

環境影響評価法

Environmental Impact Assessment Act

(平成九年六月十三日法律第八十一号)
(Act No. 81 of June 13, 1997)

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第一章 總則

Chapter I General Provisions

(目的)

(Purpose)

第一条 この法律は、土地の形状の変更、工作物の新設等の事業を行う事業者がその事業の実施に当たりあらかじめ環境影響評価を行うことが環境の保全上極めて重要であることにかんがみ、環境影響評価について国等の責務を明らかにするとともに、規模が大きく環境影響の程度が著しいものとなるおそれがある事業について環境影響評価が適切かつ円滑に行われるための手続その他所要の事項を定め、その手続等によって行われた環境影響評価の結果をその事業に係る環境の保全のための措置その他のその事業の内容に関する決定に反映させるための措置をとること等により、その事業に係る環境の保全について適正な配慮がなされることを確保し、もって現在及び将来の国民の健康で文化的な生活の確保に資することを目的とする。

Article 1 The purpose of this Act is to clarify the responsibilities of the national government, etc. for environmental impact assessment and by specifying the procedures for properly and smoothly conducting an environmental impact assessment for large-scale projects that are likely to have a serious impact on the environment and other required matters, and taking measures to reflect the results of the environmental impact assessment conducted by those procedures, etc. on the determination of measures for preserving the environment related to the project and other content of that project, secure the appropriate consideration for environmental conservation to be given, and to ensure appropriate consideration for environmental conservation concerning that project, by taking measures which reflect the result of the environmental impact assessment through measures for environmental conservation when implementing that project, and in determining any other aspects of that project,

thereby contributing to the sound and cultural lives of Japanese people, at present and in the future.

(定義)

(Definitions)

第二条 この法律において「環境影響評価」とは、事業（特定の目的のために行われる一連の土地の形状の変更（これと併せて行うしゅんせつを含む。）並びに工作物の新設及び増改築をいう。以下同じ。）の実施が環境に及ぼす影響（当該事業の実施後の土地又は工作物において行われることが予定される事業活動その他の人の活動が当該事業の目的に含まれる場合には、これらの活動に伴って生ずる影響を含む。以下単に「環境影響」という。）について環境の構成要素に係る項目ごとに調査、予測及び評価を行うとともに、これらを行う過程においてその事業に係る環境の保全のための措置を検討し、この措置が講じられた場合における環境影響を総合的に評価することをいう。

Article 2 (1) In this Act, "environmental impact assessment" means a survey, forecast, or evaluation of the impact (the environmental impact in association with the activities is included, if the purpose of the project includes business activities and other human activities scheduled to be implemented on the land, or structures after the implementation of a project; referred to simply as "environmental impact" below) on the environment caused by the implementation of a project (changes in the shape of the terrain (including dredging being conducted simultaneously) and new construction, expansion or reconstruction of a structure for a specific purpose; the same applies below) for each item regarding individual components of the environment, considering measures for environmental conservation regarding the implementation of a project in the process of evaluation, and comprehensively evaluating the environmental impact if those measures are taken.

2 この法律において「第一種事業」とは、次に掲げる要件を満たしている事業であつて、規模（形状が変更される部分の土地の面積、新設される工作物の大きさその他の数値で表される事業の規模をいう。次項において同じ。）が大きく、環境影響の程度が著しいものとなるおそれがあるものとして政令で定めるものをいう。

(2) In this Act, "class-1 project" means a project that meets the following requirements, is large in scale (meaning an area of land in which the shape is to be changed, the size of any new structures to be built, or other projects expressed in numerical values; the same applies in the following paragraph) and is specified by the provisions of Cabinet Order as likely to have a serious impact on the environment:

一 次に掲げる事業の種類の内いずれかに該当する一の事業であること。

(i) a project that falls under any of the following types of projects:

イ 高速自動車国道、一般国道その他の道路法（昭和二十七年法律第百八十号）第二条第一項に規定する道路その他の道路の新設及び改築の事業

- (a) a project to construct or reconstruct a national expressway, a national road, or any other road prescribed in Article 2, paragraph (1) of the Road Act (Act No. 180 of 1947), or any other category of road;
- ロ 河川法（昭和三十九年法律第百六十七号）第三条第一項に規定する河川に関するダム及び堰（せき）の新築及び改築の事業（以下この号において「ダム新築等事業」という。）並びに同法第八条の河川工事の事業でダム新築等事業でないもの
- (b) a project to construct or reconstruct a dam or a weir on a river prescribed in Article 3, paragraph (1) of the River Act (Act No. 167 of 1964) (referred to below as a "project to construct a new dam, etc." in this item) and a river construction project referred to in Article 8 of that Act that is not a project to construct a new dam, etc.;
- ハ 鉄道事業法（昭和六十一年法律第九十二号）による鉄道及び軌道法（大正十年法律第七十六号）による軌道の建設及び改良の事業
- (c) a project to construct or improve a railway under the Railway Business Act (Act No. 92 of 1986), or a tramway as prescribed in the Act on Rail Tracks (Act No. 76 of 1921);
- ニ 空港法（昭和三十一年法律第八十号）第二条に規定する空港その他の飛行場及びその施設の設置又は変更の事業
- (d) a project to construct, or reconstruct an airport, or other airfield and its facility as prescribed in Article 2 of the Airport Act (Act No. 80 of 1956);
- ホ 電気事業法（昭和三十九年法律第百七十号）第三十八条に規定する事業用電気工作物であって発電用のものの設置又は変更の工事の事業
- (e) a construction project to install, or modify a power generating structure which are electric facilities for business use as prescribed in Article 38 of the Electricity Business Act (Act No. 170 of 1964);
- ヘ 廃棄物の処理及び清掃に関する法律（昭和四十五年法律第百三十七号）第八条第一項に規定する一般廃棄物の最終処分場及び同法第十五条第一項に規定する産業廃棄物の最終処分場の設置並びにその構造及び規模の変更の事業
- (f) a project for establishing a final disposal site for the municipal waste as prescribed in Article 8, paragraph (1) of the Act on Waste Management and Public Cleaning (Act No. 137 of 1970), or a final disposal site for industrial waste as prescribed in Article 15, paragraph (1) of the that Act, or for modifying the structure and the size of that site;
- ト 公有水面埋立法（大正十年法律第五十七号）による公有水面の埋立て及び干拓その他の水面の埋立て及び干拓の事業
- (g) a project for reclaiming land from a public water body by landfill and drainage under the Act on Reclamation of Publicly-owned Water Surface (Act No. 57 of 1921) or to reclaim other water bodies by landfill and drainage;
- チ 土地区画整理法（昭和二十九年法律第百十九号）第二条第一項に規定する土地

区画整理事業

(h) a land readjustment project as prescribed in Article 2, paragraph (1) of the Land Readjustment Act (Act No. 119 of 1954);

リ 新住宅市街地開発法（昭和三十八年法律第百三十四号）第二条第一項に規定する新住宅市街地開発事業

(i) a new housing and urban development project as prescribed in Article 2, paragraph (1) of the New Housing and Urban Development Act (Act No. 134 of 1963);

ヌ 首都圏の近郊整備地帯及び都市開発区域の整備に関する法律（昭和三十三年法律第九十八号）第二条第五項に規定する工業団地造成事業及び近畿圏の近郊整備区域及び都市開発区域の整備及び開発に関する法律（昭和三十九年法律第百四十五号）第二条第四項に規定する工業団地造成事業

(j) an industrial park development project as prescribed in Article 2, paragraph (5) of the Act on Arrangement of Suburban Development and Redevelopment Areas and Urban Development Areas in Metropolitan Area (Act No. 98 of 1958) and prescribed in Article 2, paragraph (4) of the Act on Arrangement and Development of Suburban Development and Redevelopment Areas and Urban Development Areas in Kinki Area (Act No. 145 of 1964);

ル 新都市基盤整備法（昭和四十七年法律第八十六号）第二条第一項に規定する新都市基盤整備事業

(k) a new city foundation development project as prescribed in Article 2, paragraph (1) of the Act on Development of Infrastructures for New Cities (Act No. 86 of 1972);

ヲ 流通業務市街地の整備に関する法律（昭和四十一年法律第百十号）第二条第二項に規定する流通業務団地造成事業

(l) a project to construct a distribution-business center as prescribed in Article 2, paragraph (2) of the Act on the Improvement of Urban Distribution Centers (Act No. 110 of 1966);

ワ イからヲまでに掲げるもののほか、一の事業に係る環境影響を受ける地域の範囲が広く、その一の事業に係る環境影響評価を行う必要の程度がこれらに準ずるものとして政令で定める事業の種類

(m) beyond what is stated in (a) through (l), a category of project specified by Cabinet Order as being equivalent to the above regarding the extent of the area affected by the environmental impact of the project, and the necessity of conducting an environmental impact assessment for that project;

二 次のいずれかに該当する事業であること。

(ii) a project that falls under any of the following:

イ 法律の規定であって政令で定めるものにより、その実施に際し、免許、特許、許可、認可、承認若しくは同意又は届出（当該届出に係る法律において、当該届出に関し、当該届出を受理した日から起算して一定の期間内に、その変更について

て勧告又は命令をすることができることが規定されているものに限る。ホにおいて同じ。)が必要とされる事業(ホに掲げるものを除く。)

(a) a project (excluding those stated below in (e)) when a license, patent, permission, authorization, approval or consent, or notification (a notification is limited only to the projects subject to specific laws containing legal provisions for enabling a recommendation to be issued, or order to modify that notification within a specified time calculated from the filing of that notification; this limitation also applies to (e) below) is required in accordance with the provisions of laws that are specified by Cabinet Order;

ロ 国の補助金等(補助金等に係る予算の執行の適正化に関する法律(昭和三十年法律第百七十九号)第二条第一項第一号の補助金、同項第二号の負担金及び同項第四号の政令で定める給付金のうち政令で定めるものをいう。以下同じ。)の交付の対象となる事業(イに掲げるものを除く。)

(b) a project (excluding those stated above in (a)) that is subject to national government subsidies, etc. (a subsidy provided for Article 2, paragraph (1), item (i) of the Act on Regulation of Execution of Budget Pertaining to Subsidies, etc. (Act No. 179 of 1955), dues prescribed in item (ii) of that paragraph, and the benefits as prescribed in item (iv) of that paragraph, which are specified by Cabinet Order; the same applies below);

ハ 特別の法律により設立された法人(国が出資しているものに限る。)がその業務として行う事業(イ及びロに掲げるものを除く。)

(c) a project (excluding those stated in (a) and (b)) carried out as business by a corporation incorporated under a special law (limited to those in which the national government has invested);

ニ 国が行う事業(イ及びホに掲げるものを除く。)

(d) a project carried out by the national government (excluding those stated in (a) and (e));

ホ 国が行う事業のうち、法律の規定であつて政令で定めるものにより、その実施に際し、免許、特許、許可、認可、承認若しくは同意又は届出が必要とされる事業

(e) a project carried out by the national government, for which a license, patent, permission, authorization, approval or consent, or notification is required when being implemented pursuant to the provisions of laws, and specified by Cabinet Order.

3 この法律において「第二種事業」とは、前項各号に掲げる要件を満たしている事業であつて、第一種事業に準ずる規模(その規模に係る数値の第一種事業の規模に係る数値に対する比が政令で定める数値以上であるものに限る。)を有するもののうち、環境影響の程度が著しいものとなるおそれがあるかどうかの判定(以下単に「判定」という。)を第四条第一項各号に定める者が同条の規定により行う必要があるものとして政令で定めるものをいう。

(3) In this Act, "class-2 project" means a project that has satisfied the requirements stated in the items of the preceding paragraph, and is based on a size (limited to projects whose level representing the ratio of its size to that of a class-1 project is equal to or greater than the level specified by Cabinet Order) equivalent to a class-1 project, and is specified by Cabinet Order as a project for which a judgement (referred to simply as "judgement" below) as to whether it will have a serious impact on the environment needs to be made by a person specified in the items of Article 4, paragraph (1), in accordance with the provisions of that Article.

4 この法律において「対象事業」とは、第一種事業又は第四条第三項第一号（第三十九条第二項の規定により読み替えて適用される場合を含む。）の措置がとられた第二種事業（第四条第四項（第三十九条第二項の規定により読み替えて適用される場合を含む。）及び第二十九条第二項（第四十条第二項の規定により読み替えて適用される場合を含む。）において準用する第四条第三項第二号の措置がとられたものを除く。）をいう。

(4) In this Act, a "target project" means a class-1 or class-2 project (excluding projects in which a measure specified in Article 4, paragraph (3), item (ii) is applied mutatis mutandis in Article 4, paragraph (4) (including when applied following the deemed replacement of terms pursuant to the provisions of Article 39, paragraph (2)) and Article 29, paragraph (2) (including when applied following the deemed replacement of terms the provisions of Article 40, paragraph (2)) has been taken) for which the measures of Article 4, paragraph (3), item (i) have been taken.

5 この法律（この章を除く。）において「事業者」とは、対象事業を実施しようとする者（国が行う対象事業にあつては当該対象事業の実施を担当する行政機関（地方支分部局を含む。）の長、委託に係る対象事業にあつてはその委託をしようとする者）をいう。

(5) In this Act (excluding this Chapter), "business operator" means a person intending to implement a target project (the head of the administrative body (including a local branch office) when intending to implement the target project for a target project carried out by the national government), and when intending to entrust a target project; the person intending to entrust that target project).

（国等の責務）

(Responsibilities of the National Government)

第三条 国、地方公共団体、事業者及び国民は、事業の実施前における環境影響評価の重要性を深く認識して、この法律の規定による環境影響評価その他の手続が適切かつ円滑に行われ、事業の実施による環境への負荷をできる限り回避し、又は低減することその他の環境の保全についての配慮が適正になされるようにそれぞれの立場で努めなければならない。

Article 3 Fully recognizing that it is important for an environmental impact assessment to be conducted before a project is implemented, the national government, local governments, business operators, and the people must endeavor in their respective positions to ensure that an environmental impact assessment and other procedures specified in this Act are conducted appropriately and smoothly, and that appropriate consideration is given to avoiding or reducing the environmental burden from the implementation of the project as much as possible, and to other considerations for environmental conservation.

第二章 方法書の作成前の手続

Chapter II Procedures Before Preparation of a Scoping Document

第一節 配慮書

Section 1 Document on Primary Environmental Impact Consideration

(計画段階配慮事項についての検討)

(Review of Matters for Primary Environmental Impact Consideration at the Planning Stage)

第三条の二 第一種事業を実施しようとする者（国が行う事業にあつては当該事業の実施を担当する行政機関（地方支分部局を含む。）の長、委託に係る事業にあつてはその委託をしようとする者。以下同じ。）は、第一種事業に係る計画の立案の段階において、当該事業が実施されるべき区域その他の第二条第二項第一号イからワまでに掲げる事業の種類ごとに主務省令で定める事項を決定するに当たっては、同号イからワまでに掲げる事業の種類ごとに主務省令で定めるところにより、一又は二以上の当該事業の実施が想定される区域（以下「事業実施想定区域」という。）における当該事業に係る環境の保全のために配慮すべき事項（以下「計画段階配慮事項」という。）についての検討を行わなければならない。

Article 3-2 (1) At the planning stage of a class-1 project, a person intending to implement that project (if that project is carried out by the national government, the head of the administrative body (including a local branch office) intending to implement the target project, for a target project carried out by the national government) or the person intending to entrust a target project in the case of entrustment; the same applies below), must determine the area in which that project will be implemented, and other matters specified by order of the competent ministry for each category of project stated in Article 2, paragraph (2), item (i), (a) through (m), and review the matters (referred to below as "the matters for primary environmental impact consideration at the planning stage") that should be considered for environmental conservation concerning that project in one or more areas (referred to below as the "possible project implementation area") in which that project will be implemented, as prescribed by order of the competent ministry, for each category of project

stated in Article 2, paragraph (2), item (i), (a) through (m).

2 前項の事業が実施されるべき区域その他の事項を定める主務省令は、主務大臣（主務大臣が内閣府の外局長であるときは、内閣総理大臣）が環境大臣に協議して定めるものとする。

(2) The order of the competent ministry specifying the area in which the project in the preceding paragraph and other matters will be implemented, are determined by the competent minister (if the competent minister is the head of external bureau of the Cabinet Office; the Prime Minister) in consultation with the Minister of the Environment.

3 第一項の主務省令（事業が実施されるべき区域その他の事項を定める主務省令を除く。）は、計画段階配慮事項についての検討を適切に行うために必要であると認められる計画段階配慮事項の選定並びに当該計画段階配慮事項に係る調査、予測及び評価の手法に関する指針につき主務大臣（主務大臣が内閣府の外局長であるときは、内閣総理大臣）が環境大臣に協議して定めるものとする。

(3) The order of the competent ministry in paragraph (1) (excluding the order of the competent ministry specifying the area in which a project in the preceding paragraph is implemented and other matters) is issued by the competent minister (if the competent minister is the head of external bureau of the Cabinet Office; the Prime Minister) in consultation with the Minister of the Environment, for establishing guidelines for both the selection of the matters for primary environmental impact consideration at the planning stage, as found to be necessary for the proper review of considerations for primary environmental impact consideration at the planning stage, and the methods for a survey, forecast and evaluation, concerning the items for primary environmental impact consideration at the planning stage.

（配慮書の作成等）

(Preparation of a Document on Primary Environmental Impact Consideration)

第三条の三 第一種事業を実施しようとする者は、計画段階配慮事項についての検討を行った結果について、次に掲げる事項を記載した計画段階環境配慮書（以下「配慮書」という。）を作成しなければならない。

Article 3-3 (1) a person intending to implement a class-1 project must prepare a document on primary environmental impact consideration at the planning stage (referred to below as "a document on primary environmental impact consideration") that describes the following matters about the results of the review of the matters for primary environmental impact consideration at the planning stage;

一 第一種事業を実施しようとする者の氏名及び住所（法人にあってはその名称、代表者の氏名及び主たる事務所の所在地）

(i) the name and address of the person intending to implement a class-1 project (in the case of a corporation; its name, the name of its representative, and

- the location of its principal office);
- 二 第一種事業の目的及び内容
- (ii) the purpose and contents of the class-1 project;
- 三 事業実施想定区域及びその周囲の概況
- (iii) the general conditions of the possible project implementation area and its surrounding area;
- 四 計画段階配慮事項ごとに調査、予測及び評価の結果をとりまとめたもの
- (iv) a summary of the results of a survey, forecast and evaluation for each matter for primary environmental impact consideration at the planning stage;
- 五 その他環境省令で定める事項
- (v) other matters specified by Order of the Ministry of the Environment.
- 2 既存工作物（第二条第二項第一号イからへまで及びチからワまでに掲げる事業に係る工作物であって現に存するものをいう。以下この項において同じ。）について、当該既存工作物を除却し、又はその使用を廃止し、当該既存工作物が設置されている区域又はその近接区域（当該既存工作物が設置されている区域の境界から政令で定める距離までの区域をいう。）において当該既存工作物と同種の工作物（当該工作物の規模に係る数値の既存工作物の規模に係る数値に対する比が政令で定める数値の範囲内であるものに限る。）の新設を当該工作物に係る第一種事業として実施しようとする者は、計画段階配慮事項についての検討を行った結果について、前項第三号及び第四号に掲げる事項に代えて、次に掲げる事項を記載した配慮書を作成しなければならない。
- (2) A person intending to, as a class-1 project, dismantle an existing structure or discontinue its use, (meaning an existing structure for the projects stated in Article 2, paragraph (2), item (i), (a) through (f) and (h) through (m); the same applies below in this paragraph), and construct a new structure of the same category as that existing structure (limited to a structure for which the ratio of the size of the structure to the size of the existing structure is within the range of the value specified by Cabinet Order) in the area where that existing structure is installed, or an the adjacent area (meaning the area within the distance specified by Cabinet Order from the boundary of the area where the existing structure is installed) concerning that existing structure, must prepare a document on a primary environmental impact consideration containing the following matters, instead of the matters stated in items (iii) and (iv) of the preceding paragraph, in accordance with the result of the review of the items for primary environmental impact consideration at the planning stage:
- 一 事業実施想定区域
- (i) project implementation area;
- 二 当該第一種事業に係る環境の保全のための配慮の内容
- (ii) the contents of consideration for environmental conservation concerning the

class-1 project.

3 相互に関連する二以上の第一種事業を実施しようとする場合は、当該第一種事業を実施しようとする者は、これらの第一種事業について、併せて配慮書を作成することができる。

(3) If two or more mutually related class-1 projects are to be implemented, a business operator intending to implement these class-1 projects may prepare one document on primary environment impact consideration for each of these class-1 projects together.

(配慮書の送付等)

(Sending of a Document on Primary Environmental Impact Consideration)

第三条の四 第一種事業を実施しようとする者は、配慮書を作成したときは、速やかに、環境省令で定めるところにより、これを主務大臣に送付するとともに、当該配慮書及びこれを要約した書類（前条第二項の規定により第一種事業を実施しようとする場合にあつては、同項の規定により作成した配慮書）を公表しなければならない。

Article 3-4 (1) When a person intending to implement a class-1 project has prepared a document on primary environmental impact consideration, that person must promptly send the document to the competent minister, pursuant to the provisions of Order of the Ministry of the Environment, and publicize that document on primary environmental impact consideration and its summary (when that person intends to implement a class-1 project pursuant to the provisions of paragraph (2) of the preceding Article; the document on primary environmental impact consideration prepared pursuant to the provisions of that paragraph).

2 主務大臣（環境大臣を除く。）は、配慮書の送付を受けた後、速やかに、環境大臣に当該配慮書の写しを送付して意見を求めなければならない。

(2) After receiving a document on primary environmental impact consideration, the competent minister (excluding the Minister of the Environment) must promptly send a copy of that document to the Minister of the Environment and request their opinion.

(環境大臣の意見)

(Opinion of the Minister of the Environment)

第三条の五 環境大臣は、前条第二項の規定により意見を求められたときは、必要に応じ、政令で定める期間内に、主務大臣（環境大臣を除く。）に対し、配慮書について環境の保全の見地からの意見を書面により述べることができる。

Article 3-5 When the Minister of the Environment is requested to give their opinion pursuant to the provisions of paragraph (2) of the preceding Article, the minister may express their opinion in writing to the competent minister (except the Minister of the Environment), within the period designated by cabinet order, from the perspective of environmental conservation on the

document on primary environmental impact consideration.

(主務大臣の意見)

(Opinion of the Competent Minister)

第三条の六 主務大臣は、第三条の四第一項の規定による送付を受けたときは、必要に応じ、政令で定める期間内に、第一種事業を実施しようとする者に対し、配慮書について環境の保全の見地からの意見を書面により述べることができる。この場合において、前条の規定による環境大臣の意見があるときは、これを勘案しなければならない。

Article 3-6 When receiving the document on primary environmental impact consideration specified in Article 3-4, paragraph (1), the competent minister may state their opinion in writing to a person intending to implement a class-1 project, within the period designated by Cabinet Order, from the perspective of environmental conservation for the document on primary environmental impact consideration. In such a case, if the Minister of the Environment has stated an opinion pursuant to the provisions of the preceding Article, that opinion must be taken into consideration.

(配慮書についての意見の聴取)

(Hearing Opinions on a Document for Primary Environmental Impact Consideration)

第三条の七 第一種事業を実施しようとする者は、第二条第二項第一号イからワまでに掲げる事業の種類ごとに主務省令で定めるところにより、配慮書の案又は配慮書について関係する行政機関及び一般の環境の保全の見地からの意見を求めるように努めなければならない。

Article 3-7 (1) A person intending to implement a class-1 project, for each category of project stated in Article 2, paragraph (2), item (i),(a) through (m), must endeavor to seek the opinions of the relevant administrative body and the public on a draft, or a document on primary environmental impact consideration, from the perspective of environmental conservation, pursuant to the provisions of order of the competent ministry.

2 前項の主務省令は、計画段階配慮事項についての検討に当たって関係する行政機関及び一般の環境の保全の見地からの意見を求める場合の措置に関する指針につき主務大臣（主務大臣が内閣府の外局長であるときは、内閣総理大臣）が環境大臣に協議して定めるものとする。

(2) The order of the competent ministry referred to in the preceding paragraph is established by the competent minister (if the competent minister is the head of external bureau of the Cabinet Office; the Prime Minister) in consultation with the Minister of the Environment, to establish guidelines for measures for hearing the opinions of relevant administrative bodies and the public, on matters to be considered for primary environmental impact consideration at the planning stage, from the perspective of environmental conservation.

する者について行われた計画段階配慮事項についての検討その他の手続は新たに第一種事業を実施しようとする者となった者について行われたものとみなす。

- (2) In the case of item (iii) of the preceding paragraph, if a project transferred to another person is a class-1 project, any examination of the matters for primary environmental impact consideration at the planning stage, and any other procedures conducted as referred to those items by the person intending to implement the class-1 project before that transfer, and before the publication date referred to in that paragraph, is deemed to have been implemented by another person who has become the new person intending to implement that class-1 project, and any examination of the matters for primary environmental impact consideration conducted at the planning stage, and other procedures which were made by the person intending to implement the class-1 project before the transfer, is deemed to be made by another person who has become the new person intending to implement that project.

(第二種事業に係る計画段階配慮事項についての検討)

(Review for Matters for Primary Environmental Impact Consideration at the Planning Stage on a Class-2 Project)

第三条の十 第二種事業を実施しようとする者（国が行う事業にあつては当該事業の実施を担当する行政機関（地方支分部局を含む。）の長、委託に係る事業にあつてはその委託をしようとする者。以下同じ。）は、第二種事業に係る計画の立案の段階において、第三条の二第一項の事業が実施されるべき区域その他の主務省令で定める事項を決定するに当たっては、一又は二以上の当該事業の実施が想定される区域における当該事業に係る環境の保全のために配慮すべき事項についての検討その他の手続を行うことができる。この場合において、当該第二種事業を実施しようとする者は、当該事業の実施が想定される区域における環境の保全のために配慮すべき事項についての検討その他の手続を行うこととした旨を主務大臣に書面により通知するものとする。

Article 3-10 (1) At the planning stage of a class-2 project, a person intending to implement a class-2 project (in the case of a project implemented by the national government; the head of the administrative body (including local branch bureaus and departments) in charge of the implementation of that project If a business subject to entrustment; the person intending to entrust the business; the same applies below), in determining the area in which the project specified in Article 3-2 paragraph (1) will be implemented and other matters specified by order of the competent ministry, that person is to review the items that should be considered for environmental conservation concerning the project in one or more areas in which that project is expected to be implemented, and other procedures. In such a case, the person intending to implement that class-2 project is to notify the competent minister in writing of their decision to conduct a review of the items that should be considered for environmental conservation concerning the project in the areas in which that

project is expected to be implemented, and follow other procedures.

2 前項の規定による通知をした第二種事業を実施しようとする者については、第一種事業を実施しようとする者とみなし、第三条の二から前条までの規定を適用する。

(2) When a person intending to implement a class-2 project makes a notification pursuant to the provisions of the preceding paragraph, the person is deemed to be a person intending to implement a class-1 project, and the provisions of Articles 3-2 through the preceding Article apply.

第二節 第二種事業に係る判定

Section 2 Judgement on a Class-2 Project

第四条 第二種事業を実施しようとする者は、第二条第二項第一号イからワまでに掲げる事業の種類ごとに主務省令で定めるところにより、その氏名及び住所（法人にあってはその名称、代表者の氏名及び主たる事務所の所在地）並びに第二種事業の種類及び規模、第二種事業が実施されるべき区域その他第二種事業の概要（以下この項において「氏名等」という。）を次の各号に掲げる第二種事業の区分に応じ当該各号に定める者に書面により届け出なければならない。この場合において、第四号又は第五号に掲げる第二種事業を実施しようとする者が第四号又は第五号に定める主任の大臣であるときは、主任の大臣に届け出ることによって、氏名等を記載した書面を作成するものとする。

Article 4 (1) A person intending to implement a class-2 project must give a written notice to the person specified in each item, in accordance with each category of the project stated in Article 2, paragraph (2), item (1), (a) through (m), pursuant to order of the competent ministry, with their name and address (in the case of a corporation; its name and the name of its representative, and the address of its principal office), the category and size of the class-2 project, the zone where the class-2 project is to be implemented, and other general information concerning the class-2 project (referred to below in this paragraph as "names, etc.") in accordance with the respective categories of a class-2 project stated in the following items. In such a case, when the person intending to implement the class-2 project stated in item (iv) or (v) is the competent minister specified in item (iv) or (v), instead of notifying the competent minister, that person is to prepare a document stating the names, etc.:

一 第二条第二項第二号イに該当する第二種事業 同号イに規定する免許、特許、許可、認可、承認若しくは同意（以下「免許等」という。）を行い、又は同号イに規定する届出（以下「特定届出」という。）を受理する者

(i) a class-2 project falling under Article 2, paragraph (2), item (ii), (a): a person who issues the license, patent, permission, authorization, approval, or consent (referred to below as "license, etc.") as prescribed in that item (ii), (a), and who has received a notification as prescribed in that item (ii), (a) (referred to below as a "specific notification");

二 第二条第二項第二号ロに該当する第二種事業 同号ロに規定する国の補助金等の交付の決定を行う者（以下「交付決定権者」という。）

(ii) a class-2 project falling under Article 2, paragraph (2), item (ii), (b): a person who determines whether to grant a national government subsidy, etc. as prescribed in the provisions of that item (ii), (b) (referred to below as a "person empowered to make decisions on grants");

三 第二条第二項第二号ハに該当する第二種事業 同号ハに規定する法律の規定に基づき同号ハに規定する法人を当該事業に関して監督する者（以下「法人監督者」という。）

(iii) a class-2 project falling under Article 2, paragraph (2), item (ii), (c): a person (referred to below as "corporate supervisor") who supervises the corporation as prescribed in that item (ii), (c) concerning that project in accordance with the provisions of the Act as prescribed in that item (ii), (c);

四 第二条第二項第二号ニに該当する第二種事業 当該事業の実施に関する事務を所掌する主任の大臣

(iv) a class-2 project falling under Article 2, paragraph (2), item (ii), (d): the competent minister who has jurisdiction over processes concerning the implementation of that project;

五 第二条第二項第二号ホに該当する第二種事業 当該事業の実施に関する事務を所掌する主任の大臣及び同号ホに規定する免許、特許、許可、認可、承認若しくは同意を行う者又は同号ホに規定する届出の受理を行う者

(v) a class-2 project falling under Article 2, paragraph (2), item (ii), (e): the competent minister who has jurisdiction over processes concerning the implementation of that project, and a person who issues the license, patent, permission, authorization, approval, or consent as prescribed in that item (ii), (e) or a person who receives notifications as prescribed in that item (ii), (e).

2 前項各号に定める者は、同項の規定による届出（同項後段の規定による書面の作成を含む。以下この条及び第二十九条第一項において「届出」という。）に係る第二種事業が実施されるべき区域を管轄する都道府県知事に届出に係る書面の写しを送付し、三十日以上を指定してこの法律（この条を除く。）の規定による環境影響評価その他の手続が行われる必要があるかどうかについての意見及びその理由を求めなければならない。

(2) A person specified in any item of the preceding paragraph must send a copy of the notification (including documents provided for in the latter half of that paragraph, referred to as "notification" in this Article and in Article 29, paragraph (1)) to the prefectural governor having jurisdiction over the area in which the class-2 project concerning that notification is to be implemented, and ask their opinion and the reasons why, as to whether an environmental impact assessment, or other procedures are necessary in accordance with the provisions of this Act (excluding this Article), within a designated period of 30 days or more.

