hunting method using trap	Trap hunting license
Hunting method using charging gun	The first type of gun hunting license
Hunting method using air gun	The second type of gun hunting license

- (4) Those who received the first type of gun hunting license may capture game species by the hunting method using a charging gun and capture game species by the hunting method using the air gun.

(Grounds for disqualification of hunting license)

Article 40 For a person who falls under any of the following items, a hunting license (in the case of item 6, limited to those of the kind pertaining to revocation) shall not be given.

- (i) Those who do not meet the age of 18 for net hunting license and trap hunting license, those who do not meet the age of 20 for the first type of gun hunting license and the second type of gun hunting license.
- (ii) Those who are suffering from those specified by Ordinance of the Ministry of the Environment as diseases that cause mental disorders or disturbances of consciousness due to seizures and that may interfere with properly performing other hunting.
- (iii) Narcotics, hemp, opium or stimulant addicts.
- (iv) Those who are without or significantly low for ability to judge the right of self-action or to act according to the judgement (excluding those who fall under the preceding three items).
- (v) Those who have violated this Act or provision of order under this Act, been sentenced to a fine or more than a fine and ended the execution or got no longer to be enforced , and have not passed three years from the date of

rescission.

- (vi) Those who have been canceled the hunting license pursuant to the provisions of Article 52, paragraph 2 item 1, and have not passed three years from the date of cancelation.

(Application for Hunting License)

Article 41 A person who intends to receive a hunting license must submit an application form to prefectural governor who has jurisdiction over the address location of the person (hereinafter referred to as "jurisdiction prefectural governor") as prescribed by Ordinance of the Ministry of the Environment and take the hunting license test conducted by the jurisdiction prefectural governor.

(Condition for Hunting License)

Article 42 When the jurisdiction prefectural governor finds it necessary for hunting management, the jurisdiction prefectural governor may limit the kind of hunting method that one can do, attach the other necessary conditions for hunting and change these condition as to the hunting license according to the physical condition of the person concerned with the hunting license.

(Delivery of Hunting License)

Article 43 A hunting license shall be issued to a person who passed the hunting license test by giving a hunting diploma according to Ordinance of the Ministry of the Environment.

(Valid Period of Hunting License)

Article 44 (1) The valid period of hunting license shall be the period until September 14 whose year belongs to the day on which three years have elapsed from the day of take the hunting license test concerning to the hunting license.
(2) The valid period of the hunting license renewed pursuant to the provision of Article 51, paragraph 3 shall be three years.

(Descriptions of Hunting Certificate)

Article 45 (1) The hunting diploma shall state the following matters:

- (i) The number of hunting diploma.
 - (ii) The date of issue of the hunting diploma and the last day of the valid period of the hunting license.
 - (iii) Types of hunting license.
 - (iv) Address, name and date of birth of the person's receiving hunting license.
- (2) The jurisdiction prefectural governor must write conditions in addition to what is prescribed in the preceding paragraph on hunting diploma for persons who received a hunting license under the provisions of Article 42 when the

jurisdiction prefectural governor gives or changes the conditions as to the hunting license

(Notification of Alteration of Written Matter of Hunting Diploma)

Article 46 (1) Those who received a hunting license must notify the jurisdiction prefectural governor (when changing the address with different prefectural areas, the jurisdiction prefectural governor after the change) and receive a statement of matters pertaining to the change in the hunting diploma when the matters listed in item 4 of paragraph 1 of the preceding Article has changed, pursuant to the provision of Ordinance of the Ministry of the Environment.

(2) Those who received a hunting license may receive a re-issued hunting diploma by applying to the jurisdiction prefectural governor when the hunting diploma is lost, destroyed, soiled, or damaged according to Ordinance of the Ministry of the Environment.

(Examination Qualification)

Article 47 A person who falls under any of the items of Article 40 may not take a hunting license test.

(Hunting License Examination Method)

Article 48 The hunting license test shall be conducted for each of the following matters for each type of hunting license, pursuant to Ordinance of the Ministry of the Environment.

- (i) Aptitude necessary for hunting.
- (ii) Skills necessary for hunting.
- (iii) Required knowledge about hunting.

(Exemption from Hunting License Examination)

Article 49 For persons who fall under any of the following items, part of the hunting license test may be exempted pursuant to Ordinance of the Ministry of the Environment:

- (i) Those who have already received a hunting license and intend to take a hunting license test other than the said hunting license within the term of validity of the relevant hunting license.
- (ii) Those who have not been renewed the valid period of the hunting license under paragraph 3 of Article 51 because of disaster or other unavoidable reason specified by Ordinance of the Ministry of the Environment.

(Suspending Hunting License Test etc.)

Article 50 (1) A jurisdiction prefectural governor may suspend its hunting license test or cancel the decision of pass for those who have tried or taken a

hunting license test by improper means.

- (2) The jurisdiction prefectural governor must notify the fact to the person immediately to that when the jurisdiction prefectural governor cancel the decision of pass pursuant to the provision of the preceding paragraph. In this case, the hunting license pertaining to the relevant hunting license test shall be invalid on the day the notice is received.
- (3) The jurisdiction prefectural governor may let the person who has received the disposition pursuant to the provisions of paragraph 1 unable to receive a hunting license test, establishing the period of three years or less.

(Hunting License Renewal)

- Article 51 (1) A person who intends to renew the valid period of the hunting license must submit application to the jurisdiction prefectural governor pursuant to the provision of Ordinance of the Ministry of the Environment.
- (2) The jurisdiction prefectural governor must conduct a test (hereinafter referred to as "aptitude test") pertaining to the matters listed in Article 48, item 1 for the person pursuant to Ordinance of the Ministry of the Environment when the application form has been submitted under the provision of the preceding paragraph. However, this shall not apply to persons engaged in certified wildlife capture program and who have been confirmed to have the necessary aptitude for hunting in accordance with the method specified by Ordinance of the Ministry of the Environment.
 - (3) The jurisdiction prefectural governor must renew the relevant hunting license pursuant to the provisions of Ordinance of the Ministry of the Environment when there is no hindrance for those who intend to receive renewal of the hunting license to hunt judged from the result of the aptitude test or the result of confirmation under the proviso of the provision of the preceding paragraph.
 - (4) A person who intends to renew of a hunting license shall endeavor to receive a course conducted by the jurisdiction prefectural governor pursuant to Ordinance of the Ministry of the Environment.

(Cancellation of Hunting License etc.)

- Article 52 (1) When it is found that a person receiving a hunting license falls under any of items 2 to 4 of Article 40, the jurisdiction prefectural governor must cancel the hunting license of the person.
- (2) In the case where a person receiving a hunting license falls under any of the following items, the jurisdiction prefectural governor may cancel all or part of the hunting license of the person, or may suspend the validity of all or part of the hunting license with a fixed period within not exceeding one year.
 - (i) In violation of this Act or provision of orders based on this Act or disposition under this Act.

(ii) When it turns out that the aptitude necessary for hunting has been lost.

(Revocation of Hunting License)

Article 53 A hunting license will lose its efficacy if a person who received the hunting license does not receive renewal of the hunting license.

(Return of Hunting Diploma)

Article 54 A person who has received a hunting license must return a hunting diploma (in the case of item 3, a discovered or recovered hunting diploma) to the jurisdiction prefectural governor when it falls under any of the following items pursuant to the provision of Ordinance of the Ministry of the Environment.

(i) When the hunting license is canceled.

(ii) When the hunting license expires.

(iii) When finding or recovering a lost hunting diploma after reissued the hunting diploma pursuant to the provision of paragraph 2 of Article 46.

Section 3 Registration of Hunter

(Registration of Hunter)

Article 55 (1) A person who intends to hunt must obtain a registration of a prefectural governor who has jurisdiction over the area where the person intends to hunt (hereinafter referred to as "registered prefectural governor" in this section). However, that this shall not apply in the case of obtaining permission under Article 9, paragraph 1 or in the case listed in item (2) of Article 11 paragraph 1 (excluding the part of pertaining item a of same paragraph).

(2) The valid term of the registration under the preceding paragraph (hereinafter referred to as "hunter registration") shall be from October 15th of the year when the hunter registration was received (when the date of receiving hunter registration is after the 16th of the same month, the date on which the hunter registration was received) to April 15th of the next year that the date belongs. However, in Hokkaido, the valid term of the hunter registration shall be from September 15th of the year when the hunter registration was received (when the date of receiving hunter registration is after the 16th of the same month, the date on which the hunter registration was received) to April 15th of the next year that the date belongs.

(Application for Hunter Registration)

Article 56 A person who intends to obtain a hunter registration must submit an application stating the following matters to the registered prefectural governor

pursuant to the provision of Ordinance of the Ministry of the Environment:

- (i) Types of hunters licenses.
- (ii) Places to hunt.
- (iii) Address, name, and the date of birth.
- (iv) Other items specified by Ordinance of the Ministry of the Environment.

(Implementation of Hunter Registration)

Article 57 (1) Registered prefectural governor must register the following items in the hunter registration book when the application form has been submitted pursuant to the provisions of the preceding Article except for the case of refusing registration pursuant to the provisions of the following Article.

