

温泉法施行令

Order for Enforcement of the Hot Spring Act

(昭和五十九年三月九日政令第二十五号)

(Cabinet Order No. 25 of March 9, 1984)

内閣は、温泉法（昭和二十三年法律第百二十五号）第十八条の二第一項及び第十八条の三の規定に基づき、この政令を制定する。

The Cabinet hereby enacts this Cabinet Order based on the provisions of Article 18-2, paragraph (1) and Article 18-3 of the Hot Spring Act (Act No. 125 of 1948).

(温泉成分分析を受けるべき期間)

(Period for Undergoing a Composition Analysis of Hot Spring)

第一条 温泉法（以下「法」という。）第十八条第三項の政令で定める期間は、前回の温泉成分分析を受けた日から十年以内とする。

Article 1 The period specified by Cabinet Order referred to in Article 18, paragraph (3) of the Hot Spring Act (referred to below as the "Act") is to be within ten years from the date of the previous composition analysis of hot spring.

(政令で定める市の長による事務の処理)

(Processing of Affairs by the Mayor of a City Specified by Cabinet Order)

第二条 法第四章、第三十三条第一項（法第三十一条第二項の規定による処分に係る部分に限る。）、第三十四条（温泉を湧出させる目的で土地を掘削する者に対する報告の徴収に係る部分を除く。）又は第三十五条第一項（温泉を湧出させる目的で行う土地の掘削の工事の場所への立入検査に係る部分を除く。）の規定により都道府県知事の権限に属する事務のうち、次に掲げるものは、地域保健法（昭和二十二年法律第百一号）第五条第一項の政令で定める市（以下「保健所を設置する市」という。）の長及び特別区の長が行うこととする。この場合においては、法中前段に規定する事務に係る都道府県知事に関する規定は、保健所を設置する市の長及び特別区の長に関する規定として保健所を設置する市の長及び特別区の長に適用があるものとする。

Article 2 Among the affairs that fall under the authority of the prefectural governor pursuant to the provisions of Chapter IV, Article 33, paragraph (1) (limited to the part related to the disposition under the provisions of Article 31, paragraph (2) of the Act), Article 34 (excluding the part related to the collection of reports from a person who drills land for the purpose of making a hot spring gush out), or Article 35, paragraph (1) (excluding the part related to an on-site inspection of the site of drilling construction of land for the purpose of making a hot spring gush out) of the Act, the following affairs are to be

performed by the mayor of a city specified by Cabinet Order referred to in Article 5, paragraph (1) of the Community Health Act (Act No. 101 of 1947) (referred to below as a "city with a health center") and the mayor of a special ward. In this case, the provisions concerning the prefectural governor related to the affairs prescribed in the first sentence of the Act apply to the mayor of a city with a health center and the mayor of a special ward as provisions concerning the mayor of a city with a health center and the mayor of a special ward:

一 法第十五条第一項の規定による許可に関する事務

(i) affairs concerning the permission under the provisions of Article 15, paragraph (1) of the Act;

二 法第十五条第四項において準用する法第四条第三項の規定による許可の条件の付加及びこれの変更に関する事務

(ii) affairs concerning the addition or change of conditions on the permission under the provisions of Article 4, paragraph (3) of the Act, as applied mutatis mutandis pursuant to Article 15, paragraph (4) of the Act;

三 法第十六条第一項及び第十七条第一項の規定による承認に関する事務

(iii) affairs concerning approval under the provisions of Article 16, paragraph (1) and Article 17, paragraph (1) of the Act;

四 法第十八条第四項の規定による届出の受理に関する事務

(iv) affairs concerning the acceptance of notifications under the provisions of Article 18, paragraph (4) of the Act;

五 法第十八条第五項及び第三十一条第二項の規定による命令に関する事務

(v) affairs concerning orders under the provisions of Article 18, paragraph (5) and Article 31, paragraph (2) of the Act;

