

# **Act on the Protection and Management of Wildlife, and the Optimization of Hunting**

(Act No. 88 of July 12, 2002)

The Act on the Protection of Wildlife and Hunting is hereby fully amended.  
(Act No. 32 of 1918).

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## **Chapter I General Provisions**

(Purpose)

Article 1 This Act aims to establish an environment in which the public can enjoy the benefits of the natural environment and develop local communities in a healthy manner through protecting and managing wildlife and optimizing hunting through relevant programs, as well as preventing risks related to the use of the hunting equipment, thereby maintaining biological diversity (including preserving the ecosystem; the same applies hereinafter), maintaining the environment, and promoting the sound development of agriculture, forestry, and fisheries.

(Definitions)

- Article 2 (1) The term "wildlife" as used in this Act means wild birds or mammals.
- (2) The term "protection" of wildlife as used in this Act means increasing the population of wildlife to an appropriate level, expanding the habitats to an appropriate size, or maintaining the level of the population and the size of the habitats, in order to ensure biodiversity, preserve the living environment, and the sound develop agriculture, forestry, and fisheries.
- (3) The term "management" of wildlife as used in this Act means decreasing the population of wildlife to an appropriate level, or reducing the habitats to an appropriate size, in order to ensure biodiversity, preserve the living environment, and develop agriculture, forestry, and fisheries.
- (4) The term "rare species of wildlife" as used in this Act means wildlife specified by Order of the Ministry of the Environment as those requiring protection domestically or internationally.
- (5) The term "wildlife species designated for management" as used in this Act means wildlife other than rare species of wildlife, specified by Order of the Ministry of the Environment as those requiring management both intensively and broadly.
- (6) The term "legally-defined means of hunting" as used in this Act means the means of hunting using guns (propelling charge guns and air guns (including guns which use compressed gas; the same applies below); the same applies below), nets or traps specified by Order of the Ministry of the Environment, and other means of hunting specified by Order of the Ministry of the Environment.
- (7) The term "wildlife that may be hunted" as used in this Act means wildlife other than rare species of wildlife, that are subject to capturing or killing (meaning capturing or killing; the same applies hereinafter) for the purpose of using their meat or fur, for the purpose of managing wildlife, or for other purposes, and specified by Order of the Ministry of the Environment as those whose capture or kill is not likely to have any significant effect on any habitat (with the exception of baby birds).
- (8) The term "hunting" as used in this Act means acts such as capturing or killing wildlife that may be hunted by legally-defined means of hunting.
- (9) The term "hunting period" as used in this Act means the yearly period from October 15 to April 15 of the following year (from September 15 in Hokkaido) during which capturing or killing wildlife that may be hunted may be conducted.
- (10) The Minister of the Environment must hold counsel with the Minister of Agriculture, Forestry and Fisheries after hearing the opinions of interested

parties by holding a public hearing, and hear the opinions of the Central Environmental Council if intending to establish or change Order of the Ministry of the Environment referred to in paragraph (7).

## **Chapter II Basic Guidelines**

(Basic Guidelines)

- Article 3 (1) The Minister of the Environment is to prescribe basic guidelines (below referred to as "basic guidelines") for implementing a program to protect and manage wildlife (including particulars concerning areas where specified hunting equipment is prohibited and areas where specified hunting equipment is restricted as prescribed in Article 35, paragraph (1), and areas for hunting as prescribed in Article 68, paragraph (1); hereinafter referred to as a "program of protecting and managing wildlife").
- (2) The following particulars are to be prescribed in the basic guidelines:
- (i) basic particulars for implementing a program of protecting and managing wildlife;
  - (ii) criteria to comply with and other particulars for establishing the planning term referred to in item (i) of paragraph (2) of the following Article in the plan for a program of protecting and managing wildlife as prescribed in paragraph (1) of that Article, and other particulars for preparing the plan for a program of wildlife protection and management;
  - (iii) particulars for protecting rare species of wildlife;
  - (iv) particulars for managing wildlife species designated for management;
  - (v) other particulars necessary for implementing a program of protecting and managing wildlife.
- (3) If the Minister of the Environment intends to prescribe or change the basic guidelines, the Minister must hold counsel with the Minister of Agriculture, Forestry and Fisheries after hearing the opinion of stakeholders by holding a public hearing, and hear the opinion of Central Environmental Council.
- (4) If the Minister of the Environment has prescribed or changed the basic guidelines, the Minister must publicize this and notify the prefectural governor without delay.

(Plans for Programs of Protecting and Managing Wildlife)

- Article 4 (1) A prefectural governor is to prescribe a plan for the program of wildlife protection and management conducted by the governor (hereinafter referred to as a "plan for program of protecting and managing wildlife") in line with the basic guidelines.
- (2) The following particulars are to be prescribed in the plan for a program of protecting and managing wildlife:

- (i) the planning term for the plan for a program of protecting and managing wildlife;
  - (ii) particulars concerning wildlife protection areas which the prefectural governor designates pursuant to the provisions of Article 28, paragraph (1), special protection zones as prescribed in Article 29, paragraph (1), and temporarily closed hunting areas as prescribed in Article 34, paragraph (1);
  - (iii) particulars concerning artificial reproduction of wildlife (meaning to increase the number of wildlife by the artificial means; the same applies hereinafter) and releasing wildlife (meaning to release wildlife to habitats for wildlife protection; the same applies hereinafter);
  - (iv) particulars concerning permission referred to in Article 9, paragraph (1) (limited to those whose purpose is wildlife management);
  - (v) particulars concerning areas where specified hunting equipment is prohibited and areas where specified hunting equipment is restricted as prescribed in Article 35, paragraph (1) and areas for hunting as prescribed in Article 68, paragraph (1);
  - (vi) if preparing category 1 plan for wildlife protection as prescribed in Article 7, paragraph (1), particulars concerning the preparation;
  - (vii) if preparing category 2 specified plan for wildlife management as prescribed in Article 7-2, paragraph (1), particulars concerning the preparation;
  - (viii) particulars concerning implementation of surveys about the wildlife habitat;
  - (ix) particulars concerning the system for implementing programs of protecting and managing wildlife.
- (3) In a plan of a program of protecting and managing wildlife , in addition to particulars set forth in the items of the preceding paragraph, the Minister of the Environment is to endeavor to prescribe particulars concerning public awareness in relation to programs of wildlife protection and management, and other particulars necessary for implementing those programs.
- (4) If a prefectural governor intends to prescribe or change the plan for a program of protecting and managing wildlife, the governor must hear the opinions of the Council established pursuant to the provisions of Article 51 of the Nature Conservation Act (Act No.85 of 1972)and other institutions in council systems (hereafter referred to as "institutions in council systems").
- (5) If a prefectural governor has prescribed or changed the plan for a program of protecting and managing wildlife, the prefectural governor must endeavor to publicize them, and must report them to the Minister of the Environment without delay.

(Promoting Achievement of Plans for Program of Protecting and Managing

Wildlife)

Article 5 A prefectural governor is to take the measures necessary to achieve the plan of a program of protecting and managing wildlife .

(Assistance from the State)

Article 6 If a prefectural governor intends to implement the program provided for in the plan for a program of protecting and managing wildlife, the state is to endeavor to provide necessary advice and other assistance so that the program can be conducted smoothly.

(Category 1 Specified Wildlife Protection Plan)

Article 7 (1) When there are wildlife (excluding rare species of wildlife) whose population is significantly decreasing or whose habitat is reducing in size within the prefecture's district, and if a prefectural governor finds it particularly necessary, taking into consideration of their population situation and other circumstances, to ensure protection of such wildlife, , the prefectural governor may prescribe a plan for protection of such wildlife (hereinafter referred to as "category 1 specified wildlife") (hereinafter referred to as a "plan for protecting category 1 specified wildlife ").

(2) The following particulars | are to be prescribed in a plan for protecting category 1 specified wildlife:

- (i) the types of category 1 specified wildlife;
- (ii) the planning term for the plan for protecting category 1 specified wildlife;
- (iii) the area where category 1 specified wildlife should be protected;
- (iv) appropriate level of the population and appropriate size of the habitat of category 1 specified wildlife, and other objectives to protect category 1 specified wildlife;
- (v) other particulars necessary to implement programs of protecting category 1 wildlife.

(3) In a plan for protecting category 1 specified wildlife, the particulars necessary to ensure protection of category 1 specified wildlife, in addition to particulars set forth in the items of the preceding paragraph, are to be prescribed.

(4) A plan for protecting category 1 specified wildlife must conform to the plan for the program of protecting and managing wildlife.

(5) If a prefectural governor intends to prescribe or change the plan for protecting category 1 wildlife, the governor must hear the opinions of interested parties in advance.

(6) When a prefectural governor intends to prescribe or change the plan for protecting category 1 wildlife, and if there is a wildlife protection area designated by the Minister of the Environment pursuant to the provisions of Article 28, paragraph (1) within the district prescribed in paragraph (2), item

(iii), the governor must consult with the Minister of the Environment in advance.

- (7) If a prefectural governor intends to prescribe or change the plan for protecting category 1 specified wildlife, the governor must consult with the relevant local public entity in advance.
- (8) The provisions of Article 4, paragraphs (4) and (5) applies mutatis mutandis to the plans for protecting category 1 specified wildlife.

(Plans for Managing Category 2 Specified Wildlife)

Article 7-2 (1) When there are wildlife (excluding rare species of wildlife) whose population is significantly increasing or whose habitat is expanding in size within the prefecture's district, and if a prefectural governor finds it particularly necessary to ensure management of wildlife, taking into consideration habitat of the wildlife and other circumstances, the prefectural governor may prescribe a plan for management of the wildlife (hereinafter referred to as "category 2 specified wildlife") (hereinafter referred to as a "plan for managing category 2 specified wildlife").

- (2) The following particulars are to be prescribed in a plan for managing category 2 specified wildlife:
- (i) the types of category 2 specified wildlife;
  - (ii) the planning term for the plan for managing category 2 specified wildlife;
  - (iii) the area where category 2 specified wildlife should be managed;
  - (iv) appropriate level of the population, appropriate size of the habitats of category 2 specified wildlife, and other objectives to protect category 2 specified wildlife;
  - (v) if the category 2 specified wildlife is a designated wildlife species for management, and the program of conducting the capture or kill. of the wildlife species designated for management is implemented by a prefecture or national government organ, the particulars concerning the implementation of the program (hereinafter referred to as "program of capturing wildlife species designated for management");
  - (vi) other particulars necessary to implement the program of managing category 2 specified wildlife.
- (3) The provisions of Article 4, paragraphs (4) and (5), and paragraphs (3) through (7) of the preceding Article apply mutatis mutandis to plans for managing category 2 specified wildlife. In this case, "each item of the preceding paragraph" and "category 1 specified wildlife protection" in paragraph (3) of the same Article, and "paragraph (2), item (iii)" in paragraph (6) of the same Article are deemed to be replaced with "each items of paragraph (2) of the following Article", "category 2 specified wildlife management" and

"paragraph (2), item (iii) of the next Article" respectively.

(Plans for Protecting Rare Species of Wildlife)

Article 7-3 (1) If the Minister of the Environment finds it particularly necessary to ensure protection of rare species of wildlife, the Minister may prescribe a plan to protect rare species of wildlife (hereinafter referred to as a "plan for protecting rare species of wildlife").

(2) In a plan for protecting rare species of wildlife, the following particulars are to be established:

- (i) types of rare species of wildlife;
- (ii) the planning term for plans for protecting rare species of wildlife;
- (iii) the area where rare species of wildlife should be protected ;
- (iv) appropriate level of the population and appropriate size of habitats of rare species of wildlife and other objectives to protect rare species of wildlife;
- (v) other particulars necessary for implementing programs to protect rare species of wildlife.

(3) If the Minister of the Environment intends to prescribe or change the plan for protecting rare species of wildlife, the Minister must hear the opinion of Central Environmental Council in advance.

(4) If the Minister of the Environment has prescribed or changed the plan for protecting rare species of wildlife, the Minister must publicize this and notify the related local public entity without delay.

(5) The provisions of Article 7, paragraph (4), paragraph (5), and paragraph (7) apply mutatis mutandis to plans for protecting rare species of wildlife. In this case, "plan for program of protecting and managing wildlife" in paragraph (4) of the same Article is deemed to be replaced with "basic guidelines", and "prefectural governor" in paragraphs (5) and (7) of the same Article is deemed to be replaced with "the Minister of the Environment".

(Plans for Managing Specified Rare Species of Wildlife)

Article 7-4 (1) When there are rare species of wildlife whose population is significantly increasing or whose habitat is expanding in size within specified districts, and if the Minister of the Environment finds it particularly necessary to ensure management of the rare species of wildlife within the specified districts, taking into consideration habitat of the rare species of wildlife and other circumstances, the Minister may prescribe a plan to manage the rare species of wildlife (hereinafter referred to as "specified rare species of wildlife") (hereinafter referred to as a "plan for managing specified rare species of wildlife").

(2) In a plan for managing specified rare species of wildlife, the following particulars are to be established:

- (i) types of specified endangered wildlife;
  - (ii) the planning term of the plan for managing specified rare species of wildlife;
  - (iii) the area where specified rare species of wildlife should be managed;
  - (iv) appropriate level of the population and appropriate size of the habitats of specified rare species of wildlife, and objectives to manage specified rare species of wildlife;
  - (v) other particulars necessary for implementing programs to manage specified endangered wildlife.
- (3) The provisions of Article 7, paragraphs (4), (5) and (7), and paragraphs (3) and (4) of the preceding Article apply mutatis mutandis to plans for managing specified rare species of wildlife. In this case, "plan for program of protecting and managing wildlife" in Article 7, paragraph (4) is deemed to be replaced with "basic guidelines," and "prefectural governor" in paragraphs (5) and (7) of the same Article is replaced with "The Minister of the Environment."

### **Chapter III Implementing Programs of Protecting and Managing Wildlife**

#### **Section 1 Regulations on Capturing Wildlife or Collecting Bird Eggs**

##### **(Prohibition of Capturing Wildlife and Collecting Bird Eggs)**

Article 8 The capturing or killing, or collecting or damaging (this means to collect or damage; the same applies hereinafter) of wildlife and bird eggs must not be conducted; provided, however, this does not apply in cases listed as follows:

- (i) if conducting the capturing or killing, or collecting or damaging relating to the permission referred to in paragraph (1) of the following Article;
- (ii) if conducting the capturing or killing of wildlife that may be hunted pursuant to the provisions of Article 11, paragraph (1);
- (iii) if conducting the capturing or killing, or collecting or damaging of wildlife or bird eggs prescribed in Article 13, paragraph (1), pursuant to the provisions of the same paragraph.

##### **(Permission to Capture Wildlife and Collecting Bird Eggs)**

Article 9 (1) A person who intends to conduct the capturing or killing of wildlife, or collecting or damaging of bird eggs, for the purpose of academic study, protection or management of wildlife, and other purposes as specified by Order of Ministry of the Environment, must obtain the permission of the Minister of the Environment in cases listed as follows, or the permission of the relevant prefectural governor in other cases:

- (i) if conducting the capturing or killing of wildlife, or collecting or damaging of bird eggs in wildlife protection areas which the Minister of the Environment



- designates pursuant to the provisions of Article 28, paragraph (1);
- (ii) if conducting the capturing or killing of rare species of wildlife, or collecting or damaging of rare bird eggs;
  - (iii) if conducting the capturing or killing of wildlife by using nets or traps specified by Order of the Ministry of the Environment as those which may greatly hinder their protection in consideration of their structure, material, and the method of use.
- (2) A person who intends to obtain the permission referred to in the preceding paragraph must apply for permission of the Minister of the Environment or a prefectural governor, as specified by Order of the Ministry of the Environment.
- (3) The Minister of the Environment or a prefectural governor must grant the permission referred to in paragraph (1), if an application for permission referred to in the preceding paragraph has been filed, unless the capturing or killing, or collecting or damaging for that permission falls under any of the cases as follows:
- (i) if the purpose of the capturing or killing, or collecting or damaging, does not conform to the purpose as prescribed in paragraph (1);
  - (ii) if the capturing or killing, or collecting or damaging, is likely to greatly hinder the protection of wildlife (except for cases in which the capturing or killing, or collecting or damaging, is conducted for the purpose of managing wildlife specified by Order of the Ministry of the Environment);
  - (iii) if the capturing or killing, or collecting or damaging, is likely to greatly hinder wildlife management relating to the plan for managing category 2 specified wildlife or the plan for managing specified rare species of wildlife;
  - (iv) if conducting the capturing or killing, or collecting or damaging, is likely to greatly hinder ensuring residents' safety or maintaining the quietness of the area designated by the Ministry of the Environment (hereinafter referred to as a "designated area").
- (4) In granting permission referred to in paragraph (1), the Minister of the Environment or a prefectural governor is to prescribe the validity period of the permission.
- (5) When the Minister of the Environment or a prefectural governor grants permission referred to in paragraph (1), if they find it necessary to protect wildlife, manage wildlife under a plan for managing category 2 specified wildlife or a plan for managing specified rare species of wildlife, hinder ensuring residents' safety or maintaining the quietness of a designated area, the Minister or the governor may attach the conditions for the permission referred to in paragraph (1).
- (6) If the Minister of the Environment or a prefectural governor intends to grant permission referred to in paragraph (1) for the following items in the case where the plans set forth in the relevant items are prescribed, the Minister or

the governor is to give due consideration so as to contribute to the achievement of the methods set forth in the relevant items:

- (i) plan for protecting category 1 specified wildlife: category 1 specified wildlife under a plan for protecting category 1 specified wildlife;
  - (ii) plan for managing category 2 specified wildlife: category 2 specified wildlife under a plan for protecting category 2 specified wildlife;
  - (iii) plan for protecting rare species of wildlife or plan for managing specified rare species of wildlife: rare species of wildlife under the plan for protecting rare species of wildlife or the plan for managing specified rare species of wildlife.
- (7) If the Minister of the Environment or a prefectural governor has granted permission referred to in paragraph (1), the Minister or the governor must issue a permit, as specified by Order of Ministry of the Environment.
- (8) A person who obtained permission referred to in paragraph (1) that is the State, a local public entity, a certified business engaging in the capturing or killing of wildlife prescribed in Article 18-5, paragraph (2), item (i) (referred to as a "certified business conducting a program of the capturing or killing of wildlife" in Article 14-2) or a corporation and others specified by the Minister of the Environment as being able to appropriately and effectively conduct the capturing or killing, or collecting or damaging relating to the permission referred to in paragraph (1), may have a worker certificate issued, which proves that the worker is a person engaged in the capturing or killing, or collecting or damaging relating to the permission is under their supervision (hereinafter referred to as a "worker"); by applying to the Minister of the Environment or a prefectural governor, as specified by Order of the Ministry of the Environment.
- (9) If a person who obtained the permission referred to in paragraph (1), or the worker has lost the permit referred to in paragraph (7) (hereinafter simply referred to as a "permit"), or the worker certificate referred to in the preceding paragraph (hereinafter simply referred to as "worker certificate"), or the permit or the worker certificate has been destroyed, the person may have the permit or the worker certificate reissued by applying to the Minister of the Environment or a prefectural governor, as specified by Order of the Ministry of the Environment.
- (10) A person or worker who obtained permission referred to in paragraph (1) must carry the permit or the worker certificate when engaging in the capturing or killing, or collecting or damaging, and present it if requested by the State's, or local public entity's employee, police officer, or other related persons.
- (11) If a person who obtained the permission referred to in paragraph (1) has come to fall under any of the following items, that person must return the permit or the worker certificate (in cases referred to in item (iv), the permit or

the certificate of employment which has been found or recovered) to the Minister of the Environment or a prefectural governor, as specified by Order of the Ministry of the Environment:

- (i) if the permission is revoked pursuant to the provisions of paragraph (2) of the following Article;
  - (ii) if the permission has been expired pursuant to the provisions of Article 87;
  - (iii) if the validity period provided pursuant to the provisions of paragraph (4) has expired;
  - (iv) if the permit or the worker certificate that is lost after their reissuance pursuant to the provisions of paragraph (9) has been discovered or recovered.
- (12) If a person or the worker who obtained permission referred to in paragraph (1) conducts the capturing or killing, they must indicate their address, name or other name, and other particulars specified by Order of the Ministry of the Environment in an easily visible location on each hunting equipment used by them (limited to those specified by Order of the Ministry of the Environment).
- (13) If the validity period prescribed pursuant to the provisions of the paragraph (4) has expired, the person who obtained the permission referred to in paragraph (1) must report the results of the capturing or killing, or collecting or damaging relating to the permission to the Minister of the Environment or a prefectural governor until the day that thirty days have elapsed from the expiration date, as specified by Order of the Ministry of the Environment.
- (14) With regard to the capturing or killing of wildlife, or collecting or damaging of bird eggs referred to in paragraph (1) relating to nationally rare species of wild fauna and flora prescribed in Article 4, paragraph (3) of the Act on Conservation of Endangered Species of Wild Fauna and Flora (Act No. 75 of 1992), and temporarily designated species prescribed in Article 5, paragraph (1) of the same Act (hereinafter collectively referred to as a "nationally rare species of wild fauna and flora, etc."), it is not necessary to obtain permission referred to in paragraph (1) (limited to those in relation to the Minister of the Environment), if permission referred to in Article 10, paragraph (1) of the same Act was obtained, if conducted as a certified protection and reproduction program, etc. prescribed in Article 47, paragraph (1) of the same Act, or a national government organ or a local public entity has consulted with the Minister of the Environment pursuant to the provisions of Article 54, paragraph (2) of the same Act.