- (i) Items listed in each item of the preceding Article.
 - (ii) Date and year of registration and registration number.
- (2) The hunter registration has its efficacy only in the type of hunting license that got the hunter's registration and hunting place.
- (3) Registered prefectural governor must notify the applicant of the registration without delay when the registration pursuant to the provision of paragraph 1 has been done.

(Rejection of Hunter Registration)

Article 58 Registered prefectural governor must reject the registration, when a person who intends to obtain a hunter registration falls under any of the following items, or when there is a false statement on important matters in the application form, or if the description of the important facts is missing.

- (i) Those who do not have a hunting license.
- (ii) Those who have been suspended from the efficacy of the hunting license and whose period has not elapsed pursuant to the provision of Article 52, paragraph 2.
- (iii) Those who do not have the requirements specified by Ordinance of the Ministry of the Environment for prevention of harm caused by hunting or compensation for damages.

(Restriction on Hunter Registration)

Article 59 Registered prefectural governor may restrict the number of persons who can hunt and conduct the hunter registration within that range when the registered prefectural governor finds it necessary in consideration of the habitat of wildlife in the area of said prefecture and other circumstances.

(Hunter Registration Certificate etc.)

Article 60 Registered prefectural governor shall issue an insignia showing that an applicant have received hunter registration certificate and hunter

registration (hereinafter referred to as "hunter's insignia") pursuant to Ordinance of the Ministry of the Environment.

(Registration of Change of Hunter Registration)

- Article 61 (1) A person who has received a hunter registration must obtain change registration by the registered prefectural governor when the person intends to change the matters listed in item 1 and item 2 of Article 56.
- (2) A person who intends to obtain change registration under the preceding paragraph (hereinafter simply referred to as "change registration") must submit the application form describing matters pertaining to change to the registered prefectural governor pursuant to Ordinance of the Ministry of the Environment.
- (3) Article 55, paragraph 2 and the provisions of Articles 56 to 58 apply mutatis mutandis to change registration. In this case, "the matters listed in the following items" in Article 56 shall be read over by "matters pertaining to change." In Article 58, paragraph 1, "a person who intends to obtain hunter registration shall be the following each item" shall be read over by "persons who intend to obtain hunter registration concerning change registration are the following items."
- (4) Those who obtained a hunter registration must notify the registered prefectural governor without delay pursuant to Ordinance of the Ministry of the Environment when the matters listed in item 3 and item 4 of Article 56 change has been changed. Registered prefectural governor shall change the registration without delay when there is such notification.
- (5) Those who obtained a hunter registration may apply to the registered prefectural governor to re-issue the hunter registration certificate under the preceding Article (hereinafter simply referred to as "hunter registration certificate") or hunter's insignia pursuant to Ordinance of the Ministry of the Environment when the hunter registration certificate or hunter insignia is lost, destroyed, soiled, or damaged.

(Mobile and Presenting Obligation of Hunter's Certificate of Registration)

- Article 62 (1) Those who received a hunter registration must carry a hunter registration certificate in hunting and present it when it is requested by the staffs of the State or local public entity, police officers or other related persons.
- (2) Those who have received hunter registration must wear a hunter's insignia in a place where clothes or hats are easy to see when hunting.
- (3) A person who has received a hunter registration pertaining to a net hunting license or a trap hunting license must display the address, name and other matters specified by Ordinance of the Ministry of the Environment in places where it is easy to see for each hunting equipment used when hunting.

(Erasure of Hunter Registration)

Article 63 Registered prefectural governor must cancel the relevant hunter registration when a person who has received a hunter registration comes to fall under any of the following items:

- (i) When the hunting license is canceled.
- (ii) When the efficacy of the hunting license is suspended.
- (iii) When the hunting license expires.
- (iv) When registration is canceled pursuant to the provisions of the next Article.

(Cancellation of Hunter Registration etc.)

Article 64 Registered prefectural governor may cancel or suspend the validity of all or part of the hunter registration within six months when the person receiving a hunter registration falls under any of the following items:

- (i) When a person obtain hunter registration or change registration by injustice means.
- (ii) When it falls under any of the items of Article 58.
- (iii) When not making a notification under the provisions of Article 61, paragraph 4, or making a false notification.

(Returning Hunter Registration Certificate)

Article 65 Those who received a hunter registration must return a hunter registration certificate or a hunter's insignia (in the case of item 3, the hunter registration certificate or hunter's insignia discovered or recovered) to the registered prefectural governor pursuant to Ordinance of the Ministry of the Environment when it falls under any of the following items:

- (i) When hunter registration is canceled.
- (ii) When the valid period of hunter registration expires.
- (iii) When a parson find or recover the lost hunter registration certificate or lost hunter's insignia after the person is reissued of the hunter registration certificate or hunter's insignia pursuant to the provision of Article 61, paragraph 5.

(Obligation of Reporting)

Article 66 Those who obtained a hunter registration must report the results of hunting related to the hunter registration to the registered prefectural governor when the valid period of that hunter registration expires from the day until the day that thirty days have elapsed pursuant to Ordinance of the Ministry of the Environment

(Notice of Hunter Registration)

- Article 67 (1) Registered prefectural governor shall notify the fact to jurisdiction prefectural governor concerned to the person who has obtained the hunter registration when the person submit the hunter registration.
- (2) Jurisdiction prefectural governor shall notify the fact to the registered prefectural governor concerned with the person who has obtained hunter registration when the jurisdiction prefectural governor cancel a hunting license of the person pertaining to the notice under the preceding paragraph or suspend the efficacy of the hunting license or when the hunting license expires.

Section 4 Game Hunting Area

(Approval of Game Hunting Area)

- Article 68 (1) Those who intend to limit the number of released wildlife and hunters may obtain approval on the control of hunting in the area (hereinafter referred to as "game hunting area") from prefectural governor by establishing rules pursuant to Ordinance of the Ministry of the Environment for the purpose of ensuring the number of game species and promoting safe hunting in certain areas.
- (2) A person who intends to obtain the approval set forth in the preceding paragraph must state the following matters in the regulations of the same paragraph (hereinafter referred to as "management regulations of game hunting area"):
- (i) Name of hunting area.
 - (ii) Area.
 - (iii) Duration.
 - (iv) The fact of the game hunting area intended to capture exclusively released game species (hereinafter referred to as "game hunting area of released wildlife" in this section) and types of game species.
 - (v) Other matters specified by Cabinet Order.
- (3) The duration of the hunting area may not exceed ten years.
- (4) The prefectural governor must approve by considering securing implementation of safe hunting, whether it is necessary to adjust the capture of game species and the degree of influence on the control of category 2 specified wildlife according to category 2 specified wildlife control plan when authorizing paragraph 1.

(Consent of the Owner of the Land)

- Article 69 A person who intends to apply for approval pursuant to the provision of paragraph 1 of the preceding Article must obtain the consent of a person who has the right to register with respect to the land within the said area concerning the management of hunting in the game hunting area in advance.

(Public Notice of Approval)

Article 70 (1) Prefectural governor must announce publicly matters listed in item 1 to item 3 of paragraph 2 of the same Article and matters specified by Ordinance of the Ministry of the Environment when prefectural governor approve pursuant to the provision of Article 68, paragraph 1.

(2) A person who has established a game hunting area with the approval under the provision of Article 68, paragraph 1 (hereinafter referred to as "game hunting area setter") must establish a sign indicating this within the area of game hunting area when receiving the approval of the game hunting area pursuant to Ordinance of the Ministry of the Environment.

(Changes in Control Regulations of Game Hunting Area)

Article 71 (1) Game hunting area setter must receive the approval of prefectural governor pursuant to Cabinet Order when the game hunting area setter is attempting to change the management regulations of game hunting area (excluding cases concerning minor matters prescribed in the next paragraph) or abolishing the game hunting area.

(2) Game hunting area setter shall notify prefectural governor when changing minor matters stipulated by Cabinet Order of management regulations of game hunting area without delay.

(3) The provision of paragraph 1 of the preceding Article applies mutatis mutandis to change and abolition pursuant to the provision of paragraph 1. In this case, as for abolition pursuant to the same paragraph, "the matters listed in item 1 to item 3 of paragraph 2 of the same Article and other matters specified by Ordinance of the Ministry of the Environment" in paragraph 1 of the same Article" shall be read over by "to that fact and the area concerning abolition."

(Cancellation of Accreditation)

Article 72 (1) The prefectural governor may cancel the approval of the game hunting area when the prefectural governor judge that it is necessary for securing implementation of safe hunting, protecting or controlling wildlife, or and other necessities for public.

(2) The provision of paragraph 1 of Article 70 applies mutatis mutandis to cancellation of approval under the provision of the preceding paragraph. In this case, "the matters listed in item 1 to item 3 of paragraph 2 of the same Article and other matters specified by Ordinance of the Ministry of the Environment" in paragraph 1 of the same Article shall be read over by "to that fact and the area concerning cancellation."

