

海洋生物資源の保存及び管理に関する法律

Act on Conservation and Management of Living Marine Resources

(平成八年六月十四日法律第七十七号)

(Act No. 77 of June 14, 1996)

(目的)

(Purpose)

第一条 この法律は、我が国の排他的経済水域等における海洋生物資源について、その保存及び管理のための計画を策定し、並びに漁獲量及び漁獲努力量の管理のための所要の措置を講ずることにより、漁業法（昭和二十四年法律第二百六十七号）又は水産資源保護法（昭和二十六年法律第三百十三号）による措置等と相まって、排他的経済水域等における海洋生物資源の保存及び管理を図り、あわせて海洋法に関する国際連合条約の的確な実施を確保し、もって漁業の発展と水産物の供給の安定に資することを目的とする。

Article 1 The purpose of this Act is to conserve and manage the living marine resources in Japan's exclusive economic zone, etc. in coordination with the measures, etc. taken under the Fishery Act (Act No. 267 of 1949) or the Act on the Protection of Fishery Resources (Act No. 313 of 1951), as well as to ensure the appropriate implementation of the United Nations Convention on the Law of the Sea, thereby contributing to the development of fisheries and the stable supply of aquatic products, by establishing a plan for the conservation and management of living marine resources in Japan's exclusive economic zone, etc. and by taking the required measures to manage the fish catch and the fishing effort.

(定義等)

(Definitions)

第二条 この法律において「排他的経済水域等」とは、我が国の排他的経済水域、領海及び内水（内水面を除く。）並びに大陸棚（排他的経済水域及び大陸棚に関する法律（平成八年法律第七十四号）第二条に規定する大陸棚をいう。）をいう。

Article 2 (1) The term "exclusive economic zone, etc." as used in this Act means Japan's exclusive economic zone, territorial seas, internal waters (excluding inland waters), and the continental shelf (meaning the continental shelf provided in Article 2 of Act on the Exclusive Economic Zone and the Continental Shelf (Act No. 74 of 1996)).

2 この法律において「漁獲可能量」とは、排他的経済水域等において採捕することができる海洋生物資源の種類ごとの年間の数量の最高限度をいう。

(2) The term "total allowable catch" as used in this Act means the maximum limit

of the annual quantity of each type of living marine resources which may be gathered or caught in the exclusive economic zone, etc.

3 この法律において「漁獲努力量」とは、海洋生物資源を採捕するために行われる漁ろう作業の量であって、採捕の種類別に操業日数その他の農林水産省令で定める指標によって示されるものをいう。

(3) The term "fishing effort" as used in this Act means the amount of fishing work carried out for gathering or catching living marine resources, and which the amount is indicated for each type of gathering or catching mode by the number of fishing days and other indicators prescribed by Order of Ministry of Agriculture, Forestry and Fisheries.

4 この法律において「漁獲努力可能量」とは、排他的経済水域等において、海洋生物資源の種類ごとにその対象となる採捕の種類並びに当該採捕の種類に係る海域及び期間を定めて漁獲努力量による管理を行う場合の海洋生物資源の種類ごとの当該採捕の種類に係る年間の漁獲努力量の合計の最高限度をいう。

(4) The term "total allowable effort" as used in this Act means the maximum limit of the total annual fishing effort in the exclusive economic zone, etc. for each type of living marine resources and for the gathering or catching mode to which each type is subject, and when each type of living marine resources are managed based on the fishing effort within designated areas of the sea or designated periods of time in relation to the gathering or catching mode, this means the maximum limit of the total annual fishing effort for each gathering or catching mode by the type of living marine resources, etc.

5 この法律において「特定海洋生物資源」とは、第一種特定海洋生物資源及び第二種特定海洋生物資源をいう。

(5) The term "specified living marine resources" as used in this Act means Class I specified living marine resources and Class II specified living marine resources.

6 この法律において「第一種特定海洋生物資源」とは、排他的経済水域等において、漁獲可能量を決定すること等により保存及び管理を行うことが適当である海洋生物資源であって、政令で定めるものをいう。

(6) The term "Class I specified living marine resources" as used in this Act means living marine resources which are appropriate to conserve and manage by deciding the total allowable effort for the exclusive economic zone, etc. and are specified by Cabinet Order.

7 この法律において「第二種特定海洋生物資源」とは、排他的経済水域等において、漁獲努力可能量を決定すること等により保存及び管理を行うことが適当である海洋生物資源であって、政令で定めるものをいう。

(7) The term "Class II specified living marine resources" as used in this Act means living marine resources which are appropriate to conserve and manage by deciding the total allowable effort for the exclusive economic zone, etc. and are specified by Cabinet Order.

8 農林水産大臣は、前二項の政令の制定又は改廃に当たってその立案をするときは、

水産政策審議会の意見を聴かなければならない。

(8) When the Minister of Agriculture, Forestry and Fisheries plans to establish, amend, or repeal the Cabinet Order set forth in the preceding two paragraphs, the Minister must hear the opinion of the Fisheries Policy Council.

(基本計画)

(Basic Plan)

第三条 農林水産大臣は、排他的経済水域等において海洋生物資源の保存及び管理を行うため、海洋生物資源の保存及び管理に関する基本計画（以下「基本計画」という。）を定めるものとする。

Article 3 (1) The Minister of Agriculture, Forestry and Fisheries is to establish a basic plan on the conservation and management of living marine resources (hereinafter referred to as the "basic plan") for conserving and managing living marine resources in the exclusive economic zone, etc.

2 基本計画においては、次に掲げる事項を定めるものとする。

(2) The basic plan is to prescribe the following matters:

一 海洋生物資源の保存及び管理に関する基本方針

(i) basic policy concerning the conservation and management of living marine resources;

二 特定海洋生物資源ごとの動向に関する事項

(ii) matters concerning the trend for each specified living marine resource;

三 第一種特定海洋生物資源ごとの漁獲可能量に関する事項

(iii) matters concerning the total allowable catch for each Class I specified living marine resource;

四 前号に掲げる漁獲可能量のうち漁業法第五十二条第一項に規定する指定漁業、同法第六十五条第一項若しくは第二項又は水産資源保護法第四条第一項若しくは第二項の規定に基づく農林水産省令の規定により農林水産大臣の許可その他の処分を要する漁業その他農林水産省令で定める漁業（以下「指定漁業等」という。）の種類別に定める数量に関する事項

(iv) matters concerning the quantities of the total allowable catch under the preceding item for each type of fisheries from among designated fisheries as provided in Article 52, paragraph (1) of the Fishery Act, fisheries requiring a disposition such as permission from the Minister of Agriculture, Forestry and Fisheries pursuant to Order of the Ministry of Agriculture, Forestry and Fisheries based on the provisions of Article 65, paragraph (1) or (2) of the same Act, or Article 4, paragraph (1) or (2) of the Act on the Protection of Fishery Resources, and other fisheries as provided by Order of the Ministry of Agriculture, Forestry and Fisheries (hereafter referred to as "designated fisheries, etc.");

五 前号に掲げる数量について、操業区域別又は操業期間別の数量を定める場合にあつては、その数量に関する事項

(v) for quantities as set forth in the preceding item, matters concerning quantities by fishing area or by fishing period, when such quantities are designated;

六 第三号に掲げる漁獲可能量（第四号に掲げる数量及び政令で定める者が行う第一種特定海洋生物資源の採捕に係る数量を除く。）について、海面がその区域内に存する都道府県（以下単に「都道府県」という。）別に定める数量に関する事項

(vi) matters concerning the quantities of total allowable catch under item (iii) (excluding the quantities under item (iv) and amounts pertaining to the gathering or catching of Class I specified living marine resources by persons provided by Cabinet Order) for each prefecture that has the sea within its areas (hereinafter simply referred to as "prefectures");

七 第四号に掲げる数量（第五号に掲げる数量を定めた場合にあっては、その数量。以下「大臣管理量」という。）に関し実施すべき施策に関する事項

(vii) matters concerning measures to be implemented for the quantities under item (iv) (or the quantities listed in item (v) when the quantities are designated; hereinafter referred to as "quantity managed by the Minister");

八 第二種特定海洋生物資源ごとの漁獲努力量による管理の対象となる採捕の種類並びに当該採捕の種類に係る海域及び期間並びに漁獲努力可能量に関する事項

(viii) matters concerning the gathering or catching mode subject to management based on fishing effort for each Class II specified living marine resource, and the sea area, period, and total allowable effort for each gathering or catching mode;

九 前号に掲げる漁獲努力可能量のうち指定漁業等の種類（漁獲努力量による管理の対象となる採捕の種類に限る。）別に定める量（以下「大臣管理努力量」という。）に関する事項

(ix) matters concerning the amount of total allowable effort under the preceding item for the type of designated fisheries, etc. (limited to gathering or catching mode that are subject to control by fishing effort) (hereinafter referred to as "fishing effort managed by the Minister");

十 第八号に掲げる漁獲努力可能量（大臣管理努力量を除く。）について、都道府県別に定める量に関する事項

(x) matters concerning the amount of total allowable effort under item (viii) (excluding fishing effort managed by the Minister) specified for each prefecture;

十一 大臣管理努力量に関し実施すべき施策に関する事項

(xi) matters concerning the measures to be implemented in regard to fishing effort managed by the Minister; and

十二 その他海洋生物資源の保存及び管理に関する重要事項

(xii) other important matters concerning the conservation and management of living marine resources.