六 法第三十一条第一項の規定による許可の取消しに関する事務

(vi) affairs concerning revocation of the permission under the provisions of Article 31, paragraph (1) of the Act;

七 法第三十三条第一項の規定により行ふ聴聞（法第三十一条第二項の規定による命令に係るものに限る。）に関する事務

(vii) affairs concerning hearings conducted pursuant to the provisions of Article 33, paragraph (1) of the Act (limited to those related to orders under the provisions of Article 31, paragraph (2) of the Act);

八 法第三十四条の規定による報告の徴収（温泉を湧出させる目的で土地を掘削する者に対するものを除き、公衆衛生上の見地から行ふものに限る。）に関する事務

(viii) affairs concerning the collection of reports under the provisions of Article 34 of the Act (excluding those concerning a person who drills land for the purpose of making a hot spring gush out, and limited to those carried out from the viewpoint of public health);

九 法第三十五条第一項の規定による立入検査（温泉を湧出させる目的で行う土地の掘削の工事の場所へのものを除き、公衆衛生上の見地から行ふものに限る。）に関

する事務

- (ix) affairs concerning on-site inspections under the provisions of Article 35, paragraph (1) of the Act (excluding those to be conducted at the site of drilling construction of land for the purpose of making a hot spring gush out and limited to those to be conducted from the viewpoint of public health).

附 則

Supplementary Provisions

(施行期日)

(Effective Date)

- 1 この政令は、昭和五十九年四月一日から施行する。
(1) This Cabinet Order comes into effect on April 1, 1984.

(経過措置)

(Transitional Measures)

- 2 この政令の施行前に都道府県知事がした許可等の処分その他の行為又はこの政令の施行の際現に都道府県知事に対して行っている許可の申請その他の行為で、この政令の施行の日以後においてこの政令で定める市の市長が管理し、及び執行することとなる事務に係るものは、同日以後においては、この政令で定める市の市長のした許可等の処分その他の行為又はこの政令で定める市の市長に対して行つた許可の申請その他の行為とみなす。
(2) Dispositions on permission, etc. or any other acts carried out by a prefectural governor before the enforcement of this Cabinet Order or applications for permission and other acts directed to a prefectural governor at the time of the enforcement of this Cabinet Order, which relate to the affairs to be managed and conducted by the mayor of a city specified by this Cabinet Order on and after the date of enforcement of this Cabinet Order, are deemed, after the date of enforcement of this Cabinet Order, to be dispositions on the permission, etc. or any other acts conducted by the mayor of a city specified by this Cabinet Order or applications for the permission and other acts directed to the mayor of a city specified by this Cabinet Order.

附 則 〔昭和六十三年三月二十三日政令第四十三号〕

Supplementary Provisions [Cabinet Order No. 43 of March 23, 1988]

この政令は、昭和六十三年四月一日から施行する。
This Cabinet Order comes into effect on April 1, 1988.

附 則 〔平成六年三月十六日政令第四十三号〕

Supplementary Provisions [Cabinet Order No. 43 of March 16, 1994]

(施行期日)

(Effective Date)

1 この政令は、平成六年四月一日から施行する。

(1) This Cabinet Order comes into effect on April 1, 1994.

(経過措置)

(Transitional Measures)

2 この政令の施行前に岡山県知事がした許可等の処分その他の行為又はこの政令の施行の際現に岡山県知事に対して行っている許可の申請その他の行為で、この政令の施行の日以後において岡山市長が管理し、及び執行することとなる事務に係るものは、同日以後においては、岡山市長のした許可等の処分その他の行為又は岡山市長に対して行った許可の申請その他の行為とみなす。

(2) Dispositions on permission, etc. or any other acts conducted by the Governor of Okayama Prefecture before the enforcement of this Cabinet Order or applications for permission and other acts directed to the Governor of Okayama Prefecture at the time of the enforcement of this Cabinet Order that are related to the affairs to be managed and conducted by the mayor of Okayama City on and after the date of enforcement of this Cabinet Order are deemed to be dispositions on permission, etc. or any other acts by the mayor of Okayama City or applications for permission and other acts that are directed to the mayor of Okayama City on and after the date of enforcement of this Cabinet Order.