(Control of Game Hunting Area)

- Article 73 (1) The State may entrust establishment of facilities necessary for habitat and breeding of game species and clerical work concerning the artificial growth and other maintenance and management of the said game hunting area to a designated person by that the Minister of the Environment is hearing the opinion of Central Environment Council when it is deemed necessary to ensure the number of game species and safe hunting in the set game hunting area.
- (2) The provision of the preceding paragraph applies mutatis mutandis to a game hunting area set by local public entity. In this case, "The Minister of the Environment ... the Central Environmental Council" in the same paragraph shall be read over by "prefectural governor ... the council organization."
- (3) A person (hereinafter referred to as "trustee") who has been entrusted pursuant to the provision of paragraph 1 (including the case where it is applied mutatis mutandis under the preceding paragraph) must bear the cost required for said affairs.
- (4) The trustee may charge the amount to be spent for the cost from the person who intends to hunt in the game hunting area and make it the income.

(Special Case on Game Hunting Area)

- Article 74 (1) Capture of wildlife according to the provision of Article 9 paragraph 1 must not be done in game hunting area without the approval of the game hunting area setter.
- (2) Hunting other game species released in game hunting area of released wildlife must not be done in game hunting area of released wildlife.

Chapter V Miscellaneous Provisions

(Report Collection and On-site Inspection)

- Article 75 (1) The Minister of the Environment or prefectural governor may request reports on the implementation status and other necessary matters of the action from those who obtained permission under Article 9 paragraph 1, certified wildlife capture program implementers, those who intend to sell, export, import, or process wildlife (including processed products thereof) or eggs of the class of birds, those who conducted the action listed in each item of paragraph 7 of Article 29 within the area of special protection zone and those who obtain a hunting license or those who obtain a hunter registration or game hunting area setters to the extent necessary for the enforcement of this Act.
- (2) The Minister of the Environment or prefectural governor may have the staff enter the land owned or possessed by the person who conducted the action listed in each item of paragraph 7 of Article 29 within the area of special protection zone, inspect the State of implementation of the action done by that

person or ask participants and conduct a survey on the effect of that action on protection of wildlife or protection of habitats of wildlife to the extent necessary for the enforcement of this Act.

- (3) The Minister of the Environment or prefectural governor may have the staff enter wildlife protection area, temporary closed hunting area, game hunting area, shops and other necessary places and inspect wildlife (including processed goods thereof) or the eggs of class of birds possessed by hunters and others to the extent necessary for the enforcement of this Act.
- (4) Prefectural governor may have the staff enter offices of certified wildlife capture program implementers and other necessary places and inspect implementation status of certified wildlife capture program or books, documents, and other properties or ask participants.
- (5) An official who conducts on-site inspection or entry inspection according to the provisions of paragraph 2 or on-site inspection pursuant to the provisions of the preceding two paragraphs must carry a certificate indicating the status and present it to the relevant persons.
- (6) The authority under the provisions of paragraphs 1 to 4 must not be construed as accredited for criminal investigation.

(Inquiry to Public Office)

Article 75-2 The Minister of the Environment and prefectural governor may ask for reports on necessary matters by referring to public offices or public or private organizations when it is deemed necessary for the enforcement of this Act.

(Staff Engaged in Enforcement)

Article 76 Officials of prefecture in charge of administrative tasks for the protection or control of wildlife or the management of hunting and those who nominated by consultation with the prosecutor of the public prosecutor's office corresponding to the district court in which prefectural governor has jurisdiction over the principal place of employment of the persons shall do the duties as a judicial police officer under the provisions of the Code of Criminal Procedure (Act No. 131 of 1948) about crimes violating the provisions of this Act or orders under this Act.

Article 77 (1) The Minister of the Environment may let the persons who have the requirements specified by Cabinet Order among its officials act the part of authority in accordance with Article 10, paragraph 1, Article 15, paragraph 10, Article 25, paragraph 6, Article 30, paragraph 1 or 2, Article 37 paragraph 10 or Article 75, paragraph 1.

(2) Officials who act a part of the authority of the Minister of the Environment

pursuant to the provisions of the preceding paragraph must carry a certificate showing their identity and present it to concerned parties when the officials do the authority.

- (3) In addition to what is provided for in the preceding two paragraphs, necessary matters concerning the officials in the preceding paragraph shall be specified by Cabinet Order.

(Wildlife Protection and Control Leader)

Article 78 (1) In order to assist the implementation of wildlife protection and control program, it is possible to put a wildlife protection and control leader in prefecture.

- (2) The wildlife protection and control leader shall be part-time.

(Survey)

Article 78-2 The Minister of the Environment and prefectural governor shall periodically investigate the status of habitats of wildlife, the situation of habitats of the wildlife, the living environment, the situation of damage on agriculture, forestry and fisheries or ecosystems and other necessary matters by wildlife, and utilize the results for the formulation or change of basic guidelines, the creation or change of wildlife protection and control program plan, the revision or abolition of orders based on this Act and other appropriate operations of this Act.

(Instruction from the Minister of the Environment)

Article 79 (1) When the number of wildlife is decreasing remarkably, or when it is found that there is an urgent need to protect other wildlife, the Minister of the Environment may give necessary instructions to prefectural governor concerning the following affairs:

- (i) Clerical affairs concerning permission pursuant to the provisions of Article 9 paragraph 1 or Article 24 paragraph 1.
 - (ii) Clerical affairs concerning extension pursuant to the provisions of Article 14, paragraph 2.
 - (iii) Clerical affairs concerning prohibition or withdrawal of restriction pursuant to the provisions of Article 14, paragraph 3.
 - (iv) Clerical affairs concerning registration pursuant to the provisions of Article 19 paragraph 1.
- (2) Prefectural governor may give instructions to the relevant municipalities for such affairs in cases where it is necessary to protect wildlife pursuant to the provisions of the ordinance set forth in Article 252-17-2, paragraph 1 of the Local Autonomy Act (Act No. 67 of 1947), Article 9, paragraph 1, Article 19, paragraph 1, or when the municipality handles the affairs belonging to the

authority of prefectural governor prescribed in Article 24, paragraph 1.

(Exemptions)

Article 80 (1) The provisions of this Act shall apply to wildlife that may have serious obstacles to maintenance of environmental hygiene or wildlife that are appropriately protected or controlled for capture by other Acts and regulations and shall not apply to those specified by Ordinance of the Ministry of the Environment.

(2) The provision of paragraph 3 of Article 3 shall apply mutatis mutandis to Ordinance of the Ministry of the Environment in the preceding paragraph.

(Delegation of Authority)

Article 80-2 The authority of The Minister of the Environment prescribed in this Act may be delegated to the Director of the Regional Environmental Office pursuant to the provision of Ordinance of the Ministry of the Environment.

(Transitional Measures)

Article 81 In the case of establishing, revising or abating an order based on the provisions of this Act, the necessary transitional measures (transitional measures concerning penal provisions) may be determined within the range determined to be reasonably necessary in accordance with establishing, revising or abating thereof.

(Delegation to Ordinance of the Environment)

Article 82 In addition to what is prescribed in this Act, procedures for the implementation of this Act and other matters necessary for the enforcement of this Act shall be specified by Ordinance of the Ministry of the Environment.

Chapter VI Penal Provision

Article 83 (1) Those who fall under any of the following items shall be punished by imprisonment with work for not more than one year or a fine of not more than one million yen:

(i) Persons who captured wildlife other than game species or collected eggs of the class of birds in violation of the provisions of Article 8 (excluding the person without permission).

(ii) Persons who captured the game species (excluding person who received permission under Article 9, paragraph 1 and those who captured pursuant to the provision of paragraph 1 of Article 13 shall be excluded) in the area other than hunting open area or during the period outside of the hunting period (if it is limited pursuant to the provisions of Article 11, paragraph 2,

the period shall be the relevant period and, if it is extended pursuant to the provisions of Article 14, paragraph 2, the period shall be that relevant period.).

- (ii)-2 Those who capture game species other than category 2 specified wildlife in the area designated pursuant to the provision of Article 14 paragraph 1 or in the period extended pursuant to the provision of paragraph 2 of the same Article (person who obtained permission under Article 9 paragraph 1 and those who captured pursuant to the provision of paragraph 1 of Article 13 shall be excluded.).
 - (iii) Those who have violated an order under the provisions of Article 10, paragraph 1, Article 25, paragraph 6, Article 37, paragraph 10 or Article 38-2, paragraph 10.
 - (iv) Those who have violated the provisions of Article 25, paragraph 1, Article 26, paragraph 1, Article 35, paragraph 2, Article 36 or Article 38.
 - (v) Those who hunted without registering in violation of the provisions of Article 55, paragraph 1.
 - (vi) By false other improper means, those who obtained permission under Article 9 paragraph 1, approval under Article 18-2, the approval of change under Article 18-7 (1) or renewal of the term of validity set forth in Article 18-8 (2), hunting license or renewal thereof or hunting registration or change registration.
- (2) Attempted crimes from item 1 to item 2 of the preceding paragraph and attempted crimes of items 4 and 5 shall be punished.
- (3) Items provided for use in criminal acts under paragraph 1 item 1 to item 2 to 2, item 4 and item 5 and wildlife captured by the criminal act or collected eggs of the class of birds and items related to ownership of the criminal shall be seized.