3 第一項各号に定める者は、前項の規定による都道府県知事の意見が述べられたときはこれを勘案して、第二条第二項第一号イからワまでに掲げる事業の種類ごとに主務省令で定めるところにより、届出の日から起算して六十日以内に、届出に係る第二種事業についての判定を行い、環境影響の程度が著しいものとなるおそれがあると認めるときは第一号の措置を、おそれがないと認めるときは第二号の措置をとらなければならない。

(3) When the prefectural governor has expressed an opinion under the provisions of the preceding paragraph, a person specified in each item of paragraph (1) must take this into consideration and make a judgment on the class-2 project concerning that notification within 60 days from the date of that notification, pursuant to the provisions of order of the competent ministry, for each type of project stated in Article 2, paragraph (2), item (i), (a) through (m), and when that person finds that the degree of environmental impact is likely to be significant, the measures referred to in item (i) must be taken; or when that person finds that the degree of environmental impact is likely to not be significant, that person must take the measures referred to in item (ii):

一 この法律（この条を除く。）の規定による環境影響評価その他の手続が行われる必要がある旨及びその理由を、書面をもって、届出をした者及び前項の都道府県知事（第一項後段の場合にあっては、前項の都道府県知事）に通知すること。

(i) notify the person who filed the notification in writing and the prefectural governor referred to in the preceding paragraph (in the case of the latter half of paragraph (1)); the prefectural governor referred to in the preceding paragraph) that an environmental impact assessment, or other procedures are necessary, and the reasons why (excluding this Article), as pursuant to the provisions of this Act;

二 この法律（この条を除く。）の規定による環境影響評価その他の手続が行われる必要がない旨及びその理由を、書面をもって、届出をした者及び前項の都道府県知事（第一項後段の場合にあっては、前項の都道府県知事）に通知すること。

(ii) notify the person who filed the notification in writing and the prefectural governor referred to in the preceding paragraph (in the case of the second sentence of paragraph (1); the prefectural governor(s) referred to in the preceding paragraph) that an environmental impact assessment and other procedures (excluding this Article) are not necessary, and the reasons why, as pursuant to the provisions of this Act.

4 届出をした者で前項第一号の措置がとられたものが当該第二種事業の規模又はその実施されるべき区域を変更して当該事業を実施しようとする場合において、当該変更後の当該事業が第二種事業に該当するときは、その者は、当該変更後の当該事業について、届出をすることができる。この場合において、前二項の規定は、当該届出について準用する。

(4) When the person who has filed a notification, and received the notification of the judgment described in the preceding paragraph (3), item (i) intends to

modify the size or the area of the class-2 project, and implement that project, and if the project after that modification falls within the definition of a class-2 project, that person may file a notification concerning the project after that modification. In such a case, the provisions of the two preceding paragraphs apply mutatis mutandis to that notification.

5 第二種事業（対象事業に該当するものを除く。）を実施しようとする者は、第三項第二号（前項及び第二十九条第二項において準用する場合を含む。）の措置がとられるまで（当該第二種事業に係る第一項各号に定める者が二以上である場合にあっては、当該各号に定める者のすべてにより当該措置がとられるまで）は、当該第二種事業を実施してはならない。

(5) A person intending to implement a class-2 project (excluding a project falling under a target project), may not implement that class-2 project until measures referred to in paragraph (3), item (ii) (including the cases applied mutatis mutandis in the preceding paragraph and Article 29, paragraph (2)) are taken (when persons prescribed in each item of paragraph (1) concerning that class-2 project are two or more, until those measures are taken by all persons specified in those items).

6 第二種事業を実施しようとする者は、第一項の規定にかかわらず、判定を受けることなくこの法律（この条を除く。）の規定による環境影響評価その他の手続を行うことができる。この場合において、当該第二種事業を実施しようとする者は、同項第四号又は第五号に定める主任の大臣以外の者にあつてはこの法律（この条を除く。）の規定による環境影響評価その他の手続を行うこととした旨を同項各号に掲げる第二種事業の区分に応じ当該各号に定める者に書面により通知し、これらの主任の大臣にあつてはその旨の書面を作成するものとする。

(6) Notwithstanding the provisions of paragraph (1), a person intending to implement a class-2 project may conduct an environmental impact assessment and other procedures under the provisions of this Act, without receiving a judgment (excluding this Article). In such a case, if the person intending to implement that class-2 project is someone other than the competent minister as prescribed in item (iv) or (v) of that paragraph, that person is to notify the person referred to in each item of that paragraph of the intention to conduct an environmental impact assessment, in accordance with the provisions of this Act (excluding this Article), and when that person is the competent minister; the minister is to prepare a document to that effect.

7 前項の規定による通知を受け、又は同項の規定により書面を作成した者は、当該通知又は書面の作成に係る第二種事業が実施されるべき区域を管轄する都道府県知事に当該通知又は作成に係る書面の写しを送付しなければならない。

(7) A person receiving a notice under the provisions of the preceding paragraph, or preparing a document pursuant to the preceding paragraph, must send a copy of that notice or a document regarding that preparation to the prefectural governor having jurisdiction over the area where the class-2 project concerning

that notice or document is to be implemented.

8 第六項の規定による通知又は書面の作成に係る第二種事業は、当該通知又は書面の作成の時に第三項第一号の措置がとられたものとみなす。

(8) The class-2 project concerning the notice or preparation of a document under the provisions of paragraph (6), the measures referred to in paragraph (3), item (i) are deemed to have been taken at the time of that notice, or preparation of that document.

9 第三項の主務省令は、第二種事業の種類及び規模、第二種事業が実施されるべき区域及びその周辺の区域の環境の状況その他の事情を勘案して判定が適切に行われることを確保するため、判定の基準につき主務大臣（主務大臣が内閣府の外局長であるときは、内閣総理大臣）が環境大臣に協議して定めるものとする。

(9) To ensure that a judgment is made appropriately concerning the category and size of a class-2 project and the environmental conditions and the other conditions of the area in which the class-2 project is to be implemented and the surrounding area, the competent minister (when the competent minister is the head of external bureau of the Cabinet Office; the Prime Minister) is to consult with the Minister of the Environment on the criteria to be used in making that judgment, and is to establish order of the competent ministry, as referred to in paragraph 3.

10 環境大臣は、関係する行政機関の長に協議して、前項の規定により主務大臣（主務大臣が内閣府の外局長であるときは、内閣総理大臣）が定めるべき基準に関する基本的事項を定めて公表するものとする。

(10) The Minister of the Environment is to establish and publicize the basic matters concerning the standards to be established by the competent minister in consultation with the heads of the relevant administrative bodies (when the competent minister is the head of external bureau of the Cabinet Office; the Prime Minister) pursuant to the provisions of the preceding paragraph.

第三章 方法書

Chapter III Scoping Documents

(方法書の作成)

(Preparation of a Scoping Document)

第五条 事業者は、配慮書を作成しているときはその配慮書の内容を踏まえるとともに、第三条の六の意見が述べられたときはこれを勘案して、第三条の二第一項の事業が実施されるべき区域その他の主務省令で定める事項を決定し、対象事業に係る環境影響評価を行う方法（調査、予測及び評価に係るものに限る。）について、第二条第二項第一号イからワまでに掲げる事業の種類ごとに主務省令で定めるところにより、次に掲げる事項（配慮書を作成していない場合においては、第四号から第六号までに掲げる事項を除く。）を記載した環境影響評価方法書（以下「方法書」という。）を作成しなければならない。

Article 5 (1) When a document on primary environmental impact consideration is being prepared, the business operator must determine the area where the project referred to in Article 3-2, paragraph (1) will be implemented and other items pursuant to order of the competent ministry, in accordance with the details of a document on primary environment impact consideration, and consider any opinions expressed in accordance with Article 3-6, and prepare the scoping document on environmental impact assessment (referred to below as a "scoping document") regarding the methods for conducting the environmental impact assessment concerning the target project (limited to methods concerning a survey, forecast, and evaluation), containing the following matters (excluding the matters stated in items (iv) through (vi), when a document on primary environmental impact consideration has not been prepared) pursuant to order of the competent ministry for each type of project stated in Article 2, paragraph (2), item (i), (a) through (m):

一 事業者の氏名及び住所（法人にあってはその名称、代表者の氏名及び主たる事務所の所在地）

(i) the name and location of the business operator (if it is a corporation; its name, the name of its representative, and the address of its principal office);

二 対象事業の目的及び内容

(ii) the purpose and content of the target project;

三 対象事業が実施されるべき区域（以下「対象事業実施区域」という。）及びその周囲の概況

(iii) the general conditions of the area in which the target project will be implemented (referred to below as the "target project implementation area") and its surrounding area;

四 第三条の三第一項第四号（対象事業が同条第二項の規定により実施する第一種事業である場合にあっては、同項第二号）に掲げる事項

(iv) the matters stated in Article 3-3, paragraph (1), item (iv) (if the target project is a class-1 project to be implemented pursuant to the provisions of paragraph (2) of that Article; item (ii) of that paragraph);

五 第三条の六の主務大臣の意見

(v) opinion of the competent minister in accordance with Article 3-6;

六 前号の意見についての事業者の見解

(vi) opinion of the business operator in response to the view prescribed in the preceding item;

七 対象事業に係る環境影響評価の項目並びに調査、予測及び評価の手法（当該手法が決定されていない場合にあっては、対象事業に係る環境影響評価の項目）

(vii) the items to be considered in an environmental impact assessment of the target project as well as the survey, forecast and evaluation methods to be employed (when those methods have not yet been determined, the items to be considered in the environmental impact assessment of the target project);

八 その他環境省令で定める事項

(viii) other matters provided for by Order of the Ministry of the Environment.

2 相互に関連する二以上の対象事業を実施しようとする場合は、当該対象事業に係る事業者は、これらの対象事業について、併せて方法書を作成することができる。

(2) When a business operator intends to implement two or more target projects that are related to each other, the business operator of those target projects may prepare one scoping document covering all of the projects.

(方法書の送付等)

(Submission of a Scoping Document)

第六条 事業者は、方法書を作成したときは、第二条第二項第一号イからワまでに掲げる事業の種類ごとに主務省令で定めるところにより、対象事業に係る環境影響を受ける範囲であると認められる地域を管轄する都道府県知事及び市町村長（特別区の区長を含む。以下同じ。）に対し、方法書及びこれを要約した書類（次条において「要約書」という。）を送付しなければならない。

Article 6 (1) Pursuant to the provisions of order of the competent ministry for each type of business stated in Article 2, paragraph (2), item (i), (a) through (m), when a business operator has prepared a scoping document, that business operator must submit that scoping document and a summarizing document (referred to as the "summary document" in the next Article) to the prefectural governor and the mayors of the municipalities (including the heads of special wards; the same applies below) who have jurisdiction over the areas found to be affected by the environmental impact of the target project.

2 前項の主務省令は、同項に規定する地域が対象事業に係る環境影響評価につき環境の保全の見地からの意見を求める上で適切な範囲のものとなることを確保するため、その基準となるべき事項につき主務大臣（主務大臣が内閣府の外局長であるときは、内閣総理大臣）が環境大臣に協議して定めるものとする。

(2) To ensure that the area prescribed in the preceding paragraph is within proper scope for asking opinions from the perspective of environmental conservation, regarding the environmental impact assessment of the target project, the competent minister (when the competent minister is the head of external bureau of the Cabinet Office; the Prime Minister), in consultation with the Minister of the Environment, is to establish the basic matters concerning the criteria for ensuring that the areas are within a proper scope.

(方法書についての公告及び縦覧)

(Making a Scoping Document Public and Available for Public Inspection)

第七条 事業者は、方法書を作成したときは、環境影響評価の項目並びに調査、予測及び評価の手法について環境の保全の見地からの意見を求めるため、環境省令で定めるところにより、方法書を作成した旨その他環境省令で定める事項を公告し、公告の日から起算して一月間、方法書及び要約書を前条第一項に規定する地域内において縦覧

に供するとともに、環境省令で定めるところにより、インターネットの利用その他の方法により公表しなければならない。

Article 7 When the business operator has prepared a scoping document, for the purpose of inviting opinions regarding both the items to be considered in an environmental impact assessment of a target business, as well as the survey, forecast and evaluation methods to be employed, from the perspective of environmental conservation, the business operator must publicize the fact that a scoping document has been prepared and other matters pursuant to Order of the Ministry of the Environment, and must make the scoping document and its summary document available for public inspection in the area specified in paragraph (1) of the preceding Article, for one month from the date of the public notice, and must also make then public by using the internet or by other means, in accordance with Order of the Ministry of the Environment.

(説明会の開催等)

(Holding Explanatory Meetings)

第七条の二 事業者は、環境省令で定めるところにより、前条の縦覧期間内に、第六条第一項に規定する地域内において、方法書の記載事項を周知させるための説明会（以下「方法書説明会」という。）を開催しなければならない。この場合において、当該地域内に方法書説明会を開催する適当な場所がないときは、当該地域以外の地域において開催することができる。

Article 7-2 (1) The business operator must hold explanatory meetings to make public the matters written in the scoping document (referred to below as "scoping document explanatory meetings") in the area prescribed in Article 6, paragraph (1), in accordance with the provisions of Order of the Ministry of the Environment, during the period of public inspection referred to in the preceding Article. If there is no appropriate place for holding that scoping document explanatory meeting within that area, the meeting may be held in an area other than that area.

2 事業者は、方法書説明会を開催するときは、その開催を予定する日時及び場所を定め、環境省令で定めるところにより、これらを方法書説明会の開催を予定する日の一週間前までに公告しなければならない。

(2) When the business operator holds a scoping document explanatory meeting, the business operator must determine the date, time, and place of that scoping document explanatory meeting, and must give a public notice of that information at least one week before the date when the scoping document explanatory meeting is held, pursuant to the provisions of Order of the Ministry of the Environment.

3 事業者は、方法書説明会の開催を予定する日時及び場所を定めようとするときは、第六条第一項に規定する地域を管轄する都道府県知事の意見を聴くことができる。

(3) When the business operator has established a plan concerning the date, time,

and place of the scoping document explanatory meeting, that business operator may ask the opinion of the governor having jurisdiction over the area specified in Article 6, paragraph (1).

4 事業者は、その責めに帰することができない事由であつて環境省令で定めるものにより、第二項の規定による公告をした方法書説明会を開催することができない場合には、当該方法書説明会を開催することを要しない。

(4) When the business operator cannot hold scoping document explanatory meetings that has issued a public notification pursuant to the provisions of paragraph (2), due to reasons not attributable to the business operator and specified by Order of the Ministry of the Environment, the business operator is not required to hold that scoping document explanatory meetings.

5 前各項に定めるもののほか、方法書説明会の開催に関し必要な事項は、環境省令で定める。

(5) The matters that are essential for holding a scoping document explanatory meetings are, other than those specified in each of the preceding paragraphs, specified by Order of the Ministry of the Environment.

(方法書についての意見書の提出)

(Submission of Written Opinions Regarding a Scoping Document)

第八条 方法書について環境の保全の見地からの意見を有する者は、第七条の公告の日から、同条の縦覧期間満了の日の翌日から起算して二週間を経過する日までの間に、事業者に対し、意見書の提出により、これを述べることができる。

Article 8 (1) A person who has an opinion regarding a scoping document from the perspective of environmental conservation may express that opinion by submitting a written opinion to the business operator, within two weeks from the date of the public notice referred to in Article 7 until the final day has passed in the period for public inspection of the scoping document specified in that Article.

2 前項の意見書の提出に関し必要な事項は、環境省令で定める。

(2) The matters that are essential to the submission of opinions in the preceding paragraph are specified by Order of the Ministry of the Environment.

(方法書についての意見の概要の送付)

(Submission of an Outline of an Opinion Regarding a Scoping Document)

第九条 事業者は、前条第一項の期間を経過した後、第六条第一項に規定する地域を管轄する都道府県知事及び当該地域を管轄する市町村長に対し、前条第一項の規定により述べられた意見の概要を記載した書類を送付しなければならない。

Article 9 After the period specified in paragraph (1) of the preceding Article has passed, the business operator must submit a document outlining their opinion to the prefectural governor and the mayor of a municipality having jurisdiction over the area prescribed in Article 6, paragraph (1), pursuant to the provisions

of paragraph (1) of the preceding Article.

(方法書についての都道府県知事等の意見)

(Opinions of a Prefectural Governor on a Scoping Document)

第十条 前条に規定する都道府県知事は、同条の書類の送付を受けたときは、第四項に規定する場合を除き、政令で定める期間内に、事業者に対し、方法書について環境の保全の見地からの意見を書面により述べるものとする。

Article 10 (1) When the prefectural governor specified in the preceding Article receives the document specified in that Article, the prefectural governor is to express their opinion in writing for the scoping document to the business operator, from the perspective of environmental conservation, within a time period designated by Cabinet Order, except in the case prescribed in paragraph (4).

2 前項の場合において、当該都道府県知事は、期間を指定して、方法書について前条に規定する市町村長の環境の保全の見地からの意見を求めるものとする。

(2) In the case referred to in the preceding paragraph, a prefectural governor is to designate a period and ask the mayor of the municipality prescribed in the preceding Article for their opinion regarding a scoping document, from the perspective of environmental conservation.

3 第一項の場合において、当該都道府県知事は、前項の規定による当該市町村長の意見を勘案するとともに、前条の書類に記載された意見に配慮するものとする。

(3) In the case of paragraph (1), the prefectural governor is to take into consideration the opinion stated by the mayor of the municipality pursuant to the preceding paragraph, as well as the opinion described in the document of the preceding Article.

4 第六条第一項に規定する地域の全部が一の政令で定める市の区域に限られるものである場合は、当該市の長が、前条の書類の送付を受けたときは、第一項の政令で定める期間内に、事業者に対し、方法書について環境の保全の見地からの意見を書面により述べるものとする。

(4) When the entirety of the area prescribed in Article 6, paragraph (1) is located within the limits of a city specified by Cabinet Order, the mayor of that city is to submit their opinion to the business operator in writing upon receiving the document referred to in the preceding Article, regarding the scoping document, from the perspective of environmental conservation within the period specified by Cabinet Order in paragraph (1).

5 前項の場合において、前条に規定する都道府県知事は、同条の書類の送付を受けたときは、必要に応じ、第一項の政令で定める期間内に、事業者に対し、方法書について環境の保全の見地からの意見を書面により述べることができる。

(5) In the case referred to in the preceding paragraph, the prefectural governor prescribed in the preceding Article, upon receiving the documents referred to in the same Article, may state their opinion in writing to the business operator

regarding the scoping document, from the perspective of environmental conservation, within a period specified by cabinet order in paragraph (1).

6 第四項の場合において、当該市の長は、前条の書類に記載された意見に配慮するものとする。

(6) In the case referred to in paragraph (4), the mayor of the city is to take into account the opinion described in the document referred to in the preceding Article.

第四章 環境影響評価の実施等

Chapter IV Implementing an Environmental Impact Assessment

(環境影響評価の項目等の選定)

(Selection of Items to Be Considered in the Environmental Impact Assessment)

第十一条 事業者は、前条第一項、第四項又は第五項の意見が述べられたときはこれを勘案するとともに、第八条第一項の意見に配慮して第五条第一項第七号に掲げる事項に検討を加え、第二条第二項第一号イからワまでに掲げる事業の種類ごとに主務省令で定めるところにより、対象事業に係る環境影響評価の項目並びに調査、予測及び評価の手法を選定しなければならない。

Article 11 (1) The business operator must select both the items to be considered in an environmental impact assessment concerning the target project, as well as the methods of survey, forecast and evaluation methods, when any opinions have been expressed in accordance with paragraph (1), paragraph (4), or (5) of the preceding Article, must review the matters stated in Article 5, paragraph (1), item (vii), while taking into account those opinions, as well as the opinions stated pursuant to Article 8, paragraph (1), for each category of project stated in Article 2, paragraph (2), item (1), (a) through (m), pursuant to the provisions of order of the competent ministry.

2 事業者は、前項の規定による選定を行うに当たり必要があると認めるときは、主務大臣に対し、技術的な助言を記載した書面の交付を受けたい旨の申出を書面によりすることができる。

(2) When the business operator finds it necessary for making a selection under the preceding paragraph, the business operator may submit a written request to the competent minister to receive written technical advice.

3 主務大臣は、前項の規定による事業者の申出に応じて技術的な助言を記載した書面の交付をしようとするときは、あらかじめ、環境大臣の意見を聴かなければならない。

(3) The competent minister must hear the opinions of the Minister of the Environment in advance, when the competent minister issues written technical advice in response to the request of the business operator under the provisions of the preceding paragraph.

4 第一項の主務省令は、環境基本法（平成五年法律第九十一号）第十四条各号に掲げる事項の確保を旨として、既に得られている科学的知見に基づき、対象事業に係る環

環境影響評価を適切に行うために必要であると認められる環境影響評価の項目並びに当該項目に係る調査、予測及び評価を合理的に行うための手法を選定するための指針につき主務大臣（主務大臣が内閣府の外局長であるときは、内閣総理大臣）が環境大臣に協議して定めるものとする。

(4) Order of the competent ministry, as referred to in paragraph (1), is to be established by the competent minister (if the competent minister is the head of external bureau of the Cabinet Office; the Prime Minister) in consultation with the Minister of the Environment, with a view to ensuring the matters stated in the items under Article 14 of the Basic Act on the Environment (Act No. 91 of 1993), to establish guidelines for both the selection of the items for environmental impact assessment, and the methods for reasonably conducting surveys, forecasts and evaluation as found to be necessary for the proper implementation of environmental impact assessment for a target project, based on the scientific knowledge already obtained concerning those items.

（環境影響評価の実施）

(Implementing an Environmental Impact Assessment)

第十二条 事業者は、前条第一項の規定により選定した項目及び手法に基づいて、第二条第二項第一号イからワまでに掲げる事業の種類ごとに主務省令で定めるところにより、対象事業に係る環境影響評価を行わなければならない。

Article 12 (1) Based on the items and methods selected pursuant to the provisions of paragraph (1) of the preceding Article, the business operator must conduct an environmental impact assessment for the target project in accordance with order of the competent ministry for each type of project stated in Article 2, paragraph (2), item (i), (a) through (m).

2 前条第四項の規定は、前項の主務省令について準用する。この場合において、同条第四項中「環境影響評価の項目並びに当該項目に係る調査、予測及び評価を合理的に行うための手法を選定するための指針」とあるのは、「環境の保全のための措置に関する指針」と読み替えるものとする。

(2) The provisions of paragraph (4) of the preceding Article apply mutatis mutandis to order of the competent ministry referred to in the preceding paragraph. In this case, the term "guidelines for both the selection of the items for environmental impact assessment, and the methods for the reasonable performance of survey, forecast and evaluation" is deemed to be replaced with "guidelines concerning measures for environmental conservation."

（基本的事項の公表）

(Publication of Basic Matters)

第十三条 環境大臣は、関係する行政機関の長に協議して、第十一条第四項（前条第二項において準用する場合を含む。）の規定により主務大臣（主務大臣が内閣府の外局長であるときは、内閣総理大臣）が定めるべき指針に関する基本的事項を定めて公

表するものとする。

Article 13 The Minister of the Environment must establish the basic matters relating to the guidelines to be issued by the competent minister (when the competent minister is the head of external bureau of the Cabinet Office; the Prime Minister), in consultation with the head of the administrative body, and is to publicize them, pursuant to the provisions of Article 11, paragraph (4) (including as applied to mutatis mutandis pursuant to paragraph (2) of the preceding Article).

第五章 準備書

Chapter V Draft Environmental Impact Statement

(準備書の作成)

(Preparation of a Draft Environmental Impact Statement)

第十四条 事業者は、第十二条第一項の規定により対象事業に係る環境影響評価を行った後、当該環境影響評価の結果について環境の保全の見地からの意見を聴くための準備として、第二条第二項第一号イからワまでに掲げる事業の種類ごとに主務省令で定めるところにより、当該結果に係る次に掲げる事項を記載した環境影響評価準備書（以下「準備書」という。）を作成しなければならない。

Article 14 (1) After conducting an environmental impact assessment concerning the target project pursuant to the provisions of Article 12, paragraph (1), the business operator must prepare a draft environmental impact statement (referred to below as a "draft EIS") in which the following matters concerning that result are to be written, , in preparation for asking opinions from the perspective of environmental conservation, concerning the results of the environmental impact assessment, in accordance with order of the competent ministry for the categories of projects stated in Article 2, paragraph (2), item (i), (a) through (m):

一 第五条第一項第一号から第六号までに掲げる事項

(i) matters stated in Article 5, paragraph (1), items (i) through (vi);

二 第八条第一項の意見の概要

(ii) an outline of the opinions referred to in Article 8, paragraph (1);

三 第十条第一項の都道府県知事の意見又は同条第四項の政令で定める市の長の意見及び同条第五項の都道府県知事の意見がある場合にはその意見

(iii) opinions of the prefectural governors as referred to in Article 10, paragraph (1), or opinions by the mayor of the city designated by Cabinet Order referred to in paragraph (4) of that Article, and the opinion of the prefectural governor referred to in paragraph (5) of that Article, if any;

四 前二号の意見についての事業者の見解

(iv) the view of the business operator concerning the opinions referred to in the preceding two items;

- 五 環境影響評価の項目並びに調査、予測及び評価の手法
(v) items for the environmental impact assessment, and the methods for the survey, forecast and evaluation;
- 六 第十一条第二項の助言がある場合には、その内容
(vi) the contents of the technical advice received as referred to in Article 11, paragraph (2), if any;
- 七 環境影響評価の結果のうち、次に掲げるもの
(vii) among the results of the environmental impact assessment, the following matters:
- イ 調査の結果の概要並びに予測及び評価の結果を環境影響評価の項目ごとにとりまとめたもの（環境影響評価を行ったにもかかわらず環境影響の内容及び程度が明らかとならなかった項目に係るものを含む。）
(a) a summary classifying the outline of the results of survey and the results of a forecast and evaluation into each item in the environmental impact assessment (including those relating to items in which the extent and content of the environmental impact is not clear despite the environmental impact assessment being conducted);
- ロ 環境の保全のための措置（当該措置を講ずることとするに至った検討の状況を含む。）
(b) measures for environmental conservation (including details of the consideration on why those measures were taken);
- ハ ロに掲げる措置が将来判明すべき環境の状況に応じて講ずるものである場合には、当該環境の状況の把握のための措置
(c) measures for understanding the concerned situation of the environment, when the measures stated in (b) are taken in accordance with environmental conditions that are to become apparent in the future;
- ニ 対象事業に係る環境影響の総合的な評価
(d) an overall evaluation of the environmental impact concerning the target project.
- 八 環境影響評価の全部又は一部を他の者に委託して行った場合には、その者の氏名及び住所（法人にあってはその名称、代表者の氏名及び主たる事務所の所在地）
(viii) when the environmental impact assessment has been entrusted in whole or in part to another person; the name and address of that person (if the person is a corporation; its name, the name of its representative, and the location of the principal office);
- 九 その他環境省令で定める事項
(ix) other matters specified by Order of the Ministry of the Environment.
- 2 第五条第二項の規定は、準備書の作成について準用する。
(2) The provisions of Article 5, paragraph (2) apply mutatis mutandis to the preparation of the draft EIS.

(準備書の送付等)

(Submission of a Draft EIS)

第十五条 事業者は、準備書を作成したときは、第六条第一項の主務省令で定めるところにより、対象事業に係る環境影響を受ける範囲であると認められる地域（第八条第一項及び第十条第一項、第四項又は第五項の意見並びに第十二条第一項の規定により行った環境影響評価の結果にかんがみ第六条第一項の地域に追加すべきものと認められる地域を含む。以下「関係地域」という。）を管轄する都道府県知事（以下「関係都道府県知事」という。）及び関係地域を管轄する市町村長（以下「関係市町村長」という。）に対し、準備書及びこれを要約した書類（次条において「要約書」という。）を送付しなければならない。

Article 15 Pursuant to order of the competent ministry as prescribed in Article 6, paragraph (1), if a business operator has prepared a draft EIS, that business operator must submit that draft EIS and a summarizing document (referred to as the "summary document" in the next Article) to a prefectural governor (referred to below as "relevant prefectural governor") and to mayors of municipalities (referred to below as "relevant mayors") who have jurisdiction over the relevant area (including areas that are deemed to be added to the areas under Article 6, paragraph (1), in light of the opinions expressed pursuant to the provisions of Article 8, paragraph (1) and Article 10, paragraph (1), (4) or (5), and on the basis of the results of the environmental impact assessment conducted pursuant to Article 12, paragraph (1); referred to below as "relevant areas") when it is found to be within the scope of the environmental impact concerning the target project.

(準備書についての公告及び縦覧)

(A Public Notice and Public Inspection of a Draft EIS)

第十六条 事業者は、前条の規定による送付を行った後、準備書に係る環境影響評価の結果について環境の保全の見地からの意見を求めるため、環境省令で定めるところにより、準備書を作成した旨その他環境省令で定める事項を公告し、公告の日から起算して一月間、準備書及び要約書を関係地域内において縦覧に供するとともに、環境省令で定めるところにより、インターネットの利用その他の方法により公表しなければならない。

Article 16 After the business operator submits a draft EIS under the provisions of the preceding Article, for the purpose of inviting opinions regarding the results of the environmental impact assessment concerning the draft EIS, from the standpoint of environmental conservation, the business operator must give a public notice that a draft EIS has been prepared and on other matters pursuant to Order of the Ministry of the Environment, and make a draft EIS and the summary document available for public inspection in related areas for one month from the date of that public notice, and also publicize them by using the internet, or other means, pursuant to Order of the Ministry of the

Environment.

(説明会の開催等)

(Holding Explanatory Meetings)

第十七条 事業者は、環境省令で定めるところにより、前条の縦覧期間内に、関係地域内において、準備書の記載事項を周知させるための説明会（以下「準備書説明会」という。）を開催しなければならない。この場合において、関係地域内に準備書説明会を開催する適切な場所がないときは、関係地域以外の地域において開催することができる。

Article 17 (1) Pursuant to the provisions of Order of the Ministry of the Environment, a business operator must hold an explanatory meeting to inform of the matters written in the draft EIS (referred to below as a "draft EIS explanatory meeting") in the area, during the period of public inspection referred to in the preceding Article. If there is no appropriate place for holding that draft EIS explanatory meeting within that area, that meeting may be held in an area other than that area.

2 第七条の二第二項から第五項までの規定は、前項の規定により事業者が準備書説明会を開催する場合について準用する。この場合において、同条第三項中「第六条第一項に規定する地域」とあるのは「第十五条に規定する関係地域」と、同条第四項中「第二項」とあるのは「第十七条第二項において準用する第二項」と、同条第五項中「前各項」とあるのは「第十七条第一項及び第二項において準用する前三項」と読み替えるものとする。

(2) The provisions of Article 7-2, paragraphs (2) through (5) apply mutatis mutandis pursuant to cases in which the business operator holds a draft EIS explanatory meeting pursuant to the provisions of the preceding paragraph. In this case, the term "the area specified in Article 6, paragraph (1)" in paragraph (3) of that Article is deemed to be replaced with "related area specified in Article 15"; the term "paragraph (2)" in paragraph (4) of that Article is deemed to be replaced with "paragraph (2) as applied mutatis mutandis pursuant to the provisions of Article 17, paragraph (2)"; and the term "each of the preceding paragraphs" in paragraph (5) of that Article is deemed to be replaced with "the three preceding paragraphs as applied mutatis mutandis pursuant to Article 17, paragraphs (1) and (2)".