附 則 〔平成六年九月十九日政令第三百三号〕 〔抄〕

**Supplementary Provisions [Cabinet Order No. 303 of September 19, 1994
Extract] [Extract]**

(施行期日)

(Effective Date)

第一条 この政令は、行政手続法の施行の日（平成六年十月一日）から施行する。

Article 1 This Cabinet Order comes into effect on the date of enforcement of the Administrative Procedure Act (October 1, 1994).

附 則 〔平成八年三月六日政令第二十七号〕

Supplementary Provisions [Cabinet Order No. 27 of March 6, 1996]

(施行期日)

(Effective Date)

1 この政令は、平成八年四月一日から施行する。

(1) This Cabinet Order comes into effect on April 1, 1996.

(経過措置)

(Transitional Measures)

- 2 この政令の施行前に栃木県知事若しくは富山県知事がした許可等の処分その他の行為又はこの政令の施行の際現に栃木県知事若しくは富山県知事に対して行っている許可の申請その他の行為で、この政令の施行の日以後において宇都宮市長又は富山市長が管理し、及び執行することとなる事務に係るものは、同日以後においては、宇都宮市長若しくは富山市長のした許可等の処分その他の行為又は宇都宮市長若しくは富山市長に対して行った許可の申請その他の行為とみなす。

- (2) Dispositions on permission, etc. or any other acts that the Tochigi Prefectural Governor or the Governor of Toyama Prefecture has conducted before the enforcement of this Cabinet Order, or applications for permission and other acts directed to the Tochigi Prefectural Governor or the Governor of Toyama Prefecture has conducted at the time of the enforcement of this Cabinet Order, which are related to the affairs to be managed and conducted by the mayor of Utsunomiya City or the mayor of Toyama City on and after the date of enforcement of this Cabinet Order, are deemed to be dispositions on permission, etc. or any other acts that the mayor of Utsunomiya City or the mayor of Toyama City has conducted or applications for permission and other acts directed to the mayor of Utsunomiya City or the mayor of Toyama City on and after the date of enforcement of this Cabinet Order.

附 則 〔平成九年三月二十四日政令第六十号〕

Supplementary Provisions [Cabinet Order No. 60 of March 24, 1997]

(施行期日)

(Effective Date)

- 1 この政令は、平成九年四月一日から施行する。

- (1) This Cabinet Order comes into effect on April 1, 1997.

(経過措置)

(Transitional Measures)

- 2 この政令の施行前に秋田県知事、福島県知事若しくは大分県知事がした許可等の処分その他の行為又はこの政令の施行の際現に秋田県知事、福島県知事若しくは大分県知事に対して行っている許可の申請その他の行為で、この政令の施行の日以後において秋田市長、郡山市長又は大分市長が管理し、及び執行することとなる事務に係るものは、同日以後においては、秋田市長、郡山市長若しくは大分市長のした許可等の処分その他の行為又は秋田市長、郡山市長若しくは大分市長に対して行った許可の申請その他の行為とみなす。

- (2) Dispositions on permission, etc. or any other acts carried out by the Governor of Akita Prefecture, the Governor of Fukushima Prefecture, or the Governor of

Oita Prefecture before the enforcement of this Cabinet Order, or applications for permission and other acts directed to the Governor of Akita Prefecture, the Governor of Fukushima Prefecture, or the Governor of Oita Prefecture at the time of the enforcement of this Cabinet Order, which relate to affairs to be managed or conducted by the mayor of Akita City, the mayor of Koriyama City, or the mayor of Oita City on or after the date of enforcement of this Cabinet Order, are deemed, after that date, to be dispositions on permission, etc. or any other acts conducted by, or applications for permission and other acts directed to the mayor of Akita City, the mayor of Koriyama City, or the mayor of Oita City.

