

重要施設周辺及び国境離島等における土地等の利用状況の調査及び利用の規制等に関する法律施行規則
Regulation for Enforcement of the Act on the Review and Regulation of the Use of Real Estate Surrounding Important Facilities and on Remote Territorial Islands

(令和四年九月十六日内閣府令第五十六号)
(Cabinet Office Order No. 56 of September 16, 2022)

重要施設周辺及び国境離島等における土地等の利用状況の調査及び利用の規制等に関する法律（令和三年法律第八十四号）及び重要施設周辺及び国境離島等における土地等の利用状況の調査及び利用の規制等に関する法律施行令（令和四年政令第三百八号）の規定に基づき、並びに同法を実施するため、重要施設周辺及び国境離島等における土地等の利用状況の調査及び利用の規制等に関する法律施行規則を次のように定める。

Pursuant to the Act on the Review and Regulation of the Use of Real Estate Surrounding Important Facilities and on Remote Territorial Islands (Act No. 84 of 2021) and the Order for Enforcement of the Act on the Review and Regulation of the Use of Real Estate Surrounding Important Facilities and on Remote Territorial Islands (Cabinet Order No. 308 of 2022), and for the purpose of the enforcement of that Act, the Regulation for Enforcement of the Act on the Review and Regulation of the Use of Real Estate Surrounding Important Facilities and on Remote Territorial Islands is established as follows.

(関係地方公共団体への通知事項)

(Matters Regarding Which Notification is to be Made to Local Governments Concerned)

第一条 重要施設周辺及び国境離島等における土地等の利用状況の調査及び利用の規制等に関する法律（以下「法」という。）第五条第五項（同条第六項の規定により注視区域の変更について準用する場合を含む。）及び第十二条第五項の内閣府令で定める事項は、指定の事由とする。

Article 1 The particulars specified by Cabinet Office Order, as prescribed in Article 5, paragraph (5) (including the case where it is applied pursuant to paragraph (6) of that Article concerning the change of a monitored area) and Article 12, paragraph (5) of the Act on the Review and Regulation of the Use of Real Estate Surrounding Important Facilities and on Remote Territorial Islands (hereinafter referred to as the "Act"), are the reasons for designation.

(命令の方法)

(Method for an Issuing Order)

第二条 法第九条第二項に規定する命令は、別記様式第一の命令書により行うものとする。

Article 2 An order as prescribed in Article 9, paragraph (2) of the Act is to be issued by way of a written order in attached Form 1.

(収用委員会に対する裁決申請書の様式)

(Application Form for Administrative Determination to be Submitted to an Expropriation Committee)

第三条 重要施設周辺及び国境離島等における土地等の利用状況の調査及び利用の規制等に関する法律施行令（以下「令」という。）第三条の内閣府令で定める様式は、別記様式第二のとおりとする。

Article 3 The form specified by Cabinet Office Order, as prescribed in Article 3 of the Order for Enforcement of the Act on the Review and Regulation of the Use of Real Estate Surrounding Important Facilities and on Remote Territorial Islands (hereinafter referred to as "Cabinet Order") is as specified in attached Form 2.

(土地等売買等契約に係る届出)

(Notification Concerning a Real Estate Transaction Contract)

第四条 法第十三条第一項の規定による届出は、別記様式第三の届出書を提出してしなければならない。

Article 4 (1) The notification under Article 13, paragraph (1) of the Act is to be made by submitting a written notification in attached Form 3.

2 前項の規定にかかわらず、土地等に関する所有権を移転し又は所有権の取得を目的とする権利を移転若しくは設定しようとする者は、別記様式第四の届出書を提出して、土地等に関する所有権の移転又は所有権の取得を目的とする権利の移転若しくは設定を受けようとする者（以下「譲受け予定者等」という。）は、別記様式第五の届出書を提出して、それぞれ前項の届出をすることができる。

(2) Notwithstanding the provisions of the preceding paragraph, a person who intends to transfer ownership of real estate or to transfer or create rights for the purpose of acquiring ownership, by submitting a written notification in attached Form 4, or a person who will receive the transferred ownership of real estate or receive the transferred or created rights to acquire ownership (hereinafter "intended transferee"), by submitting a written notification in attached Form 5, may make the notification under the preceding paragraph.

3 法第十三条第三項の規定による届出は、別記様式第六の届出書を提出してしなければならない。

(3) The notification under Article 13, paragraph (3) of the Act is to be made by submitting a written notification in attached Form 6.

4 前項の規定にかかわらず、土地等に関する所有権を移転し又は所有権の取得を目的

とする権利を移転若しくは設定した者は、別記様式第七の届出書を提出して、土地等に関する所有権の移転又は所有権の取得を目的とする権利の移転若しくは設定を受けた者（以下「譲受者等」という。）は、別記様式第八の届出書を提出して、それぞれ前項の届出をすることができる。

(4) Notwithstanding the provisions of the preceding paragraph, a person who transferred ownership in real estate or transferred or created rights for the purpose of acquiring ownership, by submitting a written notification in attached Form 7, or a person who received the transfer of ownership in real estate or received the transfer or creation of the right to acquire the ownership (hereinafter referred to as a "transferee"), by submitting a written notification in attached Form 8, may make the notification under the preceding paragraph.