(準備書についての意見書の提出)

(Submission of Opinions regarding a Draft EIS)

第十八条 準備書について環境の保全の見地からの意見を有する者は、第十六条の公告の日から、同条の縦覧期間満了の日の翌日から起算して二週間を経過する日までの間に、事業者に対し、意見書の提出により、これを述べることができる。

Article 18 (1) A person who has an opinion regarding a draft EIS from the standpoint of environmental conservation may submit that opinion to the

business operator during a period commencing on the date that the public notice is made as prescribed in Article 16, two weeks after the day following the expiration day in the period for public inspection of the draft EIS as referred to in that Article.

2 前項の意見書の提出に関し必要な事項は、環境省令で定める。

(2) Necessary matters regarding the submission of opinions as prescribed in the preceding paragraph are specified by Order of the Ministry of the Environment.

(準備書についての意見の概要等の送付)

(Submission of an Outline of Opinions on the Draft EIS)

第十九条 事業者は、前条第一項の期間を経過した後、関係都道府県知事及び関係市町村長に対し、同項の規定により述べられた意見の概要及び当該意見についての事業者の見解を記載した書類を送付しなければならない。

Article 19 After the period referred to in paragraph (1) of the preceding Article has passed, the business operator must submit a document to the relevant prefectural governors and mayors, outlining both the opinions stated pursuant to the provisions of that paragraph, and the business operator's views on those opinions.

(準備書についての関係都道府県知事等の意見)

(Opinions of Relevant Prefectural Governors and Others on the Draft EIS)

第二十条 関係都道府県知事は、前条の書類の送付を受けたときは、第四項に規定する場合を除き、政令で定める期間内に、事業者に対し、準備書について環境の保全の見地からの意見を書面により述べるものとする。

Article 20 (1) When a document has been submitted in accordance with the preceding Article, the relevant prefectural governor is to state a written opinion for the draft EIS to the business operator, from the standpoint of environmental conservation, within a period to be specified by cabinet order, except in the case provided for in the provisions of paragraph (4).

2 前項の場合において、当該関係都道府県知事は、期間を指定して、準備書について関係市町村長の環境の保全の見地からの意見を求めるものとする。

(2) In the case referred to in the preceding paragraph, the relevant prefectural governor is to designate a period and request mayors of relevant municipalities to submit their opinions on the draft EIS, from the perspective of environmental conservation.

3 第一項の場合において、当該関係都道府県知事は、前項の規定による当該関係市町村長の意見を勘案するとともに、前条の書類に記載された意見及び事業者の見解に配慮するものとする。

(3) In the case of the paragraph (1), the relevant prefectural governor is to take into account the opinions submitted by the relevant mayors pursuant to the preceding paragraph, as well as the opinion and the perspective of the business

operator described in the document referred to in the preceding Article.

4 関係地域の全部が一の第十条第四項の政令で定める市の区域に限られるものである場合は、当該市の長が、前条の書類の送付を受けたときは、第一項の政令で定める期間内に、事業者に対し、準備書について環境の保全の見地からの意見を書面により述べるものとする。

(4) When the entire area is located within the limits of one city specified by cabinet order as prescribed in Article 10, paragraph (4), the mayor of that city is to submit their opinion in writing on the draft EIS to the business operator, from the perspective of environmental conservation, within a period specified by the Cabinet Order prescribed in paragraph (1).

5 前項の場合において、関係都道府県知事は、前条の書類の送付を受けたときは、必要に応じ、第一項の政令で定める期間内に、事業者に対し、準備書について環境の保全の見地からの意見を書面により述べることができる。

(5) In the case of the preceding paragraph, the relevant prefectural governor may state their opinion in writing to the business operator regarding the draft EIS from the perspective of environmental conservation, within a period designated by the cabinet order prescribed in paragraph (1).

6 第四項の場合において、当該市の長は、前条の書類に記載された意見及び事業者の見解に配慮するものとする。

(6) In the case of paragraph (4), the relevant mayor of the city is to take into account the opinion and view of the business operator described in the document referred to in the preceding Article.

第六章 評価書

Chapter VI Environmental Impact Statement

第一節 評価書の作成等

Section 1 Preparation of an Environmental Impact Statement

(評価書の作成)

(Preparation of an Environmental Impact Statement)

第二十一条 事業者は、前条第一項、第四項又は第五項の意見が述べられたときはこれを勘案するとともに、第十八条第一項の意見に配慮して準備書の記載事項について検討を加え、当該事項の修正を必要とすると認めるとき（当該修正後の事業が対象事業に該当するときに限る。）は、次の各号に掲げる当該修正の区分に応じ当該各号に定める措置をとらなければならない。

Article 21 (1) The business operator must amend the matters written in a draft EIS, when the opinions are submitted pursuant to paragraph (1), (4) or (5) of the preceding Article, while taking into account these opinions given as well as the opinions given as referenced in Article 18, paragraph (1), and when the business operator finds it necessary to amend those matters (limited to when the project becomes a target project after that amendment is made) the

business operator must take the measures specified in those items, in accordance with the amended criteria stated in the following items:

一 第五条第一項第二号に掲げる事項の修正（事業規模の縮小、政令で定める軽微な修正その他の政令で定める修正に該当するものを除く。） 同条から第二十七条までの規定による環境影響評価その他の手続を経ること。

(i) amendments of the matters stated in Article 5 paragraph (1), item (ii) (except for a reduction of the size of the project, minor amendments as specified by Cabinet Order, and other amendments as provided for by Cabinet Order): to undergo an environmental impact assessment and other procedures, under the provisions of Articles 5 through 27;

二 第五条第一項第一号又は第十四条第一項第二号から第四号まで、第六号若しくは第八号に掲げる事項の修正（前号に該当する場合を除く。） 次項及び次条から第二十七条までの規定による環境影響評価その他の手続を行うこと。

(ii) amendment of the matters stated in in Article 5, paragraph (1), item (i), or in Article 14, paragraph (1), items (ii) through (iv), item (vi) or item (viii) (excluding cases falling under the preceding item): to conduct an environmental impact assessment, and other procedures as provided for in the following paragraph, and under the provisions of the following Article through Article 27;

三 前二号に掲げるもの以外のもの 第十一条第一項及び第十二条第一項の主務省令で定めるところにより当該修正に係る部分について対象事業に係る環境影響評価を行うこと。

(iii) other than what is stated in the two preceding items: to conduct an environmental impact assessment for the relevant amended parts of the target project, pursuant to order of the competent ministry as referred to in Article 11, paragraph (1), and in Article 12, paragraph (1).

2 事業者は、前項第一号に該当する場合を除き、同項第三号の規定による環境影響評価を行った場合には当該環境影響評価及び準備書に係る環境影響評価の結果に、同号の規定による環境影響評価を行わなかった場合には準備書に係る環境影響評価の結果に係る次に掲げる事項を記載した環境影響評価書（以下「評価書」という。）を、第二条第二項第一号イからワまでに掲げる事業の種類ごとに主務省令で定めるところにより作成しなければならない。

(2) Excluding cases falling under item (i) of the preceding paragraph, the business operator must prepare an environmental impact assessment report (referred to below as an "EIS"), in accordance with order of the competent ministry for each category of project stated in Article 2, paragraph (2), item (i), (a) through (m), stating the following matters concerning the results of the environmental impact assessment and the environmental impact assessment concerning the draft EIS, if an environmental impact assessment has been conducted under item (iii) of that paragraph, or stating the following matters regarding the results of the environmental impact assessment related to the

draft EIS, if the business operator has not conducted an environmental impact assessment, pursuant to the provisions of that item:

一 第十四条第一項各号に掲げる事項

(i) matters stated in items (i) through (viii) in Article 14, paragraph (1);

二 第十八条第一項の意見の概要

(ii) an outline of opinions referred to in Article 18, paragraph (1);

三 前条第一項の関係都道府県知事の意見又は同条第四項の政令で定める市の長の意見及び同条第五項の関係都道府県知事の意見がある場合にはその意見

(iii) the opinion of a relevant prefectural governor referred to in paragraph (1) of the preceding Article, or the opinions of the mayor of any of the cities specified by Cabinet Order referred to in paragraph (4) of that Article, and when the related prefectural governor has any opinion referred to in paragraph (5) of the same Article; that opinion, if any;

四 前二号の意見についての事業者の見解

(iv) the business operator's views concerning the opinions referred to in the preceding two items.

(免許等を行う者等への送付)

(Submission to Persons Issuing a License)

第二十二條 事業者は、評価書を作成したときは、速やかに、次の各号に掲げる評価書の区分に応じ当該各号に定める者にこれを送付しなければならない。

Article 22 (1) After preparing an EIS, the business operator must promptly submit it to the persons designated in the following items, in accordance with the category of the EIS stated in those items:

一 第二条第二項第二号イに該当する対象事業（免許等に係るものに限る。）に係る評価書 当該免許等を行う者

(i) an EIS concerning a target project falling under Article 2, paragraph (2), item (ii), (a) (limited only to what is related to the license, etc.): the issuer of that license, etc.;

二 第二条第二項第二号イに該当する対象事業（特定届出に係るものに限る。）に係る評価書 当該特定届出の受理を行う者

(ii) an EIS concerning a target project falling under Article 2, paragraph (2), item (ii), (a) (limited only to those concerning a special notification): the recipient of a special notification;

三 第二条第二項第二号ロに該当する対象事業に係る評価書 交付決定権者

(iii) an EIS concerning a target project falling under Article 2, paragraph (2), item (ii), (b): a person empowered to make decisions on grants;

四 第二条第二項第二号ハに該当する対象事業に係る評価書 法人監督者

(iv) an EIS concerning a target project falling under Article 2, paragraph (2), item (ii), (c): the corporate supervisor;

五 第二条第二項第二号ニに該当する対象事業に係る評価書 第四条第一項第四号に

定める者

(v) an EIS concerning a target project falling under Article 2, paragraph (2), item (ii), (d): the person specified in Article 4, paragraph (1), item (iv);

六 第二条第二項第二号ホに該当する対象事業に係る評価書 第四条第一項第五号に定める者

(vi) an EIS concerning a target project falling under Article 2, paragraph (2), item (ii), (e): the person specified in Article 4, paragraph (1), item (v).

2 前項各号に定める者（環境大臣を除く。）が次の各号に掲げる者であるときは、その者は、評価書の送付を受けた後、速やかに、当該各号に定める措置をとらなければならない。

(2) When the person designated in the preceding paragraph (excluding the Minister of the Environment) is the person stated in the following items, that person must promptly take the measures specified in the following items, after receiving the EIS:

一 内閣総理大臣若しくは各省大臣又は委員会の長である国務大臣 環境大臣に当該評価書の写しを送付して意見を求めること。

(i) the Prime Minister or the minister of a ministry, or a Minister of State serving as the head of a committee: to submit a copy of the relevant EIS to the Minister of the Environment, and to seek their opinion;

二 委員会の長（国務大臣を除く。）若しくは庁の長又は国の行政機関の地方支分部局の長 その委員会若しくは庁又は地方支分部局が置かれている内閣府若しくは省又は委員会の長である内閣総理大臣又は各省大臣を経由して環境大臣に当該評価書の写しを送付して意見を求めること。

(ii) the head of a committee or an agency (excluding the Minister of State), or the head of a local branch of the administrative body of the national government: to seek the opinion of the Minister of the Environment by submitting a copy of that EIS to the Minister of the Environment through the Prime Minister, or another minister that serves as the head of the Cabinet Office, ministry, or committee where the committee or the agency or the local branch is located.

(環境大臣の意見)

(Opinion of the Minister of the Environment)

第二十三条 環境大臣は、前条第二項各号の措置がとられたときは、必要に応じ、政令で定める期間内に、同項各号に掲げる者に対し、評価書について環境の保全の見地からの意見を書面により述べることができる。この場合において、同項第二号に掲げる者に対する意見は、同号に規定する内閣総理大臣又は各省大臣を経由して述べるものとする。

Article 23 When measures are taken pursuant to the provisions of items in paragraph (2) of the preceding Article, the Minister of the Environment may express their opinion when necessary in writing for the EIS, within a period

designated by Cabinet Order, from the perspective of environmental conservation, to the persons stated in the items of that paragraph. In such a case, the opinions to be stated to the person referred to in item (ii) of that paragraph are to be expressed through the Prime Minister, or another minister as stated in the that item.

(環境大臣の助言)

(Advice of the Minister of the Environment)

第二十三条の二 第二十二条第一項各号に定める者が地方公共団体その他公法上の法人で政令で定めるもの（以下この条において「地方公共団体等」という。）であるときは、当該地方公共団体等の長は、次条の規定に基づき環境の保全の見地からの意見を書面により述べる必要があると認める場合には、評価書の送付を受けた後、環境大臣に当該評価書の写しを送付して助言を求めるように努めなければならない。

Article 23-2 When a person specified in each item of Article 22, paragraph (1) is of a local government, or other public law corporation and specified by Cabinet Order (referred to below in this Article as "local government, etc."), the head of that local government, etc. must endeavor to seek advice from the Minister of the Environment after receiving an EIS, if that head finds it is necessary to express an opinion in writing from the perspective of environmental conservation, pursuant to the provisions of the following Article, by sending a copy of that EIS.

(免許等を行う者等の意見)

(Opinions of License Issuers)

第二十四条 第二十二条第一項各号に定める者は、同項の規定による送付を受けたときは、必要に応じ、政令で定める期間内に、事業者に対し、評価書について環境の保全の見地からの意見を書面により述べることができる。この場合において、第二十三条の規定による環境大臣の意見があるときは、これを勘案しなければならない。

Article 24 When receiving an EIS submitted pursuant to the provisions of Article 22, paragraph (1), the person specified in items of the Article 22, paragraph (1) may express their opinion on the EIS in writing to the business operator as necessary, and within a period designated by Cabinet Order, from the perspective of environmental conservation. In such a case, when the Minister of the Environment has expressed any opinion pursuant to the provisions of Article 23, that person must take that opinion into account.

第二節 評価書の補正等

Section 2 Correction of an Environmental Impact Statement

(評価書の再検討及び補正)

(Review and Correction of the EIS)

第二十五条 事業者は、前条の意見が述べられたときはこれを勘案して、評価書の記載事項に検討を加え、当該事項の修正を必要とすると認めるとき（当該修正後の事業が対象事業に該当するときに限る。）は、次の各号に掲げる当該修正の区分に応じ当該各号に定める措置をとらなければならない。

Article 25 (1) When an opinion referred to in the preceding Article is expressed, the business operator must take those into account, and amend the matters to be included within the EIS, and if the business operator finds it necessary to amend those matters (limited to cases when the project after the amendment falls under the category of target project), the business operator must take the measures stated in each of the following items, in accordance with that amended category:

一 第五条第一項第二号に掲げる事項の修正（事業規模の縮小、政令で定める軽微な修正その他の政令で定める修正に該当するものを除く。） 同条から第二十七条までの規定による環境影響評価その他の手続を経ること。

(i) amending the matters stated in Article 5, paragraph (1), item (ii) (excluding reduction of the size of the project, and those falling under the minor amendments as defined by Cabinet Order, and other amendments as defined by Cabinet Order): to take the step of conducting an environmental impact assessment, and other procedures under the provisions of Articles 5 through 27;

二 第五条第一項第一号、第十四条第一項第二号から第四号まで、第六号若しくは第八号又は第二十一条第二項第二号から第四号までに掲げる事項の修正（前号に該当する場合を除く。） 評価書について所要の補正をすること。

(ii) amending the matters stated in Article 5, paragraph (1), item (i), in Article 14, paragraph (1), items (ii) through (iv), (vi) or (viii), or in Article 21, paragraph (2), items (ii) through (iv) (excluding those falling under the preceding item): to make necessary corrections to the EIS;

三 前二号に掲げるもの以外のもの第十一条第一項及び第十二条第一項の主務省令で定めるところにより当該修正に係る部分について対象事業に係る環境影響評価を行うこと。

(iii) other than what is stated in the two preceding items, to conduct an environmental impact assessment for the part concerning the relevant amendment of the target project, pursuant to the provisions of order of the competent ministry as referred to in Article 11, paragraph (1) and in Article 12, paragraph (1).

2 事業者は、前項第三号の規定による環境影響評価を行った場合には、当該環境影響評価及び評価書に係る環境影響評価の結果に基づき、第二条第二項第一号イからワまでに掲げる事業の種類ごとに主務省令で定めるところにより評価書の補正をしなければならない。

(2) When an environmental impact assessment has been conducted pursuant to the provisions of item (iii) of the preceding paragraph, the business operator

must correct the EIS, pursuant to the order of the competent ministry for each type of the project referred to in Article 2, paragraph (2), item (i), (a) through (m), in accordance with the results of the environmental impact assessment and the environmental impact assessment concerning the EIS.

3 事業者は、第一項第一号に該当する場合を除き、同項第二号又は前項の規定による補正後の評価書の送付（補正を必要としないと認めるときは、その旨の通知）を、第二十二條第一項各号に掲げる評価書の区分に応じ当該各号に定める者に対してしなければならない。

(3) Excluding cases falling under paragraph (1), item (i), the business operator must send an EIS after any corrections made pursuant to the provisions of item (ii) of that paragraph, or the preceding paragraph (if it is found that no corrections are necessary; a notice is to be sent that effect), to the persons specified in those items, in accordance with the categories of the EIS stated in the items of Article 22, paragraph 1,.

（環境大臣等への評価書の送付）

(Submission of the EIS to the Minister of the Environment)

第二十六條 第二十二條第一項各号に定める者（環境大臣を除く。）が次の各号に掲げる者であるときは、その者は、前条第三項の規定による送付又は通知を受けた後、当該各号に定める措置をとらなければならない。

Article 26 (1) When the person designated in the items of Article 22, paragraph (1) (excluding the Minister of the Environment) is a person stated in the following items, that person must take the measures specified in the following items, after receiving a submission, or notice pursuant to the provisions of paragraph (3) of the preceding Article:

一 内閣総理大臣若しくは各省大臣又は委員会の長である国務大臣 環境大臣に前条第三項の規定による送付を受けた補正後の評価書の写しを送付し、又は同項の規定による通知を受けた旨を通知すること。

(i) the Prime Minister, or the minister of a ministry, or a Minister of State serving as the head of a committee: to send to the Minister of the Environment a copy of the corrected EIS, under the provisions of paragraph (3) of the preceding Article, or inform of receipt of the notice under the provisions of that paragraph;

二 委員会の長（国務大臣を除く。）若しくは庁の長又は国の行政機関の地方支分部局の長 その委員会若しくは庁又は地方支分部局が置かれている内閣府若しくは省又は委員会の長である内閣総理大臣又は各省大臣を経由して環境大臣に前条第三項の規定による送付を受けた補正後の評価書の写しを送付し、又は同項の規定による通知を受けた旨を通知すること。

(ii) the head of a committee (excluding the Minister of State) or the head of an agency, or the head of a local branch of an administrative body of the national government: to submit to the Minister of the Environment a copy of

the corrected EIS pursuant to the provisions of paragraph (3) of the preceding Article, through the Prime Minister, or the minister of ministry who serves as the head of the Cabinet Office, or the ministry or committee where the committee or the agency or the local branch is established, or to notify to the effect of having received the notice under the provisions of that paragraph.

- 2 事業者は、前条第三項の規定による送付又は通知をしたときは、速やかに、関係都道府県知事及び関係市町村長に評価書（同条第一項第二号又は第二項の規定による評価書の補正をしたときは、当該補正後の評価書。次条及び第三十三条から第三十八条までにおいて同じ。）、これを要約した書類及び第二十四条の書面（次条並びに第四十一条第二項及び第三項において「評価書等」という。）を送付しなければならない。

(2) When making a submission, or giving a notice under the provisions of paragraph (3) of the preceding Article, the business operator must promptly submit the EIS to the prefectural governors and related mayors (the corrected EIS, when the EIS is corrected under the provisions of paragraph (1), item (ii) or paragraph (2) of that Article; the same applies to the following Article and Articles 33 through 38), a document summarizing the EIS, and the documents specified in Article 24 (referred to as "EIS, etc." in the following Article and Article 41, paragraphs (2) and (3)).

（評価書の公告及び縦覧）

(A Public Notice and Public Inspection of an Environmental Impact Statement)

第二十七条 事業者は、第二十五条第三項の規定による送付又は通知をしたときは、環境省令で定めるところにより、評価書を作成した旨その他環境省令で定める事項を公告し、公告の日から起算して一月間、評価書等を関係地域内において縦覧に供するとともに、環境省令で定めるところにより、インターネットの利用その他の方法により公表しなければならない。

Article 27 When making a submission or notice under the provisions of Article 25, paragraph (3), the business operator must give a public notice, pursuant to the provisions of Order of the Ministry of the Environment, that an EIS and other matters have been prepared, pursuant to the provisions of Order of the Ministry of the Environment, and must make the EIS, etc. available for public inspection in that area for one month from the date of that public notice, and must also publicize the EIS, etc. by use of the internet or other means, pursuant to the provisions of Order of the Ministry of the Environment.

第七章 対象事業の内容の修正等

Chapter VII Amending the Contents of a Target Project

（事業内容の修正の場合の環境影響評価その他の手続）

(Environmental Impact Assessment and Other Procedures When the Contents

of a Project Are Amended)

第二十八条 事業者は、第七条の規定による公告を行ってから前条の規定による公告を行うまでの間に第五条第一項第二号に掲げる事項を修正しようとする場合（第二十一条第一項又は第二十五条第一項の規定の適用を受ける場合を除く。）において、当該修正後の事業が対象事業に該当するときは、当該修正後の事業について、第五条から前条までの規定による環境影響評価その他の手続を経なければならない。ただし、当該事項の修正が事業規模の縮小、政令で定める軽微な修正その他の政令で定める修正に該当する場合は、この限りでない。

Article 28 When a business operator intends to amend the matters stated in Article 5, paragraph (1), item (ii) during the period between the public notice under the provisions of Article 7, and the public notice under the provisions of the preceding Article (excluding cases when the provisions of Article 21, paragraph (1) or of Article 25, paragraph (1) are applied), and if the project falls under the category of a target project after that amendment, the business operator must pass an environmental impact assessment for the project after that amendment, and other procedures pursuant to Articles 5 through the preceding article; provided, however, that these provisions do not apply when that amendment falls under the category of reducing the size of the project, minor amendments as specified by Cabinet Order, or other amendments of the project as specified by Cabinet Order.

(事業内容の修正の場合の第二種事業に係る判定)

(Judgment Concerning a Class-2 Project in the Case of Amendment of the Project Content)

第二十九条 事業者は、第七条の規定による公告を行ってから第二十七条の規定による公告を行うまでの間において、第五条第一項第二号に掲げる事項を修正しようとする場合において、当該修正後の事業が第二種事業に該当するときは、当該修正後の事業について、第四条第一項の規定の例により届出をすることができる。

Article 29 (1) When a business operator intends to amend the matters stated in Article 5, paragraph (1), item (ii), during the period between a public notice provided by Article 7, and a public notice provided by Article 27, when the project falls under a class-2 project after amendment, the business operator may submit a notification concerning the project after amendment, in accordance with the provisions of Article 4, paragraph (1).

2 第四条第二項及び第三項の規定は、前項の規定による届出について準用する。この場合において、同条第三項第一号中「その他の手続」とあるのは、「その他の手続（当該届出の時までに行ったものを除く。）」と読み替えるものとする。

(2) The provisions of Article 4, paragraphs (2) and (3) apply mutatis mutandis to a notification under the preceding paragraph. In this case, the term "other procedures" in paragraph (3), item (i) of that Article is deemed to be replaced with "other procedures (excluding those conducted by the time of that

notification)".

- 3 第一項の規定による届出をした者は、前項において準用する第四条第三項第二号に規定する措置がとられたときは、方法書、準備書又は評価書の送付を当該事業者から受けた者にその旨を通知するとともに、環境省令で定めるところによりその旨を公告しなければならない。

(3) When the measures under provisions of Article 4, paragraph (3), item (ii) has been taken as applied mutatis mutandis to the preceding paragraph, the person filing a notification in accordance with paragraph (1) must provide notice to that effect to the person who received the scoping document, a draft EIS, or an EIS from that business operator, and must give a public notice pursuant to the provisions of Order of the Ministry of the Environment.

(対象事業の廃止等)

(Discontinuation of a Target Project)

第三十条 事業者は、第七条の規定による公告を行ってから第二十七条の規定による公告を行うまでの間において、次の各号のいずれかに該当することとなった場合には、方法書、準備書又は評価書の送付を当該事業者から受けた者にその旨を通知するとともに、環境省令で定めるところにより、その旨を公告しなければならない。

Article 30 (1) When a business operator falls under any of the following cases during the period between a public notice provided for by Article 7 and a public notice provided for by Article 27, that business operator must provide notice to that effect to the person receiving a scoping document, a draft EIS, or an EIS from that business operator, and must give a public notice to that effect in accordance with Order of the Ministry of the Environment:

一 対象事業を実施しないこととしたとき。

(i) when the business operator has decided not to implement the target project;

二 第五条第一項第二号に掲げる事項を修正した場合において当該修正後の事業が第一種事業又は第二種事業のいずれにも該当しないこととなったとき。

(ii) as a result of the amendment of the matters stated in Article 5, paragraph (1), item (ii), the project no longer falls under either a class-1 project or a class-2 project;

三 対象事業の実施を他の者に引き継いだとき。

(iii) the implementation of the target project is transferred to another person.

- 2 前項第三号の場合において、当該引継ぎ後の事業が対象事業であるときは、同項の規定による公告の日以前に当該引継ぎ前の事業者が行った環境影響評価その他の手続は新たに事業者となった者が行ったものとみなし、当該引継ぎ前の事業者について行われた環境影響評価その他の手続は新たに事業者となった者について行われたものとみなす。

(2) In the case of item (iii) of the preceding paragraph, when a project transferred to another person is a target project, any environmental impact assessment and any other procedures that were conducted before the date of the public

notice referred to in that paragraph by the former business operator before the transfer are deemed to have been conducted by the new business operator, and any environmental impact assessment and other procedures that were conducted for the former business operator before the transfer are deemed to be conducted for the new business operator.

第八章 評価書の公告及び縦覧後の手続

Chapter VIII Procedures After a Public Notice and Public Inspection of an Environmental Impact Statement

(対象事業の実施の制限)

(Restrictions on the Implementation of a Target Project)

第三十一条 事業者は、第二十七条の規定による公告を行うまでは、対象事業（第二十一条第一項、第二十五条第一項又は第二十八条の規定による修正があった場合において当該修正後の事業が対象事業に該当するときは、当該修正後の事業）を実施してはならない。

Article 31 (1) A business operator must not implement a target project (in the case amendment was made pursuant to the provisions of Article 21 paragraph (1), Article 25, paragraph (1) or Article 28, and when the amended project falls under a target project; that amended project) until that business operator issues a public notice under the provisions of Article 27.

2 事業者は、第二十七条の規定による公告を行った後に第五条第一項第二号に掲げる事項を変更しようとする場合において、当該変更が事業規模の縮小、政令で定める軽微な変更その他の政令で定める変更該当するときは、この法律の規定による環境影響評価その他の手続を経ることを要しない。

(2) After a business operator has issued the public notice pursuant to the provisions of Article 27, if a business operator intends to modify any of the matters stated in Article 5, paragraph (1), item (ii), the business operator is not required to conduct an environmental impact assessment, or follow other procedures under the provisions of this Act, if that modification falls under the category of reduction of the size of the project, a minor modification as specified by Cabinet Order, or any other modification specified by Cabinet Order.

3 第一項の規定は、第二十七条の規定による公告を行った後に第五条第一項第二号に掲げる事項を変更して当該事業を実施しようとする者（前項の規定により環境影響評価その他の手続を経ることを要しないこととされる事業者を除く。）について準用する。この場合において、第一項中「公告」とあるのは、「公告（同条の規定による公告を行い、かつ、この法律の規定による環境影響評価その他の手続を再び経た後に行うものに限る。）」と読み替えるものとする。

(3) The provisions of paragraph (1) apply mutatis mutandis to a person (excluding a business operator who, under the provisions of the preceding

paragraph, is not required to go through an environmental impact assessment or other procedures) intending to implement the relevant project, after modifying the matters stated in Article 5, paragraph (1), item (ii) after the relevant person has issued a public notice under the provisions of Article 27. In such a case, the term "public notice" in paragraph (1) is deemed to be replaced with "public notice (limited to those issued pursuant to the provisions of that Article, and also those to be issued after undergoing an environmental impact assessment, and following other procedures pursuant to the provisions of this Act)".

4 事業者は、第二十七条の規定による公告を行った後に対象事業の実施を他の者に引き継いだ場合には、環境省令で定めるところにより、その旨を公告しなければならない。この場合において、前条第二項の規定は、当該引継ぎについて準用する。

(4) When a business operator transfers the implementation of a target project to another person after that business operator has issued a public notice under the provisions of Article 27, the business operator must issue a public notice to that effect, as prescribed by Order of the Ministry of the Environment. In this case, the provisions of paragraph (2) of the preceding Article are applied *mutatis mutandis* to that transfer.

(評価書の公告後における環境影響評価その他の手続の再実施)

(Reimplementation of Environmental Impact Assessment and Other Procedures After a Public Notice for an EIS)

第三十二条 事業者は、第二十七条の規定による公告を行った後に、対象事業実施区域及びその周囲の環境の状況の変化その他の特別の事情により、対象事業の実施において環境の保全上の適正な配慮をするために第十四条第一項第五号又は第七号に掲げる事項を変更する必要があると認めるときは、当該変更後の対象事業について、更に第五条から第二十七条まで又は第十一条から第二十七条までの規定の例による環境影響評価その他の手続を行うことができる。

Article 32 (1) After issuing a public notice under the provisions of Article 27, due to changes in the environmental conditions in the area for implementing the target project and its surroundings, or due to other special circumstances, when the business operator finds it necessary to modify the matters stated in Article 14, paragraph (1), item (v) or (vii) to ensure due consideration for environmental conservation in implementing the target project, the business operator may conduct an additional environmental impact assessment, or other procedures relating to the target project after modification, pursuant to the provisions of Article 5 through 27, or Article 11 through 27.

2 事業者は、前項の規定により環境影響評価その他の手続を行うこととしたときは、遅滞なく、環境省令で定めるところにより、その旨を公告するものとする。

(2) When a business operator intends to conduct an environmental impact assessment, or other procedures pursuant to the provisions of the preceding

paragraph, the business operator must issue a public notice to that effect without delay, in accordance with Order of the Ministry of the Environment.

3 第二十八条から前条までの規定は、第一項の規定により環境影響評価その他の手続が行われる対象事業について準用する。この場合において、同条第一項中「公告」とあるのは、「公告（次条第一項に規定する環境影響評価その他の手続を行った後に行うものに限る。）」と読み替えるものとする。

(3) The provisions of Articles 28 through the preceding Article apply mutatis mutandis to a target project for which an environmental impact assessment or other procedures are conducted pursuant to the provisions of paragraph (1). In such a case, the term "public notice" in paragraph (1) of that Article is deemed to be replaced with "public notice (limited to a public notice given after an environmental impact assessment or other procedures have been conducted pursuant to paragraph (1) of the following Article)".