附 則 〔平成十年三月二十七日政令第七十六号〕

Supplementary Provisions [Cabinet Order No. 76 of March 27, 1998]

(施行期日)

(Effective Date)

1 この政令は、平成十年四月一日から施行する。

(1) This Cabinet Order comes into effect on April 1, 1998.

(経過措置)

(Transitional Measures)

2 この政令の施行前に都道府県知事がした許可等の処分その他の行為又はこの政令の施行の際現に都道府県知事に対して行っている許可の申請その他の行為で、この政令の施行の日以後において豊田市、福山市、松山市、高知市又は宮崎市の市長が管理し、及び執行することとなる事務に係るものは、同日以後においては、これらの市の市長のした許可等の処分その他の行為又はこれらの市の市長に対して行った許可の申請その他の行為とみなす。

(2) Dispositions on permission, etc. or any other acts conducted by a prefectural governor before the enforcement of this Cabinet Order or applications for permission and other acts directed to a prefectural governor at the time of the enforcement of this Cabinet Order, which relate to the affairs to be managed and conducted by the mayor of Toyota City, Fukuyama City, Matsuyama City, Kochi City, or Miyazaki City on or after the date of enforcement of this Cabinet Order, are deemed, after that date, to be dispositions on permission, etc. or any other acts conducted by the mayor of the relevant city or applications for permission and other acts directed to the mayor of the relevant city.

附 則 〔平成十一年三月二十六日政令第七十三号〕

Supplementary Provisions [Cabinet Order No. 73 of March 26, 1999]

(施行期日)

(Effective Date)

1 この政令は、平成十一年四月一日から施行する。

(1) This Cabinet Order comes into effect on April 1, 1999.

(経過措置)

(Transitional Measures)

2 この政令の施行前に都道府県知事がした許可等の処分その他の行為又はこの政令の施行の際現に都道府県知事に対して行っている許可の申請その他の行為で、この政令の施行の日以後においていわき市、長野市、豊橋市又は高松市の市長が管理し、及び執行することとなる事務に係るものは、同日以後においては、これらの市の市長のした許可等の処分その他の行為又はこれらの市の市長に対して行った許可の申請その他の行為とみなす。

(2) Dispositions on permission, etc. or any other acts conducted by a prefectural governor before the enforcement of this Cabinet Order or applications for permission and other acts directed to a prefectural governor at the time of the enforcement of this Cabinet Order that are related to the affairs to be managed and conducted by the mayor of Iwaki City, Nagano City, Toyohashi City, or Takamatsu City on or after the date of enforcement of this Cabinet Order are deemed to be dispositions on permission, etc. or any other acts conducted by the mayors of these cities or applications for permission and other acts directed to the mayors of these cities on or after the date of enforcement of this Cabinet Order.

附 則 〔平成十一年十二月三日政令第三百八十七号〕 〔抄〕

**Supplementary Provisions [Cabinet Order No. 387 of December 3, 1999
Extract] [Extract]**

(施行期日)

(Effective Date)

第一条 この政令は、平成十二年四月一日から施行する。

Article 1 This Cabinet Order comes into effect on April 1, 2000.

附 則 〔平成十四年二月十四日政令第二十九号〕

Supplementary Provisions [Cabinet Order No. 29 of February 14, 2002]

この政令は、温泉法の一部を改正する法律の施行の日（平成十四年四月一日）から施行する。

This Cabinet Order comes into effect on the date on which the Act Partially Amending the Hot Spring Act comes into effect (April 1, 2002).