#### (Orders for Measures Concerning Permission)

Article 10 (1) The Minister of the Environment or a prefectural governor may order the person who has conducted the capturing or killing of wildlife, or collecting or damaging of bird eggs without permission in violation of the provisions of paragraph (1) of the preceding Article, or the person who has

violated the requirements attached pursuant to the provisions of paragraph (5) of the same Article, to release wildlife relating to those violations and take other necessary measures in cases listed as follows:

- (i) if it is found to be necessary for the protection of wildlife;
  - (ii) if it is found to be necessary to manage wildlife relating to plans for managing category 2 specified specific wildlife or plans for managing specified rare species of wildlife;
  - (iii) if it is found to be necessary for securing the safety of residents or for maintaining the peace of designated areas.
- (2) If a person who obtained the permission referred to in paragraph (1) of the preceding Article has violated this Act or the provisions of an order based on this Act or a disposition under this Act, and in the cases set forth in the items of the preceding paragraph, the Minister of the Environment or a prefectural governor may revoke the permission.

#### (Capture of Wildlife that May be Hunted)

Article 11 (1) In wildlife protection areas as prescribed in Article 28, paragraph (1), temporarily closed hunting areas as prescribed in Article 34, paragraph (1) (if there is an area designated pursuant to the provisions of Article 14 paragraph (1), that area is excluded), and other areas, other than those specified by Order of the Ministry of the Environment as those particularly requiring preserving the ecosystem, or securing the safety of residents or for maintaining the peace (hereinafter referred to as "areas open for hunting"), only within the hunting period (if it is limited pursuant to the provisions of the next paragraph; the relevant period, and if it is extended pursuant to the provisions of Article 14, paragraph (2), that relevant period), the capturing or killing of wildlife that may be hunted (in the areas designated pursuant to the provisions of Article 14, paragraph (1), limited to category 2 specified wildlife relating to that area, and during the period extended pursuant to the provisions of paragraph (2) of the same Article, limited to category 2 specified wildlife relating to that period) may be conducted without permission of the Minister of the Environment or a prefectural governor:

- (i) if hunting in accordance with the provisions of the following Article, Article 14, Articles 15 through 17 and the provisions of the following Chapter Sections 1 through 3;
- (ii) if conducting the capturing or killing of the following wildlife that may be hunted in accordance with the provisions of the following Article, Article 14, Articles 15 through 17, Articles 36 and 37.
  - (a) the capturing or killing of wildlife that may be hunted by means of hunting other than legally-defined means of hunting.
  - (b) the capturing or killing of wildlife that may be hunted conducted without

using guns within the housing site surrounded by fences, or other similar articles.

- (2) The Minister of the Environment may limit the period for conducting the capturing or killing within the hunting period, if it is found to be necessary to protect wildlife that may be hunted (including chicks (limited to birds classified as wildlife that may be hunted); hereinafter referred to as "target wildlife that may be hunted").
- (3) The provisions of paragraph (3) of Article 3 apply mutatis mutandis to limitations on the hunting period under the provisions of the preceding paragraph.

(Prohibitions or Restrictions on Capture of Target Wildlife that May be Hunted)

Article 12 (1) The Minister of the Environment may make the following prohibitions or restrictions, if there are target wildlife that may be hunted which the Minister of the Environment finds it particularly necessary to protect internationally or domestically:

- (i) prohibiting the capturing or killing of target wildlife that may be hunted, specifying an area or period;
  - (ii) restricting the number of the capturing or killing of the target wildlife that may be hunted, specifying an area or period;
  - (iii) prohibiting the capturing or killing by specifying the means of hunting which should be prohibited as hindering protection of the target wildlife that may be hunted.
- (2) If there are target wildlife that may be hunted for which a prefectural governor finds it necessary to particularly protect within the prefecture's district, the prefectural governor may make prohibitions or restrictions set forth in the items of the preceding paragraph, in addition to the prohibitions or restrictions referred to in the same paragraph.
  - (3) In cases referred to in the preceding two paragraphs, if it is found to be necessary to make restrictions set forth in paragraph (1), item (ii), the Minister of the Environment or a prefectural governor may make restrictions to the effect, that the approval should be granted in advance for the capturing or killing of target wildlife that may be hunted.
  - (4) If a prefectural governor intends to make prohibitions or restrictions referred to in paragraph (2), or make restrictions referred to in the preceding paragraph, or change them, the governor must notify the Minister of the Environment.
  - (5) A person who obtained permission referred to in Article 9, paragraph (1) or the worker may conduct the capturing or killing relating to the permission, regardless prohibitions or restrictions under the provisions of paragraph (1) or (2), or restrictions under the provisions of paragraph (3).

(6) The provisions of Article 2, paragraph (10) apply mutatis mutandis to the prohibitions or restrictions under the provisions of paragraph (1) or the restrictions imposed by the Minister of the Environment pursuant to the provisions of paragraph (3). The provisions of Article 4, paragraph (4) and Article 7, paragraph (5) apply mutatis mutandis to the prohibitions or restrictions under the provisions of paragraph (2) or the restrictions imposed by a prefectural governor pursuant to the provisions of paragraph (3).

(Capture of Wildlife Specified by Order of the Ministry of the Environment)

Article 13 (1) Notwithstanding the provisions of Article 9 paragraph (1), it is possible to conduct the capturing or killing, or collecting or damaging of wildlife or bird eggs that are specified by Order of the Ministry of the Environment, whose capturing or killing, or collecting or damaging, is unavoidable in the course of business activities of agriculture or forestry, without obtaining the permission of the Minister of the Environment or a prefectural governor, as specified by Order of the Ministry of the Environment .

(2) The provisions of Article 3, paragraph (3) apply mutatis mutandis to Order of the Ministry of the Environment as referred to in the preceding paragraph.

(Special Cases for Category 2 Specified Wildlife)

Article 14 (1) For cases in which category 2 specified wildlife is the wildlife that may be hunted; if a prefectural governor finds it particularly necessary to achieve a plan for managing category 2 specified wildlife relating to the category 2 specified wildlife, the prefectural governor may designate all or a part of temporarily closed hunting areas designated pursuant to the provisions of Article 34, paragraph (1) as the area where the capturing or killing, of the category 2 specified wildlife may be conducted.

(2) When category 2 specified wildlife is the wildlife that may be hunted, and their hunting season is limited pursuant to the provisions of Article 11, paragraph (2), if a prefectural governor finds it particularly necessary to achieve a plan for managing category 2 specified wildlife relating to the category 2 specified wildlife, the prefectural governor may extend the hunting season of for the category 2 specified wildlife, that is limited pursuant to the provisions of the preceding paragraph, within the period of the hunting period.

(3) When category 2 specified wildlife is wildlife that may be hunted, if a prefectural governor finds it particularly necessary to achieve a plan for managing category 2 specified wildlife relating the category 2 specified wildlife, the prefectural governor may cancel all or a part of prohibitions or restrictions under the provisions of Article 12, paragraph (1) conducted by the Minister of the Environment concerning category 2 specified wildlife within the prefecture's district.

(4) The provisions of paragraph (4) of Article 4, paragraph (5) of Article 7, and paragraph (4) of Article 12 apply mutatis mutandis to the extension of the period under the provisions of paragraph (2) and the cancellation of prohibitions or restrictions under the provisions of the preceding paragraph. The provisions of paragraph (5) of the same Article apply mutatis mutandis to the cancellation of prohibitions or restrictions under the provisions of the preceding paragraph. The provisions of paragraphs (3) and (4) of Article 34 apply mutatis mutandis to designation of the area under the provisions of paragraph (1). In this case, the phrase "that fact and its name, area, and duration" in paragraph (3) of the same Article is deemed to be replaced with "the fact, area and duration" and the "public notice under the provisions of the preceding paragraph" in paragraph (4) of the same Article is deemed to be replaced with "public notice under the provisions of the preceding paragraph as applied mutatis mutandis pursuant to Article 14, paragraph (4) following the deemed replacement of terms".

(Programs of Capturing Wildlife Species Designated for Management)

Article 14-2 (1) When a prefectural governor has prescribed the particulars set forth in Article 7-2, paragraph (2), item (v) in a plan for managing category 2 specified wildlife, if the governor intends to implement a program for the capturing or killing of wildlife species designated for management based on the plan for managing category 2 specified wildlife, the governor is to establish an implementation plan for programs of the capturing or killing of wildlife species designated for management (hereinafter referred to as an "implementation plan" in this Article) for each type of wildlife species designated for management.

- (2) In implementation plans, the following particulars are to be established:
- (i) the type of wildlife designated for management;
  - (ii) the implementation period of a program for the capturing or killing of wildlife species designated for management;
  - (iii) the implementation area of the capturing or killing of wildlife species designated for management;
  - (iv) the objectives of programs for the capturing or killing of wildlife species designated for management;
  - (v) the details of programs for the capturing or killing of wildlife species designated for management (in cases of leaving behind wildlife species designated for management that were captured at the place where the capturing or killing was conducted, or the capturing or killing of wildlife that is conducted using guns before sunrise or after sunset (hereinafter referred to as "night shooting"), including that fact).
  - (vi) systems of implementing programs of capturing wildlife species designated

- for management;
- (vii) particulars necessary for ensuring residents' safety or maintaining the quietness of a designated area;
  - (viii) other particulars necessary for implementing programs for the capturing or killing of wildlife species designated for management.
- (3) When there is a wildlife protection area designated by the Minister of the Environment pursuant to the provisions of Article 28, paragraph (1) within the implementation area prescribed in item (iii) of the preceding paragraph, and if the implementation period prescribed in item (ii) of the preceding paragraph has expired, the prefectural governor must report the results of the capturing or killing relating to the program of capturing or killing wildlife species designated for management implemented by the prefecture, to the Minister of the Environment by the day in which thirty days have elapsed from that expired date, as specified by Order of the Ministry of the Environment.
- (4) The provisions of Article 4, paragraph (5) and Article 7, paragraphs (5) through (7) apply mutatis mutandis to implementation plans. In this case, in the paragraph (6) of the same Article "the area prescribed in item (iii) of paragraph (2)" is deemed to be replaced with "implementation area prescribed in Article 14-2, paragraph (2), item (iii)".
- (5) A national government organ may implement a program of capturing wildlife species designated for management in accordance with the implementation plan, as specified by Order of the Ministry of the Environment. In such a case, the national government organ that intends to implement the program in accordance with the implementation plan, the organ must have it confirmed by the prefectural governor that established the implementation plan that the program for capturing wildlife species designated for management conforms to the implementation plan in advance, as specified by Order of the Ministry of the Environment.
- (6) Upon expiration of the implementation period prescribed in paragraph (2), item (i), the national government organ that received the confirmation referred to in the preceding paragraph must report the results of the capturing or killing relating to the program for capturing wildlife species designated for management implemented by the organ to the prefectural governor within twenty days from the expired date, as specified by Order of the Ministry of the Environment.
- (7) A prefecture and a national government organ which received the confirmation referred to in paragraph (5), may entrust implementation of all or a part of a program of the capturing or killing of wildlife species designated for management to a certified business engaging in the capturing or killing of wildlife, and other persons specified by Order of the Ministry of the Environment.



- (8) The provisions of Articles 8, Article 18, and Article 38, paragraph (1) do not apply to acts conducted as programs of capturing wildlife species designated for management by prefectures that implement the programs, national government organs that received confirmation referred to in paragraph (5), or persons who were entrusted pursuant to the provisions of the preceding paragraph (referred to as "prefectures and other entities" in the following paragraph); provided, however, the provisions listed in the following items are limited to cases specified in each of the relevant items:
- (i) Article 18 if falling under the cases specified by Order of the Ministry of the Environment as those in which leaving behind wildlife species designated for management that were captured or killed at the place in which the capturing or killing was conducted is not likely to seriously affect the ecosystem, and that are found particularly necessary to implement the program of capturing or killing wildlife species designated for management;
  - (ii) Article 38, paragraph (1) as specified by Order of the Ministry of the Environment, if a certified business engaging in the capturing or killing of wildlife that was entrusted pursuant to the provisions of the preceding paragraph (limited to one that conforms to all of the criteria set forth in the items of Article 18-5, paragraph (1)) had received confirmation by a prefectural governor who prescribed the implementation plan that implementation date, implementation area, implementation method of night shooting, and the person who conducts night shooting and other particulars concerning night shooting as specified by Order of the Ministry of the Environment conform to the implementation plan, and if a person conducting the confirmed night shooting in accordance with the confirmed details conducts night shooting.
- (9) The provision of Article 9, paragraphs (8) through (12), Article 12, paragraph (5) (including as applied mutatis mutandis pursuant to paragraph (4) of the preceding Article), paragraphs (1) and (2) of Article 16, and paragraphs (2) and (3) of Article 35 (including penal provisions regarding these provisions) apply to prefectures and others entities that implements the program of the capturing or killing of wildlife species designated for management, deeming them as persons that obtained permission of the prefectural governor under the provisions of Article 9, paragraph (1). In this case, the term "and others" in Article 9, paragraph (8) is deemed to be replaced with ", and a person specified by Order of the Ministry of the Environment referred to in Article 14-2, paragraph (7), and others", the term "the Minister of the Environment or a prefectural governor" is deemed to be replaced with "a prefectural governor", the term "capturing or killing, or collecting or damaging relating to the permission is under their supervision " is deemed to be replaced with "program of the capturing or killing of wildlife species designated for management", and

in paragraph (9) of that Article the term "the Minister of the Environment or a prefectural governor" is deemed to be replaced with "a prefectural governor", and in the same paragraph (11) of the same Article, the term "the following items" is to be replaced with "items (iii) or (iv)", and the term "the Minister of the Environment or a prefectural governor" is deemed to be replaced with "a prefectural governor", and in item (iii) of that paragraph the term "validity period provided pursuant to the provisions of paragraph (4)" is deemed to be replaced with "implementation period prescribed in Article 14-2, paragraph (2), item (ii)".

(Areas where Designated Means of Hunting are Prohibited)

Article 15 (1) The Minister of the Environment or a prefectural governor, if finding it particularly necessary, may provide for means of hunting which is found to be likely to seriously hinder protection of wildlife (hereinafter referred to as "designated means of hunting") in the following areas, and designate areas where capturing or killing of wildlife by designated means of hunting is prohibited as the areas where designated means of hunting are prohibited:

- (i) the Minister of the Environment may designate the areas necessary for protecting wildlife internationally or domestically;
  - (ii) a prefectural governor may designate areas necessary for protecting wildlife within the prefecture's area and other than those set forth in the preceding item.
- (2) If the Minister of the Environment or a prefectural governor makes a designation under the provisions of the preceding paragraph, the Minister or the governor must issue a public notice to that effect, as well as the name, the area and the duration.
- (3) The designation under the provisions of paragraph (1) becomes effective through the public notice under the provisions of the preceding paragraph.
- (4) In areas where designated means of hunting is prohibited, the capturing or killing of wildlife by designated means of hunting must not be conducted; provided, however, that this does not apply for cases in which permission from the Minister of the Environment or a prefectural governor has been obtained, and in conducting the capturing or killing relating to that permission.
- (5) If an application referred to in Article 9, paragraph (2) as applied *mutatis mutandis* pursuant to paragraph (11) has been filed, the Minister of the Environment or a prefectural governor must grant permission referred to in the proviso to the preceding paragraph, unless the capturing or killing relating to the application is likely to hinder protection of wildlife due to capturing or killing by designated means of hunting.
- (6) When the Minister of the Environment or a prefectural governor grants permission referred to in the proviso to paragraph (4), if finding it necessary to

protect wildlife, the Minister of the Environment or a prefectural governor may attach conditions to the permission.

- (7) If a person who obtained permission referred to in the proviso to paragraph (4) has lost the license to conduct designated means of hunting referred to in Article 9, paragraph (7) as applied mutatis mutandis pursuant to paragraph (11) following the deemed replacement of terms (hereinafter simply referred to as "license to conduct designated means of hunting"), or the license to conduct designated means of hunting has been destroyed, the person may have the license reissued by applying to the Minister of the Environment or a prefectural governor, as specified by Order of the Ministry of the Environment.
- (8) If a person who received permission referred to in the proviso to paragraph (4) conducts the capturing or killing of wildlife by designated means of hunting, the person must carry the license to conduct designated means of hunting and present it when requested by the State's or local public entity's employee, police officers, or other related persons.
- (9) If a person who received permission referred to in the proviso to paragraph (4) has come to fall under any of the following items, the person must return their license to conduct designated means of hunting (in cases referred to in item (iii), the license which has been found or recovered) to the Minister of the Environment or a prefectural governor, as specified by Order of the Ministry of the Environment:
  - (i) if the permission pursuant to the provisions of Article 10, paragraph (2) as applied mutatis mutandis pursuant to paragraph (11) following the deemed replacement of terms, has been revoked ;
  - (ii) if the validity period provided pursuant to the provisions of Article 9, paragraph (4) as applied mutatis mutandis pursuant to paragraph (11), has expired;
  - (iii) if the lost license to conduct designated means of hunting has been discovered or recovered after having it reissued pursuant to the provisions of paragraph (7).
- (10) The Minister of the Environment or a prefectural governor, if finding it necessary to protect wildlife, may order a person who has violated the provisions of paragraph (4) or the conditions attached pursuant to the provisions of paragraph (6) to release wildlife relating to the violation and take other necessary measures.
- (11) The provisions of Article 9, paragraphs (2), (4), and (7) apply mutatis mutandis to permission referred to in paragraph (4), and the provisions of Article 10, paragraph (2) apply mutatis mutandis to a person who obtained permission referred to in the proviso to paragraph (4). In this case, the term "permit" in Article 9, paragraph (7) is deemed to be replaced with "license to conduct designated means of hunting", the term set forth in the items of the

preceding paragraph" in Article 10, paragraph (2) is deemed to be replaced with "prescribed in Article 15, paragraph (10)".

- (12) In all or a part of areas where designated means of hunting are prohibited that is designated by a prefectural governor pursuant to the provisions of paragraph (1), if an area where designated means of hunting are prohibited that is designated by the Minister of the Environment pursuant to the same paragraph has been designated, the designation of the area designated by the prefectural governor is deemed to have been cancelled, or the areas designated by the prefectural governor is deemed to have been changed to the area other than that overlaps with the area designated by the Minister of the Environment respectively, notwithstanding the provisions of paragraphs (2) and (3).
- (13) If the Minister of the Environment or a prefectural governor has designated an area where designated means of hunting are prohibited, the Minister of the Environment or the governor must set up signs indicating this within the area where the designated means of hunting are prohibited.
- (14) Necessary particulars concerning the signs referred to in the preceding paragraph are prescribed by Order of the Ministry of the Environment; provided, however, the dimensions of the signs established by the prefectural governors are prescribed by prefectural ordinances, taking into consideration the provisions of Order of the Ministry of the Environment referred to in the main clause of this paragraph.

#### (Restriction on the Possession of Prohibited Hunting Equipment)

Article 16 (1) Hunting equipment used for means of hunting prescribed in Article 12, paragraph (1), item (iii) that is specified by Order of the Ministry of the Environment (hereinafter referred to as "prohibited hunting equipment" in this Article) must not be possessed for the purpose of conducting the capturing or killing of wildlife; provided, however, that this does not apply to the following cases:

- (i) if a person or a worker who obtained permission referred to in Article 9, paragraph (1) possesses the prohibited hunting equipment relating to the permission for the purpose of using the equipment to conduct the capturing or killing relating to that permission;
  - (ii) if a person who does not require the permission referred to in Article 9, paragraph (1) for the capturing or killing of wildlife referred to in the same paragraph relating to nationally rare species of wild fauna and flora, etc., pursuant to the provisions of Article 9, paragraph (14) (hereinafter referred to as a "person not requiring permission") possess the prohibited hunting equipment for the purpose of capturing or killing.
- (2) Prohibited hunting equipment must not be sold or distributed; provided,

however, that this does not apply to the following cases:

- (i) if the prohibited hunting equipment is sold or distributed to a person or a worker who obtained permission referred to in Article 9, paragraph (1);
  - (ii) if the prohibited hunting equipment used for capturing or killing relating to nationally rare species of wild fauna and flora, etc., are sold or distributed to a person not requiring permission;
  - (iii) if the prohibited hunting equipment to be exported is sold or distributed after notifying the Minister of the Environment, as specified by Order of the Ministry of the Environment.
- (3) The Minister of the Environment must consult with the Minister of Agriculture, Forestry and Fisheries, and the Minister of the Economy, Trade and Industry, if intending to prescribe Order of the Ministry of the Environment referred to in paragraph (1), and consult with the Minister of the Economy, Trade and Industry, if intending to prescribe Order of the Ministry of the Environment referred to in item (iii) of the preceding paragraph.