(免許等に係る環境の保全の配慮についての審査等)

(Review for a Consideration for a License on Environmental Conservation)

第三十三条 対象事業に係る免許等を行う者は、当該免許等の審査に際し、評価書の記載事項及び第二十四条の書面に基づいて、当該対象事業につき、環境の保全についての適正な配慮がなされるものであるかどうかを審査しなければならない。

Article 33 (1) A person reviewing a license, etc., or other document for a target project must review whether appropriate consideration has been given to environmental conservation for that target project, based on the environmental impact statement referred to in Article 24.

2 前項の場合においては、次の各号に掲げる当該免許等（次項に規定するものを除く。）の区分に応じ、当該各号に定めるところによる。

(2) In the case of the preceding paragraph, the provisions of the following items apply in accordance with the classification of the license, etc. (excluding those prescribed in the following paragraph) stated in the following items:

一 一定の基準に該当している場合には免許等を行うものとする旨の法律一の規定であって政令で定めるものに係る免許等 当該免許等を行う者は、当該免許等に係る当該規定にかかわらず、当該規定に定める当該基準に関する審査と前項の規定による環境の保全に関する審査の結果を併せて判断するものとし、当該基準に該当している場合であっても、当該判断に基づき、当該免許等を拒否する処分を行い、又は当該免許等に必要な条件を付することができるものとする。

(i) a license, etc. concerning provisions of the act specifying that a license, etc. is to be granted when certain standards are satisfied, and also concerning what is specified by Cabinet Order: notwithstanding the provisions concerning that license, etc., the person issuing that license, etc. is to make a judgement, in accordance with the combination of the results of both reviews for the standards specified in the provisions, and for the environmental conservation pursuant to the provisions of the preceding paragraph, and

even if the standards are met, that person may issue a disposition refusing that license, etc., based on that judgement, or may attach any necessary conditions to that license, etc.;

二 一定の基準に該当している場合には免許等を行わないものとする旨の法律の規定であって政令で定めるものに係る免許等 当該免許等を行う者は、当該免許等に係る当該規定にかかわらず、当該規定に定める当該基準に該当している場合のほか、対象事業の実施による利益に関する審査と前項の規定による環境の保全に関する審査の結果を併せて判断するものとし、当該判断に基づき、当該免許等を拒否する処分を行い、又は当該免許等に必要な条件を付することができるものとする。

(ii) a license, etc. concerning provisions of the act which are specified by Cabinet Order to the effect that a license, etc. is not to be granted when certain standards are met: notwithstanding the provisions concerning that relevant license, etc., the issuer granting that license, etc. makes a judgement, falling under the standards referred to in those provisions, based on results of a review of the benefits of implementing the target project, and a review for environmental conservation pursuant to the provisions of the preceding paragraph; even if it falls under those standards, the issuer may issue a disposition refusing that license, etc., in accordance with that determination, or may attach any necessary conditions to that license, etc.;

三 免許等を行い又は行わない基準を法律の規定で定めていない免許等（当該免許等に係る法律の規定で政令で定めるものに係るものに限る。） 当該免許等を行う者は、対象事業の実施による利益に関する審査と前項の規定による環境の保全に関する審査の結果を併せて判断するものとし、当該判断に基づき、当該免許等を拒否する処分を行い、又は当該免許等に必要な条件を付することができるものとする。

(iii) a license, etc. concerning provisions of the act for which a license, etc. (limited to the license, etc. concerning the provisions provided for by laws regarding that license, etc.; these provisions are specified by Cabinet Order) is to be granted, or not to be granted when certain criteria are not satisfied, and also concerning what is specified by order: the issuer granting that license, etc. is to make a judgement, based on the results of both reviews of the benefits of implementing the target project and for the environment conservation under the provisions of the preceding paragraph, and may issue a disposition refusing that license, etc., based on that judgement, or may attach any necessary conditions to that license, etc.

3 対象事業に係る免許等であって対象事業の実施において環境の保全についての適正な配慮がなされるものでなければ当該免許等を行わないものとする旨の法律の規定があるものを行う者は、評価書の記載事項及び第二十四条の書面に基づいて、当該法律の規定による環境の保全に関する審査を行うものとする。

(3) A person responsible for issuing a license, etc. concerning a target project for which the provisions of the laws that designates to the effect the license, etc. is not to be issued, unless proper care is taken regarding environmental

conservation in implementing that target project, on the basis of the items in an EIS, and the documents referred to in Article 24, and is to conduct a review regarding environmental conservation, in accordance with the provisions of the related laws.

4 前各項の規定は、第二条第二項第二号ホに該当する対象事業に係る免許、特許、許可、認可、承認又は同意（同号ホに規定するものに限る。）について準用する。

(4) The provisions in the preceding items apply mutatis mutandis to any license, patent, permission, authorization, approval, or consent concerning a target project that is referred to in Article 2, paragraph (2), item (ii), (e) (limited only to those specified in item (ii), (e)).

（特定届出に係る環境の保全の配慮についての審査等）

(Review of the Consideration for Environmental Conservation in a Special Notification)

第三十四条 対象事業に係る特定届出を受理した者は、評価書の記載事項及び第二十四条の書面に基づいて、当該対象事業につき、環境の保全についての適正な配慮がなされるものであるかどうかを審査し、この配慮に欠けると認めるときは、当該特定届出に係る法律の規定にかかわらず、当該特定届出をした者に対し、当該規定によって勧告又は命令をすることができることとされている期間（当該特定届出の受理の時に評価書の送付を受けていないときは、その送付を受けた日から起算する当該期間）内において、当該特定届出に係る事項の変更を求める旨の当該規定による勧告又は命令をすることができる。

Article 34 (1) A person who receives a special notification concerning a target project is to review whether appropriate consideration is being given to environmental conservation for the target project, and when that person finds that consideration is lacking, notwithstanding the provisions of the act concerning that special notification, that person may issue a recommendation, or an order requiring modification of the matters in that special notification, to that effect, within a period in which that recommendation or order may be issued, as specified by those provisions (if an EIS has not been received at the time of receiving the special notification; within that period from the notification date), to the person who filed that special notification.

2 前項の規定は、第二条第二項第二号ホに該当する対象事業に係る同号ホの届出について準用する。

(2) The provisions of the preceding paragraph apply mutatis mutandis to any notification falling under Article 2, paragraph (2), item (ii), (e), concerning any target project falling under that item, (e).

（交付決定権者の行う環境の保全の配慮についての審査等）

(Review by a Person Empowered to Make a Determination on Grants for Environmental Conservation)

第三十五条 対象事業に係る交付決定権者は、評価書の記載事項及び第二十四条の書面に基づいて、当該対象事業につき、環境の保全についての適正な配慮がなされるものであるかどうかを審査しなければならない。この場合において、当該審査は、補助金等に係る予算の執行の適正化に関する法律第六条第一項の規定による調査として行うものとする。

Article 35 The person empowered to make a determination on grants responsible for a target project must review whether appropriate consideration is being given to environmental conservation in the target project, in accordance with the matters described in an EIS, and the documents referred to in Article 24. In such a case, that review is to be made as an investigation under the provisions of Article 6, paragraph (1) of the Act on Regulation of Execution of Budget Pertaining to Subsidies

(法人監督者の行う環境の保全の配慮についての審査等)

(Review by a Corporate Supervisor for Environmental Conservation)

第三十六条 対象事業に係る法人監督者は、評価書の記載事項及び第二十四条の書面に基づいて、当該対象事業につき、環境の保全についての適正な配慮がなされるものであるかどうかを審査し、当該法人に対する監督を通じて、この配慮がなされることを確保するようにしなければならない。

Article 36 The corporate supervisor responsible for a target project must review whether appropriate consideration is being given to environmental conservation in a target project, and must ensure that such consideration is given, through supervision of the corporation.

(主任の大臣の行う環境の保全の配慮についての審査等)

(Review by the Competent Minister Regarding Consideration for Environmental Conservation)

第三十七条 対象事業に係る第四条第一項第四号又は第五号に定める主任の大臣は、評価書の記載事項及び第二十四条の書面に基づいて、当該対象事業につき、環境の保全についての適正な配慮がなされるものであるかどうかを審査し、この配慮がなされることを確保するようにしなければならない。

Article 37 A competent minister responsible for the target project specified in Article 4, paragraph (1), item (iv) or (v) must review whether appropriate consideration is being given to environmental consideration in the target project, and must ensure that appropriate consideration is being given, based on the items described in an EIS and the documents referred to in Article 24,.

(事業者の環境の保全の配慮等)

(Consideration to be Given by the Business Operator for Environmental Conservation)

第三十八条 事業者は、評価書に記載されているところにより、環境の保全についての

適正な配慮をして当該対象事業を実施するようにしなければならない。

Article 38 (1) The business operator must implement a target project giving appropriate consideration for environmental conservation, in accordance with the contents described in the EIS.

2 この章の規定による環境の保全に関する審査を行うべき者が事業者の地位を兼ねる場合には、当該審査を行うべき者は、当該審査に係る業務に従事するその者の職員を当該事業の実施に係る業務に従事させないように努めなければならない。

(2) When a person responsible for the review for environmental conservation under this Chapter is serving concurrently as a business operator, that person must endeavor to ensure that the employees engaged in business concerning the review procedure, are not engaged in business regarding the implementation of the project.

(環境保全措置等の報告等)

(Reporting on Measures for Environmental Conservation)

第三十八条の二 第二十七条の規定による公告を行った事業者（当該事業者が事業の実施前に当該事業を他の者に引き継いだ場合には、当該事業を引き継いだ者）は、第二条第二項第一号イからワまでに掲げる事業の種類ごとに主務省令で定めるところにより、第十四条第一項第七号ロに掲げる措置（回復することが困難であるためその保全が特に必要であると認められる環境に係るものであって、その効果が確実でないものとして環境省令で定めるものに限る。）、同号ハに掲げる措置及び同号ハに掲げる措置により判明した環境の状況に応じて講ずる環境の保全のための措置であって、当該事業の実施において講じたものに係る報告書（以下「報告書」という。）を作成しなければならない。

Article 38-2 (1) The business operator who has issued a public notice under the provisions of Article 27 (when that business operator transferred the project before the implementation of the business; the new business operator) must prepare a report (referred to below as "report") that describes the measures taken in the implementation of the project, referred to in Article 14, paragraph (1), item (vii) , (b) (limited to those relating to the environment where it is found that the conservation is particularly necessary because it is difficult to be recovered, but the effectiveness is not certain, as specified by Order of the Ministry of the Environment), the measures stated in item (vii), (c), and measures taken in the implementation of that project, in accordance with the environmental situation that has become known as a result of the measure referred to in item (vii), (c), pursuant to order of the competent ministry specified in each category of the project stated in Article 2, paragraph (2), item (i), (a) through (m).

2 前項の主務省令は、報告書の作成に関する指針につき主務大臣（主務大臣が内閣府の外局の長であるときは、内閣総理大臣）が環境大臣に協議して定めるものとする。

(2) The order of the competent ministry referred to in the preceding paragraph, is

to be established by the competent minister (when the competent minister is the head of external bureau of the Cabinet Office; the Prime Minister) in consultation with the Minister of the Environment, to establish guidelines for preparing a report.

3 環境大臣は、関係する行政機関の長に協議して、前項の規定により主務大臣（主務大臣が内閣府の外局の長であるときは、内閣総理大臣）が定めるべき指針に関する基本的事項を定めて公表するものとする。

(3) In consultation with the heads of relevant administrative bodies, the Minister of the Environment is to define and publicize the basic matters concerning the guidelines to be established by the competent minister (if the competent cabinet minister is the head of external bureau of the Cabinet Office; the Prime Minister) pursuant to the provisions of the preceding paragraph.

（報告書の送付及び公表）

(Submission and Publication of a Report)

第三十八条の三 前条第一項に規定する事業者は、報告書を作成したときは、環境省令で定めるところにより、第二十二条第一項の規定により第二十一条第二項の評価書の送付を受けた者にこれを送付するとともに、これを公表しなければならない。

Article 38-3 (1) When the business operator prescribed in paragraph (1) of the preceding Article, prepares a report, the business operator must send the report to the person receiving the EIS specified by Article 21, paragraph (2), pursuant to the provisions of Article 22, paragraph (1), and must publicize the report in accordance with Order of the Ministry of the Environment.

2 第二十二条第二項の規定は、前項の規定により同条第一項各号に定める者（環境大臣を除く。）が報告書の送付を受けた場合について準用する。

(2) The provisions of Article 22, paragraph (2) are applied mutatis mutandis to cases in which a person specified in any of the items in the paragraph (1) of that Article, (except for the Minister of the Environment) receives a report pursuant to the provisions of the preceding paragraph.

（環境大臣の意見）

(Opinions of the Minister of the Environment)

第三十八条の四 環境大臣は、前条第二項において準用する第二十二条第二項各号に定める措置がとられたときは、必要に応じ、政令で定める期間内に、同項各号に掲げる者に対し、報告書について環境の保全の見地からの意見を書面により述べることができる。この場合において、同項第二号に掲げる者に対する意見は、同号に規定する内閣総理大臣又は各省大臣を経由して述べるものとする。

Article 38-4 When the measures specified in the provisions of each item of Article 22, paragraph (2) as applied mutatis mutandis in paragraph (2) of the preceding Article, the Minister of the Environment may, as necessary, provide a written opinion on the report from the perspective of environmental

conservation to the person stated in each item of that paragraph within a period to be designated by Cabinet Order. In such a case, opinions to the persons stated in item (ii) of that paragraph are to be expressed through the Prime Minister, or the ministers of other ministries as specified in that item.

(免許等を行う者等の意見)

(Opinions of the Issuers of Licenses)

第三十八条の五 第二十二条第一項各号に定める者は、第三十八条の三第一項の規定による送付を受けたときは、必要に応じ、政令で定める期間内に、第三十八条の二第一項に規定する事業者に対し、報告書について環境の保全の見地からの意見を書面により述べることができる。この場合において、前条の規定による環境大臣の意見があるときは、これを勘案しなければならない。

Article 38-5 When a person specified in each item of Article 22, paragraph (1) has received a written report under the provisions of Article 38-3, paragraph (1), that person may, as necessary, provide a written opinion on the report to the business operator referred to in Article 38-2, paragraph (1), from the perspective of environmental conservation, within a period designated by cabinet order. In such a case, if the Minister of the Environment has expressed any opinion pursuant to the provisions of the preceding Article, that opinion must be taken into consideration.

第九章 環境影響評価その他の手続の特例等

Chapter IX Special Provisions for an Environmental Impact Assessment and Other Procedures

第一節 都市計画に定められる対象事業等に関する特例

Section 1 Special Provisions for a Target Project Specified in a City Plan

(都市計画に定められる第一種事業等又は第二種事業等)

(Class-1 or Class-2 Projects Specified in a City Plan)

第三十八条の六 第一種事業が都市計画法（昭和四十三年法律第百号）第四条第七項に規定する市街地開発事業（以下「市街地開発事業」という。）として同法の規定により都市計画に定められる場合における当該第一種事業又は第一種事業に係る施設が同条第五項に規定する都市施設（以下「都市施設」という。）として同法の規定により都市計画に定められる場合における当該都市施設に係る第一種事業については、第三条の二から第三条の九までの規定により行うべき計画段階配慮事項についての検討その他の手続及び第五条から第三十八条までの規定により行うべき環境影響評価その他の手続は、第三項、第四十条第二項、第四十一条、第四十三条、第四十四条第一項、第二項及び第五項から第七項まで並びに第四十六条に定めるところにより、同法第十五条第一項の都道府県若しくは市町村若しくは同法第八十七条の二第一項の指定都市（同法第二十二条第一項の場合にあっては、同項の国土交通大臣（同法第八十五条の二の規定により同法第二十二条第一項に規定する国土交通大臣の権限が地方整備局長

又は北海道開発局長に委任されている場合にあつては、当該地方整備局長又は北海道開発局長) 又は市町村) 又は都市再生特別措置法 (平成十四年法律第二十二号) 第五十一条第一項の規定に基づき都市計画の決定若しくは変更をする市町村 (以下「都市計画決定権者」と総称する。) で当該都市計画の決定又は変更をするものが当該第一種事業を実施しようとする者に代わるものとして、当該第一種事業又は第一種事業に係る施設に関する都市計画の決定又は変更をする手続と併せて行うものとする。この場合において、第三条の三第三項、第三条の九第一項第三号及び第二項、第五条第二項、第十四条第二項並びに第三十条第一項第三号及び第二項の規定は、適用しない。

Article 38-6 (1) When a class-1 project is specified in a city plan pursuant to the provisions of the City Planning Act (Act No. 100 of 1968) as an urban development project, which is prescribed in the provisions of Article 4, paragraph (7) of that Act (referred to below as an "urban development project"), or a class-1 project in which urban facilities are specified in the city plan pursuant to the provisions of that Act as urban facilities prescribed in Article 4, paragraph (5) of that Act (referred to below as "urban facilities"), the examination of items for a primary environmental impact consideration at the planning stage, and other procedures under to the provisions of Article 3-2 through Article 3-9, as well as an environmental impact assessment and other procedures pursuant to the provisions of Articles 5 through Article 38 is conducted, pursuant to the provisions of paragraph (3), Article 40, paragraph (2), Article 41, Article 43, Article 44, paragraphs (1), (2) and (5) through (7) and Article 46, instead of the business operator intending to implement that class-1 project, in conjunction with making a decision or revision of the city plan concerning that class-1 project, or the relevant urban facilities, by the person making the decision or revision to that city plan (collectively referred to below as "city planning decision maker") in the prefectures and municipalities referred to in Article 51, paragraph (1) of the City Planning Act or in the designated cities referred to in Article 87-2, paragraph (1) of that act (in the case of Article 22, paragraph (1) of that Act; the Minister of Land, Infrastructure, Transport and Tourism prescribed in that paragraph (pursuant to the provisions of Article 85-2 of that Act, when the authority of the Minister of Land, Infrastructure, Transport and Tourism referred to in Article 22, paragraph (1) of that Act is delegated to either the directors of the Regional Development Bureau, or the director of the Hokkaido Regional Development Bureau; the director of the relevant Regional Development Bureau or the director of the Hokkaido Regional Development Bureau), or the municipalities), or in the municipalities making the decision or revision to the city plan based on the provisions of Article 51, paragraph (1) of the Act on Special Measures concerning Urban Reconstruction (Act No. 22 of 2002). In such a case, the provisions in Article 3-3, paragraph (3), Article 3-9, paragraph (1), item (iii) and paragraph (2), Article 5, paragraph (2), Article 14, paragraph (2) and

Article 30, paragraph (1), item (iii), and paragraph (2) do not apply.

- 2 第二種事業が市街地開発事業として都市計画法の規定により都市計画に定められる場合における当該第二種事業又は第二種事業に係る施設が都市施設として同法の規定により都市計画に定められる場合における当該都市施設に係る第二種事業については、第二章第一節の規定による計画段階配慮事項についての検討その他の手続は、次項並びに第四十四条第三項及び第四項に定めるところにより、当該都市計画に係る都市計画決定権者が当該第二種事業を実施しようとする者に代わるものとして行うことができる。この場合において、第三条の十第二項の規定により適用される第三条の三第三項並びに第三条の九第一項第三号及び第二項の規定は、適用しない。

(2) When a class-2 project is specified in the city plan pursuant to the provisions of the City Planning Act as an urban development project prescribed in the provisions of that Act, or a class-2 project in which urban facilities are specified in the city plan pursuant to the provisions of that Act as urban facilities, the examination of items for a primary environmental impact consideration at the planning stage, and other procedures referred to in Chapter II, Section 1, may be performed by a city planning decision maker concerning the city plan, instead of the business operator intending to implement the class-2 project, pursuant to the following paragraph, Article 44, paragraphs (3) and (4). In such a case, Article 3-3, paragraph (3) and Article 3-9, paragraph (1), item (iii), and paragraph (2), which are applied pursuant to the provisions of Article 3-10, paragraph (2), are not applied.

- 3 第一項又は前項の規定により都市計画決定権者が計画段階配慮事項についての検討その他の手続を行う場合における第二章第一節（第三条の三第三項並びに第三条の九第一項第三号及び第二項を除く。）の規定の適用については、第三条の二第一項中「第一種事業を実施しようとする者（国が行う事業にあつては当該事業の実施を担当する行政機関（地方支分部局を含む。）の長、委託に係る事業にあつてはその委託をしようとする者。以下同じ。）は、第一種事業」とあるのは「第三十八条の六第一項の都市計画決定権者（以下「都市計画決定権者」という。）は、第一種事業又は第一種事業に係る施設を都市計画法（昭和四十三年法律第百号）の規定により都市計画に定めようとする場合における当該都市計画に係る第一種事業（以下「都市計画第一種事業」という。）」と、第三条の三第一項中「第一種事業を実施しようとする者」とあるのは「都市計画決定権者」と、同項第一号中「氏名及び住所（法人にあつてはその名称、代表者の氏名及び主たる事務所の所在地）」とあるのは「名称」と、同項第二号中「第一種事業」とあるのは「都市計画第一種事業」と、同条第二項中「第一種事業として実施しようとする者」とあるのは「都市計画第一種事業として実施しようとする場合には、当該都市計画に係る都市計画決定権者」と、同項第二号中「第一種事業」とあるのは「都市計画第一種事業」と、第三条の四第一項中「第一種事業を実施しようとする者」とあるのは「都市計画決定権者」と、「より第一種事業」とあるのは「より都市計画第一種事業」と、第三条の六、第三条の七第一項及び第三条の九第一項中「第一種事業を実施しようとする者」とあるのは「都市計画決定権者」と、同項第一号中「第一種事業を実施しない」とあるのは「都市計画第一種事業を都市計

画に定めない」と、第三条の十第一項中「第二種事業を実施しようとする者（国が行う事業にあつては当該事業の実施を担当する行政機関（地方支分部局を含む。）の長、委託に係る事業にあつてはその委託をしようとする者。以下同じ。））」とあるのは「第三十八条の六第二項に規定する都市計画決定権者（以下この条において「第二種事業都市計画決定権者」という。））」と、「当該第二種事業を実施しようとする者」とあるのは「当該第二種事業都市計画決定権者」と、同条第二項中「第二種事業を実施しようとする者」とあるのは「第二種事業都市計画決定権者」と、「第一種事業を実施しようとする者」とあるのは「都市計画決定権者」と、「第三条の二から前条までの規定を適用する」とあるのは「第三十八条の六第三項の規定により読み替えて適用される第三条の二から前条までの規定を適用する。この場合において、同項の規定により読み替えて適用される第三条の二第一項中「第一種事業又は第一種事業に係る施設」とあるのは「第四十条第一項に規定する第二種事業等」と、「第一種事業（）」とあるのは「第二種事業（）」と、同項並びに第三十八条の六第三項の規定により読み替えて適用される第三条の三第一項第二号及び第二項、第三条の四第一項並びに第三条の九第一項第一号中「都市計画第一種事業」とあるのは「都市計画第二種事業」とする」とする。

- (3) The provisions of Chapter II, Section 1 (excluding Article 3-3, paragraph (3) and Article 3-9, paragraph (1), item (iii) and paragraph (2)) apply to cases where the city planning decision maker conducts a review of the items for primary environmental impact consideration at the planning stage, and other procedures pursuant to the provisions of paragraph (1), or the preceding paragraph. For the application of the provisions of Article 3-2, paragraph (1), the term "a person intending to implement a class-1 project (in the case of a project implemented by the national government, an administrative body (including local branch bureaus and departments) in charge of the implementation of that project. In the case of a business subject to entrustment; the person intending to entrust that business. The same applies below)" is to be replaced with "the city planning decision maker referred to in Article 38-6, paragraph (1) (referred to below as "city planning decision maker)". A class-1 project (referred to below as "city plan class-1 project") in which the class-1 project, or the facilities related to the class-1 project are to be specified in a city plan pursuant to the provisions of the City Planning Act (Act No. 100 of 1968)"; the term "a person intending to implement a class-1 project" in Article 3-3, paragraph (1) is to be replaced with "city planning decision maker"; the term "name and address (in the case of a corporation; its name, the name of its representative, and the location of its principal office)" in item (i) of that paragraph is to be replaced with "name"; the term "class-1 project" in item (ii) of that paragraph is deemed to be replaced with "city plan, class-1 project"; the term "a person intending to, as a class-1 project," in paragraph (2) of that Article is to be replaced with "The city planning decision maker relating to the city plan, when intending to implement a city plan; class-1 project, intends to";

the term "class-1 project " in item (ii) of that paragraph is to be replaced with "city plan; class-1 project"; the term "a person intending to implement a class-1 project " in Article 3-4, paragraph (1) is to be replaced with "a city planning decision maker"; the term "class-1 project" is to be replaced with "city plan; class-1 project "; the term "a person intending to implement a class-1 project" in Article 3-6, Article 3-7, paragraph (1), and Article 3-9, paragraph (1) is to be replaced with "a city planning decision maker", the term "class-1 project will not be implemented" in item (i) of that paragraph is to be replaced with "city plan; class-1 project will not be specified in a city plan"; the term "a person intending to implement a class-2 project (in the case of a project implemented by the national government; the administrative body (including local branch bureaus and departments) in charge of the implementation of that project. If a business subject to entrustment; the person intending to entrust the business; the same applies below) in Article 3-10, paragraph (1) is to be replaced with "city planning decision maker as prescribed in Article 38-6, paragraph (2) (referred to below as "class-2 project city planning decision maker" in this Article); the term "a person intending to implement that class-2 project" is to be replaced with "the city planning decision maker of that class-2 project"; the term "a person intending to implement a class-2 project" in paragraph (2) of that Article is to be replaced with "a city planning decision maker of the class-2 project"; the term "a person intending to implement a class-1 project" is deemed to be replaced with "a city planning decision maker", and "the provisions of Article 3-2 through the preceding Article apply" is to be replaced with "the provisions of Article 3-2 to the preceding Article, apply following the deemed replacement of terms pursuant to the provisions of Article 38-6, paragraph (3). In this case, the term "a class-1 project or facilities concerning a class-1 project" in Article 3-2, paragraph (1) as applied following the deemed replacement of terms pursuant to the provisions of that paragraph, which is deemed to be replaced with "a class-2 project, etc. prescribed in Article 40, paragraph (1)"; the term "a class-1 project (" is deemed to be replaced with "a class-2 project ("; and the term "city plan; class-1 project" in Article 3-3, paragraph (1), item (ii) and paragraph (2), Article 3-4, paragraph (1), and Article 3-9, paragraph (1), item (i) apply following the deemed replacement of terms pursuant to the provisions of that paragraph and Article 38-6, paragraph (3) is deemed to be replaced with "city plan; class-2 project".

第三十九条 第二種事業が市街地開発事業として都市計画法の規定により都市計画に定められる場合における当該第二種事業又は第二種事業に係る施設が都市施設として同法の規定により都市計画に定められる場合における当該都市施設に係る第二種事業については、第四条第一項の規定による届出（同項後段の規定による書面の作成を含む。次項において同じ。）は、次項から第四項までに定めるところにより、当該都市計画

に係る都市計画決定権者が当該第二種事業を実施しようとする者に代わるものとして行うものとする。

Article 39 (1) When a class-2 project is specified in a city plan pursuant to the provisions of the City Planning Act as an urban development project, prescribed in that Act, or a class-2 project whose urban facilities are specified in a city plan pursuant to the provisions of that Act, submission of a notification pursuant to the provisions of Article 4, paragraph (1) (including the preparation of a document pursuant to the provisions of the latter half of this paragraph; the same applies to the following paragraph) is conducted by a city planning decision maker concerning that city plan instead of the person intending to implement that class-2 project, pursuant to the provisions of the following paragraph, through paragraph (4).