第五条 法第十三条第一項第五号の内閣府令で定める事項は、次のとおりとする。

Article 5 (1) The particulars specified by Cabinet Office Order, as prescribed in Article 13, paragraph (1), item (v) of the Act are as follows:

一 譲受け予定者等の国籍等（住民基本台帳法（昭和四十二年法律第八十一号）第三十条の四十五に規定する国籍等をいう。）（法人にあつては、その法人の設立に当たって準拠した法令を制定した国）

(i) the nationality, etc. of intended transferee (meaning nationality, etc. as prescribed in Article 30-45 of the Residential Basic Book Act (Act No. 81 of 1967)(or, in the case of a corporation, the country that enacted the laws governing the incorporation thereof);

二 譲受け予定者等が、法人であつて、次に掲げる者がその代表者であるもの又はそれらの者がその役員の大過半数若しくは議決権の大過半数を占めるものである場合は、その旨

(ii) if an intended transferee is a corporation, and where any of the following persons is its representative or constitutes the majority of its officers or voting rights, to that effect;

ア 日本の国籍を有しない人

(a) a person who does not have Japanese nationality;

イ 外国政府、外国の公共団体若しくはこれに準ずるもの又はそれらの代表者

(b) a foreign government, foreign public organization or an organization similar to these, or their respective representatives;

ウ 外国の法令に基づいて設立された法人

(c) a corporation incorporated under the laws and regulations of a foreign state;

三 土地等の利用の現況

(iii) the current status of use of the real estate; and

四 契約予定日

(iv) the planned date of contract.

2 法第十三条第三項の規定による届出に係る前項の規定の適用については、同項第一

号及び第二号中「譲受け予定者等」とあるのは「譲受者等」と、同項第四号中「契約予定日」とあるのは「契約が成立した日」と読み替えるものとする。

(2) For the purpose of application of the preceding paragraph with respect to the notification under Article 13, paragraph (3) of the Act, the term "intended transferee" in items (i) and (ii) of that paragraph is deemed to be replaced with "transferee," and the term "planned date of contract" in item (iv) of that paragraph is deemed to be replaced with "date when the contract is concluded."

第六条 令第六条第三号の内閣府令で定める場合は、農地法（昭和二十七年法律第二百二十九号）第三条第一項第一号（第四十六条第一項の規定によって所有権が移転される場合に限る。）若しくは第十三号から第十四号の三まで又は農地法施行規則（昭和二十七年農林省令第七十九号）第十五条第二号に掲げる場合とする。

Article 6 The cases specified by Cabinet Office Order, as prescribed in Article 6, item (iii) of the Cabinet Order, are the cases set forth in Article 3, paragraph (1), item (i) (limited to the case where the ownership is transferred pursuant to the provisions of Article 46, paragraph (1)) or items (xiii) through (xiv-3) of the Cropland Act (Act No. 229 of 1952), or the cases set forth in Article 15, item (ii) of the Regulation for Enforcement of the Cropland Act (Order No. 79 of the Ministry of Agriculture and Forestry of 1952).

附 則

Supplementary Provisions

(施行期日)

(Effective Date)

第一条 この府令は、法の施行の日（令和四年九月二十日）から施行する。

Article 1 This Cabinet Office Order comes into effect as of the date on which the Act comes into effect (September 20, 2022).

(内閣府の所管する内閣府本府関係法令に係る情報通信技術を活用した行政の推進等に関する法律施行規則の一部改正)

(Partial Amendment of the Regulation for Enforcement of the Act on the Advancement of Government Administration Processes That Use Information and Communications Technology Concerning Laws and Regulations Relating to the Cabinet Office that are under Administrative Jurisdiction of the Cabinet Office)

第二条 内閣府の所管する内閣府本府関係法令に係る情報通信技術を活用した行政の推進等に関する法律施行規則（平成十六年内閣府令第十九号）の一部を次のように改正する。

Article 2 The Regulation for Enforcement of the Act on the Advancement of Government Administration Processes That Use Information and

Communications Technology concerning Laws and Regulations Relating to the Cabinet Office that are Under Administrative Jurisdiction of the Cabinet Office (Cabinet Office Order No. 19 of 2004) is partially amended as follows:

第四条第四項を同条第五項とし、同条第三項中「前項第三号」を「第二項第三号」に改め、同項を同条第四項とし、同条第二項の次に次の一項を加える。

Article 4, paragraph (4) is re-numbered as Article 4, paragraph (5); the term "item (iii) of the preceding paragraph" in paragraph (3) of that Article is amended to "paragraph (2), item (iii)"; Article 4, paragraph (3) is re-numbered as Article 4, paragraph (4); and the following paragraph is added after paragraph (2) of that Article.

3 申請等が行われるべき行政機関等が指定するところにより識別番号及び暗証番号を用いることとされている申請等を行う者は、事前に入手した識別番号及び暗証番号を第一項の電子計算機から入力しなければならない。

(3) A person who submits an application, etc. for which the use of an identification number and password is required as designated by the administrative organ, etc. to which the application, etc. is to be submitted must enter the identification number and password obtained in advance in a computer under paragraph (1).

第五条第一項を次のように改める。

Article 5, paragraph (1) is to be amended as follows:

法第六条第四項に規定する主務省令で定めるものは、次に掲げる措置とする。

The measures specified by order of the competent ministry, as prescribed in Article 6, paragraph (4) of the Act, are as follows:

一 電子情報処理組織を使用して行う申請等に記録された情報に電子署名を行い、当該電子署名に係る電子証明書であって前条第二項各号に掲げる電子証明書を当該申請等と併せて送信すること又は同項ただし書に規定する措置

(i) affixing an electronic signature on information recorded in an application, etc. using electronic information processing system and transmitting the application, etc. attaching an electronic certificate set forth in the items of paragraph (2) of the preceding Article which bears the electronic signature, or measures as prescribed in the proviso to that paragraph.

二 識別番号及び暗証番号を前条第一項の電子計算機から入力する措置（同条第三項の規定が適用される場合に限る。）

(ii) entering an identification number and password in a computer under paragraph (1) of the preceding Article (limited to the case where the provisions of paragraph (3) of that Article apply).