附 則 〔平成十九年七月二十日政令第二百二十八号〕

Supplementary Provisions [Cabinet Order No. 228 of July 20, 2007]

(施行期日)

(Effective Date)

第一条 この政令は、温泉法の一部を改正する法律（平成十九年法律第三十一号。以下「改正法」という。）の施行の日（平成十九年十月二十日）から施行する。

Article 1 This Cabinet Order comes into effect on the date on which the Act Partially Amending the Hot Spring Act (Act No. 31 of 2007; referred to below as the "Amendment Act") comes into effect (October 20, 2007).

(温泉成分分析に関する経過措置)

(Transitional Measures Concerning Composition Analysis of Hot Spring)

第二条 この政令の施行の際現に改正法による改正前の温泉法（以下「旧法」という。）第十四条第一項の規定による掲示が、同条第二項の登録分析機関の行う同項の温泉成分分析（改正法附則第二条第一項の規定により旧法第十四条第二項の登録分析機関の行った同項の温泉成分分析とみなされる温泉の成分についての分析及び検査を含む。以下「旧法の温泉成分分析」という。）の結果に基づかないでされていた場合又は分析及び検査を受けた日が明らかでない旧法の温泉成分分析の結果に基づいてされていた場合においては、当該掲示に係る温泉に関しこの政令の施行後最初に受けるべき改正法による改正後の温泉法第十八条第二項の温泉成分分析に係る同条第三項の政令で定める期間は、この政令による改正後の温泉法施行令第一条の規定にかかわらず、平成二十一年十二月三十一日までとする。

Article 2 At the time this Cabinet Order comes into effect, if a posting under the provisions of Article 14, paragraph (1) of the Hot Spring Act before its amendment by the Amendment Act (referred to below as the "former Act") has been made without being based on the results of a composition analysis of hot spring as referred to in paragraph (2) of that Article undertaken by a registered analytical laboratory as referred to in that paragraph (including an analysis or inspection of the composition of a hot spring that is deemed, pursuant to the provisions of Article 2, paragraph (1) of the Supplementary Provisions of the Amendment Act, to be a composition analysis of hot spring as referred to in Article 14, paragraph (2) of the former Act undertaken by a registered analytical laboratory as referred to in that paragraph; referred to below as a "composition of hot spring analysis as referred to in the former Act") or has been made based on the results of a composition analysis of hot spring as referred to in the former Act for which the date of the analysis or inspection is not clear, regarding the hot spring for which the relevant posting has been made, notwithstanding the provisions of Article 1 of the Order for Enforcement of the Hot Spring Act amended by this Cabinet Order after the enforcement of this Cabinet Order, the first period specified by Cabinet Order as referred to in Article 18, paragraph (3) of the Hot Spring Act in which the composition

analysis referred to in Article 18, paragraph (2) of the Hot Spring Act before its amendment by the Amendment Act is to be conducted no later than December 31, 2009.

附 則 〔平成二十年五月二十一日政令第百八十四号〕

Supplementary Provisions [Cabinet Order No. 184 of May 21, 2008]

この政令は、温泉法の一部を改正する法律の施行の日（平成二十年十月一日）から施行する。

This Cabinet Order comes into effect on the date on which the Act Partially Amending the Hot Spring Act comes into effect (October 1, 2008).

附 則 〔平成二十三年十一月二十八日政令第三百六十四号〕

Supplementary Provisions [Cabinet Order No. 364 of November 28, 2011]

この政令は、平成二十四年四月一日から施行する。ただし、第四条及び第六条の規定は、地域の自主性及び自立性を高めるための改革の推進を図るための関係法律の整備に関する法律附則第一条第一号に掲げる規定の施行の日（平成二十三年十一月三十日）から施行する。

This Cabinet Order comes into effect on April 1, 2012; provided, however, the provisions of Articles 4 and 6 comes into effect on the date on which the provisions stated in Article 1, item (i) of the Supplementary Provisions of the Act on the Revision, etc. of Related Acts to Promote Reform for Increasing Independence and Autonomy of Local Communities comes into effect (November 30, 2011).