2 前項の規定により都市計画決定権者が届出を行う場合における第四条の規定の適用については、同条第一項中「第二種事業を実施しようとする者は」とあるのは「都市計画決定権者は、第二種事業又は第二種事業に係る施設を都市計画法の規定により都市計画に定めようとするときは」と、「主務省令」とあるのは「主務省令・国土交通省令」と、「その氏名及び住所（法人にあってはその名称、代表者の氏名及び主たる事務所の所在地）」とあるのは「都市計画決定権者の名称」と、「氏名等」とあるのは「名称等」と、「第二種事業の区分」とあるのは「当該都市計画に係る第二種事業の区分」と、「定める者」とあるのは「定める者（当該都市計画が都市計画法第十八条第三項（同法第二十一条第二項において準用する場合を含む。）、同法第八十七条の二第四項の規定により読み替えて適用される同法第十九条第三項（同法第二十一条第二項において準用する場合を含む。）又は都市再生特別措置法（平成十四年法律第二十二号）第五十一条第二項の規定による同意（以下「都市計画同意」という。）を要するものである場合にあつては、都市計画同意を行う国土交通大臣（都市計画法第八十五条の二又は都市再生特別措置法第二百六条の規定により都市計画同意に関する国土交通大臣の権限が地方整備局長又は北海道開発局長に委任されている場合にあつては、当該地方整備局長又は北海道開発局長。以下「都市計画同意権者」という。）及び次の各号に掲げる当該都市計画に係る第二種事業の区分に応じ当該各号に定める者）」と、「第四号又は第五号に掲げる第二種事業を実施しようとする者が第四号又は第五号に定める主任の大臣であるときは、主任の大臣」とあるのは「都市計画同意を要しない都市計画に係る都市計画決定権者は、次の各号に定める者」と、「代えて」とあるのは「併せて」と、同条第二項中「定める者」とあるのは「定める者及び都市計画同意権者又は同項後段の都市計画決定権者」と、「第二十九条第一項」とあるのは「第四十条第二項の規定により読み替えて適用される第二十九条第一項」と、同条第三項中「定める者」とあるのは「定める者及び都市計画同意権者又は同項後段の都市計画決定権者」と、「主務省令」とあるのは「主務省令・国土交通省令」と、同項第一号及び第二号中「及び前項の都道府県知事（第一項後段の場合にあつては、前項の都道府県知事）」とあるのは「前項の都道府県知事及び当該第二種事業を実施しようとする者（第一項後段の場合にあつては、前項の都道府県知事及び当該第二種事業を実施しようとする者）」と、同条第四項中「当該事業を実施しよう」と

あるのは「当該事業又は当該事業に係る施設を都市計画法の規定により都市計画に定めよう」と、同条第五項中「第三項第二号」とあるのは「第一項各号に定める者及び都市計画同意権者又は同項後段の都市計画決定権者の全てにより第三項第二号」と、「第二十九条第二項」とあるのは「第四十条第二項の規定により読み替えて適用される第二十九条第二項」と、「とられるまで（当該第二種事業に係る第一項各号に定める者が二以上である場合にあつては、当該各号に定める者のすべてにより当該措置がとられるまで）」とあるのは「とられるまで」と、同条第六項中「第二種事業を実施しようとする者」とあるのは「都市計画決定権者」と、「同項第四号又は第五号に定める主任の大臣以外の者にあつてはこの法律」とあるのは「この法律」と、「同項各号」とあるのは「、届出に係る都市計画が都市計画同意を要するものであるときは同項各号」と、「定める者に書面により通知し、これらの主任の大臣にあつてはその旨の書面を作成」とあるのは「定める者及び都市計画同意権者に、都市計画同意を要しないものであるときは同項各号に掲げる第二種事業の区分に応じ当該各号に定める者に書面により通知」と、同条第七項中「受け、又は同項の規定により書面を作成した者は、当該通知又は書面の作成」とあるのは「受けた者は、当該通知」と、「都道府県知事に当該通知又は作成」とあるのは「都道府県知事及び当該第二種事業を実施しようとする者に当該通知」と、同条第八項中「通知又は書面の作成」とあるのは「通知」と、同条第九項中「主務省令」とあるのは「主務省令・国土交通省令」と、「が環境大臣」とあるのは「及び国土交通大臣が環境大臣」と、同条第十項中「が定めるべき」とあるのは「及び国土交通大臣が定めるべき」とする。

- (2) For the application of the provisions of Article 4 when a city planning decision maker has submitted the notification pursuant to the provisions of the preceding paragraph, the term "A person intending to implement a class-2 project" in paragraph (1) of that Article is to be replaced with "when the city planning decision maker intends to specify a class-2 project, or facilities concerning a class-2 project in a city plan pursuant to the provisions of the City Planning Act, they"; the term "order of the competent ministry" is to be replaced with "order of the competent ministry or Order of the Ministry of Land, Infrastructure, Transport and Tourism"; the phrase "their name and address (in the case of a corporation, its name, the name of its representative, and the location of its principal office)" in that paragraph is to be replaced with "the name of the city planning decision maker"; the phrase "names, etc." is to be replaced with "the name, etc."; the term "categories of the class-2 project" is deemed to be replaced with "categories of the class-2 project concerning that city plan"; the phrase "the person specified" is to be replaced with "the person specified to implement Article 19, paragraph (3) of that Act, as applied following the deemed replacement of terms, pursuant to the provisions of Article 87-2, paragraph (4) of that Act (including as applied mutatis mutandis pursuant to Article 21, paragraph (2) of that Act)) or consent pursuant to the provisions of Article 51, paragraph (2) of the Act on Special Measures concerning Urban Reconstruction (Act No. 22 of 2002) (referred to below as

"consent for a city plan"), (in cases where the authority of the Minister of Land, Infrastructure, Transport and Tourism concerning city plan approval is delegated to the directors of the Regional Development Bureau, or the director of the Hokkaido Development Bureau pursuant to the provisions of Article 85-2 of the City Planning Act, or the provisions of Article 126 of the Act on Special Measures concerning Urban Reconstruction; the director of the relevant Regional Development Bureau, or the Hokkaido Development Bureau; referred to below as a "person entitled to consent to a city plan"), and the person specified in the following items, in accordance with the category of a class-2 project concerning the city plan referred to in the following items); the term "when the person intending to implement a class-2 project referred to in item (iv) or (v) is the competent minister specified in item (iv) or (v), instead of notifying the competent minister" is to be replaced with "the city planning decision maker related to a city plan that does not require consent for a city plan, instead of notifying the person specified in the following items"; the term "instead of notifying" is to be replaced with "together with"; the term "A person specified" in paragraph (2) of that Article; is to be replaced with "The person, and the person entitled to consent to a city plan or the city planning decision maker referred to in the second sentence of that paragraph"; the term "Article 29, paragraph (1)" is to be replaced with "Article 29, paragraph (1) as applied pursuant to the provisions of Article 40, paragraph (2) applied following the deemed replacement of terms"; the term ", "a person specified" in paragraph (3) of that Article is to be replaced with "the person and the person entitled to consent to a city plan or the city planning decision maker referred to in the second sentence of that paragraph"; the term "order of the competent ministry" is to be replaced with " order of the competent ministry or Order of the Ministry of Land, Infrastructure, Transport and Tourism"; the term "and the prefectural governor referred to in the preceding paragraph (2) (in the case of the second sentence of paragraph (1); the prefectural governor referred to in the preceding paragraph)" in items (i) and (ii) of that paragraph is to be replaced with ", the prefectural governor referred to in the preceding paragraph and the person intending to implement that class-2 project (in the case of the second sentence of paragraph (1); the prefectural governor and the person intending to implement that class-2 project referred to in the preceding paragraph"; the term "implement that project" in paragraph (4) of that Article is to be replaced with "specify the relevant project or the facilities related to that project to the city plan pursuant to the provisions of the City Planning Act"; the term "Article 29, paragraph (2))" in paragraph (5) of that Article is to be replaced with "Article 29, paragraph (1) as applied pursuant to the provisions of Article 40, paragraph (2) applied following the deemed replacement of terms"; the term "when persons prescribed in each item of

paragraph (1) concerning that class-2 project are two or more, until those measures are taken by all persons specified in those items)" is to be replaced with "are taken by the person specified in each items in paragraph (1) and the person entitled to consent to a city plan or the city planning decision maker referred to in the second sentence of that paragraph"; the term "a person intending to implement a class-2 project" in paragraph (6) of that Article is to be replaced with "the city planning decision maker"; the term "if the person intending to implement that class-2 project is someone other than the competent minister as prescribed in item (iv) or (v) of that paragraph," is to be replaced with ""; the term "each item of that paragraph" is to be replaced with "each item of that paragraph, if it requires the notification related to city planning or consent for city planning"; the term ", and when that person is the competent minister; the minister is to prepare a document to that effect." is to be replaced with ". If it requires no consent for city plan from that person or the person entitled to consent to a city plan; notify by written document to the person specified by each of the items of that paragraph in accordance with the classification stated in each item of that paragraph." ; the term "receiving a notice under the preceding paragraph, or preparing a document pursuant to the preceding paragraph, must send a copy of that notice or a document regarding that preparation" in paragraph (7) of that Article is to be replaced with "receiving a notice under the preceding paragraph, must send a copy of that notice"; the term "prefectural governor having jurisdiction over the area" is to be replaced with "prefectural governor having jurisdiction over the area and the person intending to implement the class-2 project"; the term "notice or preparation of a document" in paragraph (8) of that Article is to be replaced with "notice" ; the term "order of the competent ministry" in paragraph (9) of that Article is to be replaced with "order of the competent ministry or Order of the Ministry of Land, Infrastructure, Transport and Tourism"; the term "is to consult with the Minister of the Environment" is to be replaced with "and the Minister of Land, Infrastructure, Transport and Tourism is to consult with the Minister of the Environment "; and the term "is to establish " in paragraph (10) of that Article is deemed to be replaced with "and the Minister of Land, Infrastructure, Transport and Tourism is to establish".

3 前項の規定により読み替えて適用される第四条第三項第一号の措置がとられた第二種事業（前項の規定により読み替えて適用される同条第四項及び次条第二項の規定により読み替えて適用される第二十九条第二項において準用する第四条第三項第二号の措置がとられたものを除く。）について第二種事業を実施しようとする者が作成した配慮書があるときは、当該第二種事業を実施しようとする者は、都市計画決定権者に当該配慮書を送付するものとする。

(3) When a document on a primary environmental impact consideration has been prepared by a person intending to implement a class-2 project for which the

measures referred to in Article 4, paragraph (3), item (i) have been taken following the deemed replacement of terms pursuant to the provisions of the preceding paragraph (except class-2 projects for which the measures referred to in Article 4, paragraph (3), item (ii) as applied mutatis mutandis pursuant to the provisions of that Article 4, paragraph (4) as applied following the deemed replacement of terms pursuant to the provisions of the preceding paragraph, and to the provisions of Article 29, paragraph (2), as applied following the deemed replacement of terms pursuant to the provisions of paragraph (2) of the following Article.), the person intending to implement that class-2 project is to send the document on a primary environmental impact consideration to a city planning decision maker.

4 前項の場合において、配慮書を送付する前に第二種事業を実施しようとする者が行った計画段階配慮事項についての検討その他の手続は都市計画決定権者が行ったものとみなし、当該第二種事業を実施しようとする者に対して行われた計画段階配慮事項についての検討その他の手続は都市計画決定権者に対して行われたものとみなす。

(4) In the case of the preceding paragraph, any review of the items for a primary environmental impact consideration at the planning stage, and other procedures conducted by a person intending to implement a class-2 project before the submission of a document on a primary environmental impact consideration, is deemed to have been conducted by a city planning decision maker, and any examination of the items for a primary environmental impact consideration at the planning stage, and other procedures conducted against a person intending to implement the class-2 project, is deemed to have been conducted against the city planning decision maker.

第四十条 第二種事業（対象事業であるものに限る。以下この項及び第四十四条第三項において同じ。）が市街地開発事業として都市計画法の規定により都市計画に定められる場合における当該第二種事業又は第二種事業に係る施設が都市施設として同法の規定により都市計画に定められる場合における当該都市施設に係る第二種事業については、第五条から第三十八条までの規定により行うべき環境影響評価その他の手続は、次項、第四十一条、第四十三条、第四十四条及び第四十六条に定めるところにより、当該都市計画に係る都市計画決定権者が当該第二種事業に係る事業者に代わるものとして、当該第二種事業又は第二種事業に係る施設（以下「第二種事業等」という。）に関する都市計画の決定又は変更をする手続と併せて行うものとする。この場合において、第五条第二項、第十四条第二項並びに第三十条第一項第三号及び第二項の規定は、適用しない。

Article 40 (1) For a class-2 project (limited to a target project; the same applies below in this paragraph and Article 44, paragraph (3)) as specified in a city plan pursuant to the provisions of the City Planning Act as an urban development project prescribed in that Act, or a class-2 project whose facilities are specified as urban facilities in a city plan pursuant to the provisions of that

Act, any procedures of the environmental impact assessment and other procedures required by the provisions of Articles 5 through 38 are conducted, pursuant to the provisions of the following paragraph, Article 41, Article 43, Article 44 and Article 46, by the city planning decision maker concerning that city plan, instead of the business operator concerning the class-2 project, in conjunction with the procedure for making a decision or revision of the city plan related to the class-2 project, or the related city planning (referred to below as "class-2 project, etc."). In such a case, the provisions of Article 5, paragraph (2), Article 14, paragraph (2), Article 30, paragraph (1), item (iii) and Article 30, paragraph (1), item (iii) and paragraph (2) are not applied.

- 2 第三十八条の六第一項又は前項の規定により都市計画決定権者が環境影響評価その他の手続を行う場合における第五条から第三十八条まで（第五条第二項、第十四条第二項並びに第三十条第一項第三号及び第二項を除く。）の規定の適用については、第五条第一項中「事業者は」とあるのは「都市計画決定権者は」と、「対象事業に係る環境影響評価を」とあるのは「第三十八条の六第一項の第一種事業若しくは第一種事業に係る施設又は第四十条第一項の第二種事業等（第二十八条及び第三十条第一項第一号において「対象事業等」という。）を都市計画法の規定により都市計画に定めようとする場合における当該都市計画に係る第一種事業又は第二種事業（以下「都市計画対象事業」という。）に係る環境影響評価を」と、「ごとに主務省令」とあるのは「ごとに主務省令・国土交通省令」と、同項第一号中「事業者の氏名及び住所（法人にあってはその名称、代表者の氏名及び主たる事務所の所在地）」とあるのは「都市計画決定権者の名称」と、同項第二号中「対象事業」とあるのは「都市計画対象事業」と、同項第三号中「対象事業が」とあるのは「都市計画対象事業が」と、同項第六号中「事業者」とあるのは「都市計画決定権者」と、同項第七号中「対象事業に係る環境影響評価の」とあるのは「都市計画対象事業に係る環境影響評価の」と、第六条第一項中「事業者」とあるのは「都市計画決定権者」と、「対象事業」とあるのは「都市計画対象事業」と、第七条から第十条まで及び第十一条第一項中「事業者」とあるのは「都市計画決定権者」と、同項中「対象事業」とあるのは「都市計画対象事業」と、同条第二項及び第三項中「事業者」とあるのは「都市計画決定権者」と、第十二条第一項及び第十四条第一項中「事業者」とあるのは「都市計画決定権者」と、「対象事業」とあるのは「都市計画対象事業」と、同項中「主務省令」とあるのは「主務省令・国土交通省令」と、第十五条中「事業者」とあるのは「都市計画決定権者」と、「対象事業」とあるのは「都市計画対象事業」と、第十六条から第二十条まで及び第二十一条第一項中「事業者」とあるのは「都市計画決定権者」と、同項第三号中「対象事業」とあるのは「都市計画対象事業」と、同条第二項中「事業者」とあるのは「都市計画決定権者」と、「主務省令」とあるのは「主務省令・国土交通省令」と、第二十二條第一項中「事業者」とあるのは「都市計画決定権者」と、「定める者に」とあるのは「定める者（評価書に係る都市計画が都市計画同意を要するものである場合にあつては、都市計画同意権者及び次の各号に掲げる評価書の区分に応じ当該各号に定める者）に」と、同条第二項中「環境大臣を除く。）」とあるのは「環境大臣を除く。）又は都市計画同意権者若しくは都市計画同意を要しない都市計画に

係る都市計画決定権者」と、「受けた」とあるのは「受け、又はした」と、第二十四条中「定める者」とあるのは「定める者及び都市計画同意権者」と、「事業者に対し」とあるのは「都市計画決定権者に対し、第二十三条の規定による環境大臣の意見があるときはこれを勘案して」と、「第二十三条の規定による環境大臣の意見があるときは、」とあるのは「第二十二条第一項各号に定める者は都市計画同意権者を經由して意見を述べるものとし、当該都市計画同意権者が意見を述べるときは」と、第二十五条第一項中「事業者」とあるのは「都市計画決定権者」と、「を勘案」とあるのは「（都市計画決定権者が国土交通大臣又は地方整備局長若しくは北海道開発局長である場合にあつては、同条の意見及び第二十三条の規定により環境大臣が当該都市計画決定権者に対し述べた意見）を勘案」と、同項第三号中「対象事業」とあるのは「都市計画対象事業」と、同条第二項中「事業者」とあるのは「都市計画決定権者」と、「主務省令」とあるのは「主務省令・国土交通省令」と、同条第三項中「事業者」とあるのは「都市計画決定権者」と、「定める者に対してしなければならない」とあるのは「定める者（評価書に係る都市計画が都市計画同意を要するものである場合にあつては、都市計画同意権者及び同項各号に掲げる評価書の区分に応じ当該各号に定める者）に対してしなければならない。この場合において、都市計画決定権者が国土交通大臣若しくは地方整備局長若しくは北海道開発局長又は都道府県であるときは都道府県都市計画審議会の議を、市町村であるときは市町村都市計画審議会（当該市町村に市町村都市計画審議会が置かれていないときは、当該市町村の存する都道府県の都道府県都市計画審議会）の議を経るものとする」と、第二十六条第一項中「環境大臣を除く。）」とあるのは「環境大臣を除く。）又は都市計画同意権者若しくは都市計画同意を要しない都市計画に係る都市計画決定権者」と、「受けた」とあるのは「受け、又はした」と、同条第二項中「事業者」とあるのは「都市計画決定権者」と、「及び関係市町村長」とあるのは「、関係市町村長及び第三十八条の六第一項の第一種事業を実施しようとする者又は第四十条第一項の事業者」と、「同条第一項第二号」とあるのは「前条第一項第二号」と、第二十七条及び第二十八条中「事業者」とあるのは「都市計画決定権者」と、同条中「修正しよう」とあるのは「修正して対象事業等を都市計画法の規定により都市計画に定めよう」と、第二十九条第一項中「事業者」とあるのは「都市計画決定権者」と、「修正しよう」とあるのは「修正して当該修正後の事業又は当該修正後の事業に係る施設を都市計画法の規定により都市計画に定めよう」と、「第四条第一項」とあるのは「第三十九条第二項の規定により読み替えて適用される第四条第一項」と、同条第二項中「第四条第二項」とあるのは「第三十九条第二項の規定により読み替えて適用される第四条第二項」と、「同条第三項第一号」とあるのは「第三十九条第二項の規定により読み替えて適用される第四条第三項第一号」と、同条第三項中「第四条第三項第二号」とあるのは「第三十九条第二項の規定により読み替えて適用される第四条第三項第二号」と、「事業者」とあるのは「都市計画決定権者」と、第三十条第一項中「事業者」とあるのは「都市計画決定権者」と、同項第一号中「対象事業を実施しない」とあるのは「対象事業等を都市計画に定めない」と、第三十一条第一項中「を行う」とあるのは「が行われる」と、同条第二項及び第三項中「を行つた」とあるのは「が行われた」と、同項中「を行い」とあるのは「が行われ」と、同条第四項中「を行つた」とあるのは「が行われ

た」と、「前条第二項」とあるのは「第三十条第二項」と、第三十二条第一項中「を行った」とあるのは「が行われた」とする。

- (2) For the application of the provisions of Articles 5 through 38 (excluding Article 5, paragraph (2), Article 14, paragraph (2), Article 30, paragraph (1), item (iii) and paragraph (2)) if a city planning decision maker is conducting an environmental impact assessment and other procedures, pursuant to the provisions of Article 38-6, paragraph (1) or the preceding paragraph, the term "the business operator" in Article 5, paragraph (1) is to be replaced with "the city planning decision maker"; the term "the environmental impact assessment concerning the target project" is to be replaced with "the environmental impact assessment concerning a class-1 project, or class-2 project related to a city plan where the class-1 project or related facilities referred to in Article 38-6, paragraph (1), or class-2 project, etc. referred to in Article 40, paragraph (1) (in Article 28 and Article 30, paragraph (1), item (i), referred to as a "target project, etc.") is specified in that city plan pursuant to the provisions of the City Planning Act (referred to below as a "target project for a city plan"); the term "order of the competent ministry for each" is to be replaced with "order of the competent ministry, or Order of the Ministry of Land, Infrastructure, Transport and Tourism for each"; the term "the name and location of the business operator (in the case of a corporation, its name, the name of its representative, and the address of its principal office)" in item (i) of that paragraph is to be replaced with "the name of the city planning decision maker"; the term "the target project" in item (ii) of that paragraph is to be replaced with "the target project in city planning"; the term "in which the target project" in item (iii) of that paragraph, is to be replaced with "in which the target project in city plan"; the term "the business operator" in item (vi) of that paragraph is to be replaced with "the city planning decision maker"; the term "in an environmental impact assessment of the target project" in item (vii) of that paragraph is to be replaced with "in an environmental impact assessment of the target project in a city plan"; the term "a business operator" and also the term "the target project" in Article 6, paragraph (1) are to be replaced with "the city planning decision maker" and with "the target project in a city plan" respectively; the term "business operator" in Articles 7 through 10 and Article 11, paragraph (1) is deemed to be replaced with "city planning decision maker"; the term "the target project" in that paragraph of Article 11 is to be replaced with "the target project in a city plan"; the term "the business operator" in that Article, paragraph (2) and (3) is deemed to be replaced with "the city planning decision maker"; the term "business operator" and "target project" in Article 12, paragraph (1) and in Article 14, paragraph (1) are to be replaced with "city planning decision maker" and "target project for a city plan" respectively; the term "order of the competent ministry" in those

paragraphs are to be replaced with "order of the competent ministry, or Order of the Ministry of Land, Infrastructure, Transport and Tourism"; the terms "business operator" and "the target project" in Article 15 are to be replaced with "city planning decision maker" and "the target project in a city plan" respectively; the term "business operator" in Articles 16 through 20, and Article 21, paragraph (1), is to be replaced with "city planning decision maker"; the term "the target project" in item (iii) of that paragraph is to be replaced with "the target project in a city plan"; the terms "the business operator" and "order of the competent ministry" in paragraph (2) of that Article are to be replaced with "the city planning decision maker" and "order of the competent ministry or Order of the Ministry of Land, Infrastructure, Transport and Tourism" respectively; the terms "the business operator" and "the persons designated in" in Article 22, paragraph (1), are to be replaced with "the city planning decision maker" and "the persons designated in (if a city plan related to an EIS requires consent to a city plan; a person authorized to give consent to that city plan and the persons designated in the following items, in accordance with the category of the EIS)" respectively; the term "excluding the Minister of the Environment)" and "receiving" in paragraph (2) of that Article are to be replaced with "excluding the Minister of the Environment), or a person authorized to give consent to a city plan, or a city planning decision maker concerning a city plan which does not require consent for a city plan" and "receiving or sending" respectively; the term "person specified in", "to the business operator" and "when the Minister of the Environment has expressed any opinions pursuant to Article 23," in Article 24 are to be replaced with "person authorized to give consent to a city plan and also the person specified in", "to the city planning decision maker, and when the Minister of the Environment has expressed any opinion pursuant to Article 23, that opinion must be taken into consideration by that person" and "when the person designated in each item in Article 22, paragraph (1), is to express their opinion through the person authorized to give consent to a city plan, and when that person authorized to give consent to a city plan has any opinion" respectively; the terms "business operator" and "take those into account" in Article 25, paragraph (1), are to be replaced with "city planning decision maker" and "take those (if the city planning decision maker is the Minister of Land, Infrastructure, Transport and Tourism, or the director of the Regional Development Bureau or the director of the Hokkaido Regional Development Bureau; the opinion expressed pursuant to the provisions of that Article as well as the opinion of the Minister of the Environment expressed to the relevant city planning decision maker pursuant to the provisions of Article 23) into consideration" respectively; the term "the target project" in item (iii) of that paragraph is to be replaced with "the target project in a city plan"; the

terms "the business operator" and "order of the competent ministry" in paragraph (2) of that Article are to be replaced with "the city planning decision maker" and "order of the competent ministry or Order of the Ministry of Land, Infrastructure, Transport and Tourism" respectively; the terms "the business operator" and "to the persons specified in" in paragraph (3) of that Article are to be replaced with "the city planning decision maker" and "to follow through the deliberation of the persons (if a city plan related to an EIS requires consent for a city plan; the person entitled to consent to a city plan, and the persons specified in the following items of that paragraph, in accordance with the categories of the EIS). In this case, when the city planning decision maker is the Minister of Land, Infrastructure, Transport and Tourism, or the director of the Regional Development Bureau or the director of the Hokkaido Regional Development Bureau, or a prefecture, then that procedure is taken through the deliberation of the Prefectural City Planning Council, and when the city planning decision maker is comprised of municipalities, then that procedure is then followed through the deliberation of the Municipal City Planning Council (when a Municipal City Planning Council is not established in the relevant municipalities, then that procedure is followed through the deliberation of the Prefectural City Planning Council of the prefecture to which those municipalities belong) specified in" respectively; the terms "excluding the Minister of the Environment)" and "receiving" in Article 26, paragraph (1) are to be replaced with "except the Minister of the Environment), or a person entitled to consent to a city plan or a city planning decision maker related to a city plan which does not require consent to city plan" and "receiving or sending" respectively; the terms "the business operator", "and related mayors" and "paragraph (1), item (ii)...of that Article" are to be replaced with "the city planning decision maker", "the related mayors and the person who intending to implement the class-1 project referred to in Article 38-6, paragraph (1), or the project proponent referred to in Article 40, paragraph (1)" and "paragraph (1), item (ii)...of the preceding Article" respectively; the term "business operator" in Articles 27 and 28 is to be replaced with "city planning decision maker"; the term "intends to amend" in that Article is to be replaced with "intends to incorporate the target project, etc. into a city plan pursuant to the provisions of the City Planning Act by amending that target project, etc."; the terms "the business operator", "intends to amend", and "Article 4, paragraph (1)" in Article 29, paragraph (1), are to be replaced with "the city planning decision maker", "intends to incorporate a project, or facilities concerning that project into a city plan pursuant to the provisions of the City Planning Act after amending that project", and "Article 4, paragraph (1) as applied following the deemed replacement of terms pursuant to the provisions of Article 39, paragraph (2)" respectively; the terms "Article 4, paragraph (2)", and

"paragraph (3), item (i)" in paragraph (2) of that Article are to be replaced with "Article 4, paragraphs (2) (as applied following the deemed replacement of terms pursuant to the provisions of Article 39, paragraph (2))" and "Article 4, paragraph (3), item (i) as applied following the deemed replacement of terms pursuant to the provisions of Article 39, paragraph (2)" respectively; the terms "Article 4, paragraph (3), item (ii)" and "business operator" in paragraph (3) of that Article are to be replaced with "Article 4, paragraph (3), item (ii) as applied following the deemed replacement of terms pursuant to the provisions of Article 39, paragraph (2)" and "city planning decision maker" respectively; the term "a business operator" in Article 30, paragraph (1), is to be replaced with "the city planning decision maker"; the term "not to implement the target project" in item (i) of that paragraph (1) is to be replaced with "not to incorporate the target project, etc. into a city plan"; the term "issues" in Article 31, paragraph (1) is to be replaced with "has issued"; the term "has issued" in paragraph (2) and (3) of that Article is to be replaced with "had issued"; the term "issued" in that paragraph is to be replaced with "that had been issued"; the terms "has issued" and "paragraph (2) of the preceding Article" in paragraph (4) of that Article are to be replaced with "had issued" and "Article 30, paragraph (2)" respectively; the term "issuing" in Article 32, paragraph (1) is to be replaced with "having issued".

(都市計画対象事業の環境保全措置等の報告等)

(Report on Environmental Conservation Measures for a Target Project for City Planning)

第四十条の二 前条第二項の規定により都市計画決定権者が環境影響評価その他の手続を行う場合における第三十八条の二から第三十八条の五までの規定の適用については、第三十八条の二第一項中「第二十七条の規定による公告を行った事業者（当該事業者が事業の実施前に当該事業を他の者に引き継いだ場合には、当該事業を引き継いだ者）」とあるのは「第四十条第二項の規定により読み替えて適用される第二十六条第二項に規定する評価書等の送付を受けた第三十八条の六第一項の第一種事業を実施しようとする者又は第四十条第一項の事業者（これらの者が事業の実施前に当該事業を他の者に引き継いだ場合には、当該事業を引き継いだ者。以下「都市計画事業者」という。）」と、第三十八条の三第一項中「前条第一項に規定する事業者」とあるのは「都市計画事業者」と、第三十八条の五中「第三十八条の二第一項に規定する事業者」とあるのは「都市計画事業者」とする。

Article 40-2 For the application of the provisions of Articles 38-2 through 38-5, if a city planning decision maker has conducted an environment impact assessment and other procedures pursuant to the provisions of the preceding Article, paragraph (2), the term "The business operator who has issued a public notice under the provisions of Article 27 (when that business operator transferred the project before the implementation of the business; the new

business operator)" in Article 38-2, paragraph (1), is to be replaced with "the person intending to implement the class-1 project referred to in Article 38-6, paragraph (1) who has received the EIS prescribed in Article 26, paragraph (2), as applied pursuant to the provisions of Article 40, paragraph (2), or the business operator referred to in Article 40, paragraph (1) (if the project has been transferred to a new project proponent before the implementation of that project; the new business operator; referred to below as a "city planning proponent)"; the term "the business operator prescribed in paragraph (1) of the preceding Article" in Article 38-3, paragraph (1) is to be replaced with "the city planning proponent"; the phrase "the business operator referred to in Article 38-2, paragraph (1)" in Article 38-5, is deemed to be replaced with "the city planning proponent."

(都市計画に係る手続との調整)

(Coordination with City Planning Procedures)

第四十一条 第四十条第二項の規定により読み替えて適用される第十六条又は第二十七条の規定により都市計画決定権者が行う公告は、これらの者が定める都市計画についての都市計画法第十七条第一項（同法第二十一条第二項において準用する場合及び同法第二十二条第一項の規定により読み替えて適用される場合を含む。以下同じ。）の規定による公告又は同法第二十条第一項（同法第二十一条第二項において準用する場合及び同法第二十二条第一項の規定により読み替えて適用される場合を含む。）の規定による告示と併せて行うものとする。

Article 41 (1) A public notice to be issued by a city planning decision maker pursuant to the provisions of Article 16 or Article 27, as applied mutatis mutandis pursuant to the provisions of Article 40, paragraph (2), is made in conjunction with a public notice to be issued, pursuant to the provisions of Article 17, paragraph (1) of the City Planning Act (including when applied mutatis mutandis pursuant to Article 21, paragraph (2) of the Act, and also in cases when it applies following the deemed replacement of terms, pursuant to the provisions of Article 22, paragraph (1) of that Act), or with a public notice issued pursuant to the provisions of Article 20, paragraph (1) of that Act (including the cases where applied mutatis mutandis pursuant to Article 21, paragraph (2) of the that Act, and also when it is applies following the deemed replacement of terms pursuant to the provisions of Article 22, paragraph (1) of that Act).

2 都市計画決定権者（国土交通大臣（都市計画法第八十五条の二の規定により同法第二十二条第一項に規定する国土交通大臣の権限が地方整備局長又は北海道開発局長に委任されている場合にあつては、当該地方整備局長又は北海道開発局長。次項において同じ。）を除く。）は、第四十条第二項の規定により読み替えて適用される第十六条の規定により準備書及び同条の要約書を縦覧に供する場合には、これらの者が定める都市計画についての都市計画法第十七条第一項の都市計画の案と併せて縦覧に供し、

第四十条第二項の規定により読み替えて適用される第二十七条の規定により評価書等を縦覧に供する場合には、これらの者が定める都市計画についての同法第二十条第二項（同法第二十一条第二項において準用する場合を含む。）に規定する同法第十四条第一項の図書と併せて縦覧に供するものとする。

(2) When making a draft EIS, and its summary available for public inspection pursuant to the provisions of Article 16, as applied mutatis mutandis pursuant to the provisions of Article 40, paragraph (2), a city planning decision maker (except the Minister of Land, Infrastructure, Transport and Tourism (in cases when, pursuant to the provisions of Article 85-2 of the City Planning Act, the authority of the Minister of Land, Infrastructure, Transport and Tourism prescribed in Article 22, paragraph (1) of that Act, is delegated to either the director of the Regional Development Bureau or the director of the Hokkaido Regional Development Bureau, the relevant director of the Regional Development Bureau, or the Hokkaido Regional Development Bureau; the same applies in the following paragraph)) also is to make that draft available for public inspection together with the proposed city plan referred to in Article 17, paragraph (1) of the City Planning Act, regarding the city plan specified by those persons, and in the case of making the EIS, etc. and other documents available for public inspection pursuant to the provisions of Article 27, as applied following the deemed replacement of terms pursuant to the provisions of Article 40, paragraph (2), is to also make them available for public inspection together with the drawings and documents referred to in Article 14, paragraph (1) of the City Planning Act, pursuant to the provisions of Article 20, paragraph (2) of that Act (including when applied mutatis mutandis pursuant to Article 21, paragraph (2) of the same Act) regarding the city plan specified by those persons.

3 対象事業に係る都市計画を定める国土交通大臣は、第四十条第二項の規定により読み替えて適用される第十六条の規定により準備書及び同条の要約書を縦覧に供する場合には、国土交通大臣が定める都市計画についての都市計画法第十七条第一項の都市計画の案と併せて縦覧に供し、第四十条第二項の規定により読み替えて適用される第二十七条の規定により評価書等を縦覧に供する場合には、当該評価書等を都道府県知事に送付し、当該都道府県知事に、国土交通大臣が定める都市計画についての同法第二十条第二項（同法第二十一条第二項において準用する場合を含む。）に規定する同法第十四条第一項の図書の写しと併せてこれらを縦覧に供させるものとする。

(3) When making a draft EIS and its summary available for public inspection pursuant to the provisions of Article 16 as applied mutatis mutandis pursuant to the provisions of Article 40, paragraph (2), the Minister of Land, Infrastructure, Transport and Tourism formulating a city plan concerning a target project, is also to make that draft available for public inspection together with the proposed city plan, referred to in Article 17, paragraph (1) of the City Planning Act, regarding the city plan specified by the Minister of Land,

Infrastructure, Transport and Tourism, or when making an EIS, etc. available for public inspection pursuant to the provisions of Article 27 as applied mutatis mutandis pursuant to the provisions of Article 40, paragraph (2), the Minister is to send that EIS, etc. to the prefectural governors, and also to make that EIS, etc. available for inspection by that prefectural governor together with the copies of drawings and documents provided for in Article 14, paragraph (1) of the City Planning Act, pursuant to the provisions of Article 20, paragraph (2) of that Act (including when applied mutatis mutandis pursuant to Article 21, paragraph (2) of that Act), regarding the city plan specified by the Minister of Land, Infrastructure, Transport and Tourism.