3 前項第三号及び第八号に掲げる事項は、最大持続生産量を実現することができる水

準に特定海洋生物資源を維持し又は回復させることを目的として、同項第二号に掲げる事項及び他の海洋生物資源との関係等を基礎とし、特定海洋生物資源に係る漁業の経営その他の事情を勘案して定めるものとする。

(3) The matters set forth in items (iii) and (viii) of the preceding paragraph are to be decided based on matters under item (ii) of the same paragraph and the relationship thereof to other living marine resources, etc., for the purpose of maintaining or restoring specified living marine resources to the level that allows maximum sustainable production to be realized, taking into account of the fishery management pertaining to the specified living marine resources and other circumstances.

4 農林水産大臣は、基本計画を定めようとするときは、水産政策審議会の意見を聴かなければならない。

(4) When the Minister of Agriculture, Forestry and Fisheries seeks to establish the basic plan, the Minister must hear the opinion of the Fisheries Policy Council.

5 農林水産大臣は、第二項第六号に掲げる数量又は同項第十号に掲げる量を定めようとするときは、あらかじめ、その関係部分について関係する都道府県の知事の意見を聴くものとし、当該数量又は量を定めたときは、遅滞なく、当該関係部分について関係する都道府県の知事に通知するものとする。

(5) When the Minister of Agriculture, Forestry and Fisheries seeks to decide the quantity under paragraph (2), item (vi) or the amount under item (x) of the same paragraph, the Minister is to hear the opinions of the governors of each prefecture concerned with the relevant portion, in advance, and when the quantity or amount have been decided, they are to notify the governor of the prefecture concerned of the relevant portion without delay.

6 農林水産大臣は、基本計画を定めたときは、遅滞なく、これを公表しなければならない。

(6) When the Minister of Agriculture, Forestry and Fisheries has formulated the basic plan, the Minister must publicize it without delay.

7 農林水産大臣は、特定海洋生物資源ごとの動向、特定海洋生物資源に係る漁業の経営その他の事情を勘案して、毎年少なくとも一回、基本計画に検討を加え、必要があると認めるときは、これを変更しなければならない。

(7) The Minister of Agriculture, Forestry and Fisheries must review the basic plan at least once a year, taking account of the trend for each specified living marine resource, the management of fisheries pertaining to the specified living marine resources, and other circumstances, and must change the basic plan when they find it necessary.

8 農林水産大臣は、前項の検討を行うに当たっては、水産政策審議会の意見を聴かなければならない。

(8) In conducting the review under the preceding paragraph, the Minister of Agriculture, Forestry and Fisheries must hear the opinion of the Fisheries

Policy Council.

9 第四項から第六項までの規定は、第七項の規定による基本計画の変更について準用する。

(9) The provisions of paragraphs (4) through (6) apply mutatis mutandis to the change to the basic plan pursuant to the provisions of paragraph (7).

(都道府県計画)

(Prefectural Plan)

第四条 都道府県の知事は、基本計画に即して、前条第二項第六号に掲げる数量又は同項第十号に掲げる量に関し実施すべき施策に関する都道府県の計画（以下「都道府県計画」という。）を定めるものとする。

Article 4 (1) The governor of each prefecture is to formulate a prefectural plan concerning measures to be implemented for quantities under paragraph (2), item (vi) of the preceding Article or amounts under item (x) of the same paragraph, in line with the basic plan (hereinafter referred to as the "prefectural plan").

2 都道府県計画においては、次に掲げる事項を定めるものとする。

(2) the prefectural plan is to prescribe the following matters:

一 海洋生物資源の保存及び管理に関する方針

(i) policy concerning the conservation and management of living marine resources;

二 前条第二項第六号に掲げる数量に関する事項

(ii) matters concerning quantities as set forth in paragraph (2), item (vi) of the preceding Article;

三 前号に掲げる数量について、第一種特定海洋生物資源の採捕の種類別、海域別又は期間別の数量を定める場合にあつては、その数量に関する事項

(iii) for the quantities set forth in the preceding item, matters concerning the quantities of Class I specified living marine resources by the gathering or catching mode, the sea area, or period, when such quantities are designated;

四 第二号に掲げる数量（前号に掲げる数量を定めた場合にあつては、その数量。第八条第二項において「第一種特定海洋生物資源知事管理量」という。）に関し実施すべき施策に関する事項

(iv) matters concerning measures to be implemented for quantities as set forth in item (ii) (or the quantities under the preceding item, if such quantities are designated; referred to as "quantity of Class I specified living marine resources managed by the governor" in Article 8, paragraph (2));

五 前条第二項第十号に掲げる量に関する事項

(v) matters concerning quantities under paragraph (2), item (x) of the preceding Article;

六 前号に掲げる量のうち第二種特定海洋生物資源の採捕の種類（漁獲努力量による管理の対象となる採捕の種類であつて指定漁業等以外のものに限る。）別に定める

量（以下「第二種特定海洋生物資源知事管理努力量」という。）に関する事項
(vi) from among the quantities under the preceding item, matters concerning amounts of each type of gathering or catching mode (limited to the gathering or catching mode subject to management based on fishing effort and other than designated fishery, etc.) for Class II specified living marine resources (hereinafter referred to as "fishing effort managed by the governor for Class II specified living marine resources");

七 第二種特定海洋生物資源知事管理努力量に関し実施すべき施策に関する事項
(vii) matters concerning measures to be implemented in regard to fishing effort managed by the governor for Class II specified living marine resources; and

八 その他海洋生物資源の保存及び管理に関する重要事項
(viii) other important matters concerning the conservation and management of living marine resources.

3 都道府県の知事は、都道府県計画を定めようとするときは、農林水産大臣の承認を受けなければならない。

(3) When the governor of each prefecture seeks to establish a prefectural plan, the governor must obtain approval of the Minister of Agriculture, Forestry and Fisheries.

4 都道府県の知事は、都道府県計画（第二項第二号及び第五号に掲げる事項を除く。第八項において同じ。）を定めようとするときは、関係海区漁業調整委員会の意見を聴かなければならない。

(4) When the governor of each prefecture seeks to establish a prefectural plan (excluding the matters listed in paragraph (2), items (ii) and (v); the same applies in paragraph (8)), the governor must hear the opinion of the relevant Sea Area Fishery Adjustment Commission.

5 都道府県の知事は、都道府県計画を定めたときは、遅滞なく、これを公表しなければならない。

(5) When the governor of each prefecture has formulated the prefectural plan, the governor must publicize it without delay.

6 農林水産大臣は、基本計画の変更により都道府県計画が基本計画に適合しなくなつたと認めるときは、当該都道府県計画に係る都道府県の知事に対し、当該都道府県計画を変更すべき旨を通知しなければならない。

(6) When the Minister of Agriculture, Forestry and Fisheries finds that the prefectural plans do not conform to the basic plan due to a change in the basic plan, the Minister must notify the governor of the prefecture pertaining to the prefectural plan that the prefectural plan should be changed.

7 都道府県の知事は、前項の規定により通知を受けたときは、都道府県計画を変更しなければならない。

(7) When the governor of the prefecture concerned has received a notification pursuant to provisions of the preceding paragraph, the governor must change the prefectural plan.

8 都道府県の知事は、前項の場合を除くほか、指定海洋生物資源（次条第一項の第一種指定海洋生物資源及び第二種指定海洋生物資源をいう。以下同じ。）の動向、特定海洋生物資源又は指定海洋生物資源に係る漁業の経営その他の事情を勘案して、毎年少なくとも一回、都道府県計画に検討を加え、必要があると認めるときは、これを変更しなければならない。

(8) In addition to the cases referred to in the preceding paragraph, the governor of each prefecture must review the prefectural plan at least once a year, taking into account of the trend for designated living marine resources (meaning the Class I designated living marine resources and Class II designated living marine resources under paragraph (1) of the following Article; the same applies hereinafter), the management of fisheries pertaining to the specified living marine resources or designated living marine resources, and other circumstances, and change the plan when they find it necessary.

9 都道府県の知事は、前項の検討を行うに当たっては、関係海区漁業調整委員会の意見を聴かなければならない。

(9) In conducting the review under the preceding item, the governor of each prefecture must hear the opinion of the relevant Sea Area Fishery Adjustment Commission.

10 第三項から第五項までの規定は、第七項又は第八項の規定による都道府県計画の変更について準用する。

(10) The provisions of paragraphs (3) through (5) apply mutatis mutandis to a change in the prefectural plan pursuant to the provisions of paragraph (7) or (8).