(Consent of Land Possessors)

Article 17 A person who intends to conduct the capturing or killing of wildlife, or collecting or damaging of bird eggs on land surrounded by fences, railings and other similar items, or on land with crops, must obtain consent from those land possessors in advance.

(Prohibition of Leaving Behind Wildlife)

Article 18 A person who has conducted capturing or killing of wildlife, or collecting or damaging of bird eggs, must not leave behind the wildlife or the bird eggs at the place where they were captured or killed, or collected or damaged; except for cases as specified by Order of the Ministry of the Environment as those where appropriate handling is difficult, or where there is a low risk of affecting the ecosystem.

## **Section 1-2 Certification of Programs of Capturing Wildlife**

(Certification for Programs of Capturing Wildlife)

Article 18-2 A person who implements the program of conducting the capturing or killing of wildlife (hereinafter referred to as "program for the capturing or killing of wildlife") (limited to corporations; hereinafter referred to as "business engaged in the capturing or killing of wildlife") may be certified by a prefectural governor that the program for the capturing or killing of wildlife conforms to the criteria prescribed in Article 18-5, paragraph (1).

(Application for Certification)

Article 18-3 (1) A person who intends to obtain the certification referred to in the preceding Article must submit an application form stating the following particulars to a prefectural governor, as specified by Order of the Ministry of the Environment:

- (i) name, address, and the name of their representative;
  - (ii) types of wildlife to be captured or killed by the program for the capturing or killing of wildlife, and the means for doing so;
  - (iii) particulars concerning the implementation system of the program for the capturing or killing of wildlife;
  - (iv) particulars concerning the skills and knowledge of a person engaged in the program for the capturing or killing of wildlife;
  - (v) particulars concerning implementation of training for a person engaged in the program for the capturing or killing of wildlife;
  - (vi) other particulars specified by Order of the Ministry of the Environment.
- (2) The articles of incorporation and other documents specified by Order of the Ministry of the Environment must be attached to application forms referred to in the preceding paragraph.

(Grounds for Disqualification)

Article 18-4 Any person who falls under any of the following items may not obtain certification referred to in Article 18-2.

- (i) any person whose certification referred to in Article 18-2 has been revoked pursuant to the provisions of Article 18-10, paragraph (2) and three years have not elapsed since the revoked date.
- (ii) any of its officer that falls under either Article 40, item (v) or (vi).

(Implementation of Certification)

Article 18-5 (1) A prefectural governor must not grant certification referred to in Article 18-2, unless the prefectural governor finds that the application for certification under Article 18-3, paragraph (1) conforms to the following criteria (for cases in which the enterprise engaged in the capturing or killing of wildlife relating to the application does not engage in night shooting, the criteria set forth in item (ii) are excluded):

- (i) the system for ensuring safety management in conducting the capturing or killing of wildlife (except night shooting) conforms to the criteria specified by Order of the Ministry of the Environment;
- (ii) the system for ensuring safety management in conducting night shooting conforms to criteria specified by Order of the Ministry of the Environment;
- (iii) a person engaged in a program of capturing wildlife conforms to the criteria specified by Order of the Ministry of Environment as those who have the skills and knowledge necessary for conducting the capturing or killing of

- wildlife appropriately and efficiently.
- (iv) the content of training for a person engaged in a program of capturing wildlife is appropriate and sufficient to maintain and improve skills and knowledge necessary for conducting the capturing or killing of wildlife appropriately and efficiently;
  - (v) the application conforms to the criteria specified by Order of the Ministry of the Environment as those necessary for implementing the program of capturing wildlife appropriately and efficiently.
- (2) If a prefectural governor has granted certification referred to in Article 18-2, the governor must notify the applicant of the fact, and issue a public notice to that effect for the following particulars:
- (i) the name, the address, and the name of their representative of the certified business engaging in the capturing or killing of wildlife who obtained the certification (hereinafter referred to as "certified business engaging in the capturing or killing of wildlife");
  - (ii) if the certified business engaging in the capturing or killing of wildlife conforms to the criteria set forth in item (ii) of the preceding paragraph, the fact.

(Maintaining Certified Program of the Capturing of Wildlife)

- Article 18-6 (1) A certified business engaging in the capturing or killing of wildlife must maintain their program of capturing wildlife relating to the certification referred to in Article 18-2 (hereinafter referred to as a "certified program of the capturing or killing of wildlife") so as to conform to the criteria set forth in the items of paragraph (1) of the preceding Article (excluding the criteria set forth in item (ii) of the same paragraph, if the certified business engaging in the capturing or killing of wildlife does not conduct night shooting; the same applies in the following paragraph).
- (2) If a prefectural governor finds that the certified program of the capturing or killing of wildlife implemented by the certified business engaging in the capturing or killing of wildlife does not conform to the criteria set forth in the items of paragraph (1) of the preceding Article, the prefectural governor may order that certified business engaging in the capturing or killing of wildlife to take the necessary measures in order to make the program conform to that criteria.

(Certification for Changes)

- Article 18-7 (1) If a certified business engaging in the capturing or killing of wildlife intends to change the particulars set forth in Article 18-3, paragraph (1), items (ii) through (v), the business must obtain certification by the prefectural governor; provided, however, that this does not apply to minor

changes specified by Order of the Ministry of the Environment.

- (2) The provisions of Articles 18-3 and 18-5 apply *mutatis mutandis* to the certification for changes referred to in the preceding paragraph.
- (3) If a certified business engaging in the capturing or killing of wildlife has made a minor change as specified by Order of the Ministry of the Environment referred to in the proviso of paragraph (1), or there has been a change in the particulars set forth in Article 18-3, paragraph (1), item (i) or (vi), the certified business engaging in the capturing or killing of wildlife must notify the prefectural governor within thirty days have elapsed from that date, as specified by Order of the Ministry of the Environment.
- (4) If a certified business engaging in the capturing or killing of wildlife has discontinued their certified program of the capturing or killing of wildlife, the business must notify the prefectural governor to that effect within thirty days have elapsed from the discontinued date.
- (5) If a notification under the provisions of the preceding two paragraphs has been made, the prefectural governor must issue a public notice to that effect without delay.

#### (Validity Period of Certification)

Article 18-8 (1) The validity period of certification referred to in Article 18-2 is three years from the certified date.

- (2) A certified business engaging in the capturing or killing of wildlife who intends to continue the program after the expiration of the validity period referred to in the preceding paragraph may have the validity period renewed.
- (3) A certified business engaging in the capturing or killing of wildlife who intends to have the validity period referred to in the preceding paragraph renewed must apply for a renewal of the validity period to the prefectural governor between sixty and ninety days prior to the expiration date of the validity period referred to in paragraph (1) (hereinafter referred to as "period of application for renewal"); provided, however, this does not apply for cases in which the certified business engaging in the capturing or killing of wildlife is unable to make the application during the period of application for renewal due to disasters or other unavoidable circumstances.
- (4) When the application referred to in the preceding paragraph has been filed, and if no disposition upon the application has been made by the expiration date of the validity period referred to in paragraph (1), the previous certification remains effective even after expiration of the validity period referred to in paragraph (1) until the disposition has been made.
- (5) In cases referred to in the preceding paragraph, if a validity period referred to in paragraph (2) has been renewed, the validity period of the certification is to start from the day following the expiration date of the validity period of the



previous certification.

- (6) The provisions of Article 18-3, Article 18-4 (excluding item (i)), and Article 18-5 apply mutatis mutandis to the renewal of the validity period referred to in paragraph (2); provided, however, with regard to the document prescribed in Article 18-3, paragraph (2), if there is no change in the content of the document already submitted to the prefectural governor, their attachment may be omitted.

#### (Restrictions on Use of Names)

Article 18-9 A person who is not a certified business engaging in the capturing or killing of wildlife must not use the name "certified business engaging in the capturing or killing of wildlife" or any other name confusingly similar thereto.

#### (Expiration of Certification)

Article 18-10 (1) The certification referred to in Article 18-2 ceases to be effective if the certified business engaging in the capturing or killing of wildlife does not have the validity period referred to in Article 18-8, paragraph (2) renewed (in cases prescribed in paragraph (4) of the same Article, if the disposition to refuse the renewal is made).

- (2) A prefectural governor may revoke all or part of the certification referred to in Article 18-2 if the certified business engaging in the capturing or killing of wildlife falls under any of the following items:

(i) if the certified business engaging in the capturing or killing of wildlife has violated the provisions of this Act, or any order or disposition based on this Act.

(ii) if the certified business engaging in the capturing or killing of wildlife has obtained the certification referred to in Article 18-2, certification of change referred to in Article 18-7, paragraph (1), or renewal of the validity period referred to in Article 18-8, paragraph (2), by wrongful means.

(iii) if the certified business engaging in the capturing or killing of wildlife has come to fall under Article 18-4, paragraph (2).

- (3) If the certification referred to in Article 18-2 has ceased to be effective pursuant to the provisions of paragraph (1), or if the prefectural governor has revoked the certification referred to in the same Article pursuant to the provisions of the preceding paragraph, the prefectural governor must notify the person and issue a public notice to that effect without delay.

## **Section 2 Regulations on Rearing and Selling of Wildlife**

#### (Registration of Rearing)

Article 19 (1) A person who intends to rear wildlife captured with permission

under the provisions of Article 9, paragraph (1), that is not the target wildlife that may be hunted (including those hatched from bird eggs that were collected with permission under the provisions of the same paragraph; hereinafter the same applies to Article 22, paragraph (1) and Article 84, paragraph (1), item (vii)) must obtain a registration from the prefectural governor who has jurisdiction over the domicile of that person; provided, however, that this does not apply if the rearing is conducted until the day on which thirty days have elapsed from the last day of the validity period specified in Article 9, paragraph (4).

- (2) A person who intends to obtain a registration referred to in the previous paragraph (hereinafter referred to simply as "registration" in this Section) must apply to the prefectural governor for a registration, as specified by Order of the Ministry of the Environment.
- (3) If a prefectural governor has made a registration, the governor must issue a registration card to the person that filed the application, as specified by Order of the Ministry of Environment.
- (4) The validity period of a registration is one year from the date of registration.
- (5) The validity period referred to in the preceding paragraph may be renewed through the application from the person who obtained the registration, or the person who have acquired or accepted the registered wildlife (meaning wildlife that was registered pursuant to the provisions of paragraph (1), the same applies in this Section) pursuant to the provisions of paragraph (1) of the following Article.
- (6) If a person who is rearing registered wildlife loses the registration card referred to in paragraph (3) (hereinafter simply referred to as a "registration card") relating to the registered wildlife, or the registration card has been destroyed, the person may have the registration card reissued by applying to the prefectural governor, as specified by Order of the Ministry of the Environment.

#### (Management of Registered Wildlife and Registration Cards)

Article 20 (1) A transfer or acquisition, or delivery or acceptance, of registered wildlife (hereinafter referred to as "transfer, etc." in this Section) must be conducted with the registration card relating to the registered wildlife.

- (2) A transfer, etc. of registration card must not be conducted except for cases where it is conducted with the registered wildlife relating to the registration card.
- (3) A person who has acquired or accepted the registered wildlife must notify the prefectural governor who has jurisdiction over the domicile of that person within thirty days from the date of acceptance or acquisition, as specified by Order of the Ministry of the Environment.

(Returning of Registration Cards)

Article 21 (1) If a registration card (in the case set forth in item (ii), the registration card that is discovered or recovered) has come to fall under any of the following items, the registration card must be returned to the prefectural governor within thirty days from that date:

(i) if the registered wildlife relating to the registration card is no longer reared (except for cases where the transfer, etc. of the registered wildlife relating to the registration card is conducted together with registration card).

(ii) if the lost registration card has been discovered or recovered after having the registration card reissued pursuant to the provisions of Article 19, paragraph (6).

(2) The provisions of Article 19, paragraph (6) apply *mutatis mutandis* to cases where the registered wildlife has been discovered or recovered, after returning the registration card to the prefectural governor pursuant to the provisions of the preceding paragraph due to falling under the case set forth in item (i) of the preceding paragraph, because the registered wildlife has been lost due to theft or other reasons.

(Order for Measures against Registered Persons)

Article 22 (1) A prefectural governor may order a person who rears wildlife that is not the target wildlife that may be hunted without registration, in violation of the provisions of Article 19, paragraph (1), to release the wildlife relating to the violation and take other necessary measures.

(2) A prefectural governor may revoke a person's registration if the person violates this Act, or provisions of any order under this Act, or disposition under this Act.

(Wildlife Whose Sale is Prohibited)

Article 23 Wildlife (including their processed products specified by Order of the Ministry of the Environment, and those that were bred) or bird eggs whose protection is likely to be seriously hindered by any sale that are specified by Order of the Ministry of the Environment (referred to as "wildlife and others whose sale is prohibited" in the following Article) must not be sold; provided, however, that this does not apply in cases of selling with permission referred to in paragraph (1) of the following Article.

(Permission to Sell Wildlife Whose Sale is Prohibited)

Article 24 (1) A person who intends to sell wildlife and others whose sale is prohibited, for the purpose of academic research, breeding, or any other purpose as specified by Order of the Ministry of the Environment, must obtain

the permission of the prefectural governor to do so.

- (2) If an application referred to in Article 19, paragraph (2) as applied *mutatis mutandis* pursuant to paragraph (11) has been filed, a prefectural governor must grant permission referred to in the preceding paragraph, except for cases where the sale relating to the application falls under any of the following items:
  - (i) if the purpose of sale does not conform to that prescribed in the preceding paragraph;
  - (ii) if the protection of wildlife protection prescribed in the preceding Article is likely to be hindered by the sale.
- (3) In granting permission referred to in paragraph (1), a prefectural governor is to define the validity period of the permission.
- (4) In granting permission referred to in paragraph (1), if a prefectural governor finds necessary to protect wildlife and others whose sale is prohibited, the prefectural governor may attach conditions to the permission.
- (5) If a prefectural governor has granted permission referred to in paragraph (1), the governor must issue a sales permit, as specified by Order of the Ministry of the Environment.
- (6) If a person who obtained permission referred to in paragraph (1) loses the sales permit referred to in the preceding paragraph (hereinafter simply referred to as "sales permit"), or the sales permit has been destroyed, the person may have the sales permit reissued by applying to the prefectural governor, as specified by Order of the Ministry of the Environment.
- (7) In selling wildlife and others whose sale is prohibited, a person who obtained permission referred to in paragraph (1) must carry the sales permit, and must present it when requested by the State's or local public entity's employee, police officers or other related persons.
- (8) A person who obtained permission referred to in paragraph (1) must return their sales permit (in cases referred to in item (iii), the discovered or recovered sales permit) to the prefectural governor, as specified by Order of the Ministry of the Environment, if coming to fall under any of the following items:
  - (i) if the permission is revoked pursuant to the provisions of paragraph (10);
  - (ii) if the validity period provided pursuant to the provisions of paragraph (3) has expired;
  - (iii) if the sales permit lost has been discovered or recovered after having the permit reissued pursuant to the provisions of paragraph (6).
- (9) A prefectural governor may order a person who violates the provisions of the preceding Article or violates the condition attached pursuant to the provisions of paragraph (4) to release wildlife relating to the violation, and take other necessary measures, if it is found necessary for the protection of wildlife prescribed in the same Article.

- (10) When a person who obtained permission referred to in paragraph (1) violates this Act, or order under this Act, or disposition under this Act, the prefectural governor may revoke the permission if prescribed in the preceding paragraph.
- (11) The provisions of paragraph (2) of Article 19 apply mutatis mutandis to a person who intends to obtain permission referred to in paragraph (1).

(Regulations on Exporting Wildlife)

Article 25 (1) Wildlife (including their processed products specified by Order of the Ministry of the Environment; hereinafter the same applies in this Article.) or bird eggs specified by Order of the Ministry of the Environment must not be exported, unless the certificate proving that they were not captured or collected in violation of this Act (referred to as a "certificate of legal capturing or killing") is attached.

(2) A person who intends to obtain a certificate of legal capturing or killing must apply to the Minister of the Environment, as specified by Order of the Ministry of the Environment

(3) The Minister of the Environment must issue a certificate to capture wildlife by legally-prescribed means in accordance with Order of the Ministry of the Environment when it is found that the wildlife or bird eggs relating to the application under the preceding paragraph are not illegally captured or collected.

(4) A person who receives a certificate to capture wildlife by legally-prescribed means may apply to the Minister of the Environment and receive reissuance of that certificate, as specified by Order of the Ministry of the Environment if the person has loses that certificate or it has been destroyed.

(5) A person who receives issuance of a certificate to capture wildlife by legally-prescribed means must return the certificate to capture wildlife by legally-prescribed means (in cases of item 2, the discovered or recovered certificate to capture wildlife by legally-prescribed means) to the Minister of the Environment as specified by Order of the Ministry of the Environment if coming to fall under any of the following items:

(i) if the effect of certificate has been revoked pursuant to the provisions of paragraph (7):

(ii) if the lost certificate is discovered or recovered after receiving the reissuance pursuant to the provisions of the preceding paragraph.

(6) The Minister of the Environment may order a person who violates the provisions of paragraph (1) to release the relevant wildlife and to take other necessary measures if finding it necessary for the protection of wildlife prescribed in that paragraph.

(7) The Minister of the Environment may cancel a certificate to capture wildlife by legally-prescribed means if any person who receives it violates this Act, or

the provisions of the order based on this Act, or a disposition under this Act listed in the preceding paragraph.

(Regulation on Importing Wildlife)

- Article 26 (1) Wildlife (including processed goods specified by Order of the Ministry of the Environment; hereinafter the same applies in this Article.) or bird eggs specified by Order of the Ministry of the Environment must not be imported unless the certificate issued by foreign government agencies or the person who is specified by the Minister of the Environment that proves the wildlife or bird eggs have been captured or collected legally are attached; provided, however, that this does not apply in cases of importing from a country or region specified by the Minister of the Environment as a country or region that does not have the certification system for the export of such wildlife or bird eggs that are captured or collected.
- (2) A person who imports wildlife prescribed in the preceding paragraph that are specified by Order of the Ministry of the Environment must receive labeling (hereinafter simply referred to as "labeling") which indicates that the wildlife (hereinafter referred to as "specified wildlife for import") is imported in conformity with the provisions of the same paragraph from the Ministry of the Environment, and attach the labeling to the specified wildlife for import.
- (3) A person who intends to receive the labeling must apply to the Minister of the Environment, as specified by Order of the Ministry of the Environment.
- (4) The Minister of the Environment must issue the labeling in accordance with Order of the Ministry of the Environment when the specified wildlife for import relating to the application under the preceding paragraph is accepted as those imported in conformity with the provisions of paragraph (1).
- (5) The labeling must not be removed from the related specified wildlife for import, except for in unavoidable cases specified by Order of the Ministry of the Environment.
- (6) Transfer, etc. of specified wildlife for import without labeling attached must not be conducted.
- (7) A person who applies for labeling pursuant to the provisions of paragraph (3) must pay fees as specified by Cabinet Order to the State, in consideration of the actual costs.

(Prohibition on Rearing or Transferring Illegally Imported or Captured Wildlife)

Article 27 Wildlife which was captured or imported in violation of this Act, (including birds hatched from eggs which were collected or imported in violation of this Act, and these processed items that are specified by Order of the Ministry of the Environment), or bird eggs which were collected or

imported must not be reared or transferred, or delivered or received for the purpose of selling, processing, or preserving.