Article 84 (1) A person who falls under any of the following items shall be punished by imprisonment with work for not more than six months or a fine of not more than 500,000 yen:

- (i) A person who has violated the conditions attached pursuant to the provision of Article 9 paragraph 5, Article 37 paragraph 5 or Article 38-2, paragraph 5.
- (ii) A person who caused others to use employee certificate, permission of Danger Hunting Act, anesthesia gun license or hunter's registration card.
- (iii) A person who used permission of other person or employee certificate, permission of Danger Hunting Act, anesthesia gun license or hunter's registration card.
- (iv) Those who violated prohibition or restriction pursuant to the provision of paragraph 1 or 2 of Article 12 (Including those whose part has been withdrew pursuant to the provision of Article 14, paragraph 3) or restriction pursuant

- to the provision of Article 12, paragraph 3.
- (v) Those who violate provisions of Article 15 paragraph 4, Article 16 paragraph 1 or 2, Article 20 paragraph 1 or 2, Article 23, Article 26 paragraph 2, 5 or 6, Article 27, Article 29 paragraph 7, or Article 35 paragraph 3.
 - (vi) Those who violated instructions by regulations of Article 15 paragraph 10, Article 18-6 paragraph 2, Article 22 paragraph 1, Article 24 paragraph 9, Article 30 paragraph 2, or Article 35 paragraph 1.
 - (vii) Those who fed Wildlife other than Game Species including chicks without registration in violation of the provision of paragraph 1 of Article 19.
- (2) Attempted crimes of items 4 and 5 of the preceding paragraph (paragraph 4 of Article 15 or paragraph 3 of Article 35) shall be punished.

Article 85 (1) Those who fall under any of the following items shall be punished by a fine of not more than 500,000 yen.

- (i) Those who violated conditions attached by provisions of Article 15 paragraph 6, Article 24 paragraph 4, Article 29 paragraph 10 or Article 35 paragraph 7.
 - (ii) Those who captured Wildlife or collected eggs of birds without acceptance of possessor in violation of Article 17.
 - (iii) Those who do not submit a notification under the provision of Article 20, paragraph 3 or made a false notification.
 - (iv) Those who have violated the provisions of Article 28, paragraph 1 or Article 74, paragraph 1.
 - (v) Those who hunted in violation of the conditions attached by the jurisdiction prefectural governor under the provisions of Article 42 or the changed conditions.
 - (vi) Those who caused others to use Designated Hunting Methods Insurance, sales permit certificate or approval certificate.
 - (vii) Those who used Designated Hunting Methods Insurance, sales permit certificate or approval certificate of others.
- (2) The crime under item 2 of the preceding paragraph shall not be prosecuted without the complaint of the occupier of Article 17.

Article 86 Any person who falls under any of the following items shall be punished by a fine of not more than 300,000 yen.

- (i) Those who violated the provisions of Article 9 paragraph 10 or 11, Article 15 paragraph 8 or 9, Article 18, Article 18-9, Article 21 paragraph 1, Article 24 paragraph 7 or 8, Article 25 paragraph 5, Article 35 paragraph 1 or 10 Article 37 paragraph 8 or 9 Article 38-2 paragraph 2 or paragraph 9 Article 54 Article 62 paragraph 1 or Article 65.

- (i)-2 Those who used a hunting tool to capture Wildlife without displaying in violation of the provision of Article 9 paragraph 12.
- (ii) Those who did not report by provisions of Article 9 paragraph 3, Article 66, or Article 75 paragraph 1 or those who made a false report.
- (iii) Those who transferred, stained, destroyed, or removed the signs set forth in Article 15 paragraph 3 (paragraph 9 of Article 28 and paragraph 4 of Article 29), Article 34 paragraph 5 (including cases where it is applied mutatis mutandis pursuant to Article 35 paragraph 12) or Article 70 paragraph 2 or the facility of Article 28 paragraph 1.
- (iv) Those who did not notified under the provision of Article 18-7 paragraph 3, Article 46 paragraph 1, or Article 61 paragraph 4 or made a false notification.
- (v) Those who refused or obstructed entry pursuant to the provisions of paragraph 1 of the same Article in violation of the provisions of paragraph 4 of Article 31.
- (vi) Those who hunted without wearing a hunter's insignia in violation of the provisions of Article 62, paragraph 2.
- (vii) Those who hunted by using hunting equipment without displaying in violation of the provisions of Article 62, paragraph 3.
- (viii) Those who have changed the control regulations of the hunting area without obtaining approval from prefectural governor in violation of the provisions of Article 71, paragraph 1, or have abolished the hunting area.
- (ix) Those who refused, obstructed or evaded an on-site inspection or entry inspection pursuant to the provision of Article 75, paragraph 2, or who did not make a statement to a question or made a false statement.
- (x) Those who have refused, hindered or evaded the on-site inspection pursuant to the provision of Article 75, paragraph 3.
- (xi) Those who refuse, obstruct or evade an on-site inspection pursuant to the provisions of Article 75, paragraph 4, do not make a statement to a question, or who make a false statement.

Article 87 If a person who has received permission or hunting license under Article 9, paragraph 1 violates the provisions of this Act and has been sentenced to a penalty equal to or greater than a fine, the permission or hunting license will be invalid.

Article 88 When the representative of corporation or the agent of the corporation or the person or the employees and other workers violate Article 83 to 86 regarding business of the corporation or the person, in addition to punishing the actor, the corporation or the person shall be punished by the fine prescribed in each Article.

Article 89 A person who has failed to make a notification pursuant to the provisions of Article 18-7 paragraph 4 or made a false notification shall be punished by a non-penal fine of not more than 100,000 yen.

Supplementary Provisions [Extract]

(Effective Date)

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

(Preparatory Act)

Article 2 Establishment of Ordinance of the Ministry of the Environment of Article 2 paragraph 3, Article 13 paragraph 1, Article 16 paragraph 1 and Article 80 paragraph 1, formulation of basic guidelines under Article 3 paragraph 1, limitation of term according to the provisions of Article 11 paragraph 2 and prohibition under Article 12 paragraph 1 or limitation and procedures, and other acts necessary for these may be conducted by Article 2, paragraph 6 (including cases where it is applied mutatis mutandis pursuant to Article 12, paragraph 5), Article 3, paragraph 3 (including cases where it is applied mutatis mutandis pursuant to Article 11, paragraph 2, Article 13 paragraph 2 and Article 80 paragraph 2), and the example of the provision of Article 16, paragraph 3 even before the enforcement of this Act.

(Transitional Measures concerning Wildlife Protection Program Plan)

Article 3 Wildlife Protection Program Plan in accordance with the provisions of Article 1, paragraph 1 of the Act on Wildlife Protection and Hunting before the revision (hereinafter referred to as the "Old Act") at the time of enforcement of this Act shall be considered as Wildlife Protection Program Plan prescribed pursuant to the provisions of Article 4, paragraph 1 of the Act on Rehabilitation of Wildlife Protection and Hunting (hereinafter referred to as the "New Act").

(Transitional Measures concerning Specified Wildlife Protection Program Plan)

Article 4 Specified Wildlife Protection Program Plan in accordance with the provisions of Article 1, paragraph 1, paragraph 1 of the Old Act at the time of enforcement of this Act shall be considered as Specified Wildlife Protection Program Plan prescribed pursuant to the provisions of determined pursuant to the provisions of Article 7, paragraph 1 of the New Act.

(Transitional Measures concerning Hunting Licenses)

Article 5 (1) Those who have actually been issued a hunting diploma (hereinafter

referred to as "old diploma") listed in the upper column of the following table pursuant to the provision of Article 4, paragraph 2 of the Old Act at the time of enforcement of this Act shall be deemed that the hunting gift certificate listed in the lower column of the same table (hereinafter referred to as "New Diploma") was issued.

Old Diploma	New Diploma
A Class Hunting Diploma	Hunting Diploma concerning net and trap hunting license
B Class Hunting Diploma	Hunting Diploma concerning concerning the first type firearming license
C Class Hunting Diploma	Hunting Diploma concerning concerning the second type firearming license

- (2) As for the application of the provisions of Article 40, item 5 or 6 of the New Act related to those who violated the provisions of orders based on the old Act or the old Act, were sentenced to a fine not less than a fine and ended that execution or have not passed three years since the day when it ceased to be enforceable, or those whose hunting license was canceled pursuant to the provision of Article 8, paragraph 2 of the Old Act and who have not passed three years since the day of cancellation (limited to those who violated the provisions of orders based on the old Act or the old Act), "This Act" in item 5 of the same Article shall apply to" Act concerning wildlife protection and hunting before the revision (Act No. 32 of 1918. In the next issue "old Act)", and "Article 52, paragraph 2, item 1" in Article 6 of said Article shall apply to "Article 8, paragraph 2 of the Old Act (Limited to those who violated provisions of orders based on old Act or old Act)."
- (3) Those who actually received the hunting license listed in the upper column of the following table (hereinafter referred to as "old license") pursuant to the provision of Article 7, paragraph 4 of the Old Act shall be deemed that the hunting license listed in the lower column of the same table (hereinafter referred to as "new license") is issued under the provisions of paragraph 3 of Article 39 of the New Act respectively. In this case, the validity period of the new license pertaining to a person deemed to have received the new license shall be the same period as the remaining term of the validity period of the old license pertaining to that person on that same day.