（指定海洋生物資源の保存及び管理）

(Conservation and Management of Designated Living Marine Resources)

第五条 都道府県の知事は、特定海洋生物資源でない海洋生物資源のうち、都道府県の条例で定める海域（以下「指定海域」という。）において、都道府県漁獲限度量（指定海域において、指定漁業等を営む者及び第三条第二項第六号の政令で定める者以外の者が採捕することができる海洋生物資源の種類ごとの年間の数量の最高限度をいう。以下同じ。）を決定すること等により保存及び管理を行う海洋生物資源として都道府県の条例で定める海洋生物資源（以下「第一種指定海洋生物資源」という。）又は都道府県漁獲努力限度量（指定海域において、海洋生物資源の種類ごとにその対象となる採捕の種類並びに当該採捕の種類に係る海域及び期間を定めて都道府県漁獲努力量（海洋生物資源を採捕するために行われる漁ろう作業（指定漁業等を営む者に係るものを除く。）の量であって、採捕の種類別に操業日数その他の都道府県の規則で定める指標によって示されるものをいう。以下同じ。）による管理を行う場合の海洋生物資源の種類ごとの当該採捕の種類に係る年間の都道府県漁獲努力量の合計の最高限度をいう。以下同じ。）を決定すること等により保存及び管理を行う海洋生物資源として都道府県の条例で定める海洋生物資源（以下「第二種指定海洋生物資源」という。）について、都道府県計画において、次に掲げる事項を定めるものとする。

Article 5 (1) Among living marine resources other than specified living marine resources, the governor of each prefecture may designate, etc. living marine resources by Prefectural Ordinance as living marine resources to be conserved and managed in the sea area designated by Prefectural Ordinance (hereinafter referred to as "the designated sea area") by deciding the prefectural catch limit (meaning the maximum annual limit for gathering or catching each type of living marine resources in the designated sea area by persons other than those operating a designated fishery, etc. and specified by Cabinet Order set forth in Article 3, paragraph (2), item (vi); the same applies hereinafter) (hereinafter referred to as "Class I designated living marine resources") or may designate, etc. living marine resources by Prefectural Ordinance as living marine resources to be conserved and managed, by deciding the prefectural limit for fishing effort (meaning the maximum limit of the total annual fishing effort for the prefecture (the amount of fishing work (excluding work by persons who operate a designated fishery, etc.) carried out for gathering or catching each type of living marine resources, with this amount being expressed as a number of fishing days and by any other indicator provided in Prefectural Regulations for each gathering or catching mode related to that type of living marine resources; the same applies hereinafter) for each type of living marine resources and for the gathering or catching mode to which each such type is subject, and when each type of living marine resources are managed based on the prefectural fishing effort within designated sea areas or designated periods of time in relation to the gathering or catching mode, this means the maximum limit of the total annual fishing effort for the prefecture for each such gathering or catching mode for each type of living marine resources, etc.; the same applies hereinafter) (hereinafter referred to as "Class II designated living marine resources"), and when the governor designates Class I and Class II designated living marine resources, the governor is to prescribe the following matters in the prefectural plan:

一 指定海洋生物資源ごとの動向に関する事項

(i) matters concerning the trend for each designated living marine resource;

二 第一種指定海洋生物資源ごとの都道府県漁獲限度量に関する事項

(ii) matters concerning the prefectural catch limit for each Class I designated living marine resource;

三 前号に掲げる都道府県漁獲限度量について、第一種指定海洋生物資源の採捕の種類別、海域別又は期間別の数量を定める場合にあつては、その数量に関する事項

(iii) for prefectural catch limit set forth in the preceding item, matters concerning the limits by the gathering or catching mode, the sea area, or period for Class I designated living marine resources, when such limits are designated;

四 第二号に掲げる都道府県漁獲限度量（前号に掲げる数量を定めた場合にあつては、

その数量。第八条第二項において「第一種指定海洋生物資源知事管理量」という。）に関し実施すべき施策に関する事項

(iv) matters concerning the measures to be implemented regarding prefectural catch limits set forth in item (ii) (the quantities under the previous item when such quantities are designated; referred to as "quantity of Class I designated living marine resources managed by the governor" in Article 8, paragraph (2));

五 第二種指定海洋生物資源ごとの都道府県漁獲努力量による管理の対象となる採捕の種類並びに当該採捕の種類に係る海域及び期間並びに都道府県漁獲努力限度量に関する事項

(v) matters concerning the gathering or catching mode subject to management based on the prefectural fishing effort for each type of Class II designated living marine resource, and the sea area, the period, and prefectural fishing effort limit for each type of catching mode;

六 前号に掲げる都道府県漁獲努力限度量のうち第二種指定海洋生物資源の採捕の種類（当該都道府県漁獲努力量による管理の対象となる採捕の種類に限る。）別に定める量（以下「第二種指定海洋生物資源知事管理努力量」という。）に関する事項

(vi) from among prefectural fishing effort limits as set forth in the preceding item, matters concerning the limits specified by the gathering or catching mode (limited to the gathering or catching mode subject to management based on the prefectural fishing effort) for Class II designated living marine resources (hereinafter referred to as "fishing effort managed by the governor for Class II designated living marine resources"); and

七 第二種指定海洋生物資源知事管理努力量に関し実施すべき施策に関する事項

(vii) matters concerning the measures to be implemented in regard to fishing effort managed by the governor for Class II designated living marine resources.

2 前項第二号及び第五号に掲げる事項は、最大持続生産量を実現することができる水準に指定海洋生物資源を維持し又は回復させることを目的として、同項第一号に掲げる事項及び他の海洋生物資源との関係等を基礎とし、指定海洋生物資源に係る漁業の経営その他の事情を勘案して定めるものとする。

(2) The matters set forth items (ii) and (v) of the preceding paragraph are to be decided based on the matter stated in item (i) of the same paragraph, the relationship thereof to other living marine resources, etc., for the purpose of maintaining or restoring designated living marine resource to the level that allow maximum sustainable production to be realized, taking into account fishery management pertaining to the designated living marine resources and other circumstances.

3 第一項の海域及び海洋生物資源を定める都道府県の条例は、都道府県が当該都道府県の地先水面（排他的経済水域等に限る。第十七条第三項において同じ。）の全部又は一部の海域において都道府県漁獲限度量又は都道府県漁獲努力限度量を決定するこ

と等により特定の海洋生物資源の保存及び管理を行う必要があると認める場合に定めることができる。

(3) Prefectural Ordinance for designating the sea area and living marine resources under paragraph (1) may be established if the prefecture finds it necessary to conserve and manage specific living marine resources by deciding the prefectural catch limits or prefectural fishing effort limits in the whole or part of those sea areas (limited to the exclusive economic zone, etc.; the same applies in Article 17, paragraph (3)) that border the prefecture.

第六条 都道府県の知事は、都道府県計画（前条第一項に掲げる事項に限る。）の実施の効果が適切に確保されるようにするため特に必要があると認めるときは、農林水産大臣又は関係する都道府県の知事に対し、農林水産大臣又は関係する都道府県の知事が講ずべき措置について、必要な要請をすることができる。

Article 6 A prefectural governor may make necessary requests to the Minister of Agriculture, Forestry and Fisheries or the governor of any relevant prefecture about measures that should be taken by the Minister of Agriculture, Forestry and Fisheries or by the governor of the relevant prefecture, when the governor finds it especially necessary for appropriately ensuring the effective implementation of the prefectural plan (limited to the matters provided in paragraph (1) of the preceding Article).

（基本計画等の達成のための措置）

(Measures for Achieving the Basic Plan)

第七条 農林水産大臣は基本計画（第三条第二項第六号及び第十号に掲げる事項を除く。）の達成を図るため、都道府県の知事は都道府県計画の達成を図るため、この法律の規定による措置のほか、漁業法第三十四条第一項（同法第六十三条第一項において読み替えて準用する場合を含む。）、第三項若しくは第四項、第三十九条第一項（同法第六十三条第一項において読み替えて準用する場合を含む。）若しくは第五項、第六十五条第一項若しくは第二項若しくは第六十六条第一項又は水産資源保護法第四条第一項若しくは第二項の規定による水産動植物の採捕の制限等の措置その他の必要な措置を講じなければならない。

Article 7 (1) The Minister of Agriculture, Forestry and Fisheries and a prefectural governor must take in addition to the measures pursuant to the provisions of this Act, other necessary measures, such as restricting the gathering or catching of aquatic animals and plants pursuant to the provisions of Article 34, paragraph (1) of the Fishery Act (including as applied mutatis mutandis pursuant to Article 63, paragraph (1) of the same Act following the deemed replacement of terms), Article 34, paragraph (3) or (4), Article 39, paragraph (1) (including as applied mutatis mutandis pursuant to Article 63, paragraph (1) of the same Act following the deemed replacement of terms), Article 39, paragraph (5), Article 65, paragraph (1) or (2), or Article 66,

paragraph (1) of the same Act, or Article 4, paragraph (1) or (2) of the Act on the Protection of Fishery Resources, for the Minister to achieve the basic plan (excluding the matters listed in Article 3, paragraph (2), items (vi) and (v)) and for the governor to achieve the prefectural plan.

2 都道府県の知事は、都道府県計画の達成を図るため漁業法第三十四条第四項の規定を適用しようとするときは、同項に規定する海区漁業調整委員会の申請によらず、漁業権に制限又は条件を付けることができる。この場合においては、同条第二項及び同法第三十七条第四項の規定を準用する。

(2) When a prefectural governor seeks to apply the provisions of Article 34, paragraph (4) of the Fishery Act for achieving the prefectural plan, the governor may attach restrictions or conditions to fishery rights regardless of the application filed by the relevant Sea Area Fishery Adjustment Commission provided in the same paragraph. In this case, the provisions of paragraph (2) of the same Article and Article 37, paragraph (4) of the same Act apply mutatis mutandis.

(採捕の数量又は漁獲努力量等の公表)

(Publication of the Amount of Gathering or Catching, or of Fishing Effort)

第八条 農林水産大臣は、大臣管理量の対象となる採捕の数量が当該大臣管理量を超えるおそれがあると認めるとき、又は大臣管理努力量の対象となる漁獲努力量が当該大臣管理努力量を超えるおそれがあると認めるときは、当該採捕の数量又は漁獲努力量その他農林水産省令で定める事項を公表するものとする。

Article 8 (1) If the Minister of Agriculture, Forestry and Fisheries finds that the amount of gathering or catching which is subject to quantity managed by the Minister is likely to exceed the quantity managed by the Minister, or that fishing effort which is subject to fishing effort managed by the Minister is likely to exceed the fishing effort managed by the Minister, the Minister is to make public the amount of gathering or catching, or fishing effort and other matters provided by Order of the Ministry of Agriculture, Forestry and Fisheries.