### **Section 3 Wildlife Protection Areas**

(Wildlife Protection Areas)

- Article 28 (1) The Minister of the Environment or prefectural governor may designate the following areas as wildlife protection areas respectively when it is found to be particularly necessary for wildlife protection, considering the type of wildlife and other habitat of wildlife:
- (i) in the case of the Minister of the Environment: areas that is found to be important for international or national protection of wildlife;
  - (ii) in the case of prefectural governors: areas that is found to be important for protection of wildlife within the relevant prefecture's area, excluding those listed in the preceding item.
- (2) Designations or changes under the provisions of the preceding paragraph, are to be made by specifying the guideline with regard to the name of wildlife protection area, the region, the duration, and the protection of the wildlife protection area.
- (3) The Minister of the Environment or prefectural governor must hear the opinion of related local public entity in advance when intending to make a designation under the provisions of paragraph (1) or implementing a change thereof (as for a change, it is limited to the case of extending wildlife protection area; the same applies in the following paragraph through to paragraph (6)).
- (4) The Minister of the Environment or a prefectural governor must issue a public notice of the fact in advance in accordance with Order of the Ministry of the Environment, and provide the draft guideline as to the name of wildlife protection area, the region, the duration, and the protection of the wildlife protection area, to be made available for public inspection (referred to as "draft guideline" in the next paragraph and paragraph (6)) within fourteen days (in the case of the prefectural governor, within approximately fourteen days, as specified) from the date of issuing the public notice when intending to make a designation pursuant to the provisions of paragraph (1) or making a change thereof.
- (5) Residents of the area and those it may concern who are living in the area to be designated under the provisions of paragraph (1), or making a change may submit a written opinion as to the guideline to the Minister of the Environment or a prefectural governor until the day that the period prescribed in the preceding paragraph passes, when the public notice under the provisions of the preceding paragraph is issued.
- (6) The Minister of the Environment and a prefectural governor is to hold a

public hearing and take other necessary measures if a written opinion under the preceding paragraph is submitted, stating that there is an objection on the draft guideline, and finds it necessary to widely solicit opinions on the proposed designations or changes to wildlife protection areas.

- (7) The duration of wildlife protection areas may not be over twenty years; provided, however, that by specifying a period not exceeding twenty years, this duration can be updated.
- (8) The Minister of the Environment or a prefectural governor must withdraw any designation under the provisions of paragraph (1) is found to be no longer necessary due to changes in the situation of wildlife habitat and other circumstances, or when it is found to be not appropriate to continue the designation.
- (9) The provisions of paragraph (2), and Article 15, paragraph (2), paragraph (3), paragraph (13) and paragraph (14) apply *mutatis mutandis* to be updated pursuant to the proviso of paragraph (7). The provisions of Article 3, paragraph (3) applies *mutatis mutandis* to designation made by the Minister of the Environment pursuant to the provisions of paragraph (1) and modification thereof (Only those that extends the wildlife protection area). The provisions of Article 4, paragraph (4) and Article 12, paragraph (4) apply *mutatis mutandis* to designation made by the prefectural governor pursuant to the provisions of paragraph (1) and its change (in cases of Article 4, paragraph (4) is limited to those that extends the wildlife protection area). The provisions of Article 15, paragraph (2), paragraph (3), paragraph (13) and paragraph (14), apply *mutatis mutandis* to designation and its modification under the provisions of paragraph (1). In this case, "to that effect, as well as the name, the area, and the duration" in paragraph (2) of the same Article is replaced with "to that effect, as well as the guideline as to the name of wildlife protection area, the region, the duration, and the protection of the wildlife protection area"; "public notice under the provisions of the preceding paragraph" in paragraph (3) of the same Article is replaced with "public notice under provisions of the preceding paragraph as applied *mutatis mutandis* pursuant to Article 28, paragraph (9) following the deemed replacement of terms".
- (10) The provisions of Article 12, paragraph (4) applies *mutatis mutandis* to withdrawal of designation of the wildlife protection area by the prefectural governor pursuant to the provisions of paragraph (8). The provisions of Article 15, paragraphs (2) and (3) apply *mutatis mutandis* to withdrawal of designation under the provisions of paragraph (8). In this case, "to that effect, as well as the name, the area and the duration" in paragraph (2) of the same Article is replaced with "to that effect, and the area concerning withdrawal", and "Public notice under the provisions of the preceding paragraph" in paragraph (3) of the same Article is replaced with "public notice under the



provisions of the preceding paragraph, as applied mutatis mutandis pursuant to Article 28, paragraph (10) following the deemed replacement of terms".

- (11) A person who has ownership or other rights in relation to land, tree or bamboo within the area of wildlife protection areas must not refuse the Minister of the Environment or a prefectural governor establishing facilities such as nesting, water supply and feeding areas necessary for the habitat and breeding of birds and animals on that land, tree or bamboo, unless there are legitimate grounds for doing so.

(Conservation Programs in Wildlife Protection Areas)

- Article 28-2 (1) The State or prefecture is to conduct conservation programs (establishment of reproductive facilities to protect and maintain habitats of wildlife and other programs specified by Order of the Ministry of the Environment, the same applies below.) in wildlife protection areas designated by the Minister of the Environment pursuant to the provisions of paragraph (1) of the preceding Article, in case of the State, (hereinafter referred to as "national wildlife protection areas") or in wildlife protection areas designated by a prefectural governor pursuant to the provisions of the same paragraph (hereinafter referred to as "prefectural wildlife protection areas") if it finds it necessary in accordance with the status of wildlife population in that area.
- (2) National government organs other than the Minister of the Environment must discuss with the Minister of the Environment when conservation program in national wildlife protection area is to be conducted.
- (3) Local public entities may conduct part of conservation programs in national wildlife protection areas by discussing with the Minister of the Environment and getting their consent, and in other cases by discussing with the Minister of the Environment in the following cases:
- (i) if the capturing or killing of rare species of wildlife, or the collecting or damaging of bird eggs is carried out as part of the relevant conservation project;
  - (ii) in cases of capturing or killing of wildlife by using ropes or traps specified by Order of the Ministry of the Environment referred to in Article 9, paragraph (1), item (iii) as part of the relevant conservation program.
- (4) Local public entities other than prefectures may implement a part of conservation projects in prefectural wildlife protection areas by consulting with the prefectural governors and obtaining their consent if falling under any of the cases set forth in the items of the preceding paragraph, and by consulting with the prefectural governors in any other cases.
- (5) If a prefecture implements a conservation project under the provisions of paragraph (1) and it falls under any of the cases set forth in the items of paragraph (3), or when a prefectural governor intends to give consent for a

conservation project under the provisions of the preceding paragraph, the prefecture or the prefectural governor must consult with the Minister of the Environment and obtain their consent.

- (6) As for the acts conducted as conservation program pursuant to the provisions of paragraphs (1), (3) and (4), the provisions of Article 8, and Article 16, paragraphs (1) and (2), and paragraph (7) of the following Article do not apply.

(Special Protection Zones)

Article 29 (1) The Minister of the Environment or a prefectural governor may designate areas that are found to be particularly necessary for wildlife protection, or protection of habitats of wildlife in each wildlife protection area as a special protection zone.

- (2) The duration of a special protection area is to be the period specified by the Minister of the Environment or a prefectural governor within the duration of time for the relevant wildlife protection area.
- (3) The Minister of the Environment or a prefectural governor must withdraw the designation, if it is found that the designation under the provisions of paragraph (1) is no longer necessary due to changes in the situation surrounding the wildlife habitat and other circumstances, or if it is found not to be appropriate to continue the designation.
- (4) The provisions of paragraph (2) applies mutatis mutandis to change of designation under the provisions of paragraph (1); the provisions of Article 3, paragraph (3) applies mutatis mutandis to designation made by the Minister of the Environment pursuant to the provisions of paragraph (1) and modification thereof (limited to extension the area of the special protection zone or extending the duration); the provisions of Article 4, paragraph (4) and Article 12, paragraph (4) apply mutatis mutandis to designation made by the prefectural governor pursuant to the provisions of paragraph (1) and modification thereof (in the case of Article 4, paragraph (4), it is limited to extension the area of the special protection zone or to prolong the duration). The provisions of Article 15, paragraphs (2), (3), (13) and (14), and Article 28, paragraphs (2) through (6) apply mutatis mutandis to designation and modification in accordance with paragraph (1) (in cases of paragraphs (3) through (6) of the same Article, limited to extension the area of the special protection zone or prolong the duration). In this case, "must notify the Minister of the Environment" in Article 12, paragraph (4) is replaced with "after the end of the duration of special protection zone, when continuing to designate the same area as special protection zone as the special protection zone or when extending the duration of special protection zone, notify the Minister of the Environment. In cases other than these, discuss with the Minister of the Environment". "The fact, the name, the area, and the duration" in Article 15,

paragraph (2), is replaced with "the fact and the guideline as to the name of wildlife protection area, the region, the duration and the protection of the special protection zone". "Public notice under the provisions of the preceding paragraph" in paragraph (3) of the same Article is replaced with "public notice under the provisions of the preceding paragraph as applied mutatis mutandis pursuant to Article 29, paragraph (4) following the deemed replacement of terms".

- (5) The provisions of Article 12, paragraph (4) of applies mutatis mutandis to withdrawal of designation made by the prefectural governor pursuant to the provisions of paragraph (3); the provisions of Article 15, paragraphs (2) and (3) apply mutatis mutandis to withdrawal of designation under the provisions of paragraph (3). In this case, "must notify" in Article 12, paragraph (4) is to be replaced with "must discuss"; "to that effect, as well as the name, the area and the duration" in Article 15, paragraph (2), is to be replaced with "to that effect, and the area related to the withdrawal"; "public notice under the provisions of the preceding paragraph" in paragraph (3) of the same Article is to be replaced with "public notice under the provisions of the preceding paragraph, as applied mutatis mutandis pursuant to Article 29, paragraph (5), following the deemed replacement of terms".
- (6) In the case the Minister of the Environment receives consultation pursuant to the provisions of Article 12, paragraph (4) as applied mutatis mutandis pursuant to the provisions of paragraph (4) following the deemed replacement of terms (in the case this concerns the change in designation under provisions of paragraph (1), it is limited to the case of extending wildlife protection area), the Minister of the Environment must consult with the Minister of Agriculture, Forestry and Fisheries.
- (7) In the area of special protection zone, the following actions as to special protection zone designated by the Minister of the Environment pursuant to the provisions of paragraph (1) (hereinafter referred to as "nationally-designated special protection zone") must not be conducted without permission by the Minister of the Environment, and the ones as to special protection zone designated by the prefectural governor pursuant to the provisions of the same paragraph (hereinafter referred to as "prefecture-designated special protection zone") must not be conducted without permission by the prefectural governor; provided, however, this does not apply for those designated by the Minister of the Environment in cases of nationally-designated special protection zone, and for those designated by the prefectural governors in cases of prefecture-designated special protection zone, as a recognized act with no hindrance to wildlife protection.
- (i) to newly build, renovate, or expand buildings and other structures.
  - (ii) to landfill or drain water surfaces.

- (iii) to cut down tree or bamboo.
- (iv) in addition to what is set forth in the preceding three items, doing what is specified by Cabinet Order as an act that may affect wildlife protection within each special protection zone designated by the Minister of the Environment in cases of nationally-designated special protection zone, and designated by the prefectural governor in cases of prefecture-designated special protection zones.
- (8) A person who intends to obtain the permission referred to in the preceding paragraph must apply for the permission to the Minister of the Environment, as specified by Order of the Ministry of the Environment, in the case of a nationally-designated special protection area, and to the prefectural governor in the case of a prefecture-designated special protection zone.
- (9) The Minister of the Environment or a prefectural governor must grant the permission referred to in paragraph (7), if an application for the permission referred to in the preceding paragraph is filed, except when the acts related to that application falls under any of the following items:
  - (i) if there is a risk that the act is likely to seriously hinder the protection of wildlife;
  - (ii) if there is a risk that the act is likely to seriously hinder the protection of the habitats of wildlife.
- (10) The Minister of the Environment or a prefectural governor may attach conditions to the permission referred to in paragraph (7), if deemed to be necessary for the protection of wildlife or the protection of habitats of wildlife.

(Orders for Measures)

- Article 30 (1) If the Minister of the Environment finds it necessary for the protection of wildlife in the nationally-designated special protection zone, and the prefectural governor finds it necessary for the protection of wildlife in the prefecture-designated special protection zone, they may give instructions to a person who is receiving the permission referred to in paragraph (7) of the preceding Article and conducting the acts set forth in the items of the same paragraph within the special protection zone, on the method in conducting the act.
- (2) If the Minister of the Environment finds it necessary for the protection of wildlife or the protection of habitats of wildlife in the nationally-designated special protection zone, and the prefectural governor finds it necessary for the protection of wildlife or the protection of habitats of wildlife in the prefecture-designated special protection zone, they may, to the extent necessary for the protection of wildlife or the protection of habitats of wildlife, order the person who has violated the provisions of paragraph (7) of the preceding Article or the conditions attached pursuant to paragraph (10) of the preceding Article to

cease such activities, or any such person or another person that has succeeded to the rights to that relevant land, building, other structures or item from any such person to restore them to their original state or take necessary alternative measures within a reasonable period if restoration to its original state is extremely difficult.

- (3) If the Minister of the Environment or a prefectural governor intends to order the restoration of the original state or necessary alternative measures (hereinafter referred to as "restoration, etc.") pursuant to the provisions of the preceding paragraph, and it is impossible to ascertain the person to which that order of restoration, etc. is to be made, the Minister of the Environment or the prefectural governor may carry out that restoration, etc. or have a person ordered or delegated by the Minister of the Environment carry out that restoration, etc. at the expense of the person to which that order of restoration, etc. is to be made. In this case, the Minister of the Environment or the prefectural governor must give public notice in advance that the restoration, etc. will be carried out within a reasonable period and that the Minister of the Environment or a person ordered or delegated by the Minister of the Environment will carry out that restoration, etc., if that restoration, etc. is not carried out within that period.
- (4) A person who intends to perform restoration or the equivalent pursuant to the provisions of the preceding paragraph must carry a certificate of identification and present it to any relevant person if requested to do so.

#### (Field Surveys)

- Article 31 (1) The Minister of the Environment or a prefectural governor may have officials enter another person's land, to the extent necessary for the field survey for designation under the provisions of Article 28, paragraph (1) or Article 29, paragraph (1), or paragraph (7), item (iv).
- (2) If the Minister of the Environment or a prefectural governor intends to have their officials enter another person's land pursuant to the provisions of preceding paragraph, they must inform the owner or occupier of the land in advance of their intent, and give them the opportunity to express their opinion.
- (3) Officials entering the land pursuant to the provisions of paragraph (1) must carry their certificate of identification with them, and show it to relevant persons.
- (4) The owner or the occupier of the land must not refuse, or prevent entry under the provisions of paragraph (1) unless there are legitimate grounds for doing so.

#### (Compensation for Losses)

- Article 32 (1) The State must compensate persons who have suffered losses with respect to nationally-designated wildlife protection areas, and prefectural

governors must compensate persons who have suffered losses with respect to prefectural-designated wildlife protection areas established pursuant to the provisions of Article 28, paragraph (11), because permission referred to in Article 29, paragraph (7) cannot be obtained, or because conditions that are attached pursuant to the provisions of paragraph (10) of the same Article, for losses that would normally arise.

- (2) A person who intends to receive the compensation referred to in the preceding paragraph must make a request to the Minister of the Environment or the prefectural governor.
- (3) If receiving the request referred to in the preceding paragraph, the Minister of the Environment or relevant prefectural governor must determine the amount to be compensated and notify to the person who made the request.
- (4) A person who is dissatisfied with the determination of the amount under the provisions of the preceding paragraph, may request an increase by filing an appeal between the day of receiving the notice until six months have elapsed from then.
- (5) In the appeal referred to in the preceding paragraph, the State or prefecture is the defendant.

(The Relationship between Nationally-Designated Wildlife Protection Areas and Prefectural-Designated Wildlife Protection Areas)

Article 33 If a nationally-designated wildlife protection area is designated for all or part of a prefectural-designated wildlife protection area, that prefectural-designated wildlife protection area is deemed to have been withdrawn, or to have been changed to a zone other than the area overlapping the area of nationally-designated wildlife protection area, notwithstanding the provisions of Article 15, paragraphs (2) and (3), as applied mutatis mutandis pursuant to Article 28, paragraph (2), and paragraphs (9) and (10) of the same Article.

#### **Section 4 Temporarily Closed Hunting Areas**

(Designation of Temporarily Closed Hunting Areas)

- Article 34 (1) The prefectural governor may designate an area as a temporarily closed hunting area if this is deemed necessary to increase the population of wildlife that may be hunted if their numbers have significantly decreased.
- (2) Temporarily closed hunting areas may only be closed for a maximum of three years.
  - (3) If making a designation under the provisions of paragraph (1), a prefectural governor must issue a public notice of the fact, its name, area, and duration.
  - (4) The designation under the provisions of paragraph (1) becomes effective by public notice under the provisions of the preceding paragraph.

- (5) If a prefectural governor designates a temporarily closed hunting area, the prefectural governor must display signs indicating this placed within the relevant area.
- (6) Particulars necessary for the signs referred to in the preceding paragraph (excluding the sign's dimensions) are to be specified by Order of the Ministry of the Environment.
- (7) The dimensions of the signs referred to in paragraph (5) are to be prescribed by prefectural ordinance, taking into consideration the criteria specified by Order of the Ministry of the Environment.

## **Chapter IV Optimization of Hunting**

### **Section 1 Prevention of Dangerous Situations**

(Areas where Specified Hunting Equipment is Prohibited)

- Article 35 (1) A prefectural governor may designate areas where capturing wildlife or using firearms or traps specified by Order of the Ministry of the Environment (hereinafter referred to as "specified hunting equipment") is prohibited, in order to prevent the occurrence of dangerous situations or maintaining the peace of those areas.
- (2) In areas prohibiting the use of specified hunting equipment, Wildlife must not be captured or killed using the related specified hunting equipment; provided, however, this does not apply to cases where a person or an worker engages in capturing subject to the permission referred to in Article 9, paragraph (1), or a person not requiring permission conducts capturing or killing relating to nationally rare species of wild fauna and flora, etc..
  - (3) In areas restricting the use of specified hunting equipment, wildlife must not be captured by using the related specified hunting equipment in areas for which approval from the prefectural governor has not been given (hereinafter referred to as "approved target for capturing or killing"); provided, however, this does not apply in cases in which a person or an employee captures wildlife, etc. with approval referred to in Article 9, paragraph (1) or cases where a person not requiring permission conducts the capturing or killing relating to nationally rare species of wild fauna and flora, etc.
  - (4) A person who intends to obtain the approval referred to in the preceding paragraph (hereinafter simply referred to as "approval" in this Article) must apply for approval to the prefectural governor, as specified by Order of the Ministry of the Environment.
  - (5) If an application referred to in the preceding paragraph is filed, the prefectural governor must approve this unless the approved target for capturing or killing related to that application falls under any of the following items:

- (i) if there is a risk of interfering with the prevention of dangerous situations associated with the approved target for capturing or killing;
  - (ii) if there is a risk of interfering with maintaining the quietness of the designated area.
- (6) Approval is to be carried out with respect to the number of persons who intend to conduct approved target for capturing or killing within the range of the number specified by the prefectural governor in accordance with the criteria specified by Order of the Ministry of the Environment.
- (7) In cases of granting approvals, prefectural governors may attach conditions if found necessary for the prevention of dangerous situations or maintaining the quietness of designated areas.
- (8) A person who obtained approval may apply to the prefectural governors to receive reissuance of certificate of approval in accordance with Order of the Ministry of the Environment if the person loses the certificate of approval referred to in Article 24, paragraph (5) as applied mutatis mutandis pursuant to paragraph (12) following the deemed replacement of terms (hereinafter simply referred to as "certificate of approval"), or if the certificate of approval has been destroyed.
- (9) If a person who has obtained approval is engaged in capturing or killing the approved target in areas restricting the use of specified hunting equipment, that person must carry a certificate of approval and present it when requested by the State's or the local public entity's employees, police officers, or other related persons.
- (10) A person who obtained approval must return their certificate of approval (in cases referred to in item (iii), discovered or recovered certificate of approval) to the prefectural governor, as specified by Order of the Ministry of the Environment, if it falls under any of the following:
  - (i) if approval has been revoked pursuant to the provisions of Article 24, paragraph (10) as applied mutatis mutandis pursuant to paragraph (12) following the deemed replacement of terms;
  - (ii) if the validity period provided pursuant to the provisions of Article 24, paragraph (3) as applied mutatis mutandis pursuant to paragraph (12) has expired;
  - (iii) if finding or recovering a lost certificate of approval after receiving the reissued certificate of approval pursuant to the provisions of paragraph 8.
- (11) A prefectural governor may order a person who violates the provisions of paragraph (3) or violates the conditions attached pursuant to the provisions of paragraph (7) to change the place for approved target for capturing, or killing. and to take other necessary measures in the following cases:
  - (i) if finding it necessary for the prevention of dangerous situations accompanying approved capturing;



(ii) if finding it necessary for maintaining the quietness of the designated area.

