

絶滅のおそれのある野生動植物の種の保存に関する法律第五十二条の規定による負担金の徴収方法等に関する省令

Ministerial Order on the Procedure for Collection of Expenses Charged under the Provisions of Article 52 of the Act on Conservation of Endangered Species of Wild Fauna and Flora

(平成五年三月二十九日総理府・通商産業省令第一号)

(Prime Minister's Office and Ministry of International Trade and Industry Order
No. 1 of March 29, 1993)

絶滅のおそれのある野生動植物の種の保存に関する法律（平成四年法律第七十五号）第五十二条第一項から第三項までの規定に基づき、並びに同法を実施するため、絶滅のおそれのある野生動植物の種の保存に関する法律第五十二条の規定による負担金の徴収方法等に関する命令を次のように定める。

Pursuant to the provisions of Article 52, paragraphs (1) through (3) of the Act on Conservation of Endangered Species of Wild Fauna and Flora (Act No. 75 of 1992), and for the purpose of giving effect to the same Act, an order on the procedure for collection of expenses charged under the provisions of Article 52 of the Act on Conservation of Endangered Species of Wild Fauna and Flora is issued as follows.

第一条 環境大臣が絶滅のおそれのある野生動植物の種の保存に関する法律（以下「法」という。）第十一条第二項、第十四条第二項若しくは第四十条第三項の規定により、又は経済産業大臣等が法第十六条第三項の規定により費用を負担させようとするときは、負担させようとする者の意見を聴かなければならない。

Article 1 If the Minister of the Environment intends to charge expenses to a person under the provisions of Article 11, paragraph (2), Article 14, paragraph (2) or Article 40, paragraph (3) of the Act on Conservation of Endangered Species of Wild Fauna and Flora (hereinafter referred to as the "Act") or if the Minister of Economy, Trade and Industry, etc. intends to charge expenses to a person under the provisions of Article 16, paragraph (3) of the Act, the relevant minister or minister, etc. must hear the person's opinion.

第二条 法第五十二条第一項の規定により、環境大臣が納付を命ずる費用の額は、実際に要した費用の額とし、その納付期限は、次の各号に掲げる場合に応じ、当該各号に定める日とする。

Article 2 The amount of expenses that may be ordered by the Minister of the

Environment to be paid pursuant to the provisions of Article 52, paragraph (1) of the Act is to be the amount of expenses actually incurred and is to be paid no later than the date which is specified in the applicable item, depending on which of the cases set forth in the following items applies:

一 法第十一条第二項の規定により費用を負担させようとする場合 当該規定により環境大臣が国内希少野生動植物種等の生きている個体の譲渡しその他の必要な措置をとった日から相当の期間経過した日

(i) if the minister intends to charge expenses under the provisions of Article 11, paragraph (2) of the Act: the day on which a reasonable period has elapsed since the date on which the Minister of the Environment transferred the live individual of a nationally rare species of wild fauna and /flora, etc. or took other necessary measures under those provisions;

二 法第十四条第二項の規定により費用を負担させようとする場合 当該規定により環境大臣が希少野生動植物種の個体等の譲渡しその他の必要な措置をとった日から相当の期間経過した日

(ii) if the minister intends to charge expenses under the provisions of Article 14, paragraph (2) of the Act: the day on which a reasonable period has elapsed since the date on which the Minister of the Environment transferred the individual, etc. of a rare species of wild fauna and flora or took other necessary measures under those provisions;

三 法第四十条第三項の規定により費用を負担させようとする場合 当該規定により環境大臣が原状回復その他必要な措置をとった日から相当の期間経過した日

(iii) if the minister intends to charge expenses under the provisions of Article 40, paragraph (3) of the Act: the day on which a reasonable period has elapsed since the date on which the Minister of the Environment restored the habitat to the original condition or took other necessary measures under those provisions.