2 都道府県の知事は、第一種特定海洋生物資源知事管理量若しくは第一種指定海洋生物資源知事管理量（以下「知事管理量」と総称する。）の対象となる採捕の数量が当該知事管理量を超えるおそれがあると認めるとき、又は第二種特定海洋生物資源知事管理努力量若しくは第二種指定海洋生物資源知事管理努力量（以下「知事管理努力量」と総称する。）の対象となる漁獲努力量若しくは都道府県漁獲努力量が当該知事管理努力量を超えるおそれがあると認めるときは、当該採捕の数量又は漁獲努力量若しくは都道府県漁獲努力量その他農林水産省令で定める事項を公表するものとする。

(2) If a prefectural governor finds that the amount of gathering or catching subject to quantity of Class I designated living marine resources managed by the governor or quantity of Class I specified living marine resources managed by the governor (hereinafter collectively referred to as "quantity managed by

the governor") is likely to exceed the quantity managed by the governor, or that fishing effort or prefectural fishing effort subject to fishing effort managed by the governor for Class II specified living marine resources or fishing effort managed by the governor for Class II designated living marine resources (hereinafter collectively referred to as "fishing effort managed by the governor") is likely to exceed the fishing effort managed by the governor, the governor is to make public the amount of gathering or catching, fishing effort, or prefectural fishing effort and other matters provided by Order of Ministry of Agriculture, Forestry and Fisheries.

(助言、指導又は勧告)

(Advice, Guidance, or Recommendation)

第九条 農林水産大臣は、前条第一項の規定による公表をした後において、大臣管理量の対象となる採捕の数量が当該大臣管理量を超えないようにするため必要があると認めるとき、又は大臣管理努力量の対象となる漁獲努力量が当該大臣管理努力量を超えないようにするため必要があると認めるときは、当該大臣管理量又は大臣管理努力量に係る採捕を行う者に対し、当該大臣管理量又は大臣管理努力量に係る採捕に関し、必要な助言、指導又は勧告をすることができる。

Article 9 (1) If the Minister of Agriculture, Forestry and Fisheries finds it necessary so as not to allow the amount of gathering or catching subject to quantity management by the Minister to exceed the quantity managed by the Minister, or so as not to allow the fishing effort subject to fishing effort management by the Minister to exceed the fishing effort managed by the Minister, after publicizing information pursuant to the provisions of paragraph (1) of the preceding Article, the Minister may give necessary advice, guidance, or recommendations to the persons carrying out the gathering or catching related to the quantity managed by the Minister or fishing effort managed by the Minister, on their gathering or catching that is related to the quantity managed by the Minister or fishing effort managed by the Minister.

2 都道府県の知事は、前条第二項の規定による公表をした後において、知事管理量の対象となる採捕の数量が当該知事管理量を超えないようにするため必要があると認めるとき、又は知事管理努力量の対象となる漁獲努力量若しくは都道府県漁獲努力量が当該知事管理努力量を超えないようにするため必要があると認めるときは、当該知事管理量又は知事管理努力量に係る採捕を行う者に対し、当該知事管理量又は知事管理努力量に係る採捕に関し、必要な助言、指導又は勧告をすることができる。

(2) If a prefectural governor finds it necessary so as not to allow the amount of gathering or catching subject to quantity managed by the governor to exceed the quantity managed by the governor, or so as not to allow the fishing effort subject to fishing effort managed by the governor to exceed the fishing effort managed by the governor after the publicizing information pursuant to the provisions of paragraph (2) of the preceding Article, the governor may give

necessary advice, guidance, or recommendations to the persons carrying out the gathering or catching related to the quantity managed by the governor or fishing effort managed by the governor, on their gathering or catching that is related to the quantity managed by the governor or fishing effort managed by the governor.

(採捕の停止等)

(Suspension of Gathering or Catching)

第十条 農林水産大臣は、大臣管理量の対象となる採捕の数量が当該大臣管理量を超えており、若しくは超えるおそれが著しく大きいと認めるとき、又は大臣管理努力量の対象となる漁獲努力量が当該大臣管理努力量を超えており、若しくは超えるおそれが著しく大きいと認めるときは、農林水産省令で、期間を定め、当該大臣管理量又は大臣管理努力量に係る採捕を行う者に対し、当該大臣管理量又は大臣管理努力量に係る特定海洋生物資源をとることを目的とする採捕の停止その他当該特定海洋生物資源の採捕に関し必要な命令をすることができる。

Article 10 (1) If the Minister of Agriculture, Forestry and Fisheries finds that the quantity of gathering or catching subject to quantity managed by the Minister has exceeded or is very likely to exceed the quantity managed by the Minister or that the fishing effort subject to fishing effort managed by the Minister has exceeded or is very likely to exceed the fishing effort managed by the Minister, the Minister may issue necessary order to the persons carrying out the gathering or catching related to the quantity managed by the Minister or fishing effort managed by the Minister, concerning the suspension of the gathering or catching being carried out for the purpose of gathering or catching the specified living marine resources related to the quantity managed by the Minister or fishing effort managed by the Minister and on other matters regarding the gathering or catching of the specified living marine resources, for a period prescribed by Order of the Ministry of Agriculture, Forestry and Fisheries.

2 都道府県の知事は、知事管理量の対象となる採捕の数量が当該知事管理量を超えており、若しくは超えるおそれが著しく大きいと認めるとき、又は知事管理努力量の対象となる漁獲努力量若しくは都道府県漁獲努力量が当該知事管理努力量を超えており、若しくは超えるおそれが著しく大きいと認めるときは、都道府県の規則で、期間を定め、当該知事管理量又は知事管理努力量に係る採捕を行う者に対し、当該知事管理量又は知事管理努力量に係る特定海洋生物資源又は指定海洋生物資源をとることを目的とする採捕の停止その他当該特定海洋生物資源又は指定海洋生物資源の採捕に関し必要な命令をすることができる。

(2) If a prefectural governor finds that the amount of gathering or catching subject to quantity managed by the governor has exceeded or is very likely to exceed the quantity managed by the governor or that the fishing effort subject to fishing effort managed by the governor has exceeded or is very likely to

exceed the fishing effort managed by the governor, the governor may issue a necessary order to the persons carrying out the gathering or catching pertaining to the quantity managed by the governor or fishing effort managed by the governor, concerning the suspension of the gathering or catching being carried out for the purpose of gathering or catching the designated living marine resources pertaining to the quantity managed by the governor or fishing effort managed by the governor, and on other matters regarding the gathering or catching of the designated living marine resources, for a period prescribed by Prefectural Regulations.

(割当てによる採捕の制限)

(Catching Limit by Allocation)

第十一条 農林水産大臣は指定漁業等について基本計画に基づき、都道府県の知事は漁業法第六十五条第一項若しくは第二項若しくは水産資源保護法第四条第一項若しくは第二項の規定に基づく規則の規定又は漁業法第六十六条第一項の規定により都道府県の知事の許可その他の処分を要する漁業（第十八条第一項において「知事許可漁業」という。）について都道府県計画に基づき、採捕を行う者別に、大臣管理量又は知事管理量に係る漁獲量の限度の割当てを当該大臣管理量又は知事管理量による管理の対象となる一年の期間の開始前に行うことができる。

Article 11 (1) The Minister of Agriculture, Forestry and Fisheries or a prefectural governor may allocate a catch limit related to quantity managed by the Minister or quantity managed by the governor for each person carrying out the gathering or catching, before the beginning of the one-year period in which control is to be subject to the quantity managed by the Minister or quantity managed by the governor, based on the basic plan for designated fisheries, etc. for the Minister and based on the prefectural plan for fisheries requiring permission or other dispositions by the governor pursuant to the provisions of regulations based on the provisions of Article 65, paragraph (1) or (2) of the Fishery Act, or Article 4, paragraph (1) or (2) of the Act on the Protection of Fishery Resources, or the provisions of Article 66, paragraph (1) of the Fishery Act (referred to as "fisheries permitted by the governor" in paragraph (1) of Article 18) for the governor.

2 農林水産大臣又は都道府県の知事は、前項の割当てを行おうとするときは、少なくとも次に掲げる事項を勘案して割当ての基準を定め、これに従って割当てを行わなければならない。

(2) When the Minister of Agriculture, Forestry and Fisheries or a prefectural governor seeks to make allocations under the preceding paragraph, the Minister or the governor must establish a standard for the allocations by taking into account at least the following matters, and make the allocations in conformity with that standard:

一 採捕を行う者が使用する船舶の隻数又は総トン数

(i) the number or gross tonnage of the ships used by the person carrying out gathering or catching; and

二 採捕を行う者の採捕の状況

(ii) the catching status of the person carrying out the gathering or catching.

3 農林水産大臣は、前項の基準を定めようとするときは、水産政策審議会の意見を聴かなければならない。

(3) When the Minister of Agriculture, Forestry or Fisheries seeks to establish the standard under the preceding paragraph, the Minister must hear the opinions of the Fisheries Policy Council.

4 都道府県の知事は、第二項の基準を定めようとするときは、関係海区漁業調整委員会の意見を聴かなければならない。

(4) When a prefectural governor seeks to establish the standard under paragraph (2), the governor must hear the opinion of the relevant Sea Area Fishery Adjustment Commission.