Old License	New License
A Class Hunting License	Net and trap hunting license
B Class Hunting License	The first type firearming license
C Class Hunting License	The second type firearming license

- (4) Those who were forbidden to undergo hunting license examination pursuant to the provisions of Article 7, paragraph 2, paragraph 2 of the Old Act shall be deemed that it was not possible to receive the hunting license test under the provisions of Article 50, paragraph 3 of the New Act on the day of enforcement. In this case, period during which no hunting license test may be obtained concerning to those who are deemed to be unable to receive the relevant hunting license exam shall be the same period as the remaining period of the period forbidding the hunting license test pursuant to the provision of Article 7-2, paragraph 2 of the old Act pertaining to that persons on that day.
- (5) Those whose suspension of the hunting license has been suspended pursuant to the provision of Article 8, paragraph 2 of the Old Act shall be deemed that the effect of the hunting license was suspended pursuant to the provisions of Article 52, paragraph 2 of the New Act on the day of enforcement. In this case, period during which the hunting license will be held ineffective concerning to those who are deemed to have suspended the effectiveness of such hunting license shall be the same period as the remaining period of the period for which the validity was suspended pursuant to the provisions of Article 8, paragraph 2 of the Old Act pertaining to that persons on that date.

(Transitional Measures concerning Wildlife Protection Area)

- Article 6 (1) Wildlife Protection Area actually set pursuant to the provisions of Article 8, paragraph 1 of the Old Act at the time of enforcement of this Act shall be considered as Wildlife Protection Area designated pursuant to the provisions of paragraph 1 of Article 28 of the New Act.
- (2) Facilities actually established pursuant to the provisions of Article 8, paragraph 2 of the Old Act at the time of enforcement of this Act shall be considered as facilities established pursuant to the provision of Article 28, paragraph 1 of the New Act.
 - (3) Special Protection Zone that is currently designated pursuant to the provisions of Article 8, paragraph 3 of the Old Act at the time of enforcement of this Act shall be considered as Special Protection Zone designated pursuant to the provision of Article 29, paragraph 1 of the New Act.
 - (4) The conditions actually attached under the provisions of Article 8, paragraph 7 of the Old Act at the time of enforcement of this Act shall be considered as the conditions attached pursuant to the provision of Article 29, paragraph 10 of the New Act.

(Transitional Measures concerning Temporary Closed Hunting Area)

Article 7 Temporary closed hunting area that is currently set pursuant to the provision of Article 9 of the Old Act at the time of enforcement of this Act shall be deemed as temporary closed hunting area designated pursuant to the

provisions of Article 34, paragraph 1 of the New Act.

(Transitional Measures concerning Gunning Prohibited Areas or Gunning Restricted Areas)

Article 8 Gunning prohibited area actually established pursuant to Article 10 of the Old Act or gunning restricted areas at the time of enforcement of this Act shall be considered gunning prohibited areas designated pursuant to the provisions of Article 35, paragraph 1 of the New Act or gunning restricted areas.

(Transitional Measures concerning Permission such as Capture of Wildlife or Collection of Eggs of Birds)

Article 9 (1) Those who actually received permission under the provisions of Article 12, paragraph 1 of the Old Act at the time of enforcement of this Act shall be deemed to have obtained permission pursuant to the provisions of Article 9, paragraph 1 of the New Act on the date of enforcement. In this case, period of validity of permit pertaining to person deemed to have received such permission shall be the same period as the remaining term of the valid period of the license under the provisions of Article 12, paragraph 1 of the Old Act pertaining to that person on that day.

(2) Permit certificate issued under the provisions of Article 12, paragraph 3 of the Old Act or employee certificate at the time of enforcement of this Act shall be permit certificate issued pursuant to the provisions of Article 9, paragraph 7 or paragraph 8 of the New Act or employee certificate.

(Transitional Measures concerning the Permission of Wildlife Feeding)

Article 10 (1) Those who actually received permission under the provisions of Article 13 of the Old Act at the time of enforcement of this Act shall be deemed to have received registration under the provisions of Article 19, paragraph 1 of the New Act on the day of enforcement.

(2) Feed permit certificate actually issued pursuant to the provisions of Article 13 of the Old Act at the time of enforcement of this Act shall be registration card issued pursuant to the provision of Article 19, paragraph 3 of the New Act.

(Transitional Measures concerning Licensing of Wildlife)

Article 11 Those who have actually obtained permission under the provisions of Article 13-2 of the Old Act at the time of enforcement of this Act shall be considered to be those who received permission under Article 24, paragraph 1 of the New Act on the date of enforcement.

(Transitional Measures concerning Game Hunting Area)

- Article 12 (1) Game hunting area that is currently accredited under the provisions of Article 14, paragraph 1 of the Old Act at the time of enforcement of this Act shall be deemed to have received approval under the provisions of Article 68, paragraph 1 of the New Act on the date of enforcement. In this case, the duration of the hunting area deemed to have received the approval shall be the same period as the remaining term of the duration as prescribed in Article 14, paragraph 7 of the old Act pertaining to said hunting area on that same day.
- (2) Public notice made pursuant to the provisions of Article 14, paragraph 8 of the Old Act prior to the effective date and those that are effective at the time of enforcement of this Act shall be considered as public notice made pursuant to the provision of Article 70, paragraph 1 of the New Act.
- (3) Approval of hunting area setter under the provisions of Article 18 of the former Act shall be considered as approval of the hunting area setter under the provisions of Article 74, paragraph 1 of the New Act.

(Transitional Measures concerning the Permission of the Danger Hunting Act)

Article 13 Those who are actually granted permission pursuant to the provisions of Article 15 of the Old Act at the time of enforcement of this Act shall be deemed to have received permission under Article 37, paragraph 1 of the New Act on the date of enforcement.

(Transitional Measures concerning the Occupier's Consent)

Article 14 The consent of the possessor pursuant to the provisions of Article 17 of the Old Act shall be deemed to be the consent of the possessor pursuant to the provision of Article 17 of the New Act.

(Transitional Measures concerning Certificates of Legal Harvesting)

Article 15 Certificates issued under the provisions of Article 20, paragraph 1 of the Old Act at the time of enforcement of this Act shall be considered to be as legal capture certificate issued pursuant to the provision of Article 25, paragraph 3 of the New Act.

(Transitional Measures concerning Staff Engaged in Enforcement)

Article 16 Those actually appointed pursuant to the provisions of Article 20, paragraph 4 of the Old Act at the time of enforcement of this Act shall be deemed to have been appointed pursuant to the provision of Article 76 of the New Act.

(Transitional Measures concerning Wildlife Protection Personnel)

Article 17 Wildlife protection leader who is actually placed under the provisions of Article 20-5, paragraph 1 of the Old Act at the time of enforcement of this

Act shall be deemed to have been placed pursuant to the provisions of Article 78, paragraph 1 of the New Act.

(Effectiveness of Procedures based on Old Act)

Article 18 (1) Permission, approval, or other disposition or notification, or other act, or application for permission made under the provisions of the old Act or other acts made by The Minister of the Environment or prefectural governor pursuant to the provisions of the Old Act before the enforcement of this Act, except for those that have otherwise specified in this Supplementary Provisions, shall be permission, approval, or other disposition or notification, or other act, or application for permission made under the provisions of the new Act or other acts made by The Minister of the Environment or prefectural governor pursuant to the equivalent provisions of the New Act after the enforcement of this Act.

(2) As for matters that are said to be required to report, notify, submit and other procedures to The Minister of the Environment or prefectural governor in accordance with the provisions of the old Act before the enforcement of this Act and that have not been done before the enforcement date, except for those that have otherwise specified in this Supplementary Provisions, those shall be deemed to be without procedure concerning matters that are said to be required to report, notify, submit and other procedures to The Minister of the Environment or prefectural governor in accordance with the provisions of the new Act after the enforcement of this Act and apply to the new Act.

(Transitional Measures concerning Penalties)

Article 19 As for application of penal provisions to acts made before the enforcement of this Act, the provisions then in force shall remain applicable.

(Delegation of Other Transitional Measures to Cabinet Order)

Article 20 In addition to what is provided for in Article 3 to the preceding Article of Supplementary Provisions, the transitional measures necessary for the enforcement of this Act shall be specified by Cabinet Order.

(Consideration)

Article 21 The government shall review the status of enforcement of this Act within three years after the enforcement of this Act and take necessary measures based on the results.

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

(Effective Date)

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

Supplementary Provisions [Act No. 33 of April 27, 2005] [Extract]

(Effective Date)

Article 1 This Act shall come into effect as from October 1, 2005.

(Transitional Measures)

Article 24 In cases where an order is established, amended or abolished based on the provisions of respective Acts after revision by this Act, by the order, within the range judged to be reasonably necessary due to its enactment, revision or abolition, it is possible to determine necessary transitional measures (including transitional measures concerning penal provisions).