第三条 法第五十二条第一項の規定により、経済産業大臣等が納付を命ずる費用の額は、実際に要した費用の額とし、その納付期限は、法第十六条第三項の規定により経済産業大臣等が返送をした日から相当の期間経過した日とする。

Article 3 The amount of expenses to be ordered by the Minister of Economy, Trade and Industry, etc. to be paid pursuant to the provisions of Article 52, paragraph (1) of the Act is to be the amount of expenses actually incurred and is to be paid no later than the day on which a reasonable period has elapsed since the date on which the Minister of Economy, Trade and Industry, etc. returned the individual, etc. under the provisions of Article 16, paragraph (3) of the Act.

第四条 法第五十二条第二項の規定により環境大臣又は経済産業大臣等が督促状により指定する期限は、督促状を発する日から起算して十日以上経過した日でなければなら

ない。

Article 4 The due date to be specified in a demand letter by the Minister of the Environment or the Minister of Economy, Trade and Industry, etc. pursuant to the provisions of Article 52, paragraph (2) of the Act must be no earlier than ten days after the date on which the demand letter is issued.

第五条 法第五十二条第三項の規定により環境大臣又は経済産業大臣等が徴収する延滞金の額は、負担金の額に、年十・七五パーセントの割合を乗じて計算した額とする。

Article 5 The amount of penal interest to be collected by the Minister of the Environment or the Minister of Economy, Trade and Industry, etc. pursuant to the provisions of Article 52, paragraph (3) of the Act is to be the amount calculated by multiplying the amount of expenses charged by 10.75 percent per annum.

第六条 法第十九条第二項の証明書は、別記様式による。

Article 6 Identification as referred to in Article 19, paragraph (2) of the Act is as shown in the Appended Form.

附 則

Supplementary Provisions

この命令は、法の施行の日（平成五年四月一日）から施行する。

This Order comes into effect as of the date on which the Act comes into effect (April 1, 1993).

附 則 〔平成七年六月十四日総理府・通商産業省令第一号〕

Supplementary Provisions [June 14, 1995, Prime Minister's Office, Ministry of International Trade and Industry, Order No. 1]

この命令は、絶滅のおそれのある野生動植物の種の保存に関する法律の一部を改正する法律（平成六年法律第五十二号）の施行の日（平成七年六月二十八日）から施行する。

This Order comes into effect as of the date on which the Act Partially Amending the Act on Conservation of Endangered Species of Wild Fauna and Flora (Act No. 52 of 1994) comes into effect (June 28, 1995).

附 則 〔平成十二年八月十四日総理府・通商産業省令第九号〕

Supplementary Provisions [August 14, 2000, Prime Minister's Office, Ministry of International Trade and Industry, Order No. 9]

この命令は、内閣法の一部を改正する法律（平成十一年法律第八十八号）の施行の日（平成十三年一月六日）から施行する。

This Order comes into effect as of the date on which the Act Partially Amending the Cabinet Act (Act No. 88 of 1999) comes into effect (January 6, 2001).

附 則 〔平成十五年七月十七日経済産業省・環境省令第四号〕 〔抄〕
Supplementary Provisions [July 17, 2003, Ministry of Economy, Trade and Industry and Ministry of the Environment, Order No. 4 Excerpts]
[Extract]

(施行期日)

(Effective Date)

第一条 この省令は、絶滅のおそれのある野生動植物の種の保存に関する法律の一部を改正する法律の施行の日（平成十五年七月二十日）から施行する。

Article 1 This Ministerial Order comes into effect as of the date on which the Act Partially Amending the Act on Conservation of Endangered Species of Wild Fauna and Flora comes into effect (July 20, 2003).

(経過措置)

(Transitional Measures)

第四条 この省令の施行の際現に交付されている第二条の規定による改正前の絶滅のおそれのある野生動植物の種の保存に関する法律第五十二条の規定による負担金の徴収方法等に関する省令別記様式による身分証明書は、同条の規定による改正後の絶滅のおそれのある野生動植物の種の保存に関する法律第五十二条の規定による負担金の徴収方法等に関する省令の様式によるものとみなす。

Article 4 Identification which is in the form shown in the Appended Form of the Ministerial Order on the Procedure for Collection of Expenses Charged under the Provisions of Article 52 of the Act on Conservation of Endangered Species of Wild Fauna and Flora prior to amendment by Article 2 and which has actually been issued at the time this Ministerial Order comes into effect is deemed to be in the form specified by the Ministerial Order on the Procedure for Collection of Expenses Charged under the Provisions of Article 52 of the Act on Conservation of Endangered Species of Wild Fauna and Flora amended by the provisions of the same Article.