5 第一項の規定により漁獲量の限度の割当てを受けた者は、当該割当てに係る海域においては、その受けた数量を超えて当該割当てに係る第一種特定海洋生物資源又は第一種指定海洋生物資源の採捕を行ってはならない。

(5) A person who has been allocated a catch limit pursuant to the provisions of paragraph (1) may not catch more than the quantity of Class I specified living marine resources or of Class I designated living marine resources that the person has been allocated in the sea area pertaining to the allocation.

(停泊命令)

(Order to Anchor)

第十二条 農林水産大臣は、大臣管理量に係る採捕を行う者が第十条第一項の命令若しくは前条第五項の規定に違反する行為をし、かつ、当該行為を引き続きするおそれがあると認めるとき、又は大臣管理努力量に係る採捕を行う者が第十条第一項の命令に違反する行為をし、かつ、当該行為を引き続きするおそれがあると認めるときは、その採捕を行う者に対し、当該違反行為に使用した船舶につき、停泊港及び停泊期間を指定して当該船舶の停泊を命ずることができる。

Article 12 (1) When the Minister of Agriculture, Forestry and Fisheries finds that a person carrying out gathering or catching related to quantity managed by the Minister has performed an act in violation of an order under Article 10, paragraph (1) or of the provisions of paragraph (5) of the preceding Article and is likely to continue to perform the act, or when the Minister finds that a person who carries out gathering or catching related to fishing effort managed by the Minister has performed an act in violation of an order under Article 10, paragraph (1) and is likely to continue to perform the act, the Minister may order the person carrying out the gathering or catching to anchor the ship used in the act in violation, and may specify the port and the period for anchorage.

2 都道府県の知事は、知事管理量に係る採捕を行う者が第十条第二項の命令若しくは

前条第五項の規定に違反する行為をし、かつ、当該行為を引き続きするおそれがあると認めるとき、又は知事管理努力量に係る採捕を行う者が第十条第二項の命令に違反する行為をし、かつ、当該行為を引き続きするおそれがあると認めるときは、その採捕を行う者に対し、当該違反行為に使用した船舶につき、停泊港及び停泊期間を指定して当該船舶の停泊を命ずることができる。

(2) When a prefectural governor finds that a person carrying out gathering or catching related to quantity managed by the governor has performed an act in violation of an order under Article 10, paragraph (2) or of the provisions of paragraph (5) of the preceding Article and is likely to continue to perform the act, or finds that a person who carries out gathering or catching related to fishing effort managed by the governor has performed an act in violation of an order under Article 10, paragraph (2) and is likely to continue to perform the act, the governor may order the person carrying out the gathering or catching to anchor the ship used in the act in violation, and may specify the port and the period for anchorage.

3 農林水産大臣又は都道府県の知事は、前二項の規定による命令をしようとするときは、行政手続法（平成五年法律第八十八号）第十三条第一項の規定による意見陳述のための手続の区分にかかわらず、聴聞を行わなければならない。

(3) When the Minister of Agriculture, Forestry and Fisheries or a prefectural governor seeks to issue an order pursuant to the provisions of the preceding two paragraphs, the Minister or the governor must hold a hearing, regardless of its classification as a proceeding for statement of opinions pursuant to the provisions of Article 13, paragraph (1) of the Administrative Procedure Act (Act No. 88 of 1993).

4 第一項又は第二項の規定による処分に係る聴聞の期日における審理は、公開により行わなければならない。

(4) The proceedings pertaining to a disposition pursuant to the provisions of paragraph (1) or (2) on a hearing date must be opened to the public.

（協定の締結）

(Conclusion of Agreements)

第十三条 大臣管理量又は大臣管理努力量に係る採捕を行う者は、当該大臣管理量又は大臣管理努力量に係る特定海洋生物資源の保存及び管理に関する協定を締結し、当該協定が適当である旨の農林水産大臣の認定を受けることができる。

Article 13 (1) A person who carries out catching related to quantity managed by the Minister or fishing effort managed by the Minister may enter into an agreement on the conservation and management of the specified living marine resources related to the quantity managed by the Minister or fishing effort managed by the Minister, and may obtain certification from the Minister of Agriculture, Forestry and Fisheries to the effect that the agreement is appropriate.

2 知事管理量又は知事管理努力量に係る採捕を行う者は、当該知事管理量又は知事管理努力量に係る特定海洋生物資源又は指定海洋生物資源の保存及び管理に関する協定を締結し、当該協定が適当である旨の都道府県の知事の認定を受けることができる。

(2) A person who carries out catching related to quantity managed by the governor or fishing effort managed by the governor may enter into an agreement on the conservation and management of the specified living marine resources or designated living marine resources related to the quantity managed by the governor or fishing effort managed by the governor, and may obtain certification from the governor of the prefecture concerned to the effect that the agreement is appropriate.

3 前二項の協定（以下単に「協定」という。）においては、次に掲げる事項を定めるものとする。

(3) The agreement under either of the preceding two paragraphs (hereinafter simply referred to as the "agreement") is to prescribe the following matters:

一 協定の対象となる海域並びに特定海洋生物資源又は指定海洋生物資源及びその採捕の種類

(i) the sea area, the specified living marine resources, or designated living marine resource, and the gathering or catching mode subject to the agreement;

二 特定海洋生物資源又は指定海洋生物資源の保存及び管理の方法

(ii) the method of conserving and managing the specified living marine resources or designated living marine resources;

三 協定の有効期間

(iii) the valid period of the agreement;

四 協定に違反した場合の措置

(iv) measures in the event that the agreement is violated; and

五 その他農林水産省令で定める事項

(v) other matters as provided by Order of the Ministry of Agriculture, Forestry and Fisheries.

（協定の認定等）

(Certification of Agreements)

第十四条 農林水産大臣又は都道府県の知事は、前条第一項又は第二項の認定の申請が次の各号のすべてに該当するときは、これらの規定による認定をするものとする。

Article 14 (1) If a request for the certification set forth in paragraph (1) or (2) of the preceding Article falls under all of the following items, the Minister of Agriculture, Forestry and Fisheries or a prefectural governor is to issue a certification as set forth in the relevant provision:

一 協定の内容が大臣管理量、大臣管理努力量、知事管理量又は知事管理努力量の管理に資すると認められるものであること。

(i) the content of the agreement is found to contribute to quantity managed by

the Minister, fishing effort managed by the Minister, quantity managed by the governor, or fishing effort managed by the governor;

二 協定の内容が不当に差別的でないこと。

(ii) the content of the agreement is not unfairly discriminatory;

三 協定の内容がこの法律及びこの法律に基づく命令その他関係法令に違反するものでないこと。

(iii) the content of the agreement does not violate this Act, orders based on this Act, or other relevant laws and regulations; and

四 その他農林水産省令で定める基準

(iv) other standards prescribed by Order of the Ministry of Agriculture, Forestry and Fisheries.

2 前項に規定するもののほか、協定の認定（協定の変更の認定を含む。）及びその取消し並びに協定の廃止に関し必要な事項は、政令で定める。

(2) Beyond what is provided for in the preceding paragraph, necessary matters concerning the certification of the agreement (including certification of changes to the agreement), and the withdrawal from or discontinuance of the agreement are specified by Cabinet Order.

（協定への参加のあっせん）

(Arrangements for Participation in an Agreement)

第十五条 第十三条第一項又は第二項の認定を受けた協定（以下「認定協定」という。）に参加している者は、認定協定の対象となる海域において認定協定の対象となる種類の特定海洋生物資源又は指定海洋生物資源について認定協定の対象となる種類の採捕を行う者であって認定協定に参加していないものに対し認定協定を示して参加を求めた場合においてその参加を承諾しない者がいるときは、農林水産省令で定めるところにより、同条第一項又は第二項の認定をした農林水産大臣又は都道府県の知事に対し、その者の承諾を得るために必要なあっせんをすべきことを求めることができる。

Article 15 (1) When a person participating in an agreement that has been certified pursuant to Article 13, paragraph (1) or (2) (hereinafter referred to as a "certified agreement") shows the certified agreement to a person who is not a participant thereto but who carries out the gathering or catching of the types of specified living marine resources or designated living marine resources subject to the certified agreement by the gathering or catching mode in the sea areas subject to the certified agreement and asks the non-participant to participate in the certified agreement, if there is a non-participant that does not agree to participate, the participant to the certified agreement may request the Minister of Agriculture, Forestry and Fisheries or the prefectural governor who has given certification pursuant to Article 13, paragraph (1) or (2) to make the necessary arrangements for obtaining the consent of that non-participant, as provided by Order of the Ministry of Agriculture, Forestry and Fisheries.

2 農林水産大臣又は都道府県の知事は、前項の規定による申請があつた場合において、認定協定に参加していない者の認定協定への参加が前条第一項の規定に照らして相当であり、かつ、認定協定の内容からみてその者に対し参加を求めることが特に必要であると認めるときは、あつせんをするものとする。

(2) When a request has been made pursuant to the preceding paragraph, if the Minister of Agriculture, Forestry and Fisheries or a prefectural governor finds that the participation of the person who is not a participant to the certified agreement is appropriate in light of the provisions of paragraph (1) of the preceding Article and finds it especially necessary to request the person's participation in view of the content of the certified agreement, the Minister or the governor is to make the arrangements.