(12) The provisions of Article 24, paragraphs (3) and (5) apply mutatis mutandis to the approval, the provisions of paragraph (10) of the same Article applies mutatis mutandis to a person who received approval, and the provisions of paragraphs (3) through (7) of the preceding Article apply mutatis mutandis to designation referred to in paragraph (1). In this case, "sales permit" in Article 24, paragraph (5) is to be replaced with "certificate of approval", "prescribed in the preceding paragraph" in paragraph (10) of the same Article is to be replaced with "set forth in the items of Article 35, paragraph (11)"; "to that effect and its name, area and duration" in paragraph (3) of the preceding Article is to be replaced with "to that effect and its name, area, duration, and type of specific hunting equipment regarding prohibition or restriction."; in the paragraph (4) of the same Article "public notice under the provisions of the preceding paragraph" is to be replaced with "a public notice under the provisions of the preceding paragraph as applied mutatis mutandis pursuant to paragraph (12) of the next Article following the deemed replacement of terms".

(Prohibition of Dangerous Means of Hunting)

Article 36 The capturing or killing of wildlife by using explosives, deleterious drugs, poisonous drugs, or other means of hunting specified by Order of the Ministry of the Environment (hereinafter referred to as "dangerous means of hunting") is prohibited; provided, however, this does not apply in cases of capturing or killing of wildlife pursuant to the provisions of Article 13, paragraph (1), or in the case of obtaining the permission referred to in paragraph (1) of the following Article in capturing or killing of wildlife pertaining to the permission.

(Permission for Dangerous Means of Hunting)

Article 37 (1) A person who intends to conduct the capturing or killing of wildlife by dangerous means of hunting for the purpose prescribed in Article 9, paragraph (1) must obtain permission from the Minister of the Environment.

(2) A person who intends to obtain permission referred to in the preceding paragraph must apply to the Minister of the Environment for permission, as specified by Order of the Ministry of the Environment.

(3) If an application referred to in the preceding paragraph is filed, the Minister of the Environment must grant permission referred to in paragraph (1), except in cases where the capturing and killing of wildlife relating to that application falls under any of the following items:

- (i) if the purpose of capturing or killing of wildlife does not conform to that prescribed in paragraph (1);
- (ii) if there is a risk of death or bodily harm to a person.

- (4) The Minister of the Environment is to prescribe the validity period in granting permission referred to in paragraph (1).
- (5) In cases of granting permission referred to in paragraph (1), the Minister of the Environment may attach conditions to the permission if the Minister finds it necessary for the prevention of danger.
- (6) If the Minister of the Environment has granted a permission referred to in paragraph (1), the Minister must issue a permit to use dangerous means of hunting, as specified by Order of the Ministry of the Environment.
- (7) A person who has obtained permission referred to in paragraph (1) may, if they have lost the permit to use dangerous means of hunting set forth in the preceding paragraph (hereinafter simply referred to as a "permit to use dangerous means of hunting") or it has been destroyed, apply to the Minister of the Environment for reissuance of the permit, as specified by Order of the Ministry of the Environment.
- (8) A person who received permission referred to in paragraph (1) must carry the permit to use dangerous means of hunting on their person when capturing or killing wildlife using dangerous means of hunting and, must present it when requested by the State's or local public entity's employees, police officers or other related persons.
- (9) A person who received permission referred to in paragraph (1) must return the permit to use dangerous means of hunting (in cases referred to in item (iii), if discovering or recovering the permit to use dangerous means of hunting) to the Minister of the Environment, as specified by Order of the Ministry in cases as below:
- (i) if the permission has been revoked pursuant to the provisions of paragraph (11);
  - (ii) if the validity period provided pursuant to the provisions of paragraph (4) has expired.
  - (iii) if the permit to use dangerous means of hunting that was lost has been discovered or recovered after being reissued pursuant to the provisions of paragraph (7).
- (10) The Minister of the Environment may order a person who has captured, etc. wildlife without obtaining permission in violation of the provisions of paragraph (1) or who has violated the conditions attached pursuant to the provisions of paragraph (5) to change the places to capture wildlife and take other necessary measures if finding necessary for the prevention of dangerous situations.
- (11) The Minister of the Environment may revoke the permission, if finding it necessary for the prevention of dangerous situations, in cases where a person who obtained permission referred to in paragraph (1) violates this Act or the provisions of an order based on this Act or the disposition under this Act.

(Restrictions on Hunting with Guns)

Article 38 (1) It is prohibited to capture or kill wildlife using guns (hereinafter referred to as "hunting with guns") before sunrise and after sunset.

(2) It is prohibited for anyone to conduct hunting using guns near residential areas, or places where people gather, such as plazas or stations (hereinafter referred to as "concentrated residential or populated areas and other places"); provided, however, that this does not apply in cases of capturing or killing of wildlife using tranquilizer guns (hereinafter referred to as "hunting with tranquilizer guns") with the permission referred to in paragraph (1) of the following Article.

(3) It is prohibited for anyone hunting with guns to fire in the direction of people when bullets are likely to hit them, in the direction of animals that are being reared or kept, in the direction of buildings, or in the direction of trains, cars, ships, or other vehicles.

(Permission of Hunting with Tranquilizer Guns in Concentrated Residential or Populated Areas)

Article 38-2 (1) A person who intends to conduct hunting with tranquilizer guns for the purpose of preventing damages related to the living environment by wildlife in concentrated residential or populated areas and other places must obtain permission from the prefectural governor in addition to those prescribed in Article 9, paragraph (1).

(2) A person who intends to obtain permission referred to in the preceding paragraph must apply to prefectural governor, as specified by Order of the Ministry of the Environment.

(3) If an application referred to in the preceding paragraph has been filed, the prefectural governor must grant the permission referred to in paragraph (1), except when hunting with tranquilizer guns relating to the application falls under any of the following items:

(i) if the purpose of hunting with tranquilizer guns does not conform to the purpose prescribed in paragraph (1);

(ii) if there is a risk of death or bodily harm to person.

(4) The prefectural governor is to prescribe the validity period of the permission in granting the permission referred to in paragraph (1).

(5) When granting a permission referred to in paragraph (1), the prefectural governor may attach conditions to the permission, if finding it necessary for prevention of dangerous situations.

(6) If a prefectural governor has granted a permission referred to in paragraph (1), the prefectural governor must issue a permit for hunting using tranquilizer guns, as specified by Order of the Ministry of the Environment.

- (7) A person who has received permission referred to in paragraph (1) may be reissued a permit to hunt using tranquilizer guns as prescribed under the preceding paragraph (hereinafter simply referred to as "permit to hunt using tranquilizer guns") after applying to prefectural governor, as specified by Order of the Ministry of the Environment if the person loses permit to hunt using tranquilizer guns, or it has been destroyed.
- (8) A person who has received permission referred to in paragraph (1) must carry a permit to hunt using tranquilizer guns and must present it when requested by the State's or local public entity's employees, police officers or other related persons.
- (9) A person who has received a permission referred to in paragraph (1) must return their permit to hunt using tranquilizer guns (in cases referred to in item (iii), the permit they discovered or recovered) to prefectural governor, as specified by Order of the Ministry, if it falls under any of the following items:
- (i) if the permission has been revoked pursuant to the provisions of paragraph (11);
  - (ii) if the validity period provided pursuant to the provisions of paragraph (4) has expired;
  - (iii) if discovering or recovering the lost permit to hunt using tranquilizer guns after receiving a reissued permit of to hunt using tranquilizer guns, pursuant to the provisions of paragraph (7).
- (10) The prefectural governor may order a person who has conducted hunting using tranquilizer guns without obtaining permission, in violation of the provisions of paragraph (1), or who has violated the conditions attached pursuant to the provisions of paragraph (5), to change the places where they conduct hunting using tranquilizer guns and take other necessary measures, if it is found necessary for the prevention of dangerous situations.
- (11) A prefectural governor may revoke the permission, if found to be necessary for prevention of dangerous situations for cases in which a person who received permission referred to in paragraph (1) violates this Act, or the provisions of an order based on this Act, or the disposition under this Act.

## **Section 2 Hunting Licenses**

(Hunting Licenses)

- Article 39 (1) A person who intends to hunt must receive a license from prefectural governor (hereinafter referred to as "hunting license").
- (2) Hunting licenses are classified into the categories of net hunting licenses, trapping licenses, Category 1 gun hunting licenses, and Category 2 gun hunting licenses.
- (3) A person who intends to conduct the capturing or killing of wildlife that may

be hunted by means of hunting as listed in the left column of the following table must receive the hunting license listed in the right column of the same table in accordance with the type of hunting method respectively; provided, however, this does not apply in cases if the capturing or killing of wildlife that may be hunted is done under the permission referred to in Article 9, paragraph (1), and in the case set forth in Article 11, paragraph (1), item (ii) (excluding the portion relating to (a) in the same item).

Means of hunting	Types of hunting licenses
Hunting using nets or other means as specified by Ordinance of the Ministry of the Environment in paragraph 6 of Article 2	Net hunting license
Hunting using traps	Trapping license
Hunting using propelling charge guns	Category 1 gun hunting license
Hunting using air guns	Category 2 gun hunting license

- (4) A person who has received a Category 1 gun hunting license may conduct the capturing or killing of wildlife that may be hunted by means of hunting using propelling charge guns, as well as the capturing or killing of wildlife that may be hunted by means of hunting using air guns.

(Grounds for Disqualification for Hunting Licenses)

Article 40 Hunting licenses are not to be given to any person who falls under any of the following items (in the case referred to in item (vi), limited to those of the kind relevant to revocation):

- (i) those under 18 for net hunting licenses and trapping licenses, those under 20 for Category 1 gun hunting licenses and Category 2 gun hunting licenses.
- (ii) a person who is suffering from illness causing mental disorder or impaired consciousness due to seizures, and other illnesses that may interfere with properly performing hunting, as specified by Order of the Ministry of the Environment.
- (iii) narcotics, hemp, opium or stimulant addicts.
- (iv) a person who is incapable of determining the merits of their own actions or act accordingly, or who has a significantly low capacity to act accordingly (excluding those who fall under the preceding three items).
- (v) a person who has been sentenced to a fine or greater for violating the provisions of this Act or an order made under this Act, and three years have not elapsed since the date on which the sentence was served or ceased to be served.
- (vi) a person whose hunting license has been revoked pursuant to the

provisions of Article 52, paragraph (2), item (i), and three years have not passed since the date of revocation.

(Applications for Hunting Licenses)

Article 41 A person who intends to obtain a hunting license must submit an application form to the prefectural governor who has jurisdiction over the address location of the person (hereinafter referred to as "prefectural governor with relevant jurisdiction"), as specified by Order of the Ministry of the Environment, and must take the hunting license examination conducted by the prefectural governor with relevant jurisdiction.

(Conditions for Hunting Licenses)

Article 42 If the prefectural governor with relevant jurisdiction finds it necessary for the optimization of hunting, they may restrict the type of means of hunting that the person can conduct, attach additional conditions to the hunting license, and change these conditions to the hunting licenses in accordance with the physical condition of the relevant person.

(Issuance of Hunting Certificates)

Article 43 Hunting licenses are given to persons who have passed the hunting license examination by issuing a hunting certificate, as specified by Order of the Ministry of the Environment.

(Validity Period of Hunting Licenses)

Article 44 (1) The validity period of hunting licenses is until September 14 of the year in which three years have elapsed from the date on which the relevant hunting license examination was taken.  
(2) The validity period of the hunting license renewed pursuant to the provisions of Article 51, paragraph (3) is three years.

(Particulars to be Stated in Hunting Certificates)

Article 45 (1) Hunting certificates are to state the following:

- (i) the hunting certificate number.
- (ii) the date of issue and the last day of the validity period of the hunting certificate.
- (iii) the type of hunting license.
- (iv) the address, name and date of birth of the recipient of the hunting license.

(2) The prefectural governor with relevant jurisdiction, in addition to those set forth in the previous paragraph, must state the particulars related to any changes in conditions on hunting certificates for persons who received a hunting license under the provisions of Article 42 when the prefectural

governor with relevant jurisdiction gives or changes the given conditions to the hunting license.

(Notifications of Alterations to Particulars Stated in Hunting Certificates)

Article 46 (1) A person who received hunting licenses must notify, without delay, to the jurisdiction prefectural governor (when changing their address to different prefectural areas, the prefectural governor with relevant jurisdiction after the change) and receive a statement of particulars regarding the change in the hunting certificates when the particulars set forth in paragraph (1), item (iv) of the preceding Article have changed, as specified by Order of the Ministry of the Environment.

(2) A person who has received a hunting license may have it reissued by applying to the jurisdiction prefectural governor if it is lost, destroyed, soiled, or damaged, as specified by Order of the Ministry of the Environment.

(Examination Qualifications)

Article 47 A person who falls under any of the items of Article 40 may not take a hunting license examination.

(Method of Hunting License Examinations)

Article 48 For each type of hunting license, a hunting license examination is conducted for the following particulars, as specified by Order of the Ministry of the Environment.

- (i) aptitude necessary for hunting.
- (ii) skills necessary for hunting.
- (iii) knowledge required for hunting.

(Exemptions from Hunting License Examinations)

Article 49 For persons who fall under any of the following items, part of the hunting license examinations may be exempted, as specified by Order of the Ministry of the Environment:

- (i) a person who has already obtained a hunting license, and intends to take an examination for a different type of hunting license, within the validity period of the relevant hunting license;
- (ii) a person for whom the validity period of their hunting license referred to in Article 51, paragraph (3) has not been renewed, because of disaster or other unavoidable reason specified by Order of the Ministry of the Environment.

(Suspending Hunting License Examinations)

Article 50 (1) A jurisdiction prefectural governor may suspend a hunting license examination, or revoke the decision for passing the examination, for a person

who has taken or intended to take the examinations by wrongful means.

- (2) The jurisdiction prefectural governor must notify the relevant person immediately if the prefectural governor with relevant jurisdiction has revoked the decision for passing the examination, pursuant to the provisions of the preceding paragraph. In this case, the relevant hunting license will cease to be effective on the day the notification is received.
- (3) The jurisdiction prefectural governor may prohibit a person who has received a disposition specified in paragraph (1) from taking a hunting license examination for a fixed period of time not exceeding three years.

#### (Renewal of Hunting Licenses)

Article 51 (1) A person who intends to renew the validity period of the hunting license must submit an application to the prefectural governor with relevant jurisdiction as specified by Order of the Ministry of the Environment.

- (2) The prefectural governor with relevant jurisdiction must conduct an examination (hereinafter referred to as an "aptitude examination") for the particulars set forth in Article 48, item (i), for the person, as specified by Order of the Ministry of the Environment, if the application form has been filed pursuant to the provisions of the preceding paragraph; provided, however, this does not apply to persons engaged in certified a program of the capturing or killing of wildlife, and who have been confirmed to have the necessary aptitude for hunting, in accordance with the methods specified by Order of the Ministry of the Environment.
- (3) The prefectural governor with relevant jurisdiction must renew the relevant hunting license, as specified by Order of the Ministry of the Environment, if [t is found that there is no hindrance for a person who intends to receive renewal of the hunting license to hunt, based on the results of the aptitude examination or the results of confirmation under the provisions of the proviso of the provisions of the preceding paragraph.
- (4) A person who intends to renew of a hunting license must endeavor to take a course conducted by the prefectural governor with relevant jurisdiction, as specified by Order of the Ministry of the Environment.

#### (Revocation of Hunting Licenses)

Article 52 (1) If it turns out that a person with a hunting license falls under any of Article 40, items (ii) through (iv), the prefectural governor with relevant jurisdiction must revoke that license.

- (2) A prefectural governor with relevant jurisdiction may revoke all or part of the person's hunting license, or may suspend the validity of all or part of the hunting license within a fixed period not exceeding one year, if the relevant person comes to fall under any of the following items:



- (i) in violation of this Act or provisions of orders based on this Act, or disposition under this Act;
- (ii) if it turns out that the relevant person no longer has the standard of aptitude necessary for hunting.

(Expiration of Hunting Licenses)

Article 53 Hunting licenses ceases to be effective if the person who received the hunting license does not receive its renewal.

(Returning Hunting Certificates)

Article 54 A person who has received a hunting license must return their hunting certificate (in cases of item (3), a discovered or recovered hunting certificates) to the prefectural governor with relevant jurisdiction, as specified by Order of the Ministry of the Environment, if becoming to fall under any of the following items:

- (i) if the hunting license has been revoked.
- (ii) if the hunting license expires.
- (iii) if finding or recovering a destroyed hunting certificate after it being reissued pursuant to the provisions of paragraph (2) of Article 46.

### **Section 3 Hunter Registration**

(Hunter Registration)

Article 55 (1) A person who intends to hunt must register with the prefectural governor who has jurisdiction over the area where the person intends to hunt (hereinafter referred to as "registered prefectural governor" in this Section); provided, however, that this does not apply in cases of obtaining permission under Article 9, paragraph (1), or in cases set forth in Article 11, paragraph (1), item (2) (excluding the part relating to (a) of the same paragraph).

(2) The validity period of the registration referred to in the preceding paragraph (hereinafter referred to as "hunter registration") is from October 15th of the year when the hunter registration was received (when the date of receiving hunter registration is after the 16th of the same month, the date on which the hunter registration was received) to April 15th of the following year that the date belongs; provided, however, in Hokkaido prefecture, the validity period of the hunter registration is from September 15th of the year when the hunter registration was received (when the date of receiving hunter registration is after the 16th of the same month, the date on which the hunter registration was received) to April 15th of the next year that the date belongs.

(Applications for Hunter Registration)

Article 56 A person who intends to obtain a hunter registration, as specified by Order of the Ministry of the Environment, must submit an application form to the registered prefectural governor, stating the following particulars:

- (i) types of hunter licenses;
- (ii) location to hunt;
- (iii) address, name, and the date of birth;
- (iv) other particulars specified by Order of the Ministry of the Environment.

(Implementation of Hunter Registration)

Article 57 (1) If the application form has been filed pursuant to the provisions of the preceding Article, except for cases of refusing registration pursuant to the provisions of the following Article, the registered prefectural governors must register the following items in the hunter registration book:

- (i) particulars set forth in the items of the preceding Article;
  - (ii) date and year of registration and registration number.
- (2) The hunter registration has its effect only in the type of hunting license and hunting location for the relevant hunter registration.
- (3) Registered prefectural governors must notify the applicant of the registration without delay, when the registration pursuant to the provisions of paragraph (1) has been made.

(Rejection of Hunter Registrations)

Article 58 Registered prefectural governors must reject the hunter registration if the applicant intending to receive a hunter registration falls under any of the following items, or if any false statement is made on important particulars in the application form, or if the statement of important facts are missing:

- (i) a person who does not have a hunting license.
- (ii) a person whose hunting license has its validity suspended pursuant to the provisions of Article 52, paragraph (2), and the suspension period has not yet elapsed.
- (iii) a person who does not meet the requirements specified by Order of the Ministry of the Environment for prevention of harm or compensation for damages caused by hunting.

(Restrictions on Hunter Registrations)

Article 59 Registered prefectural governors may restrict the number of persons who can hunt, and conduct hunter registrations within that scope, if the registered prefectural governor finds this necessary in consideration of the state of the habitats of wildlife in the areas within the relevant prefecture, and other circumstances.

(Hunter Registration Certificates)

Article 60 If a registered prefectural governor has conducted hunter registrations, the registered prefectural governor will issue, to the applicant, a hunter registration certificate and a badge indicating that the applicant has received a hunter registration (hereinafter referred to as a "hunter's badge"), as specified by Order of the Ministry of the Environment.

(Registration of Changes to Hunter Registration)

- Article 61 (1) A person who has received a hunter registration must obtain a change of registration from the registered prefectural governor, if the person intends to change the particulars set forth in Article 56, items (i) and (ii).
- (2) A person who intends to obtain any change of registration referred to in the preceding paragraph (hereinafter simply referred to as "change of registration"), that person must submit the application form describing particulars regarding the change to the registered prefectural governor as prescribed by Order of the Ministry of the Environment.
- (3) The provisions of Article 55, paragraph (2), and Articles 56 through 58 apply mutatis mutandis to change of registration. In this case, "the following particulars" in Article 56 is to be replaced as "the particulars related to change"; and "if the applicant intending to receive a hunter registration falls under any of the following items" in Article 58, paragraph (1) is to be replaced with "if the applicant intending to receive a hunter registration relating to change of registration falls under any of the following items".
- (4) A person who obtained a hunter registration must notify the registered prefectural governor without delay, pursuant to an order of the Ministry of the Environment, when the particulars set forth in Article 56, item (3) and (4) has been changed. Registered prefectural governors are to change the relevant registration without delay when there is such notification.
- (5) A person who obtained a hunter registration may apply to the registered prefectural governor to reissue the hunter registration certificate under the preceding Article (hereinafter simply referred to as the "hunter registration certificate") or hunter's badge, pursuant to Order of the Ministry of the Environment, when the hunter registration certificate or hunter's badge is lost, destroyed, soiled, or damaged.

