

Basic Act on Fishery

(Act No. 89 of June 29, 2001)

Table of Contents

Chapter I General Provisions (Articles 1 through 10)

Chapter II Basic Policy Measures

Section 1 Fishery Basic Plan (Article 11)

Section 2 Policy Measures for Securing Steady Supply of Fishery Products
(Articles 12 through 20)

Section 3 Policy Measures for Sound Development of Fishery Industry
(Articles 21 through 32)

Chapter III Administrative Organs and Relevant Organizations (Articles 33
and 34)

Chapter IV Fisheries Policy Council (Articles 35 through 39)

Supplementary Provisions

Chapter I General Provisions

(Purpose)

Article 1 The purpose of this Act is to comprehensively and systematically promote policy measures for fishery, thereby stabilizing and improving the lives of the people and promoting the sound development of the national economy, through specifying the basic principles and matters fundamental for the realization of those principles, and clarifying the responsibilities, etc. of the national government and local governments,.

(Maintaining Stable Supply of Fishery Products)

Article 2 (1) In view of the fact that fishery products are important as the basis of healthy dietary habits and of healthy and fulfilling lives, a stable supply of high quality fishery products at reasonable prices must be made continuously into the future.

(2) In supplying fishery products, in view of the fact that fishery resources are components of the ecosystem and are limited, in order to ensure their sustainable use, appropriate conservation and management of fishery resources must be conducted based on the appropriate implementation of the United Nations Convention on the Law of the Sea, and propagation and aquaculture of aquatic animals and plants are to be promoted while giving consideration to harmony with the environment.

(3) In view of the fact that supply and demand, and trade of fishery products in

the world is unstable, the stable supply of fishery products to the people must be made by ensuring the sustainable use of fishery resources and on the basis of increasing Japan's fishery production, and by appropriately combining this with importing.

(Sound Development of Fishery Industry)

- Article 3 (1) In view of the fact that the fishery industry has the mission to supply fishery products to the people, the fishery industry must be soundly developed through developing efficient and stable fishery management, securing cooperation among fishery industry, fishery products processing industry, and fishery products distribution industry, and improving infrastructure such as fishing harbors and fishing grounds, so that fishery production, and processing and distribution of fishery products that meets the people's demand that have become sophisticated, and diversified will be conducted, while using fishery resources in a sustainable manner.
- (2) In developing the fishery industry, the development of fishery industry must be promoted by improving welfare of the local residents such as their living environment, in view of the fact that the fishing community as a living place for the local residents including fishers plays a role as the foundation of the sound development of the fishery industry.

(Responsibilities of the National Government)

- Article 4 (1) The national government is responsible for comprehensively formulating and implementing policies on fishery in accordance with the basic principles concerning policy measures on fishery which are prescribed in the preceding two Articles (referred to as the "basic principles" below).
- (2) The national government must endeavor to deepen the people's understanding of the basic principles by providing information on fishery.

(Responsibilities of Local Governments)

- Article 5 The local governments are responsible for formulating and implementing policy measures for fishery which suit the natural, economic, and social conditions of the areas under their jurisdiction, taking into account the appropriate division of roles with the national government, in accordance with the basic principles.

(Efforts of Persons Engaged in Fishery Operations)

- Article 6 (1) The persons engaged in fishery operations and organizations related to the fishing industry are to endeavor to proactively work in order to realize the basic principles in conducting fishery operations and other related activities.

(2) The persons other than fishers who conduct catching and gathering of aquatic animals and plants and related activities, must cooperate in the implementation of fishery related policy measures taken by the national government and local governments.

(Supporting Efforts of Persons Engaged in Fishery Operations)

Article 7 In taking policy measures related to fishery, the national government and local governments are to aim at supporting the voluntary efforts made by persons engaged in fishery operations and organizations related to the fishery industry.

(Role of Consumers)

Article 8 The consumers are to deepen their understanding of fishery and play a positive role in improving their life as a consumer of fishery products.

(Legislative Measures)

Article 9 The government is to take necessary legislative, fiscal, and financial measures to implement the policy measures on fishery.

(Annual Reports)

Article 10 (1) The government must annually submit a report on trends in fishery and policy measures on fishery implemented by the government, to the Diet.

(2) The government must annually prepare a document clarifying the policy measures the government seeks to implement by taking into account the trends in fishery related to the report referred to in the preceding paragraph, and submit that document to the Diet.