Supplementary Provisions [Act No. 67 of June 14, 2006]

(Effective Date)

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

(Transitional Measures concerning the Permission of Capture of Wildlife)

Article 2 Act on protection of wildlife and appropriateness of hunting after revision by this Act (hereinafter referred to as the "New Act") the provision of paragraph 12 of Article 9 shall apply to those who received permission under Article 9, paragraph 1 of the New Act after the date of enforcement of this Act (hereinafter referred to as "Effective Date"), and shall not apply to those who have obtained permission under Act on protection of Wildlife and legalization of hunting before revision by this Act (hereinafter referred to as the "Old Act") Article 9 paragraph 1 or the employee.

(Transitional Measures concerning the Regulation of Wildlife Imports)

Article 3 The provisions of Article 26, paragraphs 2 to 7 of the New Act shall apply to Wildlife imported after the date of enforcement and shall not apply to Wildlife imported prior to the effective date.

(Transitional Measures concerning Gunning Prohibited Areas)

Article 4 Gunning prohibited areas or gunning restricted areas currently designated pursuant to the provisions of Article 35, paragraph 1 of the Old Act at the time of the enforcement of this Act shall be deemed to be replaced with specific hunting prohibited area or specific hunting use restricted area

designated firearm as a specific type of hunting equipment in accordance with the provisions of Article 35, paragraph 1 of the New Act.

(Transitional Measures concerning Hunting Licenses)

- Article 5 (1) Those who actually receive a network/ trap hunting license (hereinafter referred to as "old license") pursuant to the provisions of paragraph 3 of Article 39 of the Old Act at the time of enforcement of this Act shall be deemed to have received a netting license and trunk license (hereinafter referred to as "new license") pursuant to the provisions of paragraph 3 of Article 39 of the New Act on the day of enforcement. In this case, the validity period of the new license pertaining to those deemed to have received the new license shall be considered to be the same period as the remaining term of the validity period of the old license pertaining to that person on the effective date notwithstanding the provision of Article 44, paragraph 1 of the New Act.
- (2) The conditions currently attached to the old license pursuant to the provisions of Article 42 of the Old Act at the time of enforcement of this Act shall be considered to be the conditions attached to the new license.
- (3) Hunting diploma related to the old license actually issued pursuant to the provisions of Article 43 of the Old Act at the time of enforcement of this Act shall be considered as hunting diploma for new license.
- (4) As for those who were revoked the old license pursuant to the provisions of Article 52, paragraph 2, item 1 of the Old Act and have not passed three years from the date of rescission, the provision of the same Article shall be applied by regarding the new license as a type related to revocation prescribed in Article 40 of the New Act.
- (5) Those who are currently suspended from the effect of the old license pursuant to the provisions of Article 52, paragraph 2 of the Old Act at the time of enforcement of this Act shall be deemed that the effectiveness of the new license was suspended on the enforcement day. In this case, the period during which the effectiveness of the new license is suspended as to those deemed to have ceased the effect of the new license shall be considered to the same period as the remaining period of the period for which the effect of the old license pertaining to said person on the effective date is suspended.

(Transitional Measures concerning Penalties)

Article 6 As for application of penal provisions to acts made before the enforcement of this Act, the provisions then in force shall remain applicable.

(Consideration)

Article 7 The government shall review the status of enforcement of this Act

when five years have passed since the enforcement of this Act and take necessary measures based on the results in needed.

Supplementary Provisions [Act No. 123 of December 21, 2007] [Extract]

(Effective Date)

Article 1 This Act shall come into effect as from the date on which February has elapsed from the date of promulgation.

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

(Effective Date)

Article 1 This Act shall come into effect as from April 1, 2012. Provided, however, that the provisions of the following Article shall be enforced from the date of promulgation. The provisions of Article 17 of the Supplementary Provisions to the Act shall be enforced from the promulgation date of the Improvement of Related Acts for the Promotion of Reform to Enhance Regional Autonomy and Independence (Act No. 105 of 2011) or the promulgation date of this Act, whichever is later.

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

(Effective Date)

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

Provided, however, that the provisions listed in the following items shall come into effect as from the date specified in each of the items.

(i) Omitted

(ii) Article 2, Article 10 (limited to the amended provisions of Article 18 of the Special Regional Restructuring Area Act), Article 14 (Paragraphs of Article 252-19, Article 260 of the Local Autonomy Act, Article 260 and Appended Table 1 of the Noise Control Act (Act No. 98 of 1968), Section of the Urban Planning Act (Act No. 100 of 1968), Section of the Urban Redevelopment Act (Act No. 38 of 1962), the Act on the Basic Environment Law (Act No. 91 of 1993) and the Act on Promotion of the Development of Disaster-Prepared Districts in Densely Built-up Area (Act No. 49 of 1997) and the Act on item 2 of the appended table 2 of the Urban Redevelopment Act (Act No. 38 of 1969), paragraph of the Act on Promotion of Expansion of Public Land (Act No. 66 of 1972), the Act on Special Measures for Promotion of Supply of Residential and Residential Areas in Metropolitan Areas (Act No. 67 of 1975), the Act on Promotion of Development of Disaster-Prepared District in Densely Built-up Area (Act No. 49 of 1997) and limited to the revised provision of the

paragraph of the Act on Facilitation of Rebuilding of Condominiums (Act No. 78 of 2002), Article 22 (Child Welfare Act Article 21-5-6, Article 21-5-15, Article 21-5-23, Article 24-9, Article 24-17, Article 24-28 and Article 24-36 shall be limited to the amended provisions.), Articles 23 to 27, Article 29 to Article 33, Article 34 (limited to the amended provisions of Article 62, Article 65 and Article 71 of the Social Welfare Act), Article 35, Article 37, Article 38 (excluding the amended provisions of Article 46, Article 48-2, Article 50 and Article 50-2 of the Waterworks Act), Article 39, Article 43 (limited to the amended provisions of Article 19, Article 23, Article 28 and Article 30-2 of the Vocational Ability Development Promotion Act), Article 51 (limited to the provisions revising Article 64 of the Act on Prevention of Infectious Diseases and Medical Care for Patients with Infectious Diseases), Article 54 (excluding amendments to Article 88 and Article 89 of the Disability Independence Support Act), Article 65 (excluding provisions revising Article 3, paragraph 1, item 9, Article 4, Article 5 and Article 57 of the Agricultural Land Act), Article 87 to Article 92, Article 99 (limited to the amended provisions of Article 24-3 and Article 48-3 of the Road Act), Article 101 (limited to the amended provision of Article 76 of the Land Readjustment Organization Act), Article 102 (limited to the amended provisions of Article 18 to Article 21, Article 27, Article 49 and Article 50 of the Special Measures Concerning the Road Improvement Act), Article 103, Article 105 (excluding amendments to Article 4 of the Parking Lot Law), Article 107, Article 108, Article 115 (limited to the provisions revising Article 15 and Article 17 of the Green Land Conservation Act near the Tokyo Metropolitan Area), Article 116 (excluding the revised provisions of Article 3-2 of the Act on Maintenance of Distribution Working Urban Areas), Article 118 (limited to the amended provisions of Article 16 and Article 18 of the Act on Maintenance of Conservation Areas in the Kinki Region), Article 120 (excluding Article 6-2, Article 7-2, Article 8, Article 10-2 to Article 12-2, Article 12-4, Article 12-5, Article 12-10, Article 14, Article 20, Article 23, Article 33 and Article 58-2 of the Urban Planning Act), Article 122 (limited to the amended provisions of Article 7-4 to Article 7-7, Article 60 to Article 62, Article 66, Article 98, Article 99-8, Article 139-3, Article 141-2 and Article 142 of the Urban Redevelopment Act), Article 125 (excluding amended provisions of Article 9 of the Act on Promotion of Expansion of Public Land), Article 128 (excluding amended provisions of Article 20 and Article 39 of the Urban Green Area Act) Article 131 (limited to the amended provisions of Article 7, Article 26, Article 64, Article 67, Article 104 and Article 109-2 of Special Measures Concerning Promotion of Supply of Houses and Residential Areas in Metropolitan Areas), Article 142 (limited to the amended provisions of Article 18 and Article 21 to Article 23 of the Act on Promotion of Local Area City Urban Region and