4 都市計画決定権者は、前二項の規定により準備書を都市計画の案と併せて縦覧に供した場合において述べられた意見の内容が、当該準備書についての意見書と、当該準備書に係る都市計画の案についての都市計画法第十七条第二項（同法第二十一条第二項において準用する場合及び同法第二十二条第一項の規定により読み替えて適用される場合を含む。）の規定による意見書のいずれに係るものであるかを判別することができないときは、そのいずれでもあるとみなしてそれぞれの法律を適用する。

(4) If it is difficult to determine the opinions expressed, when a city planning decision maker has made a draft EIS available for public inspection along with the proposed city plan pursuant to the provisions of the preceding two paragraphs, and is unable to determine whether the content of an expressed opinion concerns a written opinion on a draft EIS, or a written opinion on a city plan pursuant to the provisions of Article 17, paragraph (2) of the City Planning Act (including when applied mutatis mutandis pursuant to Article 21, paragraph (2) of that Act, and also when it is applied mutatis mutandis pursuant to the provisions of Article 22, paragraph (1) of that Act), the city planning decision maker is to deem the content of that opinion as being either, and apply each relevant laws.

5 都市計画決定権者は、第三十八条の六第一項又は第四十条第一項の規定により環境影響評価その他の手続を行う場合には、同条第二項の規定により読み替えて適用される第二十五条第三項の規定による都道府県都市計画審議会又は市町村都市計画審議会への付議を、都市計画法第十八条第二項（同法第二十一条第二項において準用する場合及び同法第二十二条第一項の規定により読み替えて適用される場合を含む。）の規定による都道府県都市計画審議会への付議又は同法第十九条第二項（同法第二十一条第二項において準用する場合を含む。）の規定による市町村都市計画審議会若しくは都道府県都市計画審議会への付議と併せて行うものとする。

(5) When conducting an environmental impact assessment, or other procedures pursuant to the provisions of Article 38-6, paragraph (1) or Article 40, paragraph (1), a city planning decision maker is to submit the matter to the Prefectural City Planning Council or Municipal City Planning Council, under the provisions of Article 25, paragraph (3), as applied following the deemed replacement of terms pursuant to the provisions of paragraph (2) of the that

Article, in conjunction with submitting the matter to the Prefectural City Planning Council, pursuant to the provisions of Article 18, paragraph (2) of the City Planning Act (including as applied mutatis mutandis pursuant to Article 21, paragraph (2) of that Act and as applied following the deemed replacement of terms under the provisions of Article 22, paragraph (1) of that Act), or submitting the matter to the Municipal City Planning Council, or the Prefectural City Planning Council under the provisions of Article 19, paragraph (2) of that Act (including as applied mutatis mutandis pursuant to Article 21, paragraph (2) of that Act).

(対象事業等を定める都市計画に係る手続に関する都市計画法の特例)

(Special Provisions of the City Planning Act Concerning Procedures Related to a City Plan Specifying a Target Project)

第四十二条 前条第二項又は第三項の規定により準備書を都市計画の案と併せて縦覧に供する場合における当該都市計画の案についての都市計画法第十七条第一項及び第二項（同法第二十一条第二項において準用する場合及び同法第二十二条第一項の規定により読み替えて適用される場合を含む。）の規定の適用については、同法第十七条第一項中「二週間」とあるのは「一月間」と、同条第二項中「縦覧期間満了の日」とあるのは「縦覧期間満了の日の翌日から起算して二週間を経過する日」とする。

Article 42 (1) For the application of the provisions of Articles 17, paragraph (1) and paragraph (2) of the City Planning Act (including cases where applied mutatis mutandis pursuant to Article 21, paragraph (2) of that Act, and also the cases where it is applied as a replacement of terms pursuant to the provisions of Article 22, paragraph (1) of the that Act) related to a proposed city plan in cases when a draft EIS is made available for public inspection, along with a proposed city plan pursuant to the provisions of the preceding Article, paragraphs (2) and (3), the term "two weeks" in Article 17, paragraph (1) of that Act is to be replaced with "one month," and the phrase "expiration of the period of public inspection" in Article 17, paragraph (2) of that Act is to be replaced with "the date of two weeks after the final day in the period of public inspection."

2 都市計画決定権者は、対象事業等を都市計画に定めようとするときは、都市計画法に定めるところによるほか、第四十条第二項の規定により読み替えて適用される第二十七条の評価書（次項において「評価書」という。）に記載されているところにより当該都市計画に係る対象事業の実施による影響について配慮し、環境の保全が図られるようにするものとする。

(2) When establishing a target project, etc. in a city plan, the city planning decision maker is to give appropriate consideration to a possible impact of the implementation of the target project concerning that city plan, and ensure the protection of the environment, in accordance with what is detailed in an EIS referred to in Article 27 as applied following the deemed replacement of terms

pursuant to the provisions of Article 40, paragraph (2) (referred to in the following paragraph as an "EIS"), in addition to complying with the provisions of the City Planning Act.

- 3 前項の都市計画について、都市計画法第十八条第三項（同法第二十一条第二項において準用する場合を含む。）、同法第八十七条の二第四項の規定により読み替えて適用される同法第十九条第三項（同法第二十一条第二項において準用する場合を含む。）又は都市再生特別措置法第五十一条第二項の規定による同意（以下この項及び第四十五条において「都市計画同意」という。）を行うに当たっては、国土交通大臣（都市計画法第八十五条の二又は都市再生特別措置法第二百二十六条の規定により都市計画同意に関する国土交通大臣の権限が地方整備局長又は北海道開発局長に委任されている場合にあつては、当該地方整備局長又は北海道開発局長。第四十五条において「都市計画同意権者」という。）は、評価書の記載事項及び第四十条第二項の規定により読み替えて適用される第二十四条の書面に基づいて、当該都市計画につき、環境の保全についての適正な配慮がなされるものであるかどうかを審査しなければならない。

- (3) When giving consent to a city plan under the provisions of Article 18, paragraph (3) of the City Planning Act (including as applied mutatis mutandis pursuant to Article 21, paragraph (2) of that Act), Article 19, paragraph (3) of that Act as applied by replacing terms pursuant to the provisions of Article 87-2, paragraph (4) of that Act (including as applied mutatis mutandis pursuant to Article 21, paragraph (2) of that Act), or Article 51, paragraph (2) of the Act on Special Measures concerning Urban Reconstruction (referred to below as "city plan consent" in this paragraph and Article 45) concerning the city plan referred to in the preceding paragraph, the Minister of Land, Infrastructure, Transport and Tourism (if the authority of the Minister of Land, Infrastructure, Transport and Tourism concerning consent for that city plan has been delegated to the directors of the Regional Development Bureau or the Director of the Hokkaido Regional Development Bureau, pursuant to the provisions of Article 85-2 of the City Planning Act, or pursuant to the provisions of Article 126 of the Act on Special Measures concerning Urban Reconstruction; the relevant director of the Regional Development Bureau or the director of the Hokkaido Regional Development Bureau; referred to as "a person entitled to consent to a city plan" in Article 45) must examine whether or not appropriate consideration is given for environmental conservation in that city plan, based on the matters stated in the EIS and the document referred to in Article 24, as applied mutatis mutandis pursuant to the provisions of Article 40, paragraph (2).

(対象事業の内容の変更を伴う都市計画の変更の場合の再実施)

(Reimplementation When Changing a City Plan Accompanying any Change to the Contents of a Target Project)

第四十三条 第四十条第二項の規定により読み替えて適用される第二十七条の規定による公告を行った後に、都市計画決定権者が第四十条第二項の規定により読み替えて適用される第五条第一項第二号に掲げる事項の変更に係る都市計画の変更をしようとする場合における当該事項の変更については、第三十一条第二項及び第三項の規定に基づいて経るべき環境影響評価その他の手続は、次項に定めるところにより、当該都市計画決定権者が当該事項の変更に係る事業者に代わるものとして、当該都市計画の変更をする手続と併せて行うものとする。

Article 43 (1) If a city planning decision maker intends to amend a city plan concerning changes to the matters stated in Article 5, paragraph (1), item (ii) applied as a replacement of terms pursuant to the provisions of Article 40, paragraph (2), after a public notice has been issued pursuant to the provisions of Article 27, applied as a replacement of terms pursuant to the provisions of Article 40, paragraph (2), that city planning decision maker is to conduct an environmental impact assessment, instead of the business operator concerning the changes to those matters, and other procedures required by the provisions of Article 31, paragraphs (2) and (3), in conjunction with the procedures for changing that city plan, pursuant to the provisions of the following paragraph.

2 前項の場合における第三十一条第二項及び第三項の規定の適用については、同条第二項中「事業者は、第二十七条」とあるのは「都市計画決定権者は、第四十条第二項の規定により読み替えて適用される第二十七条」と、「第五条第一項第二号」とあるのは「第四十条第二項の規定により読み替えて適用される第五条第一項第二号」と、「を変更」とあるのは「の変更に係る都市計画の変更を」と、「当該変更」とあるのは「当該事項の変更」と、同条第三項中「第一項の規定は、第二十七条」とあるのは「第三十一条第一項の規定は、都市計画決定権者が第四十条第二項の規定により読み替えて適用される第二十七条」と、「第五条第一項第二号」とあるのは「第四十条第二項の規定により読み替えて適用される第五条第一項第二号」と、「当該事業」とあるのは「当該事業に係る都市計画の変更をしようとする場合における当該都市計画に係る事業」と、「事業者」とあるのは「都市計画に係る事業者」と、「第一項中」とあるのは「第三十一条第一項中「第二十七条」とあるのは「第四十条第二項の規定により読み替えて適用される第二十七条」と、」と、「を行い」とあるのは「が行われ」と、「行うものに限る。）」とあるのは「行われるものに限る。）」と、「を行う」とあるのは「が行われる」と、「第二十一条第一項」とあるのは「第四十条第二項の規定により読み替えて適用される第二十一条第一項」とする。

(2) For the application of the provisions of Article 31, paragraph (2) and (3) in the case referred to in the preceding paragraph, the term "Article 27" in paragraph (2) of the Article is to be replaced with "the city planning decision maker has issued the public notice pursuant to the provisions of Article 27, applied as a deemed replacement of terms pursuant to the provisions of Article 40, paragraph (2)"; the term "Article 5, paragraph (1), item (ii)" is to be replaced with "Article 5, paragraph (1), item (ii), applied as a replacement of terms pursuant to the provisions of Article 40, paragraph (2)"; the term "to modify

any" is to be replaced with "to modify a city plan concerning any modifications"; the phrase "that modification" is deemed to be replaced with "modification to those matters"; the term "the provisions of paragraph (1)" in paragraph (3) of that Article is to be replaced with "Article 31, paragraph (1)"; the term "the provisions of Article 27" in paragraph (3) of that Article is to be replaced with "changes the city planning decision maker has made pursuant to the provisions of Article 27 applied as a replacement of terms pursuant to the provisions of Article 40, paragraph (2)"; the term "Article 5, paragraph (1), item (ii)" is deemed to be replaced with "Article 5, paragraph (1), item (ii) applied as a replacement pursuant to the provisions of Article 40, paragraph (2)"; the term "the relevant target project" is deemed to be replaced with "the relevant target project concerning a city plan in cases where that city plan concerning the target project will be modified"; the term "the business operator" is deemed to be replaced with "the business operator concerning a city plan"; the term "in paragraph (1)" is deemed to be replaced with "in Article 31, paragraph (1)"; the term "Article 27" is deemed to be replaced with "Article 27 applied as a replacement of terms pursuant to the provisions of Article 40, paragraph (2)"; the term "issues" is deemed to be replaced with "is issued"; the phrase "those to be issued" is deemed to be replaced with "those that has been issued"; the term "issues" is deemed to be replaced with "is issued"; the term "Article 21, paragraph (1)" is deemed to be replaced with "Article 21, paragraph (1) applied as a replacement of terms pursuant to the provisions of Article 40, paragraph (2)".

(事業者等の行う環境影響評価との調整)

(Coordination with an Environmental Impact Assessment Conducted by a Business Operator)

第四十四条 第一種事業を実施しようとする者が第三条の四第一項の規定による公表を行ってから第七条の規定による公告を行うまでの間において、当該公表に係る第一種事業を都市計画に定めようとする都市計画決定権者が当該第一種事業を実施しようとする者及び配慮書又は方法書の送付を当該第一種事業を実施しようとする者から受けた者にその旨を通知したときは、第一種事業を実施しようとする者は、当該第一種事業に係る方法書を作成していない場合にあつては当該配慮書及び第三条の六の書面を、方法書を既に作成している場合にあつては当該方法書を当該都市計画決定権者に送付するものとする。この場合において、当該都市計画に係る第一種事業については、第三十八条の六第一項の規定は、都市計画決定権者が当該配慮書及び第三条の六の書面又は当該方法書の送付を受けたときから適用する。

Article 44 (1) During the period between issuing a public announcement as required by Article 3-4, paragraph (1) and a public notice is issued as required by Article 7 by a person intending to implement a class-1 project, if a city planning decision maker intending to establish the class-1 project concerning

that public announcement in a city plan has notified the business operator intending to implement the class-1 project, and a person who has received a document on primary environmental impact consideration, or a scoping document from the business operator intending to implement that class-1 project, then the person intending to implement that class-1 project is to send that document on primary environmental impact consideration and the document referred to in Article 3-6, to the city planning decision maker, in cases when a scoping document concerning the class-1 project has not been prepared, or a scoping document when that scoping document has already been prepared. In such a case, the provisions of Article 38-6, paragraph (1) apply from the time of the receipt of that document on primary environmental impact consideration, and the document referred to in Article 3-6 or the scoping document by the city planning decision maker, regarding the class-1 project concerning that city plan.

2 前項の場合において、その通知を受ける前に第一種事業を実施しようとする者が行った計画段階配慮事項についての検討その他の手続は都市計画決定権者が行ったものとみなし、第一種事業を実施しようとする者に対して行われた手続は都市計画決定権者に対して行われたものとみなす。

(2) In the case of the preceding paragraph, any examination of the items for a primary environmental impact consideration at the planning stage and other procedures conducted by the person intending to implement a class-1 project before the receipt of that notice is deemed to have been conducted by the city planning decision maker, and any procedures conducted against the person intending to implement the class-1 project are deemed to have been conducted against the city planning decision maker.

3 第二種事業に係る事業者が第五条の規定により方法書を作成してから第七条の規定による公告を行うまでの間において、当該方法書に係る第二種事業等を都市計画に定めようとする都市計画決定権者が、当該事業者、配慮書の送付を当該事業者から受けた者（当該事業者が第三条の四第一項の規定により配慮書を送付している場合に限る。）並びに第四条第一項の規定による届出を当該事業者から受理した者及び同条第二項の都道府県知事（事業者が既に第六条第一項の規定により当該方法書を送付しているときは、事業者並びに第四条第一項の規定による届出を当該事業者から受理した者及び当該方法書の送付を受けた者）にその旨を通知したときは、当該都市計画に係る対象事業についての第四十条第一項の規定は、事業者がその通知を受けたときから適用する。この場合において、事業者は、その通知を受けた後、直ちに当該方法書を都市計画決定権者に送付しなければならない。

(3) During the period between the preparation of a scoping document by a business operator concerning a class-2 project pursuant to the provisions of Article 5, and a public notice is issued as required by Article 7, when the city planning decision maker intending to specify the class-2 project concerning that scoping document in a city plan sent a notice of that to the business

operator, the person who has received the document on primary environmental impact consideration from the business operator (limited to cases in which that business operator has submitted the document on primary environmental impact consideration pursuant to the provisions of Article 3-4, paragraph (1)) and the person who has received a notification prepared pursuant to the provisions of Article 4, paragraph (1) from that business operator, and the prefectural governor referred to in paragraph (2) of that Article (in cases where the business operator has already submitted that scoping document pursuant to the provisions of Article 4, paragraph (1); the business operator and the person who has received a notification pursuant to the provisions of Article 4, paragraph (1), and the person who has received the scoping document), the provisions of Article 40, paragraph (1) for the target project regarding the relevant city plan is applied from the time the business operator has received the notification. In such a case, the business operator must promptly send that scoping document to the city planning decision maker, immediately after receiving the notification.

4 前項の場合において、その通知を受ける前に事業者が行った環境影響評価その他の手続は都市計画決定権者が行ったものとみなし、事業者に対して行われた手続は都市計画決定権者に対して行われたものとみなす。

(4) In the case of the preceding paragraph, any environmental impact assessment and other procedures conducted by the business operator before the receipt of that notice are deemed to have been conducted by the city planning decision maker, and any procedures followed by the business operator are deemed to have been carried out by the city planning decision maker.

5 事業者が第七条の規定による公告を行ってから第十六条の規定による公告を行うまでの間において、これらの公告に係る対象事業等を都市計画に定めようとする都市計画決定権者が事業者及び配慮書、方法書又は準備書の送付を当該事業者から受けた者（これらの公告に係る対象事業が第二種事業である場合にあっては、これらの者及び第四条第一項の規定による届出を当該事業者から受理した者）にその旨を通知したときは、事業者は、当該対象事業に係る準備書を作成していない場合にあっては作成した後速やかに、準備書を既に作成している場合にあっては通知を受けた後直ちに、当該準備書を都市計画決定権者に送付するものとする。この場合において、当該都市計画に係る対象事業については、第三十八条の六第一項又は第四十条第一項の規定は、都市計画決定権者が当該準備書の送付を受けたときから適用する。

(5) During the period between a public notice is issued as required under the provisions of Article 7 by a business operator and a public notice is issued as required under the provisions of the preceding Article 16 by that business operator, when the city planning decision maker intending to incorporate a target project, etc. concerning a public notice into the city plan has sent a notice for that to the business operator, and the person who has received the document on a primary environmental impact consideration, a scoping

document, or a draft EIS from that business operator (in cases where that target project concerning these public notices is a class-2 project; these persons and a person who has received that notification pursuant to the provisions of Article 4, paragraph (1)), the business operator is to promptly send a draft EIS, after preparing that draft EIS to the city planning decision maker, in cases when that draft EIS has not been prepared; or if that draft EIS has been prepared, then send that draft EIS immediately. In such a case, the provisions of Article 38-6, paragraph (1) or Article 40, paragraph (1) apply from the time the city planning decision maker receives that draft for the target project concerning that city plan.

6 第四項の規定は、前項の規定による送付が行われる前の手続について準用する。

(6) The provisions of paragraph (4) apply mutatis mutandis to the procedures followed before the sending of the notice under the provisions of the preceding paragraph.

7 事業者が第十六条の規定による公告を行ってから第二十七条の規定による公告を行うまでの間において、第五項の都市計画につき都市計画法第十七条第一項の規定による公告が行われたときは、当該都市計画に係る対象事業については、引き続き第五章及び第六章の規定による環境影響評価その他の手続を行うものとし、第三十八条の六第一項又は第四十条第一項の規定は、適用しない。この場合において、事業者は、第二十七条の規定による公告を行った後、速やかに、都市計画決定権者に当該公告に係る同条の評価書（次条において「評価書」という。）を送付しなければならない。

(7) During the period between a public notice is issued as required under the provisions of Article 16 by a business operator, and a public notice is issued under the provisions of Article 27 by that business operator, if a public notice has been issued pursuant to the provisions of Article 17, paragraph (1) of the City Planning Act concerning the city plan referred to in paragraph (5), an environmental impact assessment and other procedures are to be subsequently conducted as required under Chapter V and Chapter VI, and the provisions of Article 38-6, paragraph (1) or Article 40, paragraph (1), does not apply. In this case, the business operator, after issuing a public notice as required under the provisions of Article 27, must promptly send the EIS related to that Article (referred to as an "EIS" in the following Article) to the city planning decision maker regarding that public notice.

（事業者が環境影響評価を行う場合の都市計画法の特例）

(Special Provisions in Cases Where an Environmental Impact Assessment is Conducted by a Business Operator)

第四十五条 前条第七項の規定により評価書の送付を受けた都市計画決定権者は、同項の都市計画を定めようとするときに都市計画同意を要する場合には、都市計画同意権者に当該評価書を送付しなければならない。

Article 45 (1) Pursuant to the provisions of paragraph (7) of the preceding

Article, a city planning decision maker who has received an EIS must send that EIS to the person entitled to consent to a city plan, if consent to the city plan is required when the city planning decision maker intends to establish the city plan referred to in that paragraph.

- 2 前項の都市計画について都市計画法第十八条（同法第二十一条第二項において準用する場合を含み、同法第十八条第一項及び第二項にあつては同法第二十二条第一項の規定により読み替えて適用される場合を含む。）又は同法第十九条第一項及び第二項（これらの規定を同法第二十一条第二項において準用する場合を含む。）若しくは同法第八十七条の二第四項の規定により読み替えて適用される同法第十九条第三項（同法第二十一条第二項において準用する場合を含む。）の規定が適用される場合には、第四十二条第二項の規定は都市計画決定権者が前条第七項の規定により送付を受けた評価書に係る対象事業等を都市計画に定めようとする場合について、第四十二条第三項の規定は当該都市計画について都市計画同意権者が都市計画同意を行う場合について準用する。この場合において、同条第二項中「第四十条第二項の規定により読み替えて適用される」とあるのは「第四十四条第七項の規定により送付を受けた」と、同条第三項中「前項の都市計画」とあるのは「第四十五条第一項の都市計画」と、「記載事項及び第四十条第二項の規定により読み替えて適用される第二十四条の書面」とあるのは「記載事項」と読み替えるものとする。

- (2) When the provisions of Article 18 of the City Planning Act (including as applied *mutatis mutandis* pursuant to Article 21, paragraph (2) of that Act, and in the case of Article 18, paragraphs (1) and (2) of that Act, including as applied *mutatis mutandis* pursuant to Article 22, paragraph (1) of the that Act following the deemed replacement of terms), or Article 19, paragraphs (1) and (2) of that Act (including as applied *mutatis mutandis* pursuant to Article 21, paragraph (2) of that Act) or Article 19, paragraph (3) of the that Act as applied following the deemed replacement of terms pursuant to Article 87-2, paragraph (4) of that Act (including as applied *mutatis mutandis* pursuant to Article 21, paragraph (2) of that Act) are applied to the city plan referred to in the preceding paragraph, the provisions of Article 42, paragraph (2) apply *mutatis mutandis* when the city planning decision maker intends to establish the city plan target project, etc. concerning the EIS received pursuant to the provisions of paragraph (7) of the preceding Article, and the provisions of Article 42, paragraph (3) apply *mutatis mutandis* to when the person entitled to consent to a city plan gives city planning consent to that city plan. In such a case, the term "as applied following the deemed replacement of terms pursuant to the provisions of Article 40, paragraph (2)" in paragraph (2) of that Article is deemed to be replaced with "as received pursuant to the provisions of Article 44, paragraph (7)"; the term "the city plan referred to in the preceding paragraph" in paragraph (3) of that Article is deemed to be replaced with "the city plan referred to in Article 45, paragraph (1)" and the term "the matters stated in the EIS and the document referred to in Article 24 to be applied

pursuant to the provisions of Article 40, paragraph (2)" is deemed to be replaced with "the matters stated in the EIS".

(事業者の協力)

(Cooperation with Business Operators)

第四十六条 都市計画決定権者は、第二種事業を実施しようとする者又は事業者に対し、第三十八条の六から第四十一条まで、第四十三条及び第四十四条に規定する環境影響評価その他の手続を行うための資料の提供、方法書説明会及び準備書説明会への出席その他の必要な協力を求めることができる。

Article 46 (1) A city planning decision maker may request a person intending to implement a class-2 project, or business operator, to provide necessary cooperation including the provision of materials for conducting an environmental impact assessment and other procedures, attend a scoping document explanatory meeting and a draft EIS explanatory meeting, etc. as referred to in Articles 38 through 41, Articles 43 and 44.

2 事業者のうち対象事業の実施を担当する国の行政機関（地方支分部局を含む。）の長、第二条第二項第二号ハに規定する法人その他の政令で定めるものは、都市計画決定権者から要請があったときは、その要請に応じ、必要な環境影響評価を行うものとする。

(2) The business operator, who is the head of an administrative body of the national government (including a local branch of the administrative body) responsible for the implementation of a target project, or a corporation specified in Article 2, paragraph (2), item (ii), (c), or others specified by Cabinet Order, is to conduct the necessary environmental impact assessment, when requested by a city planning decision maker.

第二節 港湾計画に係る環境影響評価その他の手続

Section 2 Environmental Impact Assessment and Other Procedures Concerning Port Planning

(用語の定義)

(Definition of Terms)

第四十七条 この節、次章及び附則において「港湾環境影響評価」とは、港湾法（昭和二十五年法律第二百十八号）第二条第二項に規定する国際戦略港湾、国際拠点港湾又は重要港湾に係る同法第三条の三第一項に規定する港湾計画（以下「港湾計画」という。）に定められる港湾の開発、利用及び保全並びに港湾に隣接する地域の保全（以下この節において「港湾開発等」という。）が環境に及ぼす影響（以下「港湾環境影響」という。）について環境の構成要素に係る項目ごとに調査、予測及び評価を行うとともに、これらを行う過程においてその港湾計画に定められる港湾開発等に係る環境の保全のための措置を検討し、この措置が講じられた場合における港湾環境影響を総合的に評価することをいう。

Article 47 In this Section, the following Chapter and Supplementary Provisions, "port environmental impact assessment" means the process of conducting a survey, forecast and evaluating the likely impact of developing, utilization and preservation of a port, as well as preservation of the area adjacent to that port (referred to in this Section as "port development, etc.") incorporated into a port plan (referred to below as "port planning") prescribed in Article 3, paragraph (3), item (i) of the Port and Harbor Act (Act No. 218 of 1950) concerning an strategic international hub port, international hub port, or major port prescribed in Article 2, paragraph (2) of the Act, will have on the environment (referred to below as "port environmental impact"), studying possible environmental protection measures concerning port development, etc. incorporated into a port plan, in accordance with items concerning environmental components, and a comprehensive assessment of the overall port environmental impact when those measures are taken.

(港湾計画に係る港湾環境影響評価その他の手続)

(Port Environmental Impact Assessment and Other Procedures Concerning A Port Development Plan)

第四十八条 港湾法第二条第一項の港湾管理者（以下「港湾管理者」という。）は、港湾計画の決定又は決定後の港湾計画の変更のうち、規模の大きい埋立てに係るものであることその他の政令で定める要件に該当する内容のものを行おうとするときは、当該決定又は変更に係る港湾計画（以下「対象港湾計画」という。）について、次項及び第三項に定めるところにより港湾環境影響評価その他の手続を行わなければならない。

Article 48 (1) When making a decision on a port plan, or modifying a port plan, the port management body referred to in Article 2, paragraph (1) of the Port and Harbor Act (referred to below as a "port management body"), must conduct a port environment impact assessment and follow other procedures pursuant to the provisions of the following paragraph and paragraph (3), regarding that decision or modified port plan (referred to below as a "targeted port plan"), if a port plan falls under a large size landfill project, or any other conditions prescribed by Cabinet Order.