(漁業法等による措置)

(Measures Under the Fishery Act)

第十六条 認定協定に参加している者は、その数が認定協定の対象となる海域において認定協定の対象となる特定海洋生物資源又は指定海洋生物資源について認定協定の対象となる種類の採捕を行う者のすべての数の三分の二以上であつて農林水産省令で定める割合を超えていることその他の農林水産省令で定める基準に該当するときは、農林水産省令で定めるところにより、農林水産大臣又は都道府県の知事に対し、認定協定の目的を達成するために必要な措置を講ずべきことを求めることができる。

Article 16 (1) If the number of persons participating in a certified agreement is not less than two thirds of all the persons who carry out the gathering or catching of the specified living marine resources or designated living marine resources subject to the certified agreement by the gathering or catching mode in the sea areas subject to the certified agreement, and if the number of all those persons exceed the rate prescribed by Order of the Ministry of Agriculture, Forestry and Fisheries and also conforms to other standards prescribed by Order of the Ministry of Agriculture, Forestry and Fisheries, the participants may request that the Minister of Agriculture, Forestry and Fisheries or a prefectural governor take the necessary measures for the achievement of the purpose of the certified agreement, as provided by Order of the Ministry of Agriculture, Forestry and Fisheries.

2 農林水産大臣又は都道府県の知事は、前項の規定による申出があつた場合において、漁業調整、水産資源の保護培養その他公益のために必要があると認めるときは、その申出の内容を勘案して、漁業法第三十四条第一項（同法第六十三条第一項において読み替えて準用する場合を含む。）、第三項若しくは第四項、第六十五条第一項若しくは第二項若しくは第六十六条第一項又は水産資源保護法第四条第一項若しくは第二項の規定による水産動植物の採捕の制限等の措置その他の適切な措置を講ずるものとする。

(2) If a request has been made pursuant to the preceding paragraph, the Minister of Agriculture, Forestry and Fisheries or a prefectural governor is to take such

measures as placing restrictions on gathering or catching the relevant aquatic animals or plants or any other appropriate measures pursuant to the provisions of Article 34, paragraph (1) of the Fishery Act (including as applied *mutatis mutandis* pursuant to Article 63, paragraph (1) of the same Act following the deemed replacement of terms), Article 34, paragraph (3) or (4), Article 65, paragraph (1) or (2), or Article 66, paragraph (1) of the Fishery Act, or Article 4, paragraph (1) or (2) of the Act on the Protection of Fishery Resources, taking into agreement the content of the request, if the Minister or the governor finds it necessary for adjustment of fisheries, protection and culture of aquatic resources, and public interest.

3 都道府県の知事は、第一項に規定する申出に基づき漁業法第三十四条第四項の規定を適用しようとするときは、同項に規定する海区漁業調整委員会の申請によらず、漁業権に制限又は条件を付けることができる。この場合においては、同条第二項及び同法第三十七条第四項の規定を準用する。

(3) When a prefectural governor seeks to apply the provisions of Article 34, paragraph (4) of the Fishery Act based on the request under paragraph (1), the governor may attach a restriction or condition on the fishing rights, regardless of the request made by the relevant Sea Area Fishery Adjustment Commission provided in the same paragraph. In this case, the provisions of paragraph (2) of the same Article and Article 37, paragraph (4) of the same Act apply *mutatis mutandis*.

4 前項の規定は、第一項に規定する申出に基づき農林水産大臣が漁業法第百三十六条の規定により同法第三十四条第四項の規定を適用しようとする場合について準用する。

(4) The provisions of the preceding paragraph apply *mutatis mutandis* when the Minister of Agriculture, Forestry and Fisheries seeks to apply the provisions of Article 34, paragraph (4) of the Fishery Act pursuant to the provisions of Article 136 of the same Act based on the request under paragraph (1).

(採捕の数量又は漁獲努力量等の報告)

(Report of the Amount Gathered or Caught, or Fishing Effort)

第十七条 指定漁業等を営む者であつて農林水産省令で定めるものは、排他的経済水域等において第一種特定海洋生物資源を採捕したときは、農林水産省令で定めるところにより、採捕の数量その他採捕の状況に関し農林水産省令で定める事項を農林水産大臣に報告しなければならない。

Article 17 (1) When a person who operates a designated fishery, etc. and is prescribed by Order of the Ministry of Agriculture, Forestry and Fisheries has gathered or caught Class I specified living marine resources in the exclusive economic zone, etc., the person must report the matters provided by Order of the Ministry of Agriculture, Forestry and Fisheries concerning the amount gathered or caught and its status to the Minister of Agriculture, Forestry and Fisheries, as prescribed by Order of the Ministry of Agriculture, Forestry and

Fisheries.

- 2 大臣管理努力量に係る採捕を行う者は、当該大臣管理努力量の対象となる漁獲努力量に係る漁ろう作業を行ったときは、農林水産省令で定めるところにより、漁獲努力量その他採捕の状況に関し農林水産省令で定める事項を農林水産大臣に報告しなければならない。
- (2) When a person who carries out gathering or catching related to fishing effort managed by the Minister has done fishing work related to fishing effort subject to the fishing effort managed by the Minister, the person must report the matters provided by Order of the Ministry of Agriculture, Forestry and Fisheries concerning the fishing effort and gathering or catching status to the Minister of Agriculture, Forestry and Fisheries, as prescribed by Order of the Ministry of Agriculture, Forestry and Fisheries.
- 3 指定漁業等を営む者及び第三条第二項第六号の政令で定める者以外の者であって都道府県の規則で定めるものは、当該都道府県の地先水面において第一種特定海洋生物資源を採捕したとき、又は当該都道府県の指定海域において当該都道府県の第一種指定海洋生物資源を採捕したときは、都道府県の規則で定めるところにより、採捕の数量その他採捕の状況に関し農林水産省令で定める事項を当該都道府県の知事に報告しなければならない。
- (3) When a person who is prescribed in Prefectural Regulations and who is a person other than the person operating a designated fishery, etc. or the person specified by Cabinet Order under Article 3, paragraph (2), item (vi) has caught Class I specified living marine resources in the sea bordering the prefecture, or has gathered or caught the prefecture's Class I designated living marine resources in that prefecture's designated sea area, the person must report the matters provided by Order of the Ministry of Agriculture, Forestry and Fisheries concerning the quantity gathered or caught and its status to the governor of the prefecture, as provided in Prefectural Regulations.
- 4 知事管理努力量に係る採捕を行う者は、当該知事管理努力量の対象となる漁獲努力量又は都道府県漁獲努力量に係る漁ろう作業を行ったときは、都道府県の規則で定めるところにより、漁獲努力量又は都道府県漁獲努力量その他採捕の状況に関し農林水産省令で定める事項を当該都道府県の知事に報告しなければならない。
- (4) When a person who carries out gathering or catching related to fishing effort managed by the governor has done fishing work related to the fishing effort or prefectural fishing effort subject to fishing effort managed by the governor, the person must report the matters prescribed by Order of the Ministry of Agriculture, Forestry and Fisheries concerning the fishing effort or prefectural fishing effort and gathering or catching status to the governor of the relevant prefecture, as provided in Prefectural Regulations.

(報告及び立入検査)

(Report and On-Site Inspection)

第十八条 農林水産大臣は特定海洋生物資源の採捕を行う指定漁業等を営む者その他の関係者に対し、都道府県の知事は特定海洋生物資源又は当該都道府県の指定海洋生物資源の採捕を行う知事許可漁業を営む者その他の関係者に対し、この法律の施行に必要な限度において、採捕の状況その他の必要な事項に関し報告を求め、又はその職員に、これらの者の漁場、船舶、事業場、事務所若しくは倉庫に立ち入り、業務の状況若しくは漁獲物、帳簿、書類その他の物件を検査させることができる。

Article 18 (1) The Minister of Agriculture, Forestry and Fisheries may ask a person who operates a designated fishery, etc. that gathers or catches specified living marine resources and other persons concerned, and a prefectural governor may ask a person who operates fishery permitted by the governor that gathers or catches specified living marine resources or designated living marine resources of the prefecture concerned and other persons concerned to report on their gathering or catching status and on any other necessary matters, or have their employees enter the fishing area, ship, workplace, office, or warehouse of those persons, to inspect the status of business or the catch, books, documents, or other objects, to the extent necessary for the implementation of this Act.

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

(2) An employee who carries out an on-site inspection pursuant to the provisions of the preceding paragraph must carry an identification card and show it to the persons concerned.

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

(3) The authority for on-site inspection pursuant to the provisions of paragraph (1) may not be construed as being granted for criminal investigation.

(水産政策審議会による報告徴収等)

(Collection of Reports by the Fisheries Policy Council)

第十九条 水産政策審議会は、この法律の規定によりその権限に属させられた事項を処理するために必要があると認めるときは、特定海洋生物資源の採捕を行う指定漁業等を営む者その他関係者に対し出頭を求め、若しくは必要な事項に関し報告を求め、又はその委員若しくはその事務に従事する者に漁場、船舶、事業場若しくは事務所について所要の調査をさせることができる。

Article 19 The Fisheries Policy Council may ask a person who operates a designated fishery, etc. and who gathers or catches specified living marine resources or any other relevant persons to appear before the council or to make a report on necessary matters, or may have a member of the council or a person engaged in the affairs of the council carry out the necessary examination of the fishing area, ship, workplace, or office, if the council finds it necessary for dealing with a matter over which it holds authority pursuant to the provisions

of this Act.