Rearrangement of Industrial Working Facilities), Article 145, Article 146 (excluding amended provisions of Article 5 and Article 7, paragraph 3 of the Special Measures Concerning Rehabilitation of Urban Areas), Article 149 (limited to amended provisions of Article 20, Article 21, Article 191, Article 192, Article 197, Article 233, Article 241, Article 283, Article 311 and Article 318 of the Act on Promotion of Improvement of Disaster Prevention Blocks in Densely Built), Article 155 (limited to the amended provision of Article 51, paragraph 4 of the Special Measures Concerning Urban Revitalization Act), Article 156 (excluding amended provisions of Article 102 of the Facilitation of Rebuilding of Condominiums), Article 157, Article 158 (limited to the amended provision of Article 57 of the Landscape Act), Article 160 (limited to the amended provisions of Article 6, paragraph 5 of the Special Measures Concerning Improvement of Public Rental Houses in Response to Various Demands in the Region (excluding the part of "paragraph 2, (2)-a" revised to "paragraph 2, (1)-a") and limited to the amended provisions of Article 11 and Article 13 of the same Act), Article 162 (limited to amended provision of Article 10, Article 12, Article 13, Article 36, paragraph 2, and Article 56 of the Act on Promotion of Facilitation of Movement of Elderly Persons, Persons with Disabilities.), Article 165 (limited to the amended provision of Article 24 and Article 29 of the Act on Maintenance and Improvement of Historical Windles in the Region), Article 169, Article 171 (limited to the amended provision of Article 21 of the Waste Disposal and Public Cleansing Act), Article 174, Article 178, Article 182 (limited to the amended provisions of Article 16 and Article 40-2 of the Basic Environment Law) and Article 187 (excluding amended provision of Article 15 of the Act on Protection of Wildlife and Hunting, amended provision of Article 28, paragraph 9 (excluding the part of "Article 4 paragraph 3" revised to "Article 4 paragraph 4") of the same Act.), limited to the amended provision of Article 29, paragraph 4 (excluding the part of "Article 4 paragraph 3" revised to "Article 4 paragraph 4") of the same Act, limited to the amended provisions of Article 34 and Article 35 of the same Act and Supplementary Provision of Article 13, Article 15 to Article 24, Article 25, paragraph 1, Article 26, Article 27, paragraph 1 to paragraph 3, Article 30 to Article 32, Article 38, Article 44, Article 46 paragraph 1 and paragraph 4, Article 47 to Article 49, Article 51 to Article 53, Article 55, Article 58, Article 59, Article 61 to Article 69, Article 71, Article 72 paragraph 1 to paragraph 3, Article 74 to Article 76, Article 78, Article 80 paragraph 1 and paragraph 3, Article 83, Article 87 (excluding amended provision of Article 587-2 of the Local Tax Law and Article 11 of the Supplementary Provisions), Article 89, Article 90, Article 92 (limited to the amended provisions of Article 25 of the Highway Automobile National Road Act), Article 101, Article 102, Article 105 to Article 107, Article 112, Article

117 (limited to the amended provision of Article 4, paragraph 8 of the Act on Promotion of Activities for the Conservation of Biodiversity through Collaboration of Various Entities in the Region (Act No. 72 of 2010)), , and the provisions of Article 119, Article 121-2 and Article 123 paragraph 2.:
April 1, 2012

(Transitional Measures Accompanying Partial Revision of the Act on Protection of Wildlife and Hunting Suitability)

- Article 80 (1) Within a period not exceeding one year from the day of enforcement prescribed in Article 187 (limited to the amended provision of Article 15 of the Act on Protection of Wildlife and Hunting Suitability, the amended provision of Article 28, paragraph 9 of the same Act (excluding the part of "Article 4, paragraph 3" revised to "Article 4, paragraph 4"), and the amended provision of Article 29, paragraph 4 of the same Act (excluding the part of "Article 4, paragraph 3" revised to "Article 4, paragraph 4." Hereinafter the same in this paragraph.)), the provisions of the proviso to Article 15, paragraph 14 of said Act shall not apply until the enactment and enforcement of Prefectural Ordinance based on the protection of wildlife after revision pursuant to the provisions of Article 187 and the provisions of Article 15, paragraph 14 of the Act on the Optimization of Hunting (including the cases applied mutatis mutandis in Article 28, paragraph 9 and Article 29, paragraph 4 of the same Act).
- (2) Regarding the period of time for public inspection by prefectural governor in accordance with the provisions of protection of Wildlife before the amendment pursuant to the provision of Article 187 before the enforcement of this Act and in accordance with the provision of Article 28, paragraph 4 of the Act on the optimization of hunting (including the case where it is applied mutatis mutandis pursuant to Article 29, paragraph 4 of the said Act), notwithstanding the provision of protection of Wildlife after revision pursuant to the provision of Article 187 and paragraph 4 of Article 28 of the Act on the Optimization of Hunting (including cases applied mutatis mutandis pursuant to Article 29, paragraph 4 of the said Act), the previous example shall be brought.
- (3) Within a period not exceeding one year from the day of enforcement prescribed in Article 187 (limited to the provisions revising Article 34 and Article 35 of the Act on Protection of Wildlife and Optimization of Hunting, hereinafter the same in this paragraph), until the enactment and enforcement of Prefectural Ordinance based on the provision of Wildlife protection after revision pursuant to Article 187 and on the provision of the Optimization of Hunting pursuant to Article 34, paragraph 7 (including cases applied mutatis mutandis pursuant to Article 35, paragraph 12 of the said Act), regarding the dimensions of signs of Article 34, paragraph 5 of the same Act (including cases

applied mutatis mutandis pursuant to Article 35, paragraph 12 of the said Act), the previous example shall be brought.

(Transitional Measures Concerning Penalties)

Article 81 As for conducts made before the enforcement of this Act (In the provisions listed in each item of Article 1 of the Supplementary Provisions, such provision. Hereinafter the same in this Article.) and application of penal provisions to acts made after the enforcement of this Act in case where it is deemed to be based on the preceding examples in accordance with the provisions of this Supplementary Provision, the previous example shall be brought.

(Delegation to Cabinet Order)

Article 82 In addition to what is provided for in these Supplementary Provisions, necessary transitional measures (including transitional measures concerning penal provisions) concerning the enforcement of this Act shall be specified by Cabinet Order.

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

(Effective Date)

Article 1 This Act shall come into effect as from the date specified by Cabinet Order within a period not exceeding two months from the day of promulgation. Provided, however, that the provisions listed in the following items shall come into effect as from the date specified in each of the items.

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

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

(Effective Date)

Article 1 This Act shall come into effect as from the day of promulgation. Provided, however, that the provisions listed in the following items shall come into effect as from the date specified in each of the items.

(i) The Act on Article 40 (excluding the amended provisions listed in the next item), Article 50 (excluding the amended provisions listed in the same item), Article 54 (excluding the amended provisions of Article 50-3, paragraph 3 of the Port Act), and Article 57 and Article 74 (excluding the amended provisions of Article 3, paragraph 4 of the Act on Protection and Optimization of Wildlife and Hunting), and the Act on Supplementary Provisions Article 8 and Article 9. The day on which three months have

elapsed from the day of promulgation.

(Transitional Measures Accompanying Partial Revision of the Act on Protection of Wildlife and Hunting Suitability)

Article 9 At the time of the enforcement of the provisions of Article 74 (excluding the amended provision of Article 3, paragraph 4 of the Act on Protection of Wildlife and Hunting. Hereinafter the same in this Article.), the proposal of consultation which prefectural governor is currently conducting pursuant to the provision of protection of wildlife before the amendment pursuant to the provisions of Article 74 and pursuant to the provision of Article 12, paragraph 4 of the same Act as applied mutatis mutandis pursuant to Article 29, paragraph 4 of the Act on the Optimization of Hunting (Limited to the case where the same protected area as the Special Protection Zone is continued to be designated as the Special Protection Zone after the expiration of the duration of the Special Protection Zone or the case of extending the duration of the Special Protection Zone) shall be deemed to be made by the provision of protection of Wildlife after revision pursuant to the provision of Article 74 and by the provision of Article 12, paragraph 4 of the same Act as applied mutatis mutandis pursuant to Article 29, paragraph 4 of the Act on the Optimization of Hunting.

(Transitional Measures concerning Penalties)

Article 10 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act (in the provisions listed in each item of Article 1 of the Supplementary Provisions, such provision), the provisions shall remain applicable.

(Delegation to Cabinet Order)

Article 11 In addition to what is provided for these Supplementary Provisions, the necessary transitional measures (including transitional measures concerning penal provisions) concerning the enforcement of this Act shall be specified by Cabinet Order.

Supplementary Provisions [Act No. 46 of May 30, 2014] [Extract]

(Effective Date)

Article 1 This Act shall come into effect as from the date specified by Cabinet Order within a period not exceeding one year from the day of promulgation. Provided, however, that the provisions of the amended provision that adds Article 1 after Article 75, the provisions of Article 6 of the Supplementary Provisions from the next Article and Article 17 of the Supplementary

Provisions shall come into effect as from the date of promulgation.

(Preparation before Enforcement)

Article 2 Protection and control of Wildlife after revision by this Act, establishment or change of Ordinance of the Ministry of the Environment under Article 2, paragraph 7 of the Act on the Optimization of Hunting (hereinafter referred to as the "New Act") and procedures and other acts necessary for these may be carried out by the example of the provisions of the same Article 10 even before the enforcement of this Act.

Article 3 (1) The Minister of the Environment may establish the basic guidelines (hereinafter referred to as "basic guidelines") for the purpose of implementing projects for the protection and control of wildlife (referred to as "Wildlife Protection and Control Program" in paragraph 1 of the next Article) even before the enforcement of this Act, pursuant to the provisions of Article 3 of the New Act. In this case, even before the enforcement of this Act, The Minister of the Environment may publish it under the provisions of Article 3 of the New Act.

(2) The basic guidelines established pursuant to the provisions of the preceding paragraph shall be deemed to have been prescribed in the provisions of Article 3 of the New Act at the date of enforcement of this Act (hereinafter referred to as the "Effective Date").