2 第四章から第七章まで（第十四条第一項第四号及び第二項、第二十二條から第二十六條まで、第二十九條並びに第三十條第一項第三号及び第二項を除く。）及び第三十一条第一項から第三項までの規定は、前項の規定による港湾環境影響評価その他の手続について準用する。この場合において、第四章の章名中「環境影響評価」とあるのは「港湾環境影響評価」と、第十一条の見出し中「環境影響評価」とあるのは「港湾環境影響評価」と、同条第一項中「事業者」とあるのは「第四十八条第一項の港湾管理者（以下「港湾管理者」という。）」と、「前条第一項、第四項又は第五項の意見が述べられたときはこれを勘案するとともに、第八条第一項の意見に配意して第五条第一項第七号に掲げる事項に検討を加え、第二条第二項第一号イからワまでに掲げる

事業の種類ごとに主務省令」とあるのは「主務省令」と、「対象事業に係る環境影響評価」とあるのは「同項の対象港湾計画（以下「対象港湾計画」という。）に定められる第四十七条の港湾開発等（以下「港湾開発等」という。）に係る同条の港湾環境影響評価（以下「港湾環境影響評価」という。）」と、同条第二項及び第三項中「事業者」とあるのは「港湾管理者」と、同条第四項中「対象事業」とあるのは「対象港湾計画に定められる港湾開発等」と、「環境影響評価」とあるのは「港湾環境影響評価」と、「主務大臣（主務大臣が内閣府の外局長であるときは、内閣総理大臣）」とあるのは「主務大臣」と、第十二条の見出し中「環境影響評価」とあるのは「港湾環境影響評価」と、同条第一項中「事業者」とあるのは「港湾管理者」と、「第二条第二項第一号イからワまでに掲げる事業の種類ごとに主務省令」とあるのは「主務省令」と、「対象事業に係る環境影響評価」とあるのは「対象港湾計画に定められる港湾開発等に係る港湾環境影響評価」と、同条第二項中「環境影響評価」とあるのは「港湾環境影響評価」と、第十三条中「主務大臣（主務大臣が内閣府の外局長であるときは、内閣総理大臣）」とあるのは「主務大臣」と、第十四条第一項中「事業者」とあるのは「港湾管理者」と、「対象事業」とあるのは「対象港湾計画に定められる港湾開発等」と、「環境影響評価を」とあるのは「港湾環境影響評価を」と、「環境影響評価の」とあるのは「港湾環境影響評価の」と、「第二条第二項第一号イからワまでに掲げる事業の種類ごとに主務省令」とあるのは「主務省令」と、「環境影響評価準備書」とあるのは「港湾環境影響評価準備書」と、同項第一号中「第五条第一項第一号から第六号までに掲げる事項」とあるのは「港湾管理者の名称及び住所」と、同項第二号中「第八条第一項の意見の概要」とあるのは「対象港湾計画の目的及び内容」と、同項第三号中「第十条第一項の都道府県知事の意見又は同条第四項の政令で定める市の長の意見及び同条第五項の都道府県知事の意見がある場合にはその意見」とあるのは「対象港湾計画に定められる港湾開発等が実施されるべき区域及びその周囲の概況」と、同項第七号イ中「環境影響の内容」とあるのは「第四十七条の港湾環境影響（以下「港湾環境影響」という。）の内容」と、同号ニ中「環境影響」とあるのは「港湾環境影響」と、第十五条中「事業者」とあるのは「港湾管理者」と、「第六条第一項の主務省令」とあるのは「対象港湾計画に定められる港湾開発等に係る港湾環境影響評価につき環境の保全の見地からの意見を求める上で適切な範囲の地域の基準となるべき事項につき主務大臣が環境大臣に協議して定める主務省令」と、「対象事業に係る環境影響」とあるのは「対象港湾計画に定められる港湾開発等に係る港湾環境影響」と、「第八条第一項及び第十条第一項、第四項又は第五項の意見並びに第十二条第一項の規定により行った環境影響評価の結果にかんがみ第六条第一項の地域に追加すべきものと認められる地域を含む。以下」とあるのは「以下」と、第十六条中「事業者」とあるのは「港湾管理者」と、「環境影響評価」とあるのは「港湾環境影響評価」と、第十七条、第十八条第一項、第十九条、第二十条第一項及び第三項から第六項まで並びに第二十一条第一項中「事業者」とあるのは「港湾管理者」と、同項中「事業が対象事業」とあるのは「港湾計画が対象港湾計画」と、同項第一号中「第五条第一項第二号」とあるのは「第十四条第一項第二号」と、「事業規模」とあるのは「港湾計画に定められる港湾開発等の規模」と、「同条から」とあるのは「第十一条から」と、「環境影響評価」とあるのは「港湾環境影響評価」と、

同項第二号中「第五条第一項第一号又は第十四条第一項第二号から第四号まで、第六号若しくは第八号」とあるのは「第十四条第一項第一号、第六号又は第八号」と、「次条から第二十七条まで」とあるのは「第二十七条」と、「環境影響評価」とあるのは「港湾環境影響評価」と、同項第三号中「対象事業に係る環境影響評価」とあるのは「対象港湾計画に定められる港湾開発等に係る港湾環境影響評価」と、同条第二項中「事業者」とあるのは「港湾管理者」と、「環境影響評価を」とあるのは「港湾環境影響評価を」と、「当該環境影響評価」とあるのは「当該港湾環境影響評価」と、「環境影響評価の」とあるのは「港湾環境影響評価の」と、「環境影響評価書」とあるのは「港湾環境影響評価書」と、「第二条第二項第一号イからワまでに掲げる事業の種類ごとに主務省令」とあるのは「主務省令」と、第二十七条中「事業者」とあるのは「港湾管理者」と、「第二十五条第三項の規定による送付又は通知を」とあるのは「第二十一条第二項の規定により評価書を作成」と、「評価書等」とあるのは「評価書及びこれを要約した書類」と、第七章の章名中「対象事業」とあるのは「対象港湾計画」と、第二十八条の見出し中「事業内容」とあるのは「港湾計画の内容」と、「環境影響評価」とあるのは「港湾環境影響評価」と、同条中「事業者」とあるのは「港湾管理者」と、「第七条」とあるのは「第十六条」と、「第五条第一項第二号」とあるのは「第十四条第一項第二号」と、「第二十一条第一項又は第二十五条第一項」とあるのは「第二十一条第一項」と、「事業が対象事業」とあるのは「港湾計画が対象港湾計画」と、「事業に」とあるのは「港湾計画に定められる港湾開発等」と、「第五条から」とあるのは「第十一条から」と、「環境影響評価」とあるのは「港湾環境影響評価」と、「事業規模」とあるのは「港湾計画に定められる港湾開発等の規模」と、第三十条の見出し中「対象事業の廃止」とあるのは「対象港湾計画の決定等の中止」と、同条第一項中「事業者」とあるのは「港湾管理者」と、「第七条」とあるのは「第十六条」と、「方法書、準備書」とあるのは「準備書」と、同項第一号中「対象事業を実施しない」とあるのは「対象港湾計画の決定又は決定後の対象港湾計画の変更をしない」と、同項第二号中「第五条第一項第二号」とあるのは「第十四条第一項第二号」と、「事業が第一種事業又は第二種事業のいずれにも」とあるのは「港湾計画が対象港湾計画に」と、第三十一条の見出し中「対象事業の実施」とあるのは「対象港湾計画の決定又は決定後の対象港湾計画の変更」と、同条第一項中「事業者」とあるのは「港湾管理者」と、「対象事業」とあるのは「対象港湾計画」と、「、第二十五条第一項又は第二十八条」とあるのは「又は第二十八条」と、「事業が」とあるのは「港湾計画が」と、「事業）を実施」とあるのは「港湾計画。以下この条において同じ。）の決定又は決定後の対象港湾計画の変更を」と、同条第二項中「事業者」とあるのは「港湾管理者」と、「第五条第一項第二号」とあるのは「第十四条第一項第二号」と、「事業規模」とあるのは「港湾計画に定められる港湾開発等の規模」と、「環境影響評価」とあるのは「港湾環境影響評価」と、同条第三項中「第五条第一項第二号」とあるのは「第十四条第一項第二号」と、「当該事業を実施」とあるのは「当該港湾計画の決定又は決定後の当該港湾計画の変更を」と、「環境影響評価」とあるのは「港湾環境影響評価」と、「事業者」とあるのは「港湾管理者」と読み替えるものとする。

(2) The provisions of Chapters IV through VII (excluding Article 14, paragraph

(1), item (iv) and paragraph (2), Articles 22 through 26, Article 29, and Article 30, paragraph (1), item (iii) and paragraph (2)) and the provisions of Article 31, paragraphs (1) through (3) are to apply mutatis mutandis to the port environmental impact assessment, and other procedures under the provisions of the preceding paragraph. In such a case, the term "environmental impact assessment" in the title of Chapter IV is deemed to be replaced with "port environmental impact assessment"; the term "environmental impact assessment" in the title of Article 11 is deemed to be replaced with "port environment impact assessment"; and the term "the business operator" in paragraph (1) of that Article is deemed to be replaced with "the port management body referred to in Article 48, paragraph (1) (referred to below as "port management body"); the term "when any opinions have been expressed in accordance with paragraph (1), paragraph (4), or (5) of the preceding Article, must review the matters stated in Article 5, paragraph (1), item (vii), while taking into account those opinions, as well as the opinions stated pursuant to Article 8, paragraph (1), as well as the methods of survey, forecast and evaluation methods, for each category of project stated in Article 2, paragraph (2), item (1), (a) through (m), pursuant to the provisions of order of the competent ministry" is deemed to be replaced with "pursuant to the provisions of order of the competent ministry"; the term "in an environmental impact assessment concerning the target project" is deemed to be replaced with "the port environmental impact assessment (referred to below as "port environmental impact assessment") pursuant to the provisions in that paragraph concerning port development, etc. (referred to below as "port development, etc."). referred to in that Article 47 to the target port plan (referred to below as the "target port plan") as referred to in that Article; the term "business operator" in paragraph (2) and paragraph (3) of that Article is deemed to be replaced with "port management body"; the term "target project" in paragraph (4) of that Article is deemed to be replaced with "port development, etc. as specified in the target port plan"; the term "environmental impact assessment" is deemed to be replaced with "port environmental impact assessment"; the term "the competent minister (if the competent minister is the head of external bureau of the Cabinet Office; the Prime Minister) is deemed to be replaced with "the competent minister"; the term "environmental impact assessment" in the title of Article 12 is deemed to be replaced with "port environmental impact assessment"; the term "business operator" in paragraph (1) of that Article is deemed to be replaced with "port management body"; the term "order of the competent ministry for each category of project stated in Article 2, paragraph (2), item (i), (a) through (m)" is deemed to be replaced with "order of the competent ministry"; the term "environmental impact assessment of the target project" is deemed to be replaced with "port

environmental impact assessment of the target port plan"; the term "environmental impact assessment" in paragraph (2) of that Article is deemed to be replaced with "port environmental impact assessment"; the term "competent minister (when the competent minister is the head of external bureau of the Cabinet Office; the Prime Minister)" in Article 13 is deemed to be replaced with "competent minister"; the term "business operator" in Article 14, paragraph (1), is deemed to be replaced with "port management body"; the term "target project" is deemed to be replaced with "port development, etc. specified in the target port plan"; the term "an environmental impact assessment" is deemed to be replaced with "the port environmental impact assessment"; the term "the environmental impact assessment" is deemed to be replaced with "the port environmental impact assessment"; the term "order of the competent ministry for each category of project stated in Article 2, paragraph (2), item (i), (a) through (m)" in paragraph (4) of that Article is deemed to be replaced with "order of the competent ministry"; the term "draft environmental impact assessment" is deemed to be replaced with "draft port environmental impact assessment"; the term "matters stated in Article 5, paragraph (1), items (i) through (vi)" in item (i) of that paragraph is deemed to be replaced with "name and address of the port management body"; the term "an outline of the opinions referred to in Article 8, paragraph (1)" in item (ii) of that paragraph is deemed to be replaced with "purpose and contents of the target port plan"; the term "opinions of the prefectural governors as referred to in Article 10, paragraph (1), or opinions by the mayor of the city designated by Cabinet Order referred to in paragraph (4) of that Article, and the opinion of the prefectural governor as referred to in paragraph (5) of that Article, if any" in item (iii) of that paragraph is deemed to be replaced with "the general conditions of the area and its surrounding areas in which the port development, etc. is to be implemented, as specified in the target port plan"; the term "content of the environmental impact" in item (iii), (a) of that paragraph is deemed to be replaced with "details of the port environmental impact (referred to below as "port environmental impact")"; the term "environmental impact" in item (iii), (d) of that paragraph is deemed to be replaced with "port environmental impact"; the term "business operator" in Article 15 is deemed to be replaced with "port management body"; the term "order of the competent ministry referred to in Article 6, paragraph (1)" is deemed to be replaced with "order of the competent ministry specified by the competent minister in consultation with the Minister of the Environment concerning the matters to serve as standards for an appropriate scope of area for seeking opinions, from the perspective of environmental conservation, on the port environmental impact assessment concerning the port development, etc. specified in the target port plan"; the term "environmental impact concerning the target project" is

deemed to be replaced with "port environmental impact regarding the port development, etc. specified in the target port plan"; the term "including areas that are deemed to be added to the areas under Article 6, paragraph (1), in light of the opinions expressed pursuant to the provisions of Article 8, paragraph (1) and Article 10, paragraph (1), (4) or (5), and on the basis of the results of the environmental impact assessment conducted pursuant to Article 12, paragraph (1); referred to below" is deemed to be replaced with "referred to below"; the term "business operator" in Article 16 is deemed to be replaced with "port management body"; the term "environmental impact assessment" is deemed to be replaced with "port environmental impact assessment"; the term "business operator" in Article 17, paragraphs (1) and (2), Article 18, paragraph (1), Article 19, Article 20, paragraph (1) and paragraphs (3) through (6), and Article 21, paragraph (1) is deemed to be replaced with "port management body"; the term "project becomes a target project" in Article 21, paragraph (1) is deemed to be replaced with "port plan is a target port plan"; the term "Article 5, paragraph (1), item (ii)" in item (i) of that paragraph is deemed to be replaced with "Article 14, paragraph (1), item (ii)"; the term "size of the project" in that item is deemed to be replaced with "size of port development, etc. specified in the port plan"; the term "Articles 5 is deemed to be replaced with" Articles 11"; the term "environmental impact assessment" is deemed to be replaced with "port environmental impact assessment"; the term "Article 5, paragraph (1), item (i), or in Article 14, paragraph (1), items (ii) through (iv), item (vi) or item (viii)" in item (ii) of that paragraph is deemed to be replaced with "Article 14, paragraph (1), item (i), (vi) or item (viii)"; the term "the following Article through Article 27" is deemed to be replaced with "Article 27"; the term "environmental impact assessment" is deemed to be replaced with "port environmental impact assessment"; the term "environmental impact assessment for the relevant amended parts of the target project" in item (iii) of that paragraph is deemed to be replaced with "port environmental impact regarding the relevant amended parts of the port development, etc. specified in the target port plan"; the term "business operator" in paragraph (2) of that Article is deemed to be replaced with "port management body"; the term "environmental impact assessment report" is deemed to be replaced with "port environmental impact assessment report"; the term "environmental impact assessment concerning" is deemed to be replaced with "port environmental impact assessment concerning"; the term "if an environmental impact assessment" is deemed to be replaced with "if the port environmental impact assessment"; the term "environmental impact assessment related to" is deemed to be replaced with "port environmental impact assessment related to"; the term "an environmental impact assessment" is deemed to be replaced with "the port environmental impact assessment"; the term "order of the competent

ministry for each category of project stated in Article 2, paragraph (2), item (i), (a) through (m)" is deemed to be replaced with "order of the competent ministry"; the term "business operator" in Article 27 is deemed to be replaced with "port management body"; the term "a submission or notice under the provisions of Article 25, paragraph (3)" is deemed to be replaced with "an EIS under the provisions of Article 21, paragraph (2)"; the term "EIS, etc." is deemed to be replaced with "EIS and a document summarizing this"; the term "Target Project" in the title of Chapter VII is deemed to be replaced with "Target Port Project"; the term "Contents of a Project" in the title of Article 28 is deemed to be replaced with "Contents of a Port Plan"; the term "Environmental Impact Assessment" is deemed to be replaced with "Port Environmental Impact Assessment"; the term "business operator" in that Article is deemed to be replaced with "port management body"; the term "Article 7" is deemed to be replaced with "Article 16"; the term "Article 5, paragraph (1), item (ii)" is deemed to be replaced with "Article 14, paragraph (1), item (ii)"; the term "Article 21, paragraph (1), or Article 25, paragraph (1)" is deemed to be replaced with "Article 21, paragraph (1)"; the term "project falls under the category of a target project" is deemed to be replaced with "port plan falls under the category of a target port plan"; the term "for the project" is deemed to be replaced with "for the port development, etc. specified in the port plan"; the term "Articles 5 through" is deemed to be replaced with "from Articles 11 through"; the term "environmental impact assessment" is deemed to be replaced with "port environmental impact assessment"; the term "size of the project" is deemed to be replaced with "size of the port development, etc. specified in the port plan"; the term "Discontinuation of a Target Project" in the title of Article 30 is deemed to be replaced with "Suspension of the Decision of the Target Port Plan"; the term "business operator" in paragraph (1) of that Article is deemed to be replaced with "port management body"; the term "Article 7" is deemed to be replaced with "Article 16"; the term "scoping document, draft EIS" is deemed to be replaced with "draft EIS"; the term "not to implement the target business" in item (i) of the that paragraph is deemed to be replaced with "no decision on the target port plan, or no change to the target port plan is to be made after that decision"; the term "Article 5, paragraph (1), item (ii)" with "Article 14, paragraph (1), item (ii)"; the term "under either a class-1 project or a class-2 project"; the term "Implementation of a Target Project in the title of Article 31 is deemed to be replaced with "Making a Decision on the Target Port Plan, or Making Changes to the Target Port Plan After"; the term "A business operator" in paragraph (1) of that Article is deemed to be replaced with "the port management body"; the term "target project" is deemed to be replaced with "target port plan"; the term ", Article 25, paragraph (1) or Article 28" is deemed to be replaced with "or

Article 28"; the term "project" is deemed to be replaced with "port plan"; the term "project)" is deemed to be replaced with "port plan; the same applies below in this Article)"; the term "implement a target project (" is deemed to be replaced with "make a decision on the target port plan, or make changes to the target port plan after that decision ("; the term "a business operator" in paragraph (2) of that Article is deemed to be replaced with "the port management body"; the term "Article 5, paragraph (1), item (ii)" is deemed to be replaced with "Article 14, paragraph (1), item (ii)"; the term "the size of the project" is deemed to be replaced with "the size of the port development, etc. specified in the port plan"; the term "environmental impact assessment" is deemed to be replaced with "port environmental impact assessment"; the term "Article 5, paragraph (1), item (ii)" in paragraph (3) of that Article is deemed to be replaced with "Article 14, paragraph (1), item (ii)"; the term "implement the relevant project" is deemed to be replaced with "make a decision on the target port plan, or make changes to the target port plan after that decision"; the term "an environmental impact assessment" is deemed to be replaced with "the port environmental impact assessment", and the term "a business operator" is deemed to be replaced with "the port management body".

3 港湾管理者は、対象港湾計画の決定又は決定後の対象港湾計画の変更を行う場合には、港湾法に定めるところによるほか、前項において準用する第二十一条第二項の港湾環境影響評価書に記載されているところにより、当該港湾計画に定められる港湾開発等に係る港湾環境影響について配慮し、環境の保全が図られるようにするものとする。

(3) When making a decision on a targeted port plan, or modifying a targeted port plan after a decision has been made, in addition to complying with the provisions of the Port and Harbor Act, the port management body is to give appropriate consideration to any possible port environmental impact concerning port development, etc. specified in that port plan, and ensure protection of the environment, in accordance with the matters detailed in a port EIS referred to in Article 21, paragraph (2) as applied mutatis mutandis pursuant to the provisions of the preceding paragraph.

第十章 雑則

Chapter X Miscellaneous Provisions

(地方公共団体との連絡)

(Communication With Local Governments)

第四十九条 事業者等（事業者、都市計画決定権者及び港湾管理者をいう。第五十二条において同じ。）は、この法律の規定による公表、公告若しくは縦覧又は方法書説明会若しくは準備書説明会の開催について、関係する地方公共団体と密接に連絡し、必要があると認めるときはこれに協力を求めることができる。

Article 49 The business operator, etc. (meaning the business operator, city planning decision maker, and port management body; the same applies in Article 52) may keep in close contact with local governments concerning the publication, public notice, or public inspection, or the holding of a scoping document explanatory meeting, or a draft EIS explanatory meeting, pursuant to the provisions of this Act, and may request cooperation when it is found necessary.

(国の配慮)

(Consideration by the National Government)

第五十条 国は、地方公共団体（港湾管理者を含む。）が国の補助金等の交付を受けて対象事業の実施（対象港湾計画の決定又は変更を含む。）をする場合には、この法律の規定による環境影響評価その他の手続に要する費用について適切な配慮をするものとする。

Article 50 When a local government (including the port management body) implements a target project (including the adoption or modification of a targeted port plan) by receiving subsidies, etc. from the national government, the national government is to give appropriate consideration to the costs likely to be incurred in conducting an environmental impact assessment, and other procedures under the provisions of this Act.

(技術開発)

(Technological Development)

第五十一条 国は、環境影響評価に必要な技術の向上を図るため、当該技術の研究及び開発の推進並びにその成果の普及に努めるものとする。

Article 51 To improve necessary technology for an environmental impact assessment, the national government is to endeavor to promote the research and development of that technology, and disseminate its results.

(環境影響評価に係る書類等の公開)

(Disclosure of Documents Concerning an Environmental Impact Assessment)

第五十二条 環境大臣は、事業者等が次の各号に掲げる手続を経たときは、当該各号に定める書類を、それぞれ政令で定める期間、インターネットの利用その他の方法により公開することができる。この場合においては、あらかじめ、当該書類を作成した事業者等の同意を得なければならない。

Article 52 If a business operator, etc. has gone through the procedures specified in the following items, the Minister of the Environment may disclose the documents provided for in those items over the Internet, or by other means for the period specified by Cabinet Order. In such a case, the minister must obtain the consent of the business operator, etc. that prepared the documents in advance:

- 一 第三条の四第一項（第三十八条の六第三項の規定により読み替えて適用する場合を含む。）の規定による公表 当該公表がされた配慮書
- (i) publication under the provisions of Article 3-4, paragraph (1) (including as applied pursuant to the provisions of Article 38-6, paragraph (3) following the deemed replacement of terms): the document on primary environmental impact consideration that has been published;
- 二 第七条（第四十条第二項の規定により読み替えて適用する場合を含む。）の規定による公表 当該公表がされた方法書
- (ii) the publication under the provisions of Article 7 (including as applied following a deemed replacement of terms pursuant to the provisions of Article 40, paragraph (2)): the scoping document for which the publication has been made;
- 三 第十六条（第四十条第二項の規定により読み替えて適用する場合及び第四十八条第二項において読み替えて準用する場合を含む。）の規定による公表 当該公表がされた準備書
- (iii) publication under the provisions of Article 16 (including as applied mutatis mutandis pursuant to Article 40, paragraph (2) following the deemed replacement of terms, and as applied mutatis mutandis pursuant to the provisions of Article 48, paragraph (2) following the deemed replacement of terms): a draft EIS that has been published;
- 四 第二十七条（第四十条第二項の規定により読み替えて適用する場合及び第四十八条第二項において読み替えて準用する場合を含む。）の規定による公表 当該公表がされた評価書
- (iv) an EIS made public pursuant to the provisions of Article 27 (including as applied mutatis mutandis pursuant to the provisions of Article 40, paragraph (2) following the deemed replacement of terms, and as applied mutatis mutandis in accordance with Article 48, paragraph (2) following the deemed replacement of terms): the published EIS;
- 五 第三十八条の三第一項（第四十条の二の規定により読み替えて適用する場合を含む。）の規定による公表 当該公表がされた報告書
- (v) the publication under the provisions of Article 38-3, paragraph (1) (including as applied following the deemed replacement of terms, pursuant to the provisions of Article 40-2): the report that has been published.

(適用除外)

(Exemptions)

第五十三条 第二章から前章までの規定は、災害対策基本法（昭和三十六年法律第二百二十三号）第八十七条の規定による災害復旧の事業又は同法第八十八条第二項に規定する事業、建築基準法（昭和二十五年法律第二百一号）第八十四条の規定が適用される場合における同条第一項の都市計画に定められる事業又は同項に規定する事業及び被災市街地復興特別措置法（平成七年法律第十四号）第五条第一項の被災市街地復興

推進地域において行われる同項第三号に規定する事業については、適用しない。

Article 53 (1) The provisions of Chapter II through the preceding Chapter of this Act do not apply to a project for disaster recovery, as prescribed in Article 87 of the Basic Act on Disaster Management (Act No. 223 of 1961) or projects referred to in Article 88, paragraph (2) of that Act; a project incorporated into a city planning referred to in Article 84, paragraph (1) of the Building Standards Act (Act No. 201 of 1950), in which the provisions of Article 84 apply, or a project that is subject to the provisions of that paragraph; a project implemented in an area designated as an urban disaster recovery promotion area pursuant to Article 5, paragraph (1) of the Act on Special Measures concerning Reconstruction of Urban Districts Damaged by Disaster (Act No. 14 of 1995) and is provided for in Article 5, paragraph (1), item (iii) of that Act.

2 第二章の規定は、国の利害に重大な関係があり、かつ、災害の発生その他特別の事情により緊急の実施を要すると認められる事業として政令で定めるものについては、適用しない。

(2) The provisions of Chapter II are not to be applied to projects that have a serious influence on the national interest and are specified by Cabinet Order as requiring immediate implementation, due to the occurrence of a disaster, and other special circumstances.

(命令の制定とその経過措置)

(Establishment of an Order and Transitional Measures)

第五十四条 第二条第二項又は第三項の規定に基づく政令であってその制定又は改廃により新たに対象事業となる事業（新たに第二種事業となる事業のうち第四条第三項第一号（第三十九条第二項の規定により読み替えて適用される場合を含む。）の措置がとられたものを含む。以下「新規対象事業等」という。）があるもの（以下この条及び次条第一項において「対象事業等政令」という。）の施行の際、当該新規対象事業等について、条例又は行政手続法（平成五年法律第八十八号）第三十六条に規定する行政指導（地方公共団体が同条の規定の例により行うものを含む。）その他の措置（以下「行政指導等」という。）の定めるところに従って作成された次の各号に掲げる書類（対象事業等政令の施行に際し次項の規定により指定されたものに限る。）があるときは、当該書類は、それぞれ当該各号に定める書類とみなす。

Article 54 (1) When enforcing Cabinet Order in accordance with the provisions of Article 2, paragraph (2), or paragraph (3) which involves a project that has newly become a target project (including a project which has newly become a class-2 project, for which measures have been taken pursuant to the provisions of Article 4, paragraph (3), item (i) (including if it is applied following the deemed replacement of terms pursuant to the provisions of Article 39, paragraph (2)); referred to below as "new target project, etc.") because of the establishment, or revision or abolition of Cabinet Order (referred to as "Cabinet Order for a target project, etc." in this Article and paragraph (1) of

the following Article), when there is a document (limited to the document designated pursuant to the provisions of the following paragraph at the time of enforcement of Cabinet Order for a target project, etc.) concerning that new target project, etc., which has been prepared, as referred to in the following items, in accordance with a Prefectural Ordinance or administrative guidance prescribed in Article 36 of the Administrative Procedure Act (Act No. 88 of 1993) (including those enforced by a local government as prescribed in the provisions of that Article) and other measures (referred to below as "administrative guidance, etc."), that document is deemed to fall under any of the categories specified in the following items:

一 第一種事業に係る計画の立案の段階において、当該事業が実施されるべき区域その他の主務省令で定める事項の決定に当たって、一又は二以上の事業実施想定区域における当該事業に係る環境の保全のために配慮すべき事項についての検討を行った結果を記載したものであると認められる書類 第三条の三第一項の配慮書（同条第二項の規定により実施しようとする第一種事業にあつては、同項の規定により作成した配慮書）

(i) a document which is recognized as describing the results of a review of matters to be considered for environmental conservation, in one or two or more anticipated project implementation areas, when deciding the area in which that project will be implemented, and other matters specified by order of the competent ministry in the planning stage of a class-1 project: a document on primary environmental impact consideration referred to in Article 3-3, paragraph (1) (in the case of a class-1 project to be implemented pursuant to the provisions of paragraph (2) of that Article; a document on primary environmental impact consideration prepared pursuant to the provisions of that paragraph);

二 主務大臣が前号に掲げる書類について環境の保全の見地からの意見を述べたものであると認められる書類 第三条の六の書面

(ii) a document which is recognized to contain opinions of the competent minister expressed, from the perspective of environmental conservation, on the document stated in the preceding item: the document referred to in Article 3-6;

三 環境影響評価の項目を記載した書類であつて環境影響を受ける範囲であると認められる地域を管轄する地方公共団体の長（以下この項において「関係地方公共団体の長」という。）に対する送付、縦覧その他の第三者の意見を聴くための手続及び第七条の二第一項の規定による周知のための措置に相当する手続を経たものであると認められるもの 第七条及び第七条の二の手続を経た方法書

(iii) a document specifying the items of an environmental impact assessment, and which is found to follow procedures such as public inspection to listen to public and other third party opinions, including sending the document to the head of a local government (in this paragraph, referred to as "the head of

- related local government") who has jurisdiction over the area that is found to fall within the scope of environmental impact, and making the document available for public inspection and other procedures for seeking the opinion of a third party, and other measures written in the document under the provisions of Article 7-2, paragraph (1): a scoping document for which the procedures specified in Article 7 and 7-2 have been taken;
- 四 前号に掲げる書類に対する環境の保全の見地からの意見の概要を記載した書類であって関係地方公共団体の長に対する送付の手続を経たものであると認められるもの 第九条の手続を経た同条の書類
- (iv) a document outlining opinions stated, from the perspective of environmental conservation, for the document referred to in the preceding item, and which is recognized to have been submitted to the head of the related local government: a document which is referred to in Article 9, and for which the procedure specified in Article 9 has been taken;
- 五 関係地方公共団体の長が第三号に掲げる書類について環境の保全の見地からの意見を述べたものであると認められる書類 第十条第一項又は第四項の書面
- (v) a document which is recognized to contain opinions of the head of related local government, expressed on the document stated in item (iii) above from the perspective of environmental conservation: a document specified in Article 10, paragraph (1) or (4);
- 六 環境影響評価の結果について環境の保全の見地からの一般の意見を聴くための準備として作成された書類であって第十六条の公告及び縦覧並びに第十七条第一項の規定による周知のための措置に相当する手続を経たものであると認められるもの 第十六条及び第十七条の手続を経た準備書
- (vi) a document which has been prepared as part of the process for inviting opinions on the results of an environmental impact assessment from the public, from the perspective of environmental conservation, and for which the procedures for the public inspection and public notice referred to in Article 16, and measures for making the results public under the provisions of Article 17, paragraph (1), are found to have been taken: a draft EIS for which the procedures referred to in Article 16 and 17 have been taken;
- 七 前号に掲げる書類に対する環境の保全の見地からの意見の概要を記載した書類であって関係地方公共団体の長に対する送付の手続を経たものであると認められるもの 第十九条の手続を経た同条の書類
- (vii) a document describing the outline of opinions, from the perspective of environmental conservation, for the document stated in the preceding item, and which is found to have been submitted to the head of the local government: a document which is referred to in Article 19, and for which the procedure referred to in that Article has been taken;
- 八 関係地方公共団体の長が第六号に掲げる書類について環境の保全の見地からの意見を述べたものであると認められる書類 第二十条第一項又は第四項の書面

(viii) a document which is found to contain the opinion of the head of a relevant local government, stated in the document referred to in item (vi), from the perspective of environmental conservation: a document referred to in Article 20, paragraph (1) or (4);

九 前号の意見が述べられた後に第六号に掲げる書類の記載事項の検討を行った結果を記載したものであると認められる書類 第二十一条第二項の評価書

(ix) a document which is found to describe the results of a review conducted for the matters in the document stated in item (vi), after the opinion referred to in the preceding item has been expressed: an EIS as referred to in Article 21, paragraph (2);

十 関係する行政機関の意見が述べられる機会が設けられており、かつ、その意見を勘案して第六号又は前号に掲げる書類の記載事項の検討を行った結果を記載したものであると認められる書類 第二十六条第二項の評価書

(x) a document which is found to describe the results of a review, conducted by considering the opinion of an administrative body, when an opportunity to state that opinion is available, for the items in the document stated in item (vi) or the preceding item: an EIS referred to in Article 26, paragraph (2);

十一 第二十七条の公告に相当する公開の経たものであると認められる書類 同条の経た評価書

(xi) a document which is found to have taken the public procedure equivalent to the public notice referred to in Article 27: an EIS for which the procedure referred to in that Article has been taken.

2 前項各号に掲げる書類は、当該書類の作成の根拠が条例又は行政指導等（地方公共団体に係るものに限る。）であるときは環境大臣が当該地方公共団体の意見を聴いて、行政指導等（国の行政機関に係るものに限る。）であるときは主務大臣が環境大臣（第一種事業若しくは第二種事業が市街地開発事業として都市計画法の規定により都市計画に定められる場合における当該第一種事業若しくは第二種事業又は第一種事業若しくは第二種事業に係る施設が都市施設として同法の規定により都市計画に定められる場合における当該都市施設に係る第一種事業若しくは第二種事業について当該都市計画を定める都市計画決定権者が環境影響評価その他の手続を行うものとする旨を定める行政指導等にあつては、国土交通大臣が主務大臣及び環境大臣）に協議して、それぞれ指定するものとする。

(2) For the documents stated in the preceding items, if a document is based on a Prefectural Ordinance, or administrative guidance, etc. (limited to those concerning a local government), the Minister of the Environment is to designate that document by asking the opinion of local government; or when that document is based on administrative guidance, etc. (limited to those concerning administrative bodies of the national government), the competent minister is to designate the relevant document in consultation with the Minister of the Environment (concerning administrative guidance, etc. which specifies that the city planning decision maker responsible for specifying a city

plan is to conduct an environmental impact assessment, and other procedures regarding a class-1 or class-2 project incorporated into a city plan pursuant to the provisions of the City Planning Act as an urban development project, or a class-1 or class-2 project whose urban facilities are incorporated into a city plan pursuant to the provisions of that Act; the Minister of Land, Infrastructure, Transport and Tourism is to designate that document in consultation with the competent minister, and the Minister of the Environment).

3 前項の規定による指定の結果は、公表するものとする。

(3) Under the provisions of the preceding paragraph, the results of the designation are to be made public.