(事務の区分)

(Classification of Affairs)

第二十条 この法律（第三条第五項（同条第九項において準用する場合を含む。）及び第六条を除く。）の規定により都道府県が処理することとされている事務は、地方自治法（昭和二十二年法律第六十七号）第二条第九項第一号に規定する第一号法定受託事務とする。

Article 20 The affairs to be dealt with by a prefecture pursuant to the provisions of this Act (excluding Article 3, paragraph (5) (including as applied mutatis mutandis pursuant to paragraph (9) of the same Article) and Article 6) are to be Type 1 statutory entrusted functions provided under Article 2, paragraph (9), item (i) of the Local Autonomy Act (Act No. 67 of 1947).

(経過措置)

(Transitional Measures)

第二十一条 この法律の規定に基づき政令、農林水産省令又は都道府県の条例若しくは規則を制定し、又は改廃する場合においては、その政令、農林水産省令又は都道府県の条例若しくは規則で、その制定又は改廃に伴い合理的に必要と判断される範囲内において、所要の経過措置（罰則に関する経過措置を含む。）を定めることができる。

Article 21 When Cabinet Order, Order of the Ministry of Agriculture, Forestry and Fisheries, Prefectural Ordinance, or Prefectural Regulation based on the provisions of this Act is to be established, amended, or repealed, the Cabinet Order, Order of the Ministry of Agriculture, Forestry and Fisheries, Prefectural Order, or Prefectural Regulation may prescribe necessary transitional measures (including transitional measures on penal provisions) to the extent reasonably judged to be necessary for the establishment, amendment, or repeal.

(罰則)

(Penal Provisions)

第二十二条 次の各号のいずれかに該当する者は、三年以下の懲役若しくは二百万円以下の罰金に処し、又はこれを併科する。

Article 22 A person who falls under any of the following items is sentenced to imprisonment with work for not more than three years or a fine of not more than two million yen:

一 第十条第一項又は第二項の命令に違反した者

(i) a person who has violated the order under Article 10, paragraph (1) or (2);

二 第十一条第五項の規定に違反した者

(ii) a person who has violated the provisions of Article 11, paragraph (5); or

三 第十二条第一項又は第二項の規定による命令に違反した者

(iii) a person who has violated an order pursuant to the provisions of Article 12, paragraph (1) or (2).

第二十三条 前条第一号又は第二号の場合においては、犯人が所有し、又は所持する漁獲物、その製品、漁船又は漁具その他海洋生物資源の採捕の用に供される物は、没収することができる。ただし、犯人が所有していたこれらの物件の全部又は一部を没収することができないときは、その価額を追徴することができる。

Article 23 In the case referred to in item (1) or (2) of the preceding Article, the catch, their products, ships, fishing gear, and any other objects used for gathering or catching the living marine resources that are owned by or in the possession of an offender may be confiscated; provided, however, that if objects owned by the offender cannot be confiscated in whole or in part, their equivalent value may be collected.

第二十四条 次の各号のいずれかに該当する者は、三十万円以下の罰金に処する。

Article 24 A person who falls under any of the following items is punished by a fine of not more than 300,000 yen:

一 第十七条第一項から第四項までの規定による報告をせず、又は虚偽の報告をした者

(i) a person who has not made a report pursuant to the provisions of Article 17, paragraphs (1) through (4) or who has made a false report; or

二 第十八条第一項の規定による報告をせず、若しくは虚偽の報告をし、又は同項の規定による検査を拒み、妨げ、若しくは忌避した者

(ii) a person who has not made a report pursuant to the provisions of Article 18, paragraph (1) or who has made a false report, or a person who has refused, disturbed, or evaded an inspection pursuant to the provisions of the same paragraph.

第二十五条 法人の代表者又は法人若しくは人の代理人、使用人その他の従業者が、その法人又は人の業務に関し、第二十二条又は前条の違反行為をしたときは、行為者を罰するほか、その法人又は人に対しても、各本条の罰金刑を科する。

Article 25 When a representative of a corporation or an agent, employee, or other worker of a corporation or of an individual has performed an act violating Article 22 or the preceding Article in relation to the business of the corporation or individual, the violator is punished, and the corporation or the individual is also be punished by the fine prescribed in the corresponding Article.

附 則

Supplementary Provisions

(施行期日)

(Effective Date)

第一条 この法律は、海洋法に関する国際連合条約が日本国について効力を生ずる日から施行する。

Article 1 This Act comes into effect as of the day when United Nations Convention on the Law of the Sea comes into effect in Japan.

(対象水域の明確化)

(Clarification of the Subject Water Area)

第一条の二 第二条第一項の規定の適用については、当分の間、同項中「我が国の排他的経済水域」とあるのは「我が国の排他的経済水域（排他的経済水域及び大陸棚に関する法律（平成八年法律第七十四号）第四条の条約の規定により我が国が海洋生物資源の採捕に関する主権的権利を行使する水域の範囲について調整が行われるときは、その調整後の水域とする。）」と、「排他的経済水域及び大陸棚に関する法律（平成八年法律第七十四号）」とあるのは「同法」とする。

Article 1-2 With regard to application of the provisions of Article 2, paragraph (1), until otherwise provided for by law, the term "the exclusive economic zone of Japan" in that paragraph is deemed to be replaced with "the exclusive economic zone of Japan (when an adjustment of the scope of water area in which Japan may exercise its sovereign right to catch living marine resources pursuant to the treaty under Article 4 of the Act on The Exclusive Economic Zone and the Continental Shelf (Act No. 74 of 1996) takes place, the water area after the adjustment is made)," and term "the Act on the Exclusive Economic Zone and the Continental Shelf (Act No. 74 of 1996)" in the same paragraph is deemed to be replaced with "the same Act."

第一条の三 前条の規定により読み替えて適用される第二条第一項に規定する調整が行われる場合における同項に規定する主権的権利に関する排他的経済水域及び大陸棚に関する法律第三条の規定の適用については、同条第一項第一号中「排他的経済水域」とあるのは、「排他的経済水域（海洋生物資源の保存及び管理に関する法律（平成八年法律第七十七号）附則第一条の二の規定により読み替えて適用される同法第二条第一項の排他的経済水域をいう。以下この条において同じ。））」とする。

Article 1-3 With regard to the application of the provisions of Article 3 of the Act on the Exclusive Economic Zone and the Continental Shelf concerning the sovereign right as provided in paragraph (1) of Article 2 as applied pursuant to the provisions of the preceding Article following the deemed replacement of terms, when the adjustment provided in the same paragraph has taken place, the term "the exclusive economic zone" in paragraph (1), item (i) of the same Article is deemed to be replaced with "the exclusive economic zone (the exclusive economic zone under Article 2, paragraph (1) of the Act on Conservation and Management of Living Marine Resources (Act No. 77 of 1996) as applied pursuant to the provisions of Article 1-2 of the Supplementary

Provisions of the same Act; hereinafter the same applies in this Article)."

(適用の特例)

(Exceptions on Application)

第二条 第七条から第二十五条までの規定については、政令で、第一種特定海洋生物資源を指定して適用しないこととすることができる。ただし、政令で期限を定めたときは、その期限までの間に限る。

Article 2 The provisions of Articles 7 through 25 may be exempted from application to Class I specified living marine resources by Cabinet Order; provided that if a period is specified by Cabinet Order, the exemption is limited to that period.

(基本計画及び都道府県計画に係る経過規定)

(Transitional Measures Pertaining to the Basic Plan and Prefectural Plans)

第三条 基本計画及び都道府県計画は、平成九年以降の漁獲可能量について定めるものとする。

Article 3 The basic plan and prefectural plans are to specify the total allowable catch for 1997 and thereafter.

附 則 〔平成十年十二月十八日法律第四百十九号〕〔抄〕

Supplementary Provisions [Excerpt Act No. 149 of December 18, 1998]

[Extract]

(施行期日)

(Effective Date)

第一条 この法律は、漁業に関する日本国と大韓民国との間の協定の効力発生の日から施行する。

Article 1 This Act comes into effect as of the day when the Japan-Korea Fishery Agreement comes into effect.

(罰則の適用に関する経過措置)

(Transitional Measures Concerning Application of Penal Provisions)

第三条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 3 With regard to application of penal provisions to acts performed prior to the implementation of this Act, the provisions then in force remain applicable.

附 則 〔平成十一年七月十六日法律第八十七号〕〔抄〕

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

(施行期日)

(Effective Date)

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

Article 1 This Act comes into effect as of April 1, 2000; provided, however, that the provisions listed in the following items come into effect on the day prescribed in each item.

