

Order for Enforcement of the Act on the Protection and Management of Wildlife, and the Optimization of Hunting

(Cabinet Order No. 391 of December 20, 2002)

The Cabinet hereby enacts this Cabinet Order fully amending the Enforcement Order on the Act on the Protection of Wildlife and Hunting (Cabinet Order No. 254 of 1953) based on Article 29, paragraph (7), item (iv), Article 68, paragraph (2), item (v), Article 71, paragraph (1) and paragraph (2), Article 77, paragraph (1), and Supplementary Provisions under the provisions of Article 20 of the Act on the Protection of Wildlife, and the Optimization of Hunting (Act No. 88 of 2002).

(Commission Fees for Issuance of Labeling)

Article 1 Commission fees prescribed by Cabinet Order in Article 26, paragraph (7) of the Act on the Protection and Management of Wildlife, and the Optimization of Hunting (Act No. 88 of 2002; hereinafter referred to as the "Act") are to be 1,700 yen per labeling.

(Acts Requiring Permission within Special Protection Zones)

Article 2 The acts specified by Cabinet Order under Article 29, paragraph (7), item (iv) of the Act, are those to be performed within the area designated by the Minister of the Environment (or in special protection zones designated by the prefectural governor; the prefectural governor) and within the period specified by each area (excluding acts on roads, plazas and other public places) as follows:

- (i) collecting or damaging plants other than tree or bamboo, collecting fallen leaves or fallen branches, capturing or killing animals, collecting or damaging animal eggs (excluding doing so when engaging in agriculture, forestry and fishing-related business);
- (ii) starting fires or making bonfires;
- (iii) using cars or horses;
- (iv) using powered ships (excluding those used to conduct fishing or business using ships);
- (v) introducing dogs and other animals that is likely to harm wildlife;
- (vi) photographing or recording video or audio footage, or observing animals and plants in a way that may affect nest building by wildlife as prescribed by the Minister of the Environment;
- (vii) conducting outdoor sports or outdoor recreation using balls and other

equipment.

(Particulars to be Stated in Management Rules of Areas for Hunting)

Article 3 The particulars specified by Cabinet Order under Article 68, paragraph (2), item 5 of the Act are to be as follows:

- (i) location of the office of the setter of the area for hunting;
- (ii) procedures for applications to enter hunting;
- (iii) criteria for approval to enter hunting;
- (iv) means of approval to enter hunting;
- (v) fees for approval to enter hunting and means of payment;
- (vi) particulars concerning certification to enter hunting;
- (vii) conditions a person entering hunting must abide by;
- (viii) other particulars concerning the maintenance of areas for hunting specified by Order of the Ministry of the Environment.

(Changes in Management Rules of Areas for Hunting)

Article 4 a person establishing areas for hunting must submit an application form stating the content of changes to management rules of areas for hunting, and reasons thereof, or reasons for discontinuing the area for hunting, to the prefectural governor when trying to obtain the approval of the prefectural governor pursuant to the provision of Article 71, paragraph (1) of the Act.

Article 5 Minor particulars specified by Cabinet Order under Article 71, paragraph (2) of the Act are the particulars listed in Article 68, paragraph (2), item (1) of the Act and the particulars listed in Article 3, item (1), item (2), and item (4).

(Requirements of Employees Engaged in Enforcement)

Article 6 The requirements specified by Cabinet Order under Article 77, paragraph (1) of the Act apply to those who fall under any of the following items:

- (i) persons engaged in administrative affairs concerning the protection or control of wildlife, or the management of hunting for three years or more in total;
- (ii) persons who graduated from a university or technical college under the School Education Act (Act No. 26 of 1947) after completing biology, geology, agriculture, forestry, fisheries, landscape architecture, and other necessary courses concerning wildlife protection and control (including persons who completed an associate's course in any of these disciplines at a professional university under the same act), or those who are deemed to have an academic ability equal to or greater than this, with the experience of engaging in

administrative affairs concerning protection or control of wildlife or optimization of hunting for one year or more.

Supplementary Provisions [Extract]

(Effective Date)

Article 1 This Cabinet Order comes into effect as of the day of enforcement of the Act (April 16, 2003).

(Transitional Measures Concerning Hunting Areas)

Article 2 Those who are currently entrusted pursuant to the provision of Article 14, paragraph 9 of the Act on the Protection of Wildlife and Hunting before the revision (Act No. 32 of 1918. Hereinafter referred to as "Old Act") at the time of the enforcement of the Act, are deemed to be those who have been entrusted pursuant to the provisions of paragraph (1) of the same Article as applied mutatis mutandis pursuant to Article 73, paragraph (2) of the Act.

(Transitional Measures Concerning Sales Permits)

Article 3 If there is a document that has been issued by the prefectural governor for granting permission pursuant to the provisions of Article 13-2 of the Old Act, that document will be considered to be a sales permit issued pursuant to the provision of Article 24, paragraph (5) of the Act, after the enforcement of the Act.

(Transitional Measures for Areas Designated by the Minister of the Environment or Prefectural Governor and the Period Designated for Each Area)

Article 4 The area and period designated by the Minister of the Environment or the prefectural governor under the provisions of Article 3 of the Enforcement Order of the Act on Wildlife Protection and Hunting before its revision, is deemed to be the area and period designated by the Minister of the Environment or the prefectural governor according to the provision of Article 1 after the revision, at the time of the enforcement of this Cabinet Order.

(Delegation to Order of the Ministry of the Environment)

Article 5 In addition to what is provided for in the preceding three Articles, any necessary transitional measures concerning the enforcement of the Act and this Cabinet Order are to be specified by Order of the Ministry of the Environment.

Supplementary Provisions [Cabinet Order No. 327 of October 12, 2006]

This Cabinet Order comes into effect as of the date of enforcement (April 16, 2007) of the Act Partially Amending the Act on the Protection of Wildlife, and Optimization of Hunting (Act No. 67 of 2006).

Supplementary Provisions [Cabinet Order No. 410 of December 24, 2014]

(Effective Date)

- (1) This Cabinet Order comes into effect as of the date of enforcement (May 29, 2015) of the Act on the Protection of Wildlife, and Optimization of Hunting .

(Transitional Measures Concerning Penal Provisions)

- (2) For the application of penal provisions to acts committed prior to the enforcement of this Cabinet Order, those provisions remain applicable.