4 前三項（第一項第一号から第五号まで及び第十号を除く。）の規定は、第四十八条第一項の規定に基づく政令の制定又は改廃により新たに同項の対象港湾計画となった港湾計画について準用する。この場合において、第一項中「第二条第二項又は第三項の規定に基づく政令であつてその制定又は改廃により新たに対象事業となる事業（新たに第二種事業となる事業のうち第四条第三項第一号（第三十九条第二項の規定により読み替えて適用される場合を含む。）の措置がとられたものを含む。以下「新規対象事業等」という。）があるもの（以下この条及び次条第一項において「対象事業等政令」という。）」とあるのは「第四十八条第一項の政令（以下この条において「対象港湾計画政令」という。）」と、「当該新規対象事業等」とあるのは「第四項に規定する港湾計画」と、「対象事業等政令の施行」とあるのは「対象港湾計画政令の施行」と、同項第六号中「環境影響評価」とあるのは「港湾環境影響評価」と、「第十六条の公告」とあるのは「第四十八条第二項において準用する第十六条の公告」と、「第十七条第一項」とあるのは「第四十八条第二項において準用する第十七条第一項」と、「第十六条及び第十七条の手續を経た準備書」とあるのは「第四十八条第二項において準用する第十六条及び第十七条の手續を経た第四十八条第二項において準用する第十四条の港湾環境影響評価準備書」と、同項第七号中「第十九条」とあるのは「第四十八条第二項において準用する第十九条」と、同項第八号中「第二十条第一項」とあるのは「第四十八条第二項において準用する第二十条第一項」と、同項第九号中「第二十一条第二項の評価書」とあるのは「第四十八条第二項において準用する第二十一条第二項の港湾環境影響評価書」と、同項第十一号中「第二十七条」とあるのは「第四十八条第二項において準用する第二十七条」と、「評価書」とあるのは「港湾環境影響評価書」と、第二項中「環境大臣（第一種事業若しくは第二種事業が市街地開発事業として都市計画法の規定により都市計画に定められる場合における当該第一種事業若しくは第二種事業又は第一種事業若しくは第二種事業に係る施設が都市施設として同法の規定により都市計画に定められる場合における当該都市施設に係る第一種事業若しくは第二種事業について当該都市計画を定める都市計画決定権者が環境影響評価その他の手續を行うものとする旨を定める行政指導等にあつては、国土交通大臣が主務大臣及び環境大臣）」とあるのは「環境大臣」と読み替えるものとする。

(4) The provisions of the preceding three paragraphs (excluding paragraph (1)),

items (i) through (v) and item (x)) are to apply mutatis mutandis to a port plan which has newly become a targeted port plan in accordance with establishment, or revision or abolition of Cabinet Order pursuant to the provisions of Article 48, paragraph 1. In such a case, the term "Cabinet Order in accordance with the provisions of Article 2, paragraph (2), or paragraph (3) which involves a project that has newly become a target project (including a project which has newly become a class-2 project, for which measures have been taken pursuant to the provisions of Article 4, paragraph (3), item (i) (including cases where it is applied following the deemed replacement of terms pursuant to the provisions of Article 39, paragraph (2)); referred to below as "new target project, etc.") because of the establishment, or revision or abolition of Cabinet Order (referred to below as "Cabinet Order for a target project, etc." in this Article and paragraph (1) of the following Article)" in paragraph (1) is deemed to be replaced with "Cabinet Order referred to in Article 48, paragraph (1) (referred to as "Cabinet Order for a targeted port plan" in this Article)"; the term "that new target project, etc." is deemed to be replaced with "a port plan provided for in paragraph (4)"; the term "enforcement of Cabinet Order for a target project, etc." is deemed to be replaced with "enforcement of Cabinet Order for a targeted port plan"; the term "an environmental impact assessment" in item (vi) of that paragraph is deemed to be replaced with "a port environment impact assessment"; the term "public notice referred to in Article 16" is deemed to be replaced with "public notice referred to in Article 16 as applied mutatis mutandis pursuant to Article 48, paragraph (2)"; the term "Article 17, paragraph (1)" is deemed to be replaced with "Article 17, paragraph (1) as applied mutatis mutandis pursuant to Article 48, paragraph (2)"; the term "a draft EIS for which the procedures referred to in Article 16 and 17 have been taken", is deemed to be replaced with "a draft port EIS referred to in Article 14 as applied mutatis mutandis pursuant to Article 48, paragraph (2), for which the procedures referred to in Article 16 and 17 as applied mutatis mutandis pursuant to the provisions of Article 48, paragraph (2), have been taken"; the term "Article 19" in item (vii) of that paragraph is deemed to be replaced with "Article 19 as applied mutatis mutandis pursuant to the provisions of Article 48, paragraph (2)"; the term "Article 20, paragraph (1)" in item (viii) in that paragraph is deemed to be replaced with "Article 20, paragraph (1) as applied mutatis mutandis pursuant to the provisions of Article 48, paragraph (2)"; the term "an EIS referred to in Article 21, paragraph 2" in item (xi) of that paragraph is deemed to be replaced with "a port EIS referred to in Article 21, paragraph (2) as applied mutatis mutandis pursuant to the provisions Article 48, paragraph (2)"; the term "Article 27" in item (xi) in that paragraph is deemed to be replaced with "Article 27 as applied mutatis mutandis pursuant to Article 48, paragraph (2)"; the term "an EIS" is deemed to be replaced with

"a port EIS"; the term "the Minister of the Environment (concerning administrative guidance, etc. which specify that the city planning decision maker responsible for specifying a city plan is to conduct an environmental impact assessment, and other procedures regarding a class-1 or class-2 project incorporated into city plan pursuant to the provisions of the City Planning Act as an urban development project, or a class-1, or class-2 project whose urban facilities are incorporated into a city plan pursuant to the provisions of that Act, the Minister of Land, Infrastructure, Transport and Tourism is to designate that document in consultation with the competent minister, and the Minister of the Environment)" in paragraph (2) is deemed to be replaced with "the Minister of the Environment".

第五十五条 新規対象事業等であつて次に掲げるもの（第一号から第四号までに掲げるものにあつては、対象事業等政令の施行の日（以下この条において「政令施行日」という。）以後その内容を変更せず、又は事業規模を縮小し、若しくは政令で定める軽微な変更その他の政令で定める変更のみをして実施されるものに限る。）については、第二章から前章までの規定は、適用しない。

Article 55 (1) The provisions of Chapter II through the preceding Chapter do not apply, regarding a new target project, etc. falling under any of the following items (concerning those stated in items (i) through (iv), limited to those whose contents will not be changed, or which will be implemented with reduction in size or with only minor modification, or other modification as specified in cabinet order after the effective date of Cabinet Order for a target project, etc. (referred to below in this Article as "effective date of Cabinet Order")):

一 第二条第二項第二号イに該当する事業であつて、政令施行日前に免許等が与えられ、又は特定届出がなされたもの

(i) a project which is referred to in Article 2, paragraph (2), item (ii), (a) and for which a license, etc. has been given, or for which a special notification has been made before the effective date of Cabinet Order;

二 第二条第二項第二号ロに該当する事業であつて、政令施行日前に同号ロに規定する国の補助金等の交付の決定がなされたもの

(ii) a project which is referred to in Article 2, paragraph (2), item (ii), (b) and for which a decision on the granting of a government subsidy, etc. prescribed in that item, (b), has been made before the effective date of Cabinet Order;

三 前二号に掲げるもののほか、法律の規定により定められる国の計画で政令で定められるものに基づいて実施される事業であつて、政令施行日前に当該国の計画が定められたもの

(iii) in addition to what is stated in the preceding two items, a project which is implemented in accordance with a national plan that is specified by laws, and is also specified by Cabinet Order, when that national plan has been established before the effective date of Cabinet Order;

四 前三号に掲げるもののほか、政令施行日前に都市計画法第十七条第一項の規定による公告が行われた同法の都市計画に定められた事業（当該都市計画に定められた都市施設に係る事業を含む。以下同じ。）

(iv) in addition to what is stated in the preceding three items, a project which has been incorporated into a city plan in accordance with the City Planning Act, and for which a public notice of the Act has been made before the effective date of Cabinet Order (including a project concerning urban facilities incorporated into a city plan; the same applies below) pursuant to the provisions of Article 17, paragraph (1) of that Act;

五 前二号に掲げるもののほか、第二条第二項第二号ハからホまでに該当する新規対象事業等であって、政令施行日から起算して六月を経過する日までに実施されるもの

(v) in addition to what is provided for in the preceding two items, a new target project, etc. which is specified in Article 2, paragraph (2), item (ii), (c) to (e), and is implemented by the final day in the period when six months have elapsed from the effective date of Cabinet Order.

2 前項の場合において、当該新規対象事業等について政令施行日前に条例の定めるところに従って前条第一項各号に掲げる書類のいずれかが作成されているときは、第六十二条の規定にかかわらず、当該条例の定めるところに従って引き続き当該事業に係る環境影響評価その他の手続を行うことができる。

(2) In the case of the preceding paragraph, in any document falling under one of the items of the preceding Article, paragraph (1), has been prepared concerning a new target project, etc. and in accordance with a Prefectural Ordinance before the effective date of Cabinet Order; notwithstanding the provisions of Article 62, an environmental impact assessment and other procedures regarding that project may continue to be conducted in accordance with that Prefectural Ordinance.

3 第一項各号に掲げる事業に該当する事業であって、政令施行日以後の内容の変更（環境影響の程度を低減するものとして政令で定める条件に該当するものに限る。）により新規対象事業等として実施されるものについては、第二章から前章までの規定は、適用しない。

(3) The provisions of Chapter II through the preceding Chapter do not apply regarding a project falling under any of the items stated in paragraph (1) and is implemented as a new target project, etc. because of the modification of its contents after the effective date of the cabinet order (limited to those which satisfy the conditions specified by cabinet order, when that modification involves a reduction in the degree of environmental impact).

第五十六条 前条第一項各号に掲げる事業に該当する新規対象事業等を実施しようとする者は、同項の規定にかかわらず、当該新規対象事業等について、第三条の二から第三条の九まで及び第五条から第二十七条まで、第五条から第二十七条まで又は第十一

条から第二十七条までの規定の例による計画段階配慮事項についての検討、環境影響評価その他の手続を行うことができる。

Article 56 (1) A person intending to implement a new target project, etc. which falls under any of the items of the preceding Article, paragraph (1), notwithstanding the provisions of that paragraph, may conduct a review of items for a primary environmental impact consideration at the planning stage, an environmental impact assessment and other procedures concerning that new target project, etc. pursuant to the provisions of Articles 3-2 and 3-9, as well as Articles 5 through 27, or Articles 5 through 27, or Articles 11 through 27.

2 第二十八条から第三十一条まで及び第三十二条第二項の規定は、前項の規定により環境影響評価その他の手続を行う対象事業について準用する。この場合において、これらの規定中「事業者」とあるのは、「第五十六条第一項に規定する新規対象事業等を実施しようとする者」と読み替えるものとする。

(2) The provisions of Articles 28 through 31 and Article 32, paragraph (2), are to apply mutatis mutandis to a target project for which an environmental impact assessment and other procedures are conducted, pursuant to the provisions of the preceding paragraph. In such a case, the term "business operator" is deemed to be replaced with "person intending to implement a new target project, etc. as prescribed in Article 56, paragraph (1)".

第五十七条 前三条に定めるもののほか、この法律に基づき命令を制定し、又は改廃する場合においては、その命令で、その制定又は改廃に伴い合理的に必要と判断される範囲内において、所要の経過措置を定めることができる。

Article 57 In addition to what is provided for in the preceding three Articles, in cases where an order is established, or revised or abolished based on the provisions of this Act, necessary transitional measures may be prescribed by that order to an extent that is considered to be reasonably necessary for that establishment, or revision or abolition.

(政令への委任)

(Delegation to Cabinet Order)

第五十八条 この法律に定めるもののほか、この法律の実施のため必要な事項は、政令で定める。

Article 58 Necessary matters for the enforcement of this Act, other than those prescribed in this Act, are specified by Cabinet Order.

(主務大臣等)

(Competent Minister)

第五十九条 この法律において主務大臣は、次の各号に掲げる事業及び港湾計画の区分に応じ、当該各号に定める大臣とする。

Article 59 (1) The competent minister in this Act is as indicated by the following items, in accordance with the category of project, or port plan stated in each item:

一 第二条第二項第二号イに該当する事業 免許等又は特定届出に係る事務を所掌する主任の大臣

(i) a project falling under Article 2, paragraph (2), item (ii), (a): the competent minister having jurisdiction over a license, etc. or special notification;

二 第二条第二項第二号ロに該当する事業 交付決定権者の行う決定に係る事務を所掌する主任の大臣

(ii) a project falling under Article 2, paragraph (2), item (ii), (b): the competent minister having jurisdiction over decisions made by the person empowered to make decisions on grants;

三 第二条第二項第二号ハに該当する事業 法人監督者が行う監督に係る事務を所掌する主任の大臣

(iii) a project falling under Article 2, paragraph (2), item (ii), (c): the competent minister having jurisdiction over affairs conducted by the corporate supervisor;

四 第二条第二項第二号ニに該当する事業 当該事業の実施に関する事務を所掌する主任の大臣

(iv) a project falling under Article 2, paragraph (2), item (ii), (d): the competent minister having jurisdiction over the implementation of that project;

五 第二条第二項第二号ホに該当する事業 当該事業の実施に関する事務を所掌する主任の大臣及び当該事業に係る同号ホの免許、特許、許可、認可、承認若しくは同意又は届出に係る事務を所掌する主任の大臣

(v) a project falling under Article 2, paragraph (2), item (ii), (e): the competent minister having jurisdiction over affairs related to the implementation of the project, and the competent minister having jurisdiction over any license, patent, permission, authorization, approval or consent, or the affairs concerning notification referred to in (e) of that item concerning that project;

六 港湾計画 国土交通大臣

(vi) a port plan: the Minister of Land, Infrastructure, Transport and Tourism.

2 この法律において、主務省令とは主務大臣の発する命令（主務大臣が内閣府の外局長であるときは、内閣府令）とし、主務省令・国土交通省令とは主務大臣（主務大臣が内閣府の外局長であるときは、内閣総理大臣）及び国土交通大臣の発する命令（主務大臣が国土交通大臣であるときは、国土交通大臣の発する命令）とする。

(2) In this Act, order of the competent ministry means an order issued by a competent minister (when the competent minister is the head of external bureau of the Cabinet Office; Cabinet Office Order), and order of the competent ministry or Order of the Ministry of Land, Infrastructure, Transport and Tourism means an order issued by a competent minister (if the competent minister is the head of external bureau of the Cabinet Office; the Prime

Minister) and also by the Minister of Land, Infrastructure, Transport and Tourism (when the competent minister is the Minister of Land, Infrastructure, Transport and Tourism; an order issued by the Minister of Land, Infrastructure, Transport and Tourism).

(事務の区分)

(Classification of Affairs)

第六十条 第四条第一項第一号若しくは第五号又は第二十二條第一項第一号、第二号若しくは第六号に定める者（地方公共団体の機関に限る。以下「第四条第一項第一号等に定める者」という。）が、この法律の規定により行うこととされている事務は、当該第四条第一項第一号等に定める者が行う免許等若しくは第二条第二項第二号ホに規定する免許、特許、許可、認可、承認若しくは同意又は特定届出若しくは同号ホに規定する届出に係る事務が地方自治法（昭和二十二年法律第六十七号）第二条第九項第一号に規定する第一号法定受託事務（以下単に「第一号法定受託事務」という。）である場合は第一号法定受託事務と、同項第二号に規定する第二号法定受託事務（以下単に「第二号法定受託事務」という。）である場合は第二号法定受託事務とする。

Article 60 (1) For affairs to be carried out under this Act, by a person specified in Article 4, paragraph (1), item (i) or (v), or Article 22, paragraph (1), item (i), (ii) or (vi) (limited to a body of a local government; referred to below as a "person specified in Article 4, paragraph (1), item (i), etc."), if licenses, etc. carried out by the person specified in Article 4, paragraph (1), item (i), etc. or a license, patent, permission, authorization, approval or consent specified in Article 2, paragraph (2), item (ii), (e), or the affairs concerning the special notification or a notification specified in that item (2), (e) falls under the category of a type-1 statutory entrusted function pursuant to the provisions in Article 2, paragraph (9), item (i) of the Local Autonomy Act (Act No. 67 of 1947), then it is regarded as type-1 statutory entrusted function (simply referred to below as "type-1 statutory entrusted function"); and when the affairs fall under the category of type-2 statutory entrusted function, pursuant to the provisions of that paragraph, item (ii), then it is regarded as a type-2 statutory entrusted function.

2 第四条第一項第二号又は第二十二條第一項第三号に定める者（都道府県の機関に限る。）が、この法律の規定により行うこととされている事務は、第一号法定受託事務とする。

(2) The affairs which are carried out by a person specified in Article 4, paragraph (1), item (ii) or Article 22, paragraph (1), item (iii) (limited to a body of a prefectural government) pursuant to this Act, are regarded as type-1 statutory entrusted function.

(他の法律との関係)

(Relationship With Other Acts)

第六十一条 第二条第二項第一号ホに掲げる事業の種類に該当する第一種事業又は第二種事業に係る環境影響評価その他の手続については、この法律及び電気事業法の定めるところによる。

Article 61 An environmental impact assessment, and other procedures concerning a class-1 or class-2 project falling under the category of a project referred to in Article 2, paragraph (2), item (i), (e) are subject to this Act, and the Electricity Business Act.

(条例との関係)

(Relationship With Prefectural Ordinance)

第六十二条 この法律の規定は、地方公共団体が次に掲げる事項に関し条例で必要な規定を定めることを妨げるものではない。

Article 62 The provisions of this Act do not prevent any local government from establishing necessary provisions for prefectural ordinance concerning the following matters:

一 第二種事業及び対象事業以外の事業に係る環境影響評価その他の手続に関する事項

(i) matters concerning environmental impact assessments, and other procedures regarding class-2 projects, and projects other than target projects;
二 第二種事業又は対象事業に係る環境影響評価についての当該地方公共団体における手続に関する事項（この法律の規定に反しないものに限る。）

(ii) matters concerning procedures for environmental impact assessments conducted by a local government concerning a class-2 project, or a target project (limited to when the provisions of this Act are not violated).

(地方公共団体の施策におけるこの法律の趣旨の尊重)

(Respect for the Purport of this Act in Measures of Local Governments)

第六十三条 地方公共団体は、当該地域の環境に影響を及ぼす事業について環境影響評価に関し必要な施策を講ずる場合においては、この法律の趣旨を尊重して行うものとする。

Article 63 Local governments are to respect the purport of this Act by taking necessary measures for environmental impact assessments regarding projects having an impact on the environment in their respective areas.

附 則 [抄]

Supplementary Provisions [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して二年を超えない範囲内において政令で定める日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行

する。

Article 1 This Act comes into effect on the date specified by Cabinet Order within a period not exceeding two years from the date of promulgation; provided, however, that the provisions stated in the following items come into effect on the date specified in each item:

一 第一条、第二条、第四条第十項、第十三条、第三十九条第二項（第四条第十項に係る部分に限る。）、第四十八条第一項及び第二項（第十三条に係る部分に限る。）、第五十八条並びに附則第八条の規定 公布の日から起算して六月を超えない範囲内において政令で定める日

(i) the provisions of Article 1, Article 2, Article 4, paragraph (10), Article 13, Article 39, paragraph (2) (limited to the part concerning Article 4, paragraph (10)), Article 48, paragraphs (1) and (2) (limited to the part concerning Article 13), Article 58 and Article 8 of the Supplementary Provisions: the date specified by Cabinet Order within a period not exceeding six months from the date of promulgation;

二 第四条第三項（同項の主務省令に係る部分に限る。以下この号において同じ。）及び第九項、第五条第一項（同項の主務省令に係る部分に限る。以下この号において同じ。）、第六条第一項（同項の主務省令に係る部分に限る。）及び第二項、第七条（同条の総理府令に係る部分に限る。）、第八条第二項（同項の総理府令に係る部分に限る。）、第十一条第一項（同項の主務省令に係る部分に限る。以下この号において同じ。）及び第三項、第十二条第一項（同項の主務省令に係る部分に限る。以下この号において同じ。）及び第二項、第三十九条第二項（第四条第三項及び第九項に係る部分に限る。）、第四十条第二項（第五条第一項に係る部分に限る。）、第四十八条第二項（第十一条第一項及び第三項並びに第十二条第一項及び第二項に係る部分に限る。）、次条第二項及び第三項並びに第四項（同条第二項及び第三項に係る部分に限る。）並びに附則第五条の規定 公布の日から起算して一年を超えない範囲内において政令で定める日

(ii) the provisions of Article 4, paragraph (3) (limited to the part concerning the order of the competent ministry in that paragraph; the same applies below in this item) and paragraph (9), Article 5, paragraph (1) (limited to the part concerning the order of the competent ministry in that paragraph; the same applies below in this item), Article 6, paragraph (1) (limited to the part concerning the order of the competent ministry in that paragraph) and paragraph (2), Article 7 (limited to the part concerning Order of the Prime Minister's Office in that Article), Article 8, paragraph (2) (limited to the part concerning Order of the Prime Minister's Office in that paragraph), Article 11, paragraph (1) (limited to the part concerning the order of the competent ministry in that paragraph; the same applies below in this item) and paragraph (3), Article 12, paragraph (1) (limited to the part concerning the order of the competent ministry in that paragraph; the same applies below in this item) and paragraph (2), Article 39, paragraph (2) (limited to the part

concerning Article 4, paragraphs (3) and (9)), Article 40, paragraph (2) (limited to the part concerning Article 5, paragraph (1)), Article 48, paragraph (2) (limited to the part concerning Article 11, paragraphs (1) and (3), and Article 12, paragraphs (1) and (2)), the following Article, paragraphs (2) and (3), and (4) (limited to the part concerning that Article, paragraph (2) and (3)), and Article 5 of the Supplementary Provisions: the date specified by cabinet order within a period not exceeding one year from the day of promulgation.

(経過措置)

(Transitional Measures)

第二条 この法律の施行の際、当該施行により新たに対象事業となる事業（新たに第二種事業となる事業のうち第四条第三項第一号（第三十九条第二項の規定により読み替えて適用される場合を含む。）の措置がとられたものを含む。）について、条例又は行政指導等の定めるところに従って作成された次の各号に掲げる書類（この法律の施行に際し次項の規定により指定されたものに限る。）があるときは、当該書類は、それぞれ当該各号に定める書類とみなす。

Article 2 (1) When there is a document at the time of enforcing this Act (limited to the documents designated pursuant to the provisions of the following paragraph at the time of enforcement of this Act), regarding a project that has newly become a class-2 target project by enforcing that Act (including projects which have newly become class-2 projects for which measures have been taken pursuant to the provisions of Article 4, paragraph (3), item (i) (including cases where it is applied following the deemed replacement of terms pursuant to the provisions of Article 39, paragraph (2))), which has been prepared in accordance with Prefectural Ordinance or administrative guidance, etc., that document is deemed to fall under one of the categories specified in the following items:

一 第五十三条第一項第一号に掲げる書類 第七条の手續を経た方法書

(i) a document stated in Article 53, paragraph (1), item (i): a scoping document for which the procedure referred to in Article 7 has been taken;

二 第五十三条第一項第二号に掲げる書類 第九条の手續を経た同条の書類

(ii) a document stated in Article 53, paragraph (1), item (ii): a document which is referred to in Article 9, and for which the procedure referred to in that Article has been taken;

三 第五十三条第一項第三号に掲げる書類 第十条第一項の書面

(iii) a document stated in Article 53, paragraph (1), item (iii): a document referred to in Article 10, paragraph (1);

四 第五十三条第一項第四号に掲げる書類 第十六条及び第十七条の手續を経た準備書

(iv) a document stated in Article 53, paragraph (1), item (iv): a draft EIS for

- which the procedures referred to in Article 16 and 17 have been taken;
- 五 第五十三条第一項第五号に掲げる書類 第十九条の手續を経た同条の書類
(v) a document stated in Article 53, paragraph (1), item (v): a document which is referred to in Article 19, and for which the procedure referred to in that Article has been taken;
- 六 第五十三条第一項第六号に掲げる書類 第二十条第一項の書面
(vi) a document stated in Article 53, paragraph (1), item (vi): a document referred to in Article 20, paragraph (1);
- 七 第五十三条第一項第七号に掲げる書類 第二十一条第二項の評価書
(vii) a document stated in Article 53, paragraph (1), item (vii): an EIS referred to in Article 21, paragraph (2);
- 八 第五十三条第一項第八号に掲げる書類 第二十六条第二項の評価書
(viii) a document stated in Article 53, paragraph (1), item (viii): an EIS referred to in Article 26, paragraph (2);
- 九 第五十三条第一項第九号に掲げる書類 第二十七条の手續を経た評価書
(ix) a document stated in Article 53, paragraph (1), item (ix): an EIS for which the procedure referred to in Article 27 has been taken.
- 2 前項各号に掲げる書類は、当該書類の作成の根拠が条例又は行政指導等（地方公共団体に係るものに限る。）であるときは環境庁長官が当該地方公共団体の意見を聴いて、行政指導等（国の行政機関に係るものに限る。）であるときは主務大臣が環境庁長官（第一種事業若しくは第二種事業が市街地開発事業として都市計画法の規定により都市計画に定められる場合における当該第一種事業若しくは第二種事業又は第一種事業若しくは第二種事業に係る施設が都市施設として同法の規定により都市計画に定められる場合における当該都市施設に係る第一種事業若しくは第二種事業について当該都市計画を定める都市計画決定権者が環境影響評価その他の手續を行うものとする旨を定める行政指導等にあつては、建設大臣が主務大臣及び環境庁長官）に協議して、それぞれ指定するものとする。
- (2) For the documents specified in the preceding items, when a document is based on Prefectural Ordinance, or administrative guidance, etc. (limited to those concerning a local government), the Director-General of the Environment Agency is to designate that document by asking the opinion of local government; or when that document is based on administrative guidance, etc. (limited to those concerning the administrative bodies of the national government), the competent minister is to designate that document in consultation with the Director-General of the Environment Agency (concerning administrative guidance, etc. which specifies that the city planning decision maker responsible for specifying a city plan is to conduct an environmental impact assessment, and other procedures concerning a class-1 or class-2 project incorporated into a city plan as an urban development project pursuant to the provisions of the City Planning Act, or a class-1 or class-2 project whose urban facilities are incorporated into a city plan under that Act, the Minister of

Construction is to designate that document in consultation with the competent minister, and the Director-General of the Environment Agency).

3 前項の規定による指定の結果は、公表するものとする。

(3) The results of the designation made under the provisions of the preceding paragraph are to be made public.

4 前三項（第一項第一号から第三号まで及び第八号を除く。）の規定は、この法律の施行により新たに第四十八条第一項の対象港湾計画となる港湾計画について準用する。この場合において、第一項中「当該施行により新たに対象事業となる事業（新たに第二種事業となる事業のうち第四条第三項第一号（第三十九条第二項の規定により読み替えて適用される場合を含む。）の措置がとられたものを含む。）」とあるのは「第四項に規定する港湾計画」と、同項第四号中「第十六条及び第十七条の経た準備書」とあるのは「第四十八条第二項において準用する第十六条及び第十七条の経た港湾環境影響評価準備書」と、同項第五号中「第十九条」とあるのは「第四十八条第二項において準用する第十九条」と、同項第六号中「第二十条第一項」とあるのは「第四十八条第二項において準用する第二十条第一項」と、同項第七号中「第二十一条第二項の評価書」とあるのは「第四十八条第二項において準用する第二十一条第二項の港湾環境影響評価書」と、同項第九号中「第二十七条の経た評価書」とあるのは「第四十八条第二項において準用する第二十七条の経た港湾環境影響評価書」と、第二項中「環境庁長官（第一種事業若しくは第二種事業が市街地開発事業として都市計画法の規定により都市計画に定められる場合における当該第一種事業若しくは第二種事業又は第一種事業若しくは第二種事業に係る施設が都市施設として同法の規定により都市計画に定められる場合における当該都市施設に係る第一種事業若しくは第二種事業について当該都市計画を定める都市計画決定権者が環境影響評価その他の手続を行うものとする旨を定める行政指導等にあつては、建設大臣が主務大臣及び環境庁長官）」とあるのは「環境庁長官」と読み替えるものとする。

(4) The provisions of the preceding three paragraphs (excluding paragraph (1), items (i) through (iii) and item (viii)) are to apply mutatis mutandis to a port plan which has newly become the targeted port plan specified in Article 48, paragraph (1) in accordance with the enforcement of this Act. In such a case, the term "a project that has newly become a target project by enforcing that Act (including projects which have newly become class-2 projects for which measures have been taken, pursuant to the provisions of Article 4, paragraph (3), item (i) (including cases where it is applied following the deemed replacement of terms pursuant to the provisions of Article 39, paragraph (2)))" in paragraph (1) is deemed to be replaced with "a port plan specified in paragraph (4)"; the term "a draft EIS for which the procedures referred to in Article 16 and 17 have been taken" in item (iv) of that paragraph is deemed to be replaced with "a draft port EIS for which the procedures referred to in Article 16 and 17, as applied mutatis mutandis pursuant to the provisions of Article 48, paragraph (2), have been taken"; the term "Article 19" in item (v) of that paragraph is deemed to be replaced with "Article 19 as applied mutatis

mutandis pursuant to the provisions of Article 48, paragraph (2)"; the term "Article 20, paragraph (1)" in that paragraph, item (vi) is deemed to be replaced with "Article 20, paragraph (1) as applied mutatis mutandis pursuant to the provisions of Article 48, paragraph (2)"; the term "an EIS as referred to in Article 21, paragraph (2)" in that paragraph, item (vii) is deemed to be replaced with "a port EIS referred to in Article 21, paragraph (2), as applied mutatis mutandis pursuant to the provisions of Article 48, paragraph (2)"; the term "an EIS for which the procedure referred to in Article 27 has been taken" in item (ix) of that paragraph is deemed to be replaced with "a port EIS for which the procedure referred to in Article 27, as applied mutatis mutandis pursuant to Article 48, paragraph (2)"; the term "the Director-General of the Environment Agency (concerning administrative guidance, etc. which specifies that the city planning decision maker responsible for specifying a city plan is to conduct an environmental impact assessment, and other procedures regarding a class-1 or class-2 project incorporated into a city plan pursuant to the provisions of the City Planning Act as an urban development project, or a class-1 or class-2 project whose urban facilities are incorporated into a city plan pursuant to the provisions of that Act; the Minister of Construction is to designate that document in consultation with the competent minister, and the Director-General of the Environment Agency)" in paragraph (2) is deemed to be replaced with "Director-General of the Environment Agency".

第三条 第一種事業又は第二種事業であつて次に掲げるもの（第一号から第四号までに掲げるものにあつては、この法律の施行の日（以下この条において「施行日」という。）以後その内容を変更せず、又は事業規模を縮小し、若しくは政令で定める軽微な変更その他の政令で定める変更のみをして実施されるものに限る。）については、第二章から第七章までの規定は、適用しない。

Article 3 (1) The provisions of Chapters II to VII do not apply to a class-1 or class-2 project falling under any of the following items (concerning those stated in items (i) through (iv); limited to those whose contents will not be changed, or which will be implemented with a reduction in size, or with only minor modifications as specified by Cabinet Order, or other modifications as specified by Cabinet Order after the effective date of this Act (referred to below in this Article as the "effective date")):

一 第二条第二項第二号イに該当する事業であつて、施行日前に免許等が与えられ、又は特定届出がなされたもの

(i) a project falling under Article 2, paragraph (2), item (ii), (a) and for which a license, etc. is given or for which a special notification has been made before the effective date;

二 第二条第二項第二号ロに該当する事業であつて、施行日前に同号ロに規定する国の補助金等の交付の決定がなされたもの

- (ii) a project falling under Article 2, paragraph (2), item (ii), (b) and for which a decision on granting a government subsidy, etc. specified in that item (ii), (b) has been made before the effective date;
- 三 前二号に掲げるもののほか、高速自動車国道法（昭和三十二年法律第七十九号）第五条第一項に規定する整備計画その他法律の規定により定められる国の計画で政令で定めるものに基づいて実施される事業であって、施行日前に当該国の計画が定められたもの
- (iii) in addition