一 第一条中地方自治法第二百五十条の次に五条、節名並びに二款及び款名を加える改正規定（同法第二百五十条の九第一項に係る部分（両議院の同意を得ることに係る部分に限る。）に限る。）、第四十条中自然公園法附則第九項及び第十項の改正規定（同法附則第十項に係る部分に限る。）、第二百四十四条の規定（農業改良助長法第十四条の三の改正規定に係る部分を除く。）並びに第四百七十二条の規定（市町村の合併の特例に関する法律第六条、第八条及び第十七条の改正規定に係る部分を除く。）並びに附則第七条、第十条、第十二条、第五十九条ただし書、第六十条第四項及び第五項、第七十三条、第七十七条、第一百五十七条第四項から第六項まで、第一百六十条、第一百六十三条、第一百六十四条並びに第二百二条の規定 公布の日

(i) The amended provisions of Article 1 of the Local Autonomy Act whereby five Articles, a section title, and two subsections and subsection titles are added after Article 250 of the same Act (limited to the parts pertaining to Article 250-9, paragraph (1) of the same Act (limited to the part pertaining to obtaining consent from both the Lower and Upper Houses)), the amended provisions of Article 40, paragraphs (9) and (10) of the Supplementary Provisions of the Natural Parks Act (limited to the parts pertaining to paragraph (10) of the Supplementary Provisions of the same Act), the provisions of Article 244 (excluding the parts pertaining to the amended provisions of Article 14-3 of the Agricultural Extension Promotion Act), and the provisions of Article 472 (excluding the parts pertaining the amended provisions of Article 6, Article 8, and Article 17 of the Act on Special Measures for the Mergers of Municipalities), and the provisions of Article 7, Article 10, and Article 12, the proviso to Article 59, Article 60, paragraphs (4) and (5), Article 73, Article 77, Article 157, paragraphs (4) through (6), Article 160, Article 163, Article 164, and Article 202 of the Supplementary Provisions: the date of promulgation

(国等の事務)

(Affairs of the National Government)

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

に基づく政令により当該地方公共団体の事務として処理するものとする。

Article 159 In addition to the affairs provided for in each law prior to amendment by this Act, the affairs of the national government, local governments other than the relevant local government, and other public organizations which are administered or performed by local government agencies in conformity with laws or Cabinet Orders based on those laws prior to the implementation of this Act (referred to as "the affairs of the national government, etc." in Article 161 of the Supplementary Provisions), are to be dealt with by the local governments as the affairs of the local government in conformity with the laws or with Cabinet Orders based on those laws after the implementation of this Act.

(処分、申請等に関する経過措置)

(Transitional Measures Concerning Dispositions and Applications)

第百六十条 この法律（附則第一条各号に掲げる規定については、当該各規定。以下この条及び附則第百六十三条において同じ。）の施行前に改正前のそれぞれの法律の規定によりされた許可等の処分その他の行為（以下この条において「処分等の行為」という。）又はこの法律の施行の際現に改正前のそれぞれの法律の規定によりされている許可等の申請その他の行為（以下この条において「申請等の行為」という。）で、この法律の施行の日においてこれらの行為に係る行政事務を行うべき者が異なることとなるものは、附則第二条から前条までの規定又は改正後のそれぞれの法律（これに基づく命令を含む。）の経過措置に関する規定に定めるものを除き、この法律の施行の日以後における改正後のそれぞれの法律の適用については、改正後のそれぞれの法律の相当規定によりされた処分等の行為又は申請等の行為とみなす。

Article 160 (1) With regard to the dispositions such as permission and other acts (hereinafter referred to as "acts such as disposition") taken pursuant to the provisions of respective laws prior to amendment before implementation of this Act (for provisions under the items of Article 1 of the Supplementary Provisions; hereinafter the same applies in this Article and Article 163 of the Supplementary Provisions) or application for permission granted pursuant the provisions of respective laws prior to amendment at the time of implementation of this Act and other acts (hereinafter referred to as "acts such as application") for which the persons that should perform the administrative affairs pertaining to these acts on the day of implementation of this Act are different, except for the acts provided in the provisions of Article 2 through the preceding Article of the Supplemental Provisions and in the provisions concerning the transitional measures for those respective laws after the amendment (including the orders based on those laws), with regard to the application of the respective laws after the amendment on or after the date of implementation of this Act, the acts are deemed to be acts such as disposition or acts such as application taken pursuant to the corresponding provisions of the respective

laws after the amendment.

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

(2) If, prior to the implementation of this Act, a matter that requires reporting, notification, submission, or any other procedure to be carried out with the national government or local government agencies pursuant to the provisions of laws not yet amended by this Act is not yet accomplished before the date on which this Act comes into effect, and other than the matters that are otherwise prescribed by this Act or Cabinet Orders based on this Act, the provisions of each law amended by this Act apply to the matter that still requires reporting, notification, submission, or any other procedure to be carried out at the national government or corresponding local government agency pursuant to the corresponding provisions of the laws amended by this Act by deeming that the matter has not been accomplished.

(不服申立てに関する経過措置)

(Transitional Measures Concerning Appeals)

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

Article 161 (1) When a disposition was taken before the date of implementation of this Act pertaining to an affair of the national government, etc., and there was a higher administrative authority (hereinafter referred to as the "higher authority") prescribed in the Administrative Complaint Review Act for the administrative authority that has taken the disposition (hereinafter referred to as "administrative agency reaching the disposition" in this Article) before the date of implementation, for an appeal that was filed pursuant to the provisions of the same Act, it is deemed that the administrative agency reaching the disposition continues to have a higher authority and the provisions of the Administrative Complaint Review Act apply even after the date of implementation of this Act. In this case, the administrative authority deemed to be the higher authority of the administrative authority is the administrative

authority that was the higher authority of that administrative agency before the date of implementation.

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

(2) In a case referred to in the preceding paragraph, if the administrative authority deemed to be the higher authority is a local government agency, the affairs to be handled by the agency pursuant to the provisions of the Administrative Complaint Review Act are to be Type 1 statutory entrusted functions provided in Article 2, paragraph (9), item (i) of the New Local Autonomy Act.

(手数料に関する経過措置)

(Transitional Measure Concerning Fees)

第百六十二条 施行日前においてこの法律による改正前のそれぞれの法律（これに基づく命令を含む。）の規定により納付すべきであった手数料については、この法律及びこれに基づく政令に別段の定めがあるもののほか、なお従前の例による。

Article 162 With regard to fees that should be paid pursuant to the provisions of the respective laws prior to amendment by this Act before the date of implementation (including orders based on those laws), the provisions then in force remain applicable, unless otherwise provided in this Act or by Cabinet Order based on this Act.

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

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

Article 163 With regard to the application of penal provisions to acts performed prior to the implementation of this Act, the provisions then in force remain applicable.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

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

Article 164 (1) In addition to those provided in these Supplementary Provisions, the transitional measures necessary for the implementation of this Act (including transitional measures concerning the penal provisions) are specified by Cabinet Order.

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

(2) The matters necessary for applying the provisions of Article 18, Article 51, and Article 184 of the Supplementary Provisions are specified by Cabinet Order.

(検討)

(Review)

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

Article 250 With regard to Type 1 statutory entrusted functions provided in Article 2, paragraph (9), item (i) of the New Local Autonomy Act, establishment of new functions is to be avoided as much as possible, and the functions listed in Appended Table 1 of the New Local Autonomy Act and functions provided by Cabinet Order based on the New Local Autonomy Act are to be reviewed from the viewpoint of promoting decentralization, and periodically reviewed as appropriate.

第二百五十一条 政府は、地方公共団体が事務及び事業を自主的かつ自立的に執行できるよう、国と地方公共団体との役割分担に応じた地方税財源の充実確保の方途について、経済情勢の推移等を勘案しつつ検討し、その結果に基づいて必要な措置を講ずるものとする。

Article 251 The government is to review the methods for enriching and assuring financial resources for local taxes in accordance with the work-sharing between the national and local governments, taking into account the changes in economic conditions, so that local governments may voluntarily and independently perform their affairs and operations, and take necessary measures based on the results of the review.

第二百五十二条 政府は、医療保険制度、年金制度等の改革に伴い、社会保険の事務処理の体制、これに従事する職員の在り方等について、被保険者等の利便性の確保、事務処理の効率化等の視点に立って、検討し、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 252 Along with the reform of medical insurance system, the pension system, and other systems, the government is to review the system for processing administrative affairs of social insurance, the desirable working situation of officials engaged in those affairs, and other matters from the viewpoint of ensuring convenience for insured persons and increasing the efficiency of processing administrative affairs, take necessary measures based on the result of the review when the government finds it necessary.

附 則 〔平成十一年十二月二十二日法律第百六十号〕 〔抄〕
Supplementary Provisions [Excerpt Act No. 160 of December 22, 1999]
[Extract]

(施行期日)

(Effective Date)

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

附 則 〔平成十三年六月二十九日法律第八十九号〕 〔抄〕
Supplementary Provisions [Excerpt Act No. 89 of June 29, 2001] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から施行する。
Article 1 This Act comes into effect as from the date of promulgation.

附 則 〔平成十三年六月二十九日法律第九十一号〕 〔抄〕
Supplementary Provisions [Excerpt Act No. 91 of June 29, 2001] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して九月を超えない範囲内において政令で定め
る日から施行する。ただし、次条の規定は、公布の日から施行する。
Article 1 This Act comes into effect as of the day specified by Cabinet Order
within a period not exceeding nine months from the date of promulgation;
provided, however, that the provisions of the following Article come into effect
as from the date of promulgation.

(経過措置)

(Transitional Measures)

第二条 この法律の施行前に、この法律による改正後の海洋生物資源の保存及び管理に
関する法律第二条第六項又は第七項の政令の制定に当たってその立案をするときは、
この法律による改正前の海洋生物資源の保存及び管理に関する法律第二条第四項の規
定の例による。
Article 2 When planning to establish Cabinet Order under Article 2, paragraph
(6) or (7) of the Act on Conservation and Management of Living Marine
Resources after the amendment by this Act prior to the implementation of this
Act, the provisions of Article 2, paragraph (4) of the Act on Conservation and
Management of Living Marine Resources prior to amendment by this Act are

applicable.

(政令への委任)

(Entrustment to Cabinet Order)

第三条 前条に定めるもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

Article 3 Beyond what is set forth in the preceding Article, transitional measures necessary for the implementation of this Act are specified by Cabinet Order.

附 則 [平成十九年六月六日法律第七十七号] [抄]

Supplementary Provisions [Excerpt Act No. 77 of June 6, 1997] [Extract]

(施行期日)

(Effective Date)

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

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