

Act on Special Measures for the Enhancement of Conservation and Management of Tuna Resources

(Act No. 101 of June 21, 1996)

(Purpose)

Article 1 Given the fact that Japan historically holds a unique position in the world with regard to the capturing and consumption of tuna, the purpose of this Act is to implement measures necessary for the enhancement of conservation and management of tuna resources by dealing with the recent changes in tuna resources, the advancement of international cooperation for the conservation and management thereof, and other substantial changes in the environment surrounding the tuna fisheries, thereby contributing to the sustainable development of tuna fisheries and a stable tuna supply.

(Basic Policy)

Article 2 (1) The Ministry of Agriculture, Forestry and Fisheries is to establish a basic policy for the enhancement of conservation and management of tuna resources (hereinafter referred to as the "basic policy" in this Article) by taking the changes in tuna resources into account.

(2) The basic policy is to provide for the following particulars:

- (i) a basic guideline for the enhancement of conservation and management of tuna resources;
- (ii) basic particulars concerning measures to enhance conservation and management of tuna resources; and
- (iii) other important particulars concerning the enhancement of conservation and management of tuna resources.

(3) The Minister of Agriculture, Forestry and Fisheries is to revise the basic policy, if it is necessary due to changes in the tuna resources, tuna supply situation or any other circumstances.

(4) When the Minister of Agriculture, Forestry and Fisheries intends to establish or revise the basic policy, the minister must consult with the Minister of Foreign Affairs, the Minister of Economy, Trade and Industry, and the head of the relevant administrative organ.

(5) When the Minister of Agriculture, Forestry and Fisheries establishes or revises the basic policy, the minister must make it available to the public without delay.

(Encouraging International Cooperation)

Article 3 (1) In order to establish international organizations for the

conservation and management of tuna resources (hereinafter referred to as "international organizations") and to facilitate the effective administration thereof, the government is to endeavor to cooperate with the relevant countries and to encourage foreign countries to become a member of the relevant international organizations.

(2) The government is to endeavor to encourage the international organizations so that they can establish appropriate measures for the conservation and management of tuna resources.

(3) In addition to what is provided for in the preceding two paragraphs, the government is to endeavor to encourage international cooperation necessary for the enhancement of conservation and management of tuna resources.

(Domestic Measures)

Article 4 The Minister of Agriculture, Forestry and Fisheries must implement necessary measures to ensure that the Japanese fishery managers can comply with the measures for the conservation and management of resources established by the relevant international organizations (referred to as "conservation and management measures" in the following Article).

(Requests Made to International Organizations)

Article 5 When the government finds that tuna fishing activity conducted by fishery managers of a foreign country diminishes the effectiveness of the conservation and management measures, the government must request the international organization that has established the conservation and management measures to implement necessary measures to restrain the activity, and must request the relevant foreign country to stop the activity.

(Measures for Imports of Tuna)

Article 6 After making a request under the provisions of the preceding Article, if the government finds that the activity pertaining to the requests has not been stopped although a reasonable period of time have elapsed, the government may restrict the imports of tuna from the foreign country specified in the preceding Article pursuant to the provisions of Article 52 of the Foreign Exchange and Foreign Trade Control Act (Act No. 228 of 1949) to the extent necessary for the control, according to the agreements reached by the international organization. In this case, the government is to comply with the treaties and any other international agreements which Japan has signed.

(Development and Dissemination of Reproduction Technology)

Article 7 In order to maintain and increase tuna resources, the government is to endeavor to encourage the development and dissemination of tuna reproduction

technology and other necessary projects.

(Support Provided to Storage Businesses)

Article 8 The government is to endeavor to provide advice, guidance and other support for entities composed of those who engage in tuna fisheries with regard to the management of the tuna storage business run by the entities.

(Collection of Information)

Article 9 (1) In order to help enhance the conservation and management of tuna resources, the government is to endeavor to collect information on tuna imported into Japan.

(2) In order to help enhance the conservation and management of tuna resources, the government is to endeavor to share necessary information with international organizations, foreign governments, entities composed of those who engage in tuna fisheries or with tuna distributors or tuna processors, etc.

(Collection of Reports)

Article 10 When it is necessary for the enforcement of this Act, the Minister of Agriculture, Forestry and Fisheries may have those who engage in tuna fisheries or tuna distributors or tuna processors, or entities composed of those persons make necessary reports concerning their business.

(Penal Provisions)

Article 11 A person who fails to make a report under the provisions of the preceding Article or makes a false report is punished by a civil fine of not more than 300,000 yen.

Supplementary Provisions

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

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

(Effective Date)

Article 1 This Act (excluding Articles 2 and 3) comes into effect as of January 6, 2001.