Article 4 (1) The prefectural governor may establish a plan concerning the implementation of the Wildlife Protection and Control Program (hereinafter referred to as "plan") even before the enforcement of this Act, according to the example of Article 4 of the New Act. In this case, even before the enforcement of this Act, prefectural governor may publicize it and report it to The Minister of the Environment by the example of the provision of the same Article.

(2) The plan prescribed pursuant to the provisions of the preceding paragraph shall be deemed to have been established pursuant to the provisions of Article 4 of the New Act at the date of enforcement.

Article 5 (1) A prefectural governor shall designate a plan concerning protection of Wildlife (excluding Threatened Wildlife Species) whose population is significantly decreased or whose habitat scope has been reduced within the prefecture's area (hereinafter referred to as "plan") even before the enforcement of this Act, by the example of the provisions of Article 7 of the New Act. In this case, even before the enforcement of this Act, prefectural governor may publicize it and report it to The Minister of the Environment by the example of the provision of the same Article.

(2) The plan prescribed pursuant to the provisions of the preceding paragraph shall be deemed to have been established pursuant to the provision of Article 7 of the New Act at the date of enforcement.

Article 6 (1) A prefectural governor shall designate a plan concerning the control of Wildlife (excluding Threatened Wildlife Species) whose number of populations has increased significantly in the area of said prefecture or whose habitat scope has been expanded (hereinafter referred to as "plan") even before the enforcement of this Act, by the example of the provisions of Article 7-2 of the New Act. In this case, even before the enforcement of this Act, prefectural governor can publicize it and report it to The Minister of the Environment by the example of the provision of the same Article.

(2) The plan prescribed pursuant to the provisions of the preceding paragraph shall be deemed to have been established pursuant to the provision of Article 7-2 of the New Act at the date of enforcement.

(Transitional Measures Concerning Permission such as Capture of Wildlife or Collection of Eggs of Birds)

Article 7 Those who are currently receiving permission under Article 9, paragraph 1 of the Act on Protection of Wildlife and Amendment of Hunting (hereinafter referred to as the "Old Act") before revision by this Act at the time of enforcement of this Act shall be deemed to have obtained permission under Article 9, paragraph 1 of the New Act on the date of enforcement. In this case, the period of validity of permit pertaining to persons deemed to have received such permission shall be the same period as the remaining term of the valid period of the license under Article 9, paragraph 1 of the old Act pertaining to said person on the effective date.

(Transitional Measures Concerning Designated Hunting Method Prohibited Area)

Article 8 (1) Designated Hunting Method Prohibited Area currently designated as prescribed under Article 15, paragraph 1 of the Old Act at the time of enforcement of this Act shall be deemed to be the Designated Hunting Method Prohibited Area designated pursuant to the provisions of Article 15, paragraph 1 of the New Act. In this case, the duration of the Designated Hunting Methods Prohibited Area deemed to have been designated shall be the same period as remaining period of the duration as prescribed in Article 15, paragraph 2 of the Old Act pertaining to the Designated Hunting Methods Prohibited Area on the effective date.

(2) Those who actually received permission from the proviso to Article 15, paragraph 4 of the Old Act at the time of enforcement of this Act shall be

deemed to have obtained permission from the proviso of Article 15, paragraph 4 of the New Act on the date of enforcement. In this case, period of validity of permit pertaining to person deemed to have received such permission shall be the same period as the remaining period of the valid period of the permission of the proviso of Article 15, paragraph 4 of the Old Act pertaining to the said person on the date of enforcement.

(Transitional Measures Concerning the Restriction on the Use of the Name)

Article 9 As for the person who currently uses the name of Certified Wildlife Capture Program Implementers or the confusing name at the time of enforcement of this Act, the provisions of Article 18-9 of the New Act shall not apply for six months after the enforcement of this Act.

(Transitional Measures Concerning Permission to Sell such Wildlife Prohibited to Sell)

Article 10 Those who actually received permission under Article 24, paragraph 1 of the Old Act at the time of enforcement of this Act shall be deemed to have obtained the license under Article 24, paragraph 1 of the New Act on the date of enforcement. In this case, period of validity of permit pertaining to person deemed to have received such permission shall be the same period as the remaining period of the valid period of the license under Article 24, paragraph 1 of the Old Act pertaining to said person on the effective date.

(Transitional Measures Concerning Wildlife Protection Area)

Article 11 (1) Wildlife Protection Area actually designated as prescribed by the provisions of Article 28 paragraph 1 of the old Act (including those regarded as Wildlife Protection Area designated as prescribed under the provisions of Article 28, paragraph 1 of the old Act pursuant to the provisions of Article 6, paragraph 1 of the Supplementary Provisions of the Old Act.) at the time of enforcement of this Act shall be considered as Wildlife Protection Area designated by the provision of Article 28 paragraph 1 of the New Act. In this case, the duration of the Wildlife Protection Area considered to be designated shall be the same period as the remaining period of the duration of the period prescribed in Article 28, paragraph 7 of the old Act pertaining to said Wildlife Protection Area on the effective date.

(2) Conservation programs actually carried out pursuant to the provisions of Article 28-2, paragraph 1, paragraph 3 or paragraph 4 of the Old Act at the time of enforcement of this Act shall be deemed to be a conservation program implemented pursuant to the provisions of paragraph 1, paragraph 3 or paragraph 4 of Article 28-2 of the New Act.

(3) Special Protection Area that has been designated in accordance with the

provisions of Article 29, paragraph 1 of the Old Act (including those regarded as Special Protection Area designated pursuant to the provision of Article 29, paragraph 1 of the Old Act under the provisions of Article 6, paragraph 3 of the Supplementary Provisions of the Old Act.) at the time of enforcement of this Act shall be deemed as Special Protection Zone designated by the provisions of Article 29, paragraph 1 of the New Act. In this case, the duration of the Special Protection Zone deemed to have been designated shall be the same period as the remaining period of the term of period prescribed in Article 29, paragraph 2 of the Old Act pertaining to the said Special Protection Zone on the date of enforcement.

(Transitional Measures Concerning the Hunting Area)

- Article 12 (1) The Game Hunting Area that is currently receiving the approval under Article 68, paragraph 1 of the Old Act at the time of enforcement of this Act at the time of enforcement of this Act shall be deemed to have obtained accreditation under Article 68, paragraph 1 of the New Act on the date of enforcement. In this case, the duration of the Game Hunting Area deemed to have received the approval shall be the same period as the remaining period of the duration of period prescribed in Article 68, paragraph 2, item 3 of the former Act relating to said Game Hunting Area on the date of enforcement.
- (2) Those who have actually obtained approval under Article 74, paragraph 1 of the Old Act at the time of enforcement of this Act shall be deemed to have obtained approval under Article 74, paragraph 1 of the New Act on the date of enforcement.

(Transitional Measures Concerning Staff Engaged in Enforcement)

- Article 13 Those who are currently nominated under the provisions of Article 76 of the Old Act (including those deemed to have been nominated pursuant to the provision of Article 76 of the Old Act pursuant to the provisions of Article 16 of the Supplementary Provisions of the Old Act.) at the time of enforcement of this Act shall be deemed to have been nominated pursuant to the provisions of Article 76 of the New Act.

(Transitional Measures Concerning Wildlife Protection Leader)

- Article 14 The wildlife protection leader actually placed pursuant to the provisions of Article 78, paragraph 1 of the Old Act (including those regarded as wildlife protection leaders under that paragraph pursuant to the provisions of Article 17 of the Supplementary Provisions of the Old Act.) at the time of enforcement of this Act shall be considered as Wildlife Protection and Control Leader placed pursuant to the provision of Article 78, paragraph 1 of the New Act.

(Effectiveness of Procedures based on the Provisions of the Old Act)

Article 15 (1) Permission, approval, other dispositions or notices and other acts made by The Minister of the Environment or prefectural governor pursuant to the provisions of the Old Act (Article 3, Article 4 and Article 7 shall be excluded. Hereinafter the same in this Article.) prior to the enforcement of this Act or application for permission and other acts under the provisions of the Old Act, except as otherwise provided for in the Supplementary Provisions, after the enforcement of this Act, based on the equivalent provisions of the New Act, shall be considered as permission, approval, other dispositions or notices and other acts made by The Minister of the Environment or prefectural governor or application for permission and other acts under the provisions of the New Act.

(2) Matters to be reported, notified, submitted and other procedures to The Minister of the Environment or prefectural governor pursuant to the provisions of the Old Act prior to the enforcement of this Act and those procedures that have not been done before the enforcement of this Act shall apply the provisions of the New Act, except as otherwise provided for in the Supplementary Provisions, after the enforcement of this Act, by considering this as not having been done for matters that are deemed to be required to report, notify, submit or other procedures to The Minister of the Environment or prefectural governor pursuant to the equivalent provisions of the New Act.

(Transitional Measures Concerning Penalties)

Article 16 With respect to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.

(Delegation to Cabinet Order)

Article 17 In addition to what is provided for in these Supplementary Provisions, necessary transitional measures accompanying the enforcement of this Act shall be specified by Cabinet Order.

(Consideration)

Article 18 The government shall consider the provisions of the New Act in consideration of the enforcement of the New Act and take necessary measures based on the results in cases where five years have passed since the enforcement of this Act for the necessary.