附 則 〔平成十九年四月二十日経済産業省・環境省令第七号〕
Supplementary Provisions [April 20, 2007, Ministry of Economy, Trade and Industry and Ministry of the Environment, Order No. 7]

(施行期日)

(Effective Date)

第一条 この省令は、公布の日から施行する。

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

(経過措置)

(Transitional Measures)

第二条 この省令の施行の際現にあるこの省令による改正前の絶滅のおそれのある野生動植物の種の保存に関する法律第五十二条の規定による負担金の徴収方法等に関する省令の様式（次項において「旧様式」という。）により使用されている書類は、この省令による改正後の絶滅のおそれのある野生動植物の種の保存に関する法律第五十二条の規定による負担金の徴収方法等に関する省令の様式によるものとみなす。

Article 2 (1) Any document which is used in the form specified by the Ministerial Order on the Procedure for Collection of Expenses Charged under the Provisions of Article 52 of the Act on Conservation of Endangered Species of Wild Fauna and Flora prior to amendment by Article 2 (referred to as the "former form" in the following paragraph) and which actually exists at the time this Ministerial Order comes into effect is deemed to be in the form specified by the Ministerial Order on the Procedure for Collection of Expenses Charged under the Provisions of Article 52 of the Act on Conservation of Endangered Species of Wild Fauna and Flora amended by this Ministerial Order.

2 この省令の施行の際現にある旧様式により調製した用紙は、この省令の施行後においても当分の間、これを取り繕って使用することができる。

(2) By making amendments thereto, forms which have been prepared in the former form and actually exist at the time this Ministerial Order comes into effect may, continue to be used after this Ministerial Order comes into effect until otherwise provided for by law.

附 則 〔平成二十六年五月三十日経済産業省・環境省令第五号〕

Supplementary Provisions [May 30, 2014, Ministry of Economy, Trade and Industry and Ministry of the Environment, Order No. 5]

この省令は、絶滅のおそれのある野生動植物の種の保存に関する法律の一部を改正する法律（平成二十五年法律第三十七号）の施行の日（平成二十六年六月一日）から施行する。

This Ministerial Order comes into effect as of the date on which the Act Partially Amending the Act on Conservation of Endangered Species of Wild Fauna and Flora (Act No. 37 of 2013) comes into effect (June 1, 2014).

附 則 〔平成三十年四月三日経済産業省・環境省令第三号〕

Supplementary Provisions [April 3, 2018, Ministry of Economy, Trade and Industry and Ministry of the Environment, Order No. 3]

(施行期日)

(Effective Date)

1 この省令は、絶滅のおそれのある野生動植物の種の保存に関する法律の一部を改正する法律の施行の日（平成三十年六月一日）から施行する。

(1) This Ministerial Order comes into effect as of the date on which the Act Partially Amending the Act on Conservation of Endangered Species of Wild Fauna and Flora comes into effect (June 1, 2018).

(経過措置)

(Transitional Measures)

2 この省令の施行の際現にあるこの省令による改正前の別記様式による証明書は、この省令による改正後の別記様式によるものとみなす。

(2) Any certificate which is in the form shown in the Appended Form prior to amendment by this Ministerial Order and actually exists at the time this Ministerial Order comes into effect is deemed to be in the form shown in the Appended Form amended by this Ministerial Order.

附 則 〔令和元年六月十七日経済産業省・環境省令第一号〕

Supplementary Provisions [June 17, 2019, Ministry of Economy, Trade and Industry and Ministry of the Environment, Order No. 1]

この省令は、令和元年七月一日から施行する。

This Ministerial Order comes into effect as of July 1, 2019.

別記様式 略

Appended Form Omitted