(Obligation to Carry and Present Hunter Registration Certificates)

- Article 62 (1) A person who obtained a hunter registration must carry their hunter registration certificate when hunting and present it when requested by the employees of the State or local public entities, police officers, or other related persons.
- (2) A person who obtained a hunter registration must wear their hunter's badge

on an easily visible place on their hat or clothing when hunting.

- (3) A person who obtained a hunter registration relating to a net hunting license or a trapping license must display their name, address, and other particulars specified by Order of the Ministry of the Environment in easily visible places for each piece of hunting equipment used when hunting.

#### (Cancellation of Hunter Registrations)

Article 63 Registered prefectural governors must cancel the relevant hunter registration when a person who has been registered as a hunter comes to fall under any of the following items:

- (i) if the hunting license is revoked;
- (ii) if the effect of the hunting license is suspended.
- (iii) if the hunting license expires.
- (iv) if registration is canceled pursuant to the provisions of the next Article.

#### (Cancellation of Hunting Registrations)

Article 64 Registered prefectural governors may cancel a person's hunting registration, or suspend the validity of all or part of the effect of that person's hunting registration for a fixed period not exceeding six months, when the person receiving the registration falls under any of the following items:

- (i) if a person has obtained hunter registration or change registration by wrongful means;
- (ii) if coming to fall under any of the items of Article 58;
- (iii) if a person fails to make the notification or makes a false notification, under the provisions specified in Article 61, paragraph (4).

#### (Returning Hunter Registration Certificates)

Article 65 A person who obtained a hunter registration must return their hunter registration certificate or hunter's badge (in case of item (3), the hunter registration certificate or hunter's badge that is discovered or recovered) to the registered prefectural governor, pursuant to Order of the Ministry of the Environment, when that person falls under any of the following items:

- (i) if the hunter registration is canceled;
- (ii) if the validity period of the hunting registration expires;
- (iii) if a person finds or recovers the lost hunter registration certificate or hunter's badge, after the person is reissued of the hunter registration certificate or hunter's badge pursuant to the provisions of Article 61, paragraph (5).

#### (Obligation to Report)

Article 66 A person who obtained a hunter registration must, when the validity

period of their hunter registration has expired, report the results of hunting related to their hunter registration to the registered prefectural governor within thirty days have elapsed from the day of expiry, as specified by Order of the Ministry of the Environment.

(Notice of Hunting Registrations)

Article 67 (1) When the registered prefectural governor has conducted a hunter registration, they must notify this to the prefectural governor with relevant jurisdiction relating to the person to whom the hunter registration has been conducted.

(2) If the prefectural governor with relevant jurisdiction has revoked or suspended the hunting license of the person related to the notice under the preceding paragraph, or that person's hunting certification has expired, the prefectural governor with relevant jurisdiction must notify the registering prefectural governor who conducted the registration to that effect.

#### **Section 4 Areas for Hunting**

(Approval of Areas for Hunting)

Article 68 (1) A person who intends to limit the number of released wildlife and hunters, may obtain approval on the management of hunting in the area (hereinafter referred to as "areas for hunting") from the prefectural governor, as specified by Order of the Ministry of the Environment, by establishing rules for the purpose of ensuring the number of wildlife that may be hunted and promoting safe hunting in certain areas.

(2) A person who intends to obtain the approval referred to in the preceding paragraph must state the following particulars in the rules referred to in the same paragraph (hereinafter referred to as "management rules of areas for hunting"):

(i) name of areas for hunting;

(ii) area;

(iii) duration;

(iv) in the case of areas for hunting that are exclusively for the purpose of the capturing or killing of wildlife that may be hunted which have been released (hereinafter referred to in this Section as "areas for hunting of released wildlife"), a description to that effect and the type of released wildlife that may be hunted;

(v) other particulars specified by Cabinet Order.

(3) The duration of areas for hunting may not exceed ten years.

(4) The prefectural governor, when authorizing paragraph (1), must approve this by taking into consideration: securing implementation of safe hunting; whether

it is necessary to adjust the capturing or killing of wildlife that may be hunted; the degree of influence on the management of category 2 specified wildlife in accordance with plan for protecting category 2 specified wildlife; and other circumstances.

(Consent of Land Right Holders)

Article 69 A person who intends to apply for approval pursuant to the provisions of paragraph (1) of the preceding Article must obtain, in advance, the consent of a person who has their rights registered over the relevant land, on the management of hunting in the areas for hunting.

(Public Notices of Approval)

Article 70 (1) The prefectural governor, when giving approval pursuant to the provisions of Article 68, paragraph (1), must issue a public notice for the particulars set forth in items (i) through (iii) of paragraph (2) of the same Article, and other particulars specified by Order of the Ministry of the Environment.

(2) A person who has established areas for hunting with the approval under the provisions of Article 68, paragraph (1) (hereinafter referred to as "establisher of areas for hunting") must establish signs indicating this within those areas for hunting when receiving the approval, as specified by Order of the Ministry of the Environment.

(Changes in Management Rules of Areas for Hunting)

Article 71 (1) The establisher of areas for hunting must receive the approval of prefectural governors pursuant to Cabinet Order, when the establisher of areas for hunting attempts to change the management rules of areas for hunting (excluding cases concerning minor particulars prescribed in the next paragraph) or discontinues the areas for hunting.

(2) The establisher of areas for hunting must notify, without delay, the relevant prefectural governor when changing minor particulars prescribed by Cabinet Order concerning management regulations of areas for hunting.

(3) The provisions of paragraph (1) of the preceding Article applies mutatis mutandis to changes and cancellations pursuant to the provisions of paragraph (1). In this case, regarding discontinuation pursuant to the same paragraph, "for the particulars set forth in items (i) through (iii) of paragraph (2) of the same Article and other particulars specified by Order of the Ministry of the Environment" in paragraph (1) of the same Article" is to be replaced with "to that fact and the areas concerning discontinuation."

(Revocation of Approval)

Article 72 (1) The prefectural governor may cancel the approval of the areas for hunting when the prefectural governor finds this necessary for securing implementation of safe hunting, protecting or managing wildlife, or other reasons of public interest.

(2) The provisions of paragraph (1) of Article 70 applies *mutatis mutandis* to cancellation of approval under the provisions of the preceding paragraph. In this case, "for the particulars set forth in items (i) through (iii) of paragraph (2) of the same Article and other particulars specified by Order of the Ministry of the Environment" in paragraph (1) of the same Article is to be replaced with "to that fact and the areas concerning cancellation."

#### (Management of Areas for Hunting)

Article 73 (1) The State may, when it finds it necessary in order to secure the population of wildlife that may be hunted in hunting areas it has set, and to ensure implementation of safe hunting, entrust the establishment of facilities necessary for the habitation and breeding of wildlife that may be hunted, and other affairs concerning those artificial breeding, maintenance and management of those hunting areas, to a person designated by the Minister of the Environment after hearing opinions from the Central Environment Council.

(2) The provisions of the preceding paragraph apply *mutatis mutandis* to a hunted wildlife areas for hunting set by local public entities. In this case, "by the Minister of the Environment ... the Central Environmental Council" in the same paragraph is to be replaced with "by the prefectural governor ... the council system body."

(3) A person (referred to as a "trustee" in the next paragraph) who has been entrusted pursuant to the provisions of paragraph (1) (including as applied *mutatis mutandis* pursuant to the preceding paragraph following the deemed replacement of terms) must bear the cost required to conduct their affairs.

(4) The trustee may collect a sum of money, to be used for the cost of hunting and to constitute income therefrom, from any person who intends to hunt in the hunting area.

#### (Special Case on Areas for Hunting)

Article 74 (1) In areas for hunting, hunting, capturing or killing of wildlife under the provisions of Article 9, paragraph (1), must not be done in areas for hunting without the approval of the establisher of areas for hunting.

(2) In areas for hunting of released wildlife, hunting wildlife other than those released in areas for hunting of released wildlife, is prohibited.

### **Chapter V Miscellaneous Provisions**

(Collecting Reports and On-site Inspections)

Article 75 (1) The Minister of the Environment or relevant prefectural governor may request reports on the implementation status and other necessary particulars of the action from a person who obtained permission referred to in Article 9 paragraph (1): a certified business engaging in the capturing or killing of wildlife; a person who intends to sell, export, import, or process wildlife (including processed products thereof) or bird eggs; a person who conducted the action set forth in the items of paragraph (7) of Article 29 within the area of special protection zone; and a person who obtained a hunting license or a person who obtained a hunting registration or establisher of areas for hunting to the extent necessary for the enforcement of this Act.

(2) The Minister of the Environment or relevant prefectural governor may have their employee enter the land owned or possessed by the person who conducted the acts set forth in the items of Article 29, paragraph (7) within the area of special protection zone, inspect the state of implementation of the action done by that person, or ask participants and conduct a survey on the effect of that action on protection of wildlife or protection of its habitats, to the extent necessary for the enforcement of this Act.

(3) The Minister of the Environment or relevant prefectural governor may have their employee enter wildlife protection areas, temporarily closed hunting areas, areas for hunting, shops and other necessary places, and inspect wildlife (including processed goods thereof) or bird eggs possessed by hunters and others, to the extent necessary for the enforcement of this Act.

(4) The relevant prefectural governors may have their employee enter offices and other necessary places of the certified business engaging in the capturing or killing of wildlife, and inspect the status of implementation of the certified program of capturing or killing of wildlife, or books, documents, and other properties or question participants.

(5) An employee who conducts on-site inspections or entry inspection in accordance with the provisions of paragraph (2), or on-site inspection pursuant to the provisions of the preceding two paragraphs, must carry a certificate indicating their status and present it to the relevant persons.

(6) The authority under the provisions of paragraphs (1) through (4) must not be construed as approval for criminal investigation.

(Inquiries to Public Offices)

Article 75-2 The Minister of the Environment and relevant prefectural governor may ask for reports on necessary particulars by referring to public offices or public or private organizations, if found necessary for the enforcement of this Act.



(Employees Engaged in Enforcement)

Article 76 Employees of prefectures in charge of administrative tasks for the protection or management of wildlife, or the optimization of hunting and those who nominated by consultation with the prosecutor of the public prosecutor's office corresponding to the district court in which prefectural governor has jurisdiction over the principal place of employment of the persons, will do the duties as a judicial police officer under the provisions of the Code of Criminal Procedure (Act No. 131 of 1948) about crimes violating the provisions of this Act or orders under this Act.

Article 77 (1) The Minister of the Environment may let the persons who have the requirements specified by Cabinet Order among its employees act the part of authority in accordance with Article 10, paragraph (1), Article 15, paragraph (10), Article 25, paragraph (6), Article 30, paragraph (1) or (2), Article 37 paragraph (10), or Article 75, paragraph (1).

(2) Employees who act under the part of authority of the Minister of the Environment pursuant to the provisions of the preceding paragraph, must carry a certificate showing their identity and present it to relevant parties when requested to do so.

(3) In addition to what is provided for in the preceding two paragraphs, any necessary particulars concerning the employees in the preceding paragraph is to be specified by Cabinet Order.

(Wildlife Protection and Management Leader)

Article 78 (1) In order to assist in affairs concerning implementing programs for protecting and managing wildlife, wildlife protection and management leader may be placed in the prefecture.

(2) Wildlife protection and management leader serves on a part-time basis.

(Surveys)

Article 78-2 The Minister of the Environment and relevant prefectural governor is to periodically investigate: the status of habitats of wildlife; the state of habitats of the wildlife; their living environment; the state of damage on agriculture, forestry and fisheries industry or ecosystems; and other necessary particulars for wildlife, and utilize the results for the formulation or change of basic guidelines, the creation or change of plans for programs of protecting and managing wildlife, the revision or abolition of orders based on this Act, and other appropriate operations of this Act.

(Instructions from the Minister of the Environment)

Article 79 (1) If the number of wildlife is decreasing remarkably, or if it is found

that there is an urgent need to protect other wildlife, the Minister of the Environment may give necessary instructions to the prefectural governors concerning the following administrative affairs:

- (i) administrative affairs concerning permission pursuant to the provisions of Article 9 paragraph (1) or Article 24 paragraph (1);
  - (ii) administrative affairs concerning extension pursuant to the provisions of Article 14, paragraph (2);
  - (iii) administrative affairs concerning cancellation of prohibitions or restrictions under the provisions pursuant to the provisions of Article 14, paragraph (3);
  - (iv) administrative affairs concerning registration pursuant to the provisions of Article 19 paragraph (1).
- (2) The prefectural governor may give the necessary instructions to the relevant municipalities for affairs, in the case in which the municipality handles the affairs belonging to the authority of prefectural governor pursuant to the provisions of Article 9, paragraph (1), Article 19, paragraph (1) or Article 24, paragraph (1), as prescribed under the Ordinance set forth in Article 252-17-2, paragraph (1) of the Local Autonomy Act (Act No. 67 of 1947), when it is found to be necessary to protect wildlife.

#### (Exemptions)

- Article 80 (1) The provisions of this Act do not apply to wildlife that is likely to seriously hinder maintaining environmental sanitation, or those that are appropriately protected or managed for capturing or killing by other laws and regulations, and specified by Order of the Ministry of the Environment.
- (2) The provisions of Article 3, paragraph (3) apply *mutatis mutandis* to Order of the Ministry of the Environment referred to in the preceding paragraph.

#### (Delegation of Authority)

Article 80-2 The authority of the Minister of the Environment prescribed in this Act may be delegated to the Director of the Regional Environmental Office, as specified by Order of the Ministry of the Environment.

#### (Transitional Measures)

Article 81 If establishing, revising, or abolishing an order based on the provisions of this Act, the necessary transitional measures (including transitional measures concerning penal provisions) may be determined within the range determined to be reasonably necessary in accordance with establishing, revising or abolishing an order.

#### (Delegation to Orders of the Ministry of the Environment)

Article 82 In addition to what is prescribed in this Act, procedures for the implementation of this Act, and other particulars necessary for the enforcement of this Act is specified by Order of the Ministry of the Environment.

## **Chapter VI Penal Provisions**

Article 83 (1) A person who falls under any of the following items is subject to imprisonment for not more than one year or a fine of not more than one million yen:

- (i) a person who engages in the capturing or killing of wildlife, or the collecting or damaging of bird eggs other than wildlife that may be hunted, in violation of the provisions of Article 8 (excluding persons not requiring permission);
  - (ii) a person who engages in the capturing or killing of wildlife that may be hunted (excluding persons who received permission under Article 9, paragraph (1), and those who engages in the capturing or killing of wildlife pursuant to the provisions of Article 13, paragraph (1)) in areas other than areas open for hunting, or during the period outside of the hunting period (if it is limited pursuant to the provisions of Article 11, paragraph (2), the period is the relevant period, and if it is extended pursuant to the provisions of Article 14, paragraph (2), the period is that relevant period).
  - (ii)-2 a person who engages in the capturing or killing of wildlife that may be hunted other than category 2 specified wildlife relating to those in the area designated pursuant to the provisions of Article 14 paragraph (1), or in the period that is extended pursuant to the provisions of paragraph (2) of the same Article (a person who obtained permission under Article 9 paragraph (1) and a person who captured pursuant to the provisions of paragraph (1) of Article 13 is excluded.).
  - (iii) a person who has violated an order under the provisions of Article 10, paragraph (1), Article 25, paragraph (6), Article 37, paragraph (10) or Article 38-2, paragraph (10).
  - (iv) a person who has violated the provisions of Article 25, paragraph (1), Article 26, paragraph (1), Article 35, paragraph (2), Article 36 or Article 38.
  - (v) a person who hunted without registering, in violation of the provisions of Article 55, paragraph (1).
  - (vi) a person who obtained permission referred to in Article 9, paragraph (1), approval referred to in Article 18-2, the approval of change referred to in Article 18-7, paragraph (1), or renewal of the validity period referred to in Article 18-8, paragraph (2), hunting license or renewal thereof, or hunting registration or change registration, by deception or other wrongful means.
- (2) Attempts to commit the crimes referred to in items (i) through (ii)-2 of the

preceding paragraph, and attempted crimes referred to in items (iv) (only to parts related to Article 35, paragraph (2), Article 36 or Article 38) and (v), are subject to punishment.

- (3) Items provided for use in criminal acts referred to in paragraph (1), item (i) through (ii)-2, items (iv) and (v), and wildlife captured by criminal means or collected bird eggs, and relevant items belonging to the criminal, are subject to seizure.

Article 84 (1) A person who falls under any of the following items is subject to imprisonment for not more than six months or a fine of not more than 500,000 yen:

- (i) a person who has violated the conditions attached pursuant to the provisions of Article 9, paragraph (5), Article 37, paragraph (5) or Article 38-2, paragraph (5);
  - (ii) a person who allows another person to use their permit or worker certificate, permit to use dangerous means of hunting, permit to hunt using tranquilizer guns, or hunter registration certificate;
  - (iii) a person who has used another person's permit or worker certificate, permit to use dangerous means of hunting, permit to hunt using tranquilizer guns, or hunter registration certificate;
  - (iv) a person who has violated prohibitions or restrictions pursuant to the provisions of paragraph (1) or 2 of Article 12 (including those whose part has been subject to cancellation pursuant to the provisions of Article 14, paragraph (3)), or restriction pursuant to the provisions of Article 12, paragraph (3);
  - (v) a person who has violated the provisions of Article 15 paragraph (4), Article 16 paragraph (1) or (2), Article 20 paragraph (1) or (2), Article 23, Article 26, paragraph (2), (5) or (6), Article 27, Article 29, paragraph (7), or Article 35, paragraph (3);
  - (vi) a person who has violated the orders pursuant to Article 15, paragraph (10), Article 18-6, paragraph (2), Article 22, paragraph (1), Article 24, paragraph 9, Article 30, paragraph (2), or Article 35, paragraph (1);
  - (vii) a person who, in violation of the provisions of Article 19, paragraph (1), has reared wildlife other than the target wildlife that may be hunted, without obtaining a registration.
- (2) Attempts to commit the crimes referred to in items (iv) and (v) of the preceding paragraph (limited to parts related to Article 15, paragraph (4) or Article 35, paragraph (3)), are subject to punishment.

Article 85 (1) A person who falls under any of the following items, are subject to a fine of not more than 500,000 yen.

- (i) a person who has violated conditions attached by provisions of Article 15, paragraph (6), Article 24, paragraph (4), Article 29, paragraph (10) or Article 35, paragraph (7).
  - (ii) a person who, in violation of the provisions of Article 17, engages in the capturing or killing of wildlife or collecting or damaging of bird eggs, without obtaining consent from the land possessor.
  - (iii) a person who has failed to make a notification under the provisions of Article 20, paragraph (3), or made a false notification.
  - (iv) a person who has violated the provisions of Article 28, paragraph (1), or Article 74, paragraph (1).
  - (v) a person who has hunted in violation of the conditions attached by the prefectural governor with relevant jurisdiction under the provisions of Article 42, or the changed conditions.
  - (vi) a person who has allowed another person to use their license to conduct designated means of hunting, sales permit, or certificate of approval.
  - (vii) a person who has used another person's license to conduct designated means of hunting, sales permit, or certificate of approval.
- (2) The crime referred to in item (ii) of the preceding paragraph may not be prosecuted without the complaint of the land possessor in Article 17.

Article 86 A person who falls under any of the following items is subject to a fine of not more than 300,000 yen.

- (i) a person who has violated the provisions of Article 9, paragraph (10) or (11), Article 15, paragraph (8) or (9), Article 18, Article 18-9, Article 21, paragraph (1), Article 24, paragraph (7) or (8), Article 25, paragraph (5), Article 35, paragraph (9) or (10), Article 37, paragraph (8) or (9), Article 38-2, paragraph (8) or (9), Article 54, Article 62, paragraph (1), or Article 65.
- (i)-2 a person who has used hunting equipment to conduct the capturing or killing of wildlife without displaying their indication, in violation of the provisions of Article 9, paragraph (12).
- (ii) a person who has failed to report by provisions of Article 9, paragraph (3), Article 66, or Article 75, paragraph (1), or has made a false report.
- (iii) a person who transferred, defaced, destroyed, or removed the signs referred to in Article 15, paragraph (3) (including as applied mutatis mutandis pursuant to Article 28, paragraph (9) and Article 29, paragraph (4)), Article 34, paragraph (5) (including as applied mutatis mutandis pursuant to Article 35, paragraph (12)), or Article 70, paragraph (2), or the facility referred to in Article 28, paragraph (11).
- (iv) a person who has failed to make a notification under the provisions of Article 18-7, paragraph (3), Article 46, paragraph (1), or Article 61, paragraph (4), or made a false notification.

- (v) a person who, in violation of the provisions of Article 31, paragraph (4), refused or obstructed entry under the provisions of paragraph (1) of the same Article .
- (vi) a person who hunted without wearing a hunter's badge, in violation of the provisions of Article 62, paragraph (2).
- (vii) a person who hunted by using hunting equipment without displaying their particulars, in violation of the provisions of Article 62, paragraph (3).
- (viii) a person who has changed the management rules of areas for hunting without obtaining approval from the prefectural governor, in violation of the provisions of Article 71, paragraph (1), or have discontinued the areas for hunting.
- (ix) a person who has refused, obstructed or evaded an on-site inspection or entry inspection under the provisions of Article 75, paragraph (2), or who has failed to make a statement in response to questions, or made a false statement.
- (x) a person who has refused, hindered or evaded an on-site inspection under the provisions of Article 75, paragraph (3).
- (xi) a person who has refused, obstructed or evaded an on-site inspection under the provisions of Article 75, paragraph (4), or failed to make a statement in response to questions or made a false statement.

Article 87 If a person who has obtained permission referred to in Article 9, paragraph (1), or a hunting license violates the provisions of this Act and is sentenced to a fine or severer punishment, that permission or hunting license is to cease to be effective.

Article 88 If any representative of a corporation, or an agent, employee or other worker of a corporation, or individual, has violated Article 83 through 86, in connection with the business of the corporation or individual, in addition to the offender being subject to punishment, the corporation or individual is subject to the fine referred to in the respective Articles:

Article 89 A person who has failed to make a notification pursuant to the provisions of Article 18-7, paragraph (4), or made a false notification, is subject to a civil fine of not more than 100,000 yen.

### **Supplementary Provisions [Extract]**

(Effective Date)

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

(Preparatory Acts)

Article 2 Establishment of Order of the Ministry of the Environment of Article 2, paragraph (3), Article 13, paragraph (1), Article 16, paragraph (1) and Article 80, paragraph (1); formulation of basic guidelines under Article 3, paragraph (1); limitation of period in accordance with the provisions of Article 11, paragraph (2); and prohibition or restrictions, and procedures, and other acts necessary for these under Article 12, paragraph (1), may be conducted by Article 2, paragraph (6) (including cases where it is made *mutatis mutandis* pursuant to Article 12, paragraph (5)), Article 3, paragraph (3) (including cases where it is made *mutatis mutandis* pursuant to Article 11, paragraph (2), Article 13, paragraph (2) and Article 80, paragraph (2)), and the example of the provisions of Article 16, paragraph (3) even before the enforcement of this Act.

(Transitional Measures Concerning Plans for Wildlife Protection Program)

Article 3 Plans for wildlife protection program, which is covered by the provisions of Article 1-2, paragraph (1) of the Act on the Protection of Wildlife and Hunting prior to revision (hereinafter referred to as the "Old Act") at the time of enforcement of this Act, are considered as wildlife protection program prescribed pursuant to the provisions of Article 4, paragraph (1) of the Wildlife Protection, Control, and Hunting Management Act (hereinafter referred to as the "New Act").

(Transitional Measures Concerning Plans for Specific Wildlife Protection Management Programs)

Article 4 Plans for wildlife protection programs, which is currently covered by the provisions of Article 1-3, paragraph (1), of the Old Act at the time of enforcement of this Act, are considered as plans for wildlife protection programs prescribed pursuant to the provisions of determined pursuant to the provisions of Article 7, paragraph (1) of the New Act.

(Transitional Measures Concerning Hunting Certificates)

Article 5 (1) A person who has actually been issued a hunting certificate listed in the left column of the following table (hereinafter referred to as the "old certificate"), pursuant to the provisions of Article 4, paragraph (2) of the Old Act at the time of enforcement of this Act, are deemed to have been issued the hunting certificate listed in the right column of the same table (hereinafter referred to as the "new certificate") was issued.

Old certificate	New certificate
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A class hunting certificate	Hunting certificate for net hunting and trapping licenses
B class hunting certificate	Hunting certificate for Category 1 gun hunting licenses
C class hunting certificate	Hunting certificate for Category 2 gun hunting licences

- (2) With regard to the application of the provisions of Article 40, item (v) or (vi), of the New Act to a person who has been sentenced to a fine or heavier sentence for violation of the provisions of the Old Act, or orders based on the Old Act, and three years have not elapsed since the day when that person finished serving the sentence or ceased to be subject to its execution, or a person whose hunting license was revoked under Article 8, paragraph (2) of the old Act, and three years have not elapsed since the day on which the revocation was made (limited to those who have violated the provisions of the Old Act or orders based on the Old Act) the term "this Act" in item (v) of the same Article is to be replaced with "the Act on the Protection of Wildlife and Hunting before Amendment (Act No. 32 of 1918, hereinafter referred to as the 'Old Act' in the following item)", and "Article 52, paragraph (2), item (i)" in item (vi) of the same Article is to be replaced with "Article 8, paragraph (2) of the Old Act (limited to those who have violated the provisions of the Old Act or orders based on the Old Act)"
- (3) A person who has obtained a hunting license listed in the left column of the following table (hereinafter referred to as "old license") pursuant to Article 7, paragraph (4) of the Old Act is deemed to have, on the effective date, obtained a hunting license listed in the right column of the same table, pursuant to Article 39, paragraph (3) of the New Act respectively. In this case, the validity period of the new license for the person deemed to have obtained that new license, is the same period as the remaining valid period of the old license for that person on the same date, notwithstanding the provisions of Article 44, paragraph (1) of the New Act.

Old license	New license
A class hunting license	Net hunting and trapping license
B class hunting license	Category 1 gun hunting license
C class hunting license	Category 2 gun hunting license

- (4) A person who was prohibited from taking a hunting license examination pursuant to the provisions of Article 7-2, paragraph (2) of the Old Act, is deemed to have been prohibited from taking a hunting license examination pursuant to the provisions of Article 50, paragraph (3) of the New Act on the effective date. In this case, the period during which the person who is deemed



to be prohibited from taking the hunting license examination is the same period as the remaining period during which the person was prohibited from taking the hunting license examination under Article 7-2, paragraph (2) of the Old Act on the same date.

- (5) A person whose hunting license has been suspended pursuant to Article 8, paragraph (2) of the Old Act is deemed to have had their hunting license suspended pursuant to Article 52, paragraph (2) of the New Act on the effective date. In this case, the period during which the hunting license is suspended for the person whose hunting license is deemed to have been suspended is to be the same period as the remaining period during which it was suspended under Article 8, paragraph (2) of the Old Act for that person on the same date.

(Transitional Measures concerning Wildlife Protection Areas)

Article 6 (1) Wildlife protection areas actually set pursuant to the provisions of Article 8, paragraph (1) of the Old Act at the time of enforcement of this Act, are considered as wildlife protection areas designated pursuant to the provisions of Article 28, paragraph (1) of the New Act.

- (2) Facilities actually established pursuant to the provisions of Article 8-8, paragraph (2) of the Old Act at the time of enforcement of this Act, are considered as facilities established pursuant to the provisions of Article 28, paragraph (1) of the New Act.

- (3) Special protection zones that are currently designated pursuant to the provisions of Article 8-8, paragraph (3) of the Old Act at the time of enforcement of this Act, are considered as special protection zone designated pursuant to the provisions of Article 29, paragraph (1) of the New Act.

- (4) The conditions actually attached under the provisions of Article 8-8, paragraph (7) of the Old Act at the time of enforcement of this Act, are considered as the conditions attached pursuant to the provisions of Article 29, paragraph (10) of the New Act.

(Transitional Measures concerning Temporarily Closed Hunting Areas)

Article 7 Temporarily closed hunting areas currently set pursuant to the provisions of Article 9 of the Old Act at the time of enforcement of this Act is deemed as temporarily closed hunting areas, designated pursuant to the provisions of Article 34, paragraph (1) of the New Act.

(Transitional Measures concerning Areas Where Hunting with Guns is Prohibited or Restricted)

Article 8 Areas where hunting with guns is prohibited or areas where hunting with guns is restricted is actually established, pursuant to Article 10 of the Old Act at the time of enforcement of this Act, are considered as areas where

hunting with guns is prohibited or areas where hunting with guns is restricted, pursuant to the provisions of Article 35, paragraph (1) of the New Act.

(Transitional Measures concerning Permission for Capture of Wildlife or Collection of Bird Eggs)

Article 9 (1) A person who actually received permission under the provisions of Article 12, paragraph (1) of the Old Act at the time of enforcement of this Act are considered to have obtained permission pursuant to the provisions of Article 9, paragraph (1) of the New Act on the date of enforcement. In this case, the validity period of that permission is the same period as the remaining term of the validity period of the license under the provisions of Article 12, paragraph (1) of the Old Act.

(2) Permits or worker certificates issued under the provisions of Article 12, paragraph (3) of the Old Act at the time of enforcement of this Act are considered as those issued pursuant to the provisions of Article 9, paragraph (7) or paragraph 8 of the New Act.

(Transitional Measures concerning Permission for Rearing Wildlife)

Article 10 (1) A person who actually received permission under the provisions of Article 13 of the Old Act at the time of enforcement of this Act, is considered to have received registration under the provisions of Article 19, paragraph (1) of the New Act, on the day of enforcement.

(2) Rearing permits actually issued pursuant to the provisions of Article 13 of the Old Act at the time of enforcement of this Act, is considered as a registration card issued pursuant to the provisions of Article 19, paragraph (3) of the New Act.

(Transitional Measures concerning Permission to Sell Wildlife)

Article 11 A person who has actually obtained permission under the provisions of Article 13-2 of the Old Act at the time of enforcement of this Act is deemed to be the person who received permission under Article 24, paragraph (1) of the New Act on the date of enforcement.

(Transitional Measures concerning Areas for Hunting)

Article 12 (1) Areas for hunting currently approved under the provisions of Article 14, paragraph (1) of the Old Act at the time of enforcement of this Act are deemed to have received approval under the provisions of Article 68, paragraph (1) of the New Act on the date of enforcement. In this case, the duration of the hunting areas deemed to have received the approval is the same period as the remaining term of the duration as prescribed in Article 14, paragraph (7) of the Old Act, regarding those areas for hunting on that same

day.

- (2) Public notice made pursuant to the provisions of Article 14, paragraph (8) of the Old Act prior to the effective date and those that are effective at the time of enforcement of this Act, is considered as public notice made pursuant to the provisions of Article 70, paragraph (1) of the New Act.
- (3) Approval of the establisher of areas for hunting under the provisions of Article 18 of the former Act, is considered as approval of the establisher of areas for hunting areas under the provisions of Article 74, paragraph (1) of the New Act.

(Transitional Measures concerning the Permission under the Act on Dangerous Hunting)

Article 13 A person who is actually granted permission pursuant to the provisions of Article 15 of the Old Act at the time of enforcement of this Act, is deemed to have received permission under Article 37, paragraph (1) of the New Act on the date of enforcement.

(Transitional Measures concerning Possessor's Consent)

Article 14 The consent of the possessor pursuant to the provisions of Article 17 of the Old Act is deemed to be the consent of the possessor, pursuant to the provisions of Article 17 of the New Act.

(Transitional Measures concerning Certificates to Capture Wildlife by Legally-prescribed Means)

Article 15 Certificates issued under the provisions of Article 20, paragraph (1) of the Old Act at the time of enforcement of this Act, are considered to be certificates to capture wildlife by legally-prescribed means issued pursuant to the provisions of Article 25, paragraph (3) of the New Act.

(Transitional Measures concerning Employees Engaged in Enforcement)

Article 16 A person actually nominated pursuant to the provisions of Article 20-4 of the Old Act at the time of enforcement of this Act, is considered to have been nominated pursuant to the provisions of Article 76 of the New Act.

(Transitional Measures concerning Wildlife Protection Personnel)

Article 17 Wildlife protection personnel placed under the provisions of Article 20-5, paragraph (1) of the Old Act at the time of enforcement of this Act are deemed to have been placed pursuant to the provisions of Article 78, paragraph (1) of the New Act.

(Effectiveness of Procedures Based on the Old Act)

Article 18 (1) Permission, approval, or other dispositions, or notifications, or other acts, or applications for permission made under the provisions of the old Act, or other acts made by The Minister of the Environment or relevant prefectural governor pursuant to the provisions of the Old Act before the enforcement of this Act, except for those that have otherwise specified in this Supplementary Provisions, are considered as permission, approval, or other disposition or notification, or other acts, or application for permission made under the provisions of the New Act, or other acts made by The Minister of the Environment or relevant prefectural governor pursuant to the equivalent provisions of the New Act, after the enforcement of this Act.

(2) With regard to the particulars for which reports, notifications, submissions and other procedures were required to be made to the Minister of the Environment or relevant prefectural governor pursuant to the provisions of the Old Act prior to the enforcement of this Act, and for which those procedures were not carried out prior to the effective date of this Act, the provisions of the New Act apply, except as otherwise provided for in this Supplementary Provisions, after the enforcement of this Act, by considering that they are particulars for which reports, notifications, submissions and other procedures required to be made to the Minister of the Environment or relevant prefectural governor, pursuant to the corresponding provisions of the New Act, and for which those procedures have not been carried out.

(Transitional Measures concerning Penal Provisions)

Article 19 Penal provisions applied for acts committed prior to the enforcement of this Act remain applicable.

(Delegation of Other Transitional Measures to Cabinet Orders)

Article 20 In addition to what is provided for in Article 3 through to the preceding Article of Supplementary Provisions, the transitional measures necessary for the enforcement of this Act is to be specified by Cabinet Orders.

(Consideration)

Article 21 The government is to review the status of enforcement of this Act within three years after its enforcement and take necessary measures based on the results.

### **Supplementary Provisions [Act No. 84 of June 9, 2004] [Extract]**

(Effective Date)

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

### **Supplementary Provisions [Act No. 33 of April 27, 2005] [Extract]**

(Effective Date)

Article 1 This Act comes into effect as from October 1, 2005.

(Transitional Measures)

Article 24 For cases in which an order is established, amended or discontinued, based on the respective provisions after revision of this Act, by order, within the range judged to be reasonably necessary due to its enactment, revision or discontinuation, it is possible to determine necessary transitional measures (including transitional measures concerning penal provisions).

### **Supplementary Provisions [Act No. 67 of June 14, 2006]**

(Effective Date)

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

(Transitional Measures concerning the Permission to Capture Wildlife)

Article 2 The provisions of paragraph (12) of Article 9 of the Wildlife Protection, Control, and Hunting Management Act after revision by this Act (hereinafter referred to as the "New Act") apply to those who received permission under Article 9, paragraph (1) of the New Act after the date of enforcement of this Act (hereinafter referred to as the "effective date"), and do not apply to those who have obtained permission under Wildlife Protection, Control, and Hunting Management Act before revision by this Act (hereinafter referred to as the "Old Act") Article 9 paragraph (1) or the employee.

(Transitional Measures concerning the Regulation on Imported Wildlife)

Article 3 The provisions of Article 26, paragraphs (2) through (7) of the New Act, will apply to Wildlife imported after the date of enforcement, and do not apply to wildlife imported prior to the effective date.

(Transitional Measures concerning Areas where Hunting with Guns is Prohibited )

Article 4 Areas where hunting with guns is prohibited or restricted currently designated pursuant to the provisions of Article 35, paragraph (1) of the Old Act at the time of the enforcement of this Act are considered to be specified areas where hunting equipment is prohibited or restricted, where guns are considered as a specific type of hunting equipment, in accordance with the

provisions of Article 35, paragraph (1) of the New Act.

(Transitional Measures concerning Hunting Licenses)

Article 5 (1) A person who receives a net or trapping license pursuant to the provisions of Article 39, paragraph (3) of the Old Act (hereinafter referred to as an "old license") at the time of enforcement of this Act, is considered to have received a netting hunting license and trapping license (hereinafter referred to as "new license") pursuant to the provisions of Article 39, paragraph (3) of the New Act on the day of enforcement. In this case, the validity period of the new license regarding those deemed to have received the new license is considered to be the same period as the remaining term of the validity period of the old license regarding that person on the effective date, notwithstanding the provisions of Article 44, paragraph (1) of the New Act.

(2) The conditions currently attached to the old license pursuant to the provisions of Article 42 of the Old Act at the time of enforcement of this Act is considered to be the conditions attached to the new license.

(3) Hunting certificates under an old license issued pursuant to the provisions of Article 43 of the Old Act at the time of enforcement of this Act are considered as hunting certificates for new license.

(4) For a person whose old license has been revoked pursuant to Article 52, paragraph (2), item (i) of the Old Act and three years have not elapsed since the date of revocation, the provisions of the same Article apply, by deeming the new license to be of the type in relation to the revocation pursuant to the provisions of Article 40 of the New Act.

(5) A person whose old license is actually suspended at the time of the enforcement of this Act pursuant to Article 52, paragraph (2) of the Old Act, is deemed to have had the new license suspended on the date of enforcement. In this case, the period of suspension of the effect of the new license for the person whose new license is deemed to have been suspended is to be the same period as the remaining period of suspension of the effect of the old license for that person on the enforcement date.

(Transitional Measures concerning Penal Provisions)

Article 6 Penal Provisions in force prior to the enforcement of this Act to acts made before enforcement of this Act remain applicable.

(Consideration)

Article 7 The government is to review the status of enforcement of this Act when five years have passed since the enforcement of this Act, and take any measures based on the results, when it finds it necessary.

**Supplementary Provisions [Act No. 134 of December 21, 2007] [Extract]**

(Effective Date)

Article 1 This Act comes into effect as of the date on which two months has elapsed from the date of promulgation.

**Supplementary Provisions [Act No. 70 of June 22, 2011] [Extract]**

(Effective Date)

Article 1 This Act comes into effect as from April 1, 2012; provided, however, the provisions of the following Article is enforced from the date of promulgation. The provisions of Article 17 of the Supplementary Provisions to the Act is enforced from the promulgation date of the Improvement of Related Acts for the Promotion of Reform to Enhance Regional Autonomy and Independence (Act No. 105 of 2011) or the promulgation date of this Act, whichever is later.

**Supplementary Provisions [Act No. 105 of August 30, 2011] [Extract]**

(Effective Date)

Article 1 This Act comes into effect as from the day of promulgation; provided, however, that the provisions listed in the following items come into effect as of the date specified in each of the items.

(i) Omitted

(ii) The provisions of Article 2; Article 10 (limited to the provisions revising Article 18 of the Act on Special Districts for Structural Reform); Article 14 (limited to the provisions to revise Article 252-19 and Article 260 of the Local Autonomy Act, and revise, in Appended Table 1 of the same Act, the rows which apply to the Noise Regulation Act (Act No. 98 of 1968), the rows which apply to the City Planning Act (Act No. 100 of 1968), the rows which apply to the Urban Renewal Act (Act No. 38 of 1969), the rows which apply to the Basic Environment Act (Act No. 91 of 1993), and the rows which apply to the Act on Promotion of Improvement of Disaster Control Districts in Populated Urban Districts (Act No. 49 of 1997), and in Appended Table 2 of the same Act, the rows which apply to the Urban Renewal Act (Act No. 38 of 1969), the rows which apply to the Act on Advancement of Expansion of Public Lands (Act No. 66 of 1972), the rows which apply to the Act on Special Measures concerning Promotion of Supply of Houses and Housing Lands in Urban Districts (Act No. 67 of 1975), the rows which apply to the Act on Promotion of Improvement of Disaster Control Districts in Populated Urban Districts (Act No. 49 of 1997), and the rows which apply to the Act on Facilitation of Reconstruction of Condominiums (Act No. 78 of 2002)); Articles 17 to 19;

Article 22 (limited to the provisions revising Article 21-5-6, Article 21-5-15, Article 21-5-23, Article 24-9, Article 24-17, Article 24-28, and Article 24-36 of the Child Welfare Act); Articles 23 to 27; Articles 29 to 33; Article 34 (limited to the provisions revising Article 62, Article 65, and Article 71 of the Social Welfare Act); Article 35; Article 37; Article 38 (excluding the provisions revising Article 46, Article 48-2, Article 50, and Article 50-2 of the Water Supply Act); Article 39; Article 43 (limited to the provisions revising Article 19, Article 23, Article 28, and Article 30-2 of the Human Resources Development Promotion Act); Article 51 (limited to the provisions revising Article 64 of the Act on Prevention of Infectious Diseases and Medical Care for Patients Suffering Infectious Diseases); Article 54 (excluding the provisions revising Article 88 and Article 89 of the Services and Supports for Persons with Disabilities Act); Article 65 (excluding the provisions revising Article 3, paragraph (1), item (ix), Article 4, Article 5, and Article 57 of the Agricultural Land Act); Articles 87 to 92; Article 99 (limited to the provisions revising Article 24-3 and Article 48-3 of the Road Act); Article 101 (limited to the provisions revising Article 76 of the Land Readjustment Act); Article 102 (limited to the provisions revising Articles 18 to 21, Article 27, Article 49, and Article 50 of the Act on Special Measures concerning Road Construction and Improvement); Article 103; Article 105 (excluding the provisions revising Article 4 of the Parking Lot Act); Article 107; Article 108; Article 115 (limited to the provisions revising Article 15 and Article 17 of the Act on the Conservation of Suburban Green Zones in the National Capital Region); Article 116 (excluding the provisions revising Article 3-2 of the Act on the Improvement of Urban Distribution Centers); Article 118 (limited to the provisions revising Article 16 and Article 18 of the Act on Arrangement of Conservation Districts in Kinki Area); Article 120 (excluding the provisions revising Article 6-2, Article 7-2, Article 8, Articles 10-2 to 12-2, Article 12-4, Article 12-5, Article 12-10, Article 14, Article 20, Article 23, Article 33, and Article 58-2 of the City Planning Act); Article 121 (limited to the provisions revising Articles 7-4 to 7-7, Articles 60 to 62, Article 66, Article 98, Article 99-8, Article 139-3, Article 141-2, and Article 142); Article 125 (excluding the provisions revising Article 9 of the Act on Advancement of Expansion of Public Lands); Article 128 (excluding the provisions revising Article 20 and Article 39 of the Urban Green Space Conservation Act); Article 131 (limited to the provisions revising Article 7, Article 26, Article 64, Article 67, Article 104, and Article 109-2 of the Act on Special Measures concerning Promotion of Supply of Houses and Housing Lands in Urban Districts); Article 142 (limited to the provisions revising Article 18, and Articles 21 to 23 of the Act on Comprehensive Development of Regional Core Cities with Relocation of Office-Work Function); Article 145; Article 146 (excluding the provisions



revising Article 5 and Article 7, paragraph (3) of the Act on Special Measures concerning Reconstruction of Urban Districts Damaged by Disaster); Article 149 (limited to the provisions revising Article 20, Article 21, Article 191, Article 192, Article 197, Article 233, Article 241, Article 283, Article 311, and Article 318 of the Act on Promotion of Improvement of Disaster Control Districts in Populated Urban Districts); Article 155 (limited to the provisions revising Article 51, paragraph (4) of the Act on Special Measures concerning Urban Reconstruction); Article 156 (excluding the provisions revising Article 102 of the Act on Facilitation of Reconstruction of Condominiums); Article 157; Article 158 (limited to the provisions revising Article 57 of the Landscapes Act); Article 160 (limited to the provisions revising Article 6, paragraph (5) of the Act on Special Measures concerning Development of Public Rental Housing, etc. to Accommodate Various Demands of Communities (excluding the part revising "paragraph (2), item (ii), (a)" to "paragraph (2), item (i), (a)"), and the provisions revising Article 11 and Article 13 of the same Act); Article 162 (limited to the provisions revising Article 10, Article 12, Article 13, Article 36, paragraph (2), and Article 56 of the Act on Promotion of Smooth Transportation, etc. of Elderly Persons, Disabled Persons, etc.); Article 165 (limited to the provisions revising Article 24 and Article 29 of the Act on Maintenance and Improvement of Traditional Scenery in Certain Districts); Article 169; Article 171 (limited to the provisions revising Article 21 of the Waste Management and Public Cleansing Act); Article 174; Article 178; Article 182 (limited to the provisions revising Article 16 and Article 40-2 of the Basic Environment Act); and Article 187 (limited to the provisions revising Article 15 of the Wildlife Protection, Control, and Hunting Management Act, the provisions revising Article 28, paragraph (9) of the same Act (excluding the part revising "Article 4, paragraph (3)" to "Article 4, paragraph (4)"), the provisions revising Article 29, paragraph (4) of the same Act (excluding the part revising "Article 4, paragraph (3)" to "Article 4, paragraph (4)"), and the provisions revising Article 34 and Article 35 of the same Act); as well as, in the Supplementary Provisions, the provisions of Article 13; Articles 15 to 24; Article 25, paragraph (1); Article 26; Article 27, paragraphs (1) to (3); Articles 30 to 32; Article 38; Article 44; Article 46, paragraphs (1) and (4); Articles 47 to 49; Articles 51 to 53; Article 55; Article 58; Article 59; Articles 61 to 69; Article 71; Article 72, paragraphs (1) to (3); Articles 74 to 76; Article 78; Article 80, paragraphs (1) and (3); Article 83; Article 87 (excluding the provisions revising Article 587-2 of the Local Tax Act and Article 11 of the Supplementary Provisions); Article 89; Article 90; Article 92 (limited to the provisions revising Article 25 of the National Highway Act); Article 101; Article 102; Articles 105 to 107; Article 112; Article 117 (limited to the

provisions revising Article 4, paragraph (8) of the Act on the Promotion of Activities for Biodiversity Conservation through Cooperation among Regional Diversified Actors (Act No. 72 of 2010)); Article 119; Article 121-2; and Article 123, paragraph (2): April 1, 2012.

(Transitional Measures Accompanying Partial Revision of the Wildlife Protection, Control, and Hunting Management Act )

- Article 80 (1) Within a period not exceeding one year from the day of enforcement prescribed in Article 187 (limited to the amended provisions of Article 15 of the Act on the Wildlife Protection, Control, and Hunting Management Act, the amended provisions of Article 28, paragraph (9) of the same Act (excluding the part revising "Article 4, paragraph (3)" to "Article 4, paragraph (4)"), and the amended provisions of Article 29, paragraph (4) of the same Act (excluding the part of "Article 4, paragraph (3)" revised to "Article 4, paragraph (4)." The same applies in this paragraph.)), the provisions of the proviso to Article 15, paragraph (14) of this Act do not apply until the enactment and enforcement of prefectural ordinance based on the Act on the Wildlife Protection, Control, and Hunting Management Act after revision, pursuant to the provisions of Article 187 and the provisions of the proviso to Article 15, paragraph (14) of the Act on the Wildlife Protection, Control, and Hunting Management Act (including the cases applied *mutatis mutandis* in Article 28, paragraph 9 and Article 29, paragraph (4) of the same Act).
- (2) Concerning the period of time for public notice made available for public inspection issued by prefectural governors, in accordance with the provisions of the Wildlife Protection, Control, and Hunting Management Act before the amendment pursuant to the provisions of Article 187 before the enforcement of this Act, and in accordance with the provisions of Article 28, paragraph (4) of the Act on the Protection of Wildlife, and Optimization of Hunting (including cases where it is applied *mutatis mutandis* pursuant to Article 29, paragraph (4) of that Act) remain applicable, notwithstanding the provisions of protection of wildlife after revision pursuant to the provisions of Article 187 and paragraph (4) of Article 28 of the Wildlife Protection, Control, and Hunting Management Act (including cases applied *mutatis mutandis* pursuant to Article 29, paragraph (4) of that Act).
- (3) Within a period not exceeding one year from the day of enforcement prescribed in Article 187 (limited to the provisions revising Article 34 and Article 35 of the Wildlife Protection, Control, and Hunting Management Act, hereinafter the same in this paragraph), until the enactment and enforcement of the prefectural ordinance based on provisions for Act on the Protection and Management of Wildlife, and the Optimization of Hunting after revision pursuant to Article 187 and on provisions for the Wildlife Protection, Control,

and Hunting Management Act pursuant to Article 34, paragraph (7) (including cases applied mutatis mutandis pursuant to Article 35, paragraph (12) of the same Act), regarding the dimensions of signs of Article 34, paragraph (5) of the same Act (including cases applied mutatis mutandis pursuant to Article 35, paragraph (12) of the same Act) remain applicable.

(Transitional Measures Concerning Penal Provisions)

Article 81 This Act (in the case of the provisions listed in each item of Article 1 of the Supplementary Provisions, the relevant provisions. The same applies hereinafter in this Article). With regard to the application of penal provisions to acts committed prior to the enforcement of this Act (in the case of the provisions listed in the items of Article 1 of the Supplementary Provisions, those provisions) and acts committed after the enforcement of this Act in the cases where the provisions then in force that remain applicable, pursuant to the Supplementary Provisions, the provisions in force remain applicable.

(Delegation to Cabinet Orders)

Article 82 In addition to what is provided for in these Supplementary Provisions, the necessary transitional measures (including transitional measures concerning penal provisions) concerning the enforcement of this Act, is specified by Cabinet Order.

#### **Supplementary Provisions [Act No. 122 of December 14, 2011] [Extract]**

(Effective Date)

Article 1 This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding two months from the day of promulgation; provided, however, that the provisions listed in the following items come into effect as of the date specified in each of the items.

- (i) Supplementary Provisions Article 6, Article 8, Article 9 and Article 13; the date of promulgation

#### **Supplementary Provisions [Act No. 44 of June 14, 2013] [Extract]**

(Effective Date)

Article 1 This Act comes into effect from the date of promulgation; provided, however, that the provisions listed in the following items come into effect as of the date specified in each of the items.

- (i) The Act on Article 40 (excluding the amended provisions listed in the next item), Article 50 (excluding the amended provisions listed in the same item), Article 54 (excluding the amended provisions of Article 50-3, paragraph (3) of

the Port and Harbor Act), Article 57 and Article 74 (excluding the amended provisions of Article 3, paragraph (4) of the Wildlife Protection, Control, and Hunting Management Act), and the Act on Supplementary Provisions Article 8 and Article 9. The day on which three months have elapsed from the day of promulgation.

(Transitional Measures Accompanying Partial Revision of the Act on the Wildlife Protection, Control, and Hunting Management Act)

Article 9 The provisions of Article 74 (excluding the amended provisions of Article 3, paragraph (4) of the Wildlife Protection, Control, and Hunting Management Act, hereinafter the same applies in this Article) (limited to cases of designating the same area as the special protection zone or extending the duration of the special protection zone after the end of the relevant duration) is deemed to be a notification made pursuant to the provisions of Article 12, paragraph (4) of the Wildlife Protection, Control, and Hunting Management Act, after the revision under Article 74, as applied *mutatis mutandis* pursuant to Article 29, paragraph (4) of that Act following the deemed replacement of terms.

(Transitional Measures concerning Penal Provisions)

Article 10 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act (for the provisions listed in each item of Article 1 of the Supplementary Provisions, the relevant provisions), those provisions remain applicable after the enforcement of this Act.

(Delegation to Cabinet Order)

Article 11 In addition to what is provided for these Supplementary Provisions, the necessary transitional measures (including transitional measures concerning penal provisions) concerning the enforcement of this Act are specified by Cabinet Order.

### **Supplementary Provisions [Act No. 46 of May 30, 2014] [Extract]**

(Effective Date)

Article 1 This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding one year from the day of promulgation; provided, however, that the provisions of the amended provisions that adds Article 1 after Article 75, the provisions of Article 6 of the Supplementary Provisions from the next Article and Article 17 of the Supplementary Provisions come into effect as of the date of promulgation.

(Preparation before Enforcement)

Article 2 This Act on the Protection and Management of Wildlife, and the Optimization of Hunting after revision by this Act, establishment or change of an Order of the Ministry of the Environment under Article 2, paragraph (7) of the Act on the Protection and Management of Wildlife, and the Optimization of Hunting (hereinafter referred to as the "New Act") and procedures and other acts necessary for these may be carried out by the example of the provisions of paragraph (10) of the same Article before the enforcement of this Act.

Article 3 (1) The Minister of the Environment may establish the basic guidelines (referred to as "basic guidelines" in the next paragraph) for the purpose of implementing programs for the protection and management of wildlife (referred to as "program for protecting and managing wildlife" in paragraph (1) of the next Article) before the enforcement of this Act, pursuant to the provisions of Article 3 of the New Act. In this case, even before the enforcement of this Act, the Minister of the Environment may publicize it under the provisions of Article 3 of the New Act.

(2) The basic guidelines established pursuant to the provisions of the preceding paragraph are deemed to have been prescribed in the provisions of Article 3 of the New Act at the date of enforcement of this Act (hereinafter referred to as the "effective date").

Article 4 (1) The prefectural governor may establish a plan for implementing a program of protecting and managing wildlife (hereinafter referred to as the "plan") before the enforcement of this Act, in accordance with the example of Article 4 of the New Act. In this case the prefectural governor may publicize and report this to the Minister of the Environment by the example of the provisions of the same Article.

(2) The plan prescribed pursuant to the provisions of the preceding paragraph is deemed to have been established, pursuant to the provisions of Article 4 of the New Act at the date of enforcement.

Article 5 (1) A prefectural governor may designate a plan concerning protection of wildlife (excluding endangered species of wildlife), whose population has significantly decreased or whose habitat has been reduced in size within the relevant prefecture's area (referred to as the "plan" in the next paragraph), even before the enforcement of this Act, by the example of the provisions of Article 7 of the New Act. In this case, the prefectural governor may publicize and report it to the Minister of the Environment, before the enforcement of this Act, by the example of the provisions of the same Article.

(2) The plan prescribed pursuant to the provisions of the preceding paragraph is

deemed to have been established pursuant to the provisions of Article 7 of the New Act at the date of enforcement.

- Article 6 (1) A prefectural governor may designate a plan concerning the management of wildlife (excluding endangered species of wildlife) whose population has increased significantly in the relevant prefecture, or whose habitat has expanded in size (referred to as the "plan" in the next paragraph) before the enforcement of this Act, by the example of the provisions of Article 7-2 of the New Act. In this case, the prefectural governor can publicize and report it to the Minister of the Environment, before the enforcement of this Act, by the example of the provisions of the same Article.
- (2) The plan prescribed pursuant to the provisions of the preceding paragraph, is deemed to have been established pursuant to the provisions of Article 7-2 of the New Act at the date of enforcement.

(Transitional Measures concerning Permission for Capturing of Wildlife or Collection of Bird Eggs)

Article 7 A person who currently has permission under Article 9, paragraph (1) of the Wildlife Protection, Control, and Hunting Management Act (hereinafter referred to as the "Old Act"), before revision by this Act at the time of enforcement of this Act, is deemed to have obtained permission under Article 9, paragraph (1) of the New Act on the date of enforcement. In this case, the validity period of permit for the relevant persons deemed to have received such permission is the same as the remaining term of the validity period of the license referred to in Article 9, paragraph (1) of the Old Act regarding that person on the effective date.

(Transitional Measures concerning Areas in Which Designated Means of Hunting are Prohibited)

- Article 8 (1) Areas where designated means of hunting are prohibited, currently designated as prescribed under Article 15, paragraph (1) of the Old Act at the time of enforcement of this Act, are deemed to be Areas where designated means of hunting are prohibited designated pursuant to the provisions of Article 15, paragraph (1) of the New Act. In this case, the duration of the relevant designated areas where designated means of hunting are prohibited, is deemed to be the same as the remaining period as prescribed in Article 15, paragraph (2) of the Old Act, on the effective date.
- (2) A person who has actually received permission from the proviso to Article 15, paragraph (4) of the Old Act at the time of enforcement of this Act is deemed to have obtained permission under the proviso of Article 15, paragraph (4) of the New Act on the date of enforcement. In this case, the validity period of a

permit for such a person is the same as the remaining validity period of the permission of the proviso of Article 15, paragraph (4) of the Old Act on the date of enforcement.

(Transitional Measures concerning Restrictions on the Use of Names)

Article 9 For persons currently using the name "certified business engaging in capturing or killing of wildlife" or a similar name at the time of enforcement of this Act, the provisions of Article 18-9 of the New Act do not apply for six months after the enforcement of this Act.

(Transitional Measures concerning Permission to Sell Wildlife Whose Sale is Prohibited)

Article 10 A person who has actually received permission referred to in Article 24, paragraph (1) of the Old Act at the time of enforcement of this Act, is deemed to have obtained the license referred to in Article 24, paragraph (1) of the New Act on the date of enforcement. In this case, the validity period of the permit is the same as the remaining validity period of the license under Article 24, paragraph (1) of the Old Act, on the effective date.

(Transitional Measures concerning Wildlife Protection Areas)

Article 11 (1) Wildlife protection areas designated as prescribed by the provisions of Article 28, paragraph (1) of the Old Act (including those regarded as wildlife protection areas designated as prescribed under the provisions of Article 28, paragraph (1) of the Old Act pursuant to the provisions of Article 6, paragraph (1) of the supplementary provisions of the Old Act.) at the time of enforcement of this Act is considered as wildlife protection areas designated by the provisions of Article 28, paragraph (1) of the New Act. In this case, the duration of the wildlife protection areas is the same as the remaining duration of the period prescribed in Article 28, paragraph (7) of the Old Act on the effective date.

(2) Conservation programs carried out pursuant to the provisions of Article 28-2, paragraph (1), paragraph (3) or paragraph (4) of the Old Act at the time of enforcement of this Act are deemed to be those implemented pursuant to the provisions of Article 28-2, paragraph (1), paragraph (3) or paragraph (4) of the New Act.

(3) Special protection zones designated in accordance with the provisions of Article 29, paragraph (1) of the Old Act (including those regarded as special protection zones designated pursuant to the provisions of Article 29, paragraph (1) of the Old Act under the provisions of Article 6, paragraph (3) of the supplementary provisions of the Old Act.) at the time of enforcement of this Act are deemed special protection zones designated by the provisions of Article 29,

paragraph (1) of the New Act. In this case, the duration of the special protection zones is the same as the remaining period prescribed in Article 29, paragraph (2) of the Old Act regarding that special protection zone on the date of enforcement.

(Transitional Measures concerning Areas for Hunting)

Article 12 (1) Areas for hunting which have been authorized under Article 68, paragraph (1) of the Old Act at the time of the enforcement of this Act, are deemed to have been authorized under Article 68, paragraph (1) of the New Act on the enforcement date. In this case, the duration for the areas for hunting deemed to have obtained such approval, is deemed to be the same as the remaining duration of that under Article 68, paragraph (2), item (iii) of the Old Act on the date of enforcement.

(2) A person who has actually obtained approval under Article 74, paragraph (1) of the Old Act at the time of enforcement of this Act is deemed to have obtained approval under Article 74, paragraph (1) of the New Act on the date of enforcement.

(Transitional Measures concerning Employees Engaged in Enforcement)

Article 13 A person who is currently nominated under the provisions of Article 76 of the Old Act (including those deemed to have been nominated under the provisions of Article 76 of the Old Act pursuant to the provisions of Article 16 of the Supplementary Provisions of the Old Act) at the time of enforcement of this Act is deemed to have been nominated pursuant to the provisions of Article 76 of the New Act.

(Transitional Measures concerning Wildlife Protection Personnel)

Article 14 Wildlife protection personnel actually placed pursuant to the provisions of Article 78, paragraph (1) of the Old Act (including those regarded as wildlife protection leaders under that paragraph pursuant to the provisions of Article 17 of the Supplementary Provisions of the Old Act) at the time of enforcement of this Act is considered to be a wildlife protection and management leader placed pursuant to the provisions of Article 78, paragraph (1) of the New Act.

(Effectiveness of Procedures based on the Provisions of the Old Act)

Article 15 (1) Permission, approval, other dispositions, or notices and other acts made by the Minister of the Environment or relevant prefectural governor pursuant to the provisions of the Old Act (excluding Article 3, Article 4 and Article 7. The same applies below in this Article.) prior to the enforcement of this Act or application for permission and other acts under the provisions of



the Old Act, except as otherwise provided for in the Supplementary Provisions, after the enforcement of this Act, based on the equivalent provisions of the New Act, are considered as permission, approval, other dispositions or notices and other acts made by the Minister of the Environment or relevant prefectural governor, or application for permission and other acts under the provisions of the New Act.

- (2) With regard to particulars for which reports, notifications, submissions or other procedures must be made to the Minister of the Environment or relevant prefectural governors in accordance with the provisions of the Old Act before the enforcement of this Act, and for which such procedures have not been carried out before the enforcement of this Act, after the enforcement of this Act, except as otherwise provided in these Supplementary Provisions, those particulars are deemed to have been reported, notified, submitted or otherwise processed in accordance with the provisions of the new Act. The provisions of the New Act apply to particulars for which reports, notifications, submissions or other procedures are required to be made to the Minister of the Environment or the relevant prefectural governor under the corresponding provisions of the New Act, by deeming that such procedures have not yet been carried out.

(Transitional Measures concerning Penal Provisions)

Article 16 Penal provisions for acts committed prior to the enforcement of this Act remain applicable.

(Delegation to Cabinet Orders)

Article 17 In addition to what is provided for in these Supplementary Provisions, the necessary transitional measures accompanying the enforcement of this Act are specified by Cabinet Order.

(Consideration)

Article 18 The government is to review the status of enforcement of the New Act when five years have passed since the enforcement of this Act, and take any measures based on the results, when it finds it necessary, taking into account the state of implementation of the new Act.