(3) In preparing a document clarifying the policy measures referred to in the preceding paragraph the government seeks to take, the government must hear the opinions of the Fisheries Policy Council.

Chapter II Basic Policy Measures

Section 1 Fishery Basic Plan

Article 11 (1) The government must establish a fishery basic plan (referred to as "basic plan" below) in order to comprehensively and systematically promote the policy measures on fishery.

(2) The basic plan is to specify the following matters:

- (i) basic principles concerning the policy measures on fishery
- (ii) target for self-sufficiency rate of fishery products
- (iii) comprehensive and systematic measures required to be taken by the

government for fishery

- (iv) beyond what is stated in the preceding three items, necessary matters for comprehensively and systematically promoting policy measures on fishery.
- (3) The target for self-sufficiency rate of fishery products stated in item (ii) of the preceding paragraph is to be set by aiming at its improvement, and clarifying the issues that fishers and other relevant persons should address, as guidelines on Japan's fishery production and consumption of fishery products.
- (4) The target for the self-sufficiency rate of fishery products stated in paragraph (2), item (ii) must be in harmony with the target for food self-sufficiency rate stated in Article 17, paragraph (2), item (iii) of the Basic Act on Food, Agriculture, and Rural Areas (Act No. 106 of 1999) and other matters related to ensuring food security.
- (5) The part of the basic plan related to policy measures on fishing communities must be in harmony with the plan for the comprehensive use, improvement, and conservation of the national land.
- (6) When the government seeks to establish a basic plan pursuant to the provisions of paragraph (1), it must hear the opinions of the Fisheries Policy Council.
- (7) When the government has established the basic plan pursuant to the provisions of paragraph (1), the government must report the basic plan to the Diet and publicize it, without delay.
- (8) The government is to amend the basic plan approximately every five years, in view of the changes in the circumstances surrounding fishery, and taking into account the assessment of the effectiveness of the policy measures on fishery.
- (9) The provisions of paragraph (6) and paragraph (7) apply mutatis mutandis to the amendments of the basic plan.

Section 2 Policy Measures to Ensure Stable Supply of Fishery Products

(Ensuring Stable Supply of Fishery Products as Food)

Article 12 The policy measures to ensure a stable supply of fishery products as food are to be as prescribed in the Basic Law on Food, Agriculture and Rural Areas and this Section.

(Appropriate Conservation and Management of Fishery Resources in Exclusive Economic Zones)

Article 13 (1) The national government is to take policy measures on the management of catch and fishing efforts and other necessary policy measures aiming at maintaining the fishery resources at a level that enables to achieve maximum sustainable yield, or recovering to that level, in order to appropriately conserve and manage the fishery resources in the Exclusive

Economic Zone etc. (meaning the Japanese exclusive economic zones, territorial waters, inland waters, and continental shelf (the continental shelf defined in Article 2 of Act on the Exclusive Economic Zone and the Continental Shelf (Act No. 74 of 1996)); the same applies below).

- (2) If the national government finds it necessary for cases in which the policy measures provided for in the preceding paragraph have a significant impact on fishery management, the government is to take necessary measures to mitigate the impact.

(Appropriate Conservation and Management of Fishery Resources in Waters Other Than Exclusive Economic Zones)

Article 14 In view of the fact that Japan occupies an important position in the world's fishery production and consumption of fishery products, the national government is to take necessary policy measures of cooperating with international organizations and other international frameworks concerning the sustainable use of fishery resources, and providing guidance and supervision of Japan's fishery, in order to promote appropriate conservation and management of fishery resources in waters other than Exclusive Economic Zones, etc.

(Surveys and Research on Fishery Resources)

Article 15 The national government is to conduct surveys and research on fishery resources and take other necessary policy measures in order to contribute to the appropriate conservation and management of fishery resources.

(Promotion of Propagation and Aquaculture of Aquatic Animals and Plants)

Article 16 The national government is to promote production and release of seedlings of aquatic animals, improvement of aquafarms, and take other necessary policy measures to promote the propagation and aquaculture of aquatic animals and plants in harmony with the environment.

(Conservation and Improvement of the Growing Environment of Aquatic Animals and Plants)

Article 17 The national government is to conserve the quality of water, protect and improve breeding grounds for aquatic animals and plants, conserve and improve forests, and take other necessary policy measures to conserve and improve the growing environment of aquatic animals and plants.

(Maintenance and Development of Fishing Grounds in Waters Other Than Exclusive Economic Zones)

Article 18 The national government is to conduct consultations on fishery

operations with foreign countries, explore fishery resources, and take other necessary measures to maintain and develop fishing grounds related to fishery of Japan in waters other than Exclusive Economic Zones, etc.

(Measures for Importing and Exporting Fishery Products)

Article 19 (1) The national government is to take necessary measures to secure import of fishery products for which demand may not be met by Japan's fishing industry production, and when import of fishery products will seriously hinder or is likely to hinder the appropriate conservation and management of fishery resources, or on the production of fishery products that are in competition with those fishery products, if it is particularly necessary, restrict import, adjust tariff rates, and take other necessary policy measures.

(2) In order to promote the export of fishery products, the national government is to strengthen the competitiveness of fishery products, and also improve market research, provide information, strengthen dissemination and publicity activities, and take other necessary policy measures.

(Promotion of International Cooperation)

Article 20 The national government is to endeavor to promote international cooperation, such as technical and financial cooperation for the promotion of developing the fishery industry in developing regions, in order to contribute to the stability of the world's supply and demand of fishery products continuously into the future.

Section 3 Policy Measures for Sound Development of Fishery Industry

(Development of Stable and Efficient Fishery Management)

Article 21 In view of the fact that it is important to enable fishers motivated to manage fishery business to expand creative fishery management in order to develop efficient and stable fishery management, the national government is to improve conditions that contribute to streamlining fishery business management, promote improvement of fishing vessels and other facilities, promote collaboration of fishery business, and take other necessary policy measures for promoting strengthening of the foundation of fishery management, in accordance with the type of fishery and characteristics of each region.

(Promoting Streamlining of Use of Fishing Grounds)

Article 22 The national government is to promote streamlining of use of fishing grounds and take other necessary policy measures in order to contribute to the development of efficient and sustainable fishery management.

(Development and Securing of Human Resources)

- Article 23 (1) In order to develop and secure human resources that are to be responsible for conducting efficient and stable fishery management, the national government is to improve the fishers' fishing skills and financial management skills, promote the acquisition of fishing skills and management method for persons who are keen to manage fishery business.
- (2) The national government is to take necessary policy measures to improve the working environment for persons engaged in fishery, such as ensuring the safety of fishing and improving working conditions.
- (3) The national government is to promote education on fishery and take other necessary policy measures to deepen the people's understanding of and interest in fishery.

(Compensation for Fishery Disasters)

- Article 24 (1) The national government is to provide reasonable compensation for losses caused by disasters and take other necessary policy measures, in order to prevent reproduction of fishery from being hampered by disasters and ensure the stability of fishery management.
- (2) The national government is to take necessary policy measures to mitigate significant fluctuations in the price of fishery products, in order to contribute to the stability of fishery management.

(Sound Development of Fishery Processing Industry and Fishery Distribution Industry)

- Article 25 In order to promote the sound development of the fishery processing industry and fishery distribution industry, the national government is to strengthen the foundation of fishery business, promote coordination with fishery, streamline the distribution of fishery products, and take other necessary policy measures, while giving consideration to reducing the burden on the environment due to business activities and ensuring the effective use of resources.

(Improvement of Foundation of Fishery Industry)

- Article 26 In order to promote the improvement of productivity in fishery industry and contribute to the promotion of propagation and aquaculture of aquatic animals and plants, the national government is to improve fishing harbors, improve and develop fishing grounds and take other necessary policy measures for improving the foundation of fishery industry, while giving consideration to the harmonization with the environment and in accordance with the characteristics of each region, for the aim of efficiently implementing

the fishery business.

(Development and Dissemination of Technology)

Article 27 In order to effectively promote research, development, and dissemination of technologies related to fishery, the national government is to clarify the goals of research and development of these technologies, strengthen the cooperation among testing and research institutions of the national government, incorporated administrative agencies, prefectures, and local incorporated administrative agencies, universities, and private sectors, etc., promote dissemination projects of technologies related to fishery in accordance with characteristics of each region, and take other necessary policy measures.

(Promotion of Women's Participation in Fishery)

Article 28 In view of the importance of ensuring opportunities for men and women to participate in all activities as equal members of society, the national government is to properly assess the role of women in the fishery industry, and promote the development of an environment for ensuring opportunities for women to voluntarily participate in the fishery industry and its related activities.

(Promotion of Activities by Elderly Persons)

Article 29 The national government is to promote the development of an environment in which elderly persons may engage in activities related to fishery industry with a sense of fulfilment, in accordance with the division of their roles in the fishery industry and the skills and abilities they possess, and improve the welfare of the elderly persons engaged in the fishing industry.

(Comprehensive Promotion of Development of Fishing Communities)

Article 30 (1) The national government is to systematically promote measures related to the promotion of development of the fishery industry and other comprehensive promotion of development of fishing communities.

(2) In order to promote the sound development of the fishery industry in each region and make the fishing communities have beautiful landscapes and a place fruitful and comfortable to live in, the national government is to take necessary policy measures to comprehensively promote the development of the foundation of fishery industry in accordance with characteristics of each region and the improvement of the living environment, such as disaster prevention, transportation, telecommunications, sanitation, education, and culture and improvement of other welfare.

(Interchanges Between Urban Areas and Fishing Communities)

Article 31 In order to deepen the understanding of and interest in the fishery industry and fishing communities by the people, and contribute to their healthy and comfortable life, the national government is to promote interchanges between urban areas and fishing communities, optimize the recreational fishing boat business, and take other necessary policy measures.

(Enhancement of Policy Measures on Multifaceted Functions)

Article 32 The national government is to take necessary measures to deepen the people's understanding of and interest in the role the fishery industry and fishing communities play in stabilizing the people's lives and the national economy, and ensure that the multifaceted functions of the fishery industry and fishing communities other than the function of supplying fishery products will be appropriately and sufficiently fulfilled continuously into the future.

Chapter III Administrative Organs and Relevant Organizations

(Improvement of Administrative Organizations)

Article 33 The national government and local governments are to cooperate with each other in taking policy measures on fishery and endeavor to improve the administrative organizations, and improve the efficiency and transparency of administrative management.

(Reorganization and Improvement of Relevant Organizations)

Article 34 The national government is to take necessary policy measures for the efficient reorganization and improvement of relevant organizations of the fishery industry so as to contribute to the realization of the basic principles.

Chapter IV Fishery Policy Council

(Establishment)

Article 35 The Fishery Policy Council (referred to as "the Council" below) is established in the Ministry of Agriculture, Forestry and Fisheries.

(Authority)

Article 36 (1) In addition to dealing with the matters that fall under the authority of the Council pursuant to the provisions of this Act, the Council is to study and deliberate the important matters related to the implementation of this Act, in response to inquiries from the Minister of Agriculture, Forestry and Fisheries or relevant ministers.

(2) The Council may express its opinion on the matters provided for in the preceding paragraph to the Minister of Agriculture, Forestry and Fisheries or

relevant ministers.

- (3) Beyond what is provided for in the preceding two paragraphs, the Council is responsible for matters under its authority pursuant to the provisions of the Fishery Act (Act No. 267 of 1949), Act on Development of Fishing Ports and Fishing Grounds (Act No. 137 of 1950), Fishing Boat Act (Act No. 178 of 1950), Act on the Protection of Fishery Resources (Act No. 313 of 1951), Marine Resources Development Promotion Act (Act No. 60 of 1971), Coastal Fishing Ground Maintenance and Development Program Act (Act No. 49 of 1974), Act on Special Measures Concerning Improvement and Restructuring of Fishery Management (Act No. 43 of 1976), Sustainable Aquaculture Production Assurance Act (Act No. 51 of 1999), Act on Promotion of Business Activities by Coordination Between Small and Medium Sized Enterprises and Operators of Agriculture, Forestry, and Fisheries (Act No. 38 of 2008), Act on the Promotion of Inland Fisheries (Act No. 103 of 2014), and Act on Ensuring the Proper Domestic Distribution and Importation of Specified Aquatic Animals and Plants (Act No. 79 of 2020).

(Organization)

- Article 37 (1) The Council consists of not more than 30 Council members.
- (2) The Council members are appointed by the Minister of Agriculture, Forestry and Fisheries from persons with relevant expertise on the matters provided for in paragraph (1) of the preceding Article.
- (3) The Council members are to serve on a part-time basis.
- (4) Beyond what is provided for in paragraph (2), employees of the Council who are specified by Cabinet Order are appointed by the Minister of Agriculture, Forestry and Fisheries.

(Requests for Submission of Materials)

Article 38 If the Council finds it necessary for conducting the affairs under its jurisdiction, it may request the heads of the relevant administrative organs to submit materials, express their opinions, give explanations, and provide other necessary cooperation.

(Delegation Provisions)

Article 39 Beyond what is provided for in this Act, the necessary matters related to the organization, affairs under the jurisdiction, and operations of the Council are specified by Cabinet Order.

Supplementary Provisions [Extract]

(Effective Date)

Article 1 This Act comes into effect on the date of promulgation.

(Repeal of the Act on Promotion of Coastal Fisheries)

Article 2 The Act on Promotion of Coastal Fisheries (Act No. 165 of 1963) is repealed.

(Transitional Measures)

Article 3 (1) When the written report referred to in Article 7 of the Act on Promotion of Coastal Fisheries before the repeal under the provisions of the preceding Article in 2001 (referred to as "the former Act" below) has not been submitted to the Diet at the time of enforcement of this Act, prior laws and regulations continue to govern the submission of the report referred to in that Article to the Diet.

(2) If the written report referred to in Article 7 of the former Act is submitted to the Diet pursuant to the provisions of that Article, or the written report referred to in Article 7 of the former Act is submitted to the Diet pursuant to the provisions of that Article for which prior laws and regulations are to continue to govern pursuant to the provisions of the preceding Article, before the enforcement of this Act, the written report is deemed to have been submitted to the Diet as the written report referred to in Article 10, paragraph (1) pursuant to the provisions of that paragraph.

(3) If the document referred to in Article 7 of the former Act in 2001 has not been submitted to the Diet at the time of the enforcement of this Act, prior laws and regulations continue to govern the submission of the document referred to in that Article.

(4) If the document referred to in Article 7 of the former Act is submitted to the Diet pursuant to the provisions of that Article or the document referred to in Article 7 of the former Act is submitted to the Diet pursuant to the provisions of that Article for which prior laws and regulations are to continue to govern pursuant to the provisions of the preceding paragraph, before the enforcement of this Act, the document is deemed to have been submitted to the Diet as the document referred to in Article 10, paragraph (2) pursuant to the provisions of that paragraph.

Supplementary Provisions [Act No. 92 of June 29, 2001 Extract] [Extract]

(Effective Date)

Article 1 This Act comes into effect on April 1, 2002.

Supplementary Provisions [Act No. 73 of June 19, 2002 Extract] [Extract]

(Effective Date)

Article 1 This Act is comes into effect on the date specified by Cabinet Order within a period not exceeding 3 months from the day of promulgation.

**Supplementary Provisions [Act No. 119 of July 16, 2003 Extract]
[Extract]**

(Effective Date)

Article 1 This Act comes into effect on the date on which the Local Incorporated Administrative Agency Act (Act No. 118 of 2003) comes into effect.

(Delegation of Other Transitional Measures to Cabinet Order)

Article 6 Beyond what is provided for in these Supplementary Provisions, the transitional measures necessary for the implementation of this Act are specified by Cabinet Order.

Supplementary Provisions [Act No. 89 of July 29, 2005 Extract] [Extract]

(Effective Date)

Article 1 This Act comes into effect on the date specified by Cabinet Order (referred to as "effective date" below) within a period not exceeding 6 months from the day of promulgation.

Supplementary Provisions [Act No. 38 of May 23, 2008 Extract] [Extract]

(Effective Date)

Article 1 This Act comes into effect on the date specified by Cabinet Order within a period not exceeding 6 months from the day of promulgation.

**Supplementary Provisions [Act No. 103 of June 27, 2014 Extract]
[Extract]**

(Effective Date)

Article 1 This Act comes into effect on the date of promulgation.

**Supplementary Provisions [Act No. 95 of December 14, 2018 Extract]
[Extract]**

(Effective Date)

Article 1 This Act comes into effect on the date specified by Cabinet Order within a period not exceeding 2 years from the day of promulgation.

**Supplementary Provisions [Act No. 79 of December 11, 2020 Extract]
[Extract]**

(Effective Date)

Article 1 This Act comes into effect on the date specified by Cabinet Order within a period not exceeding 2 years from the day of promulgation.

Supplementary Provisions [Act No. 34 of May 26, 2023 Extract] [Extract]

(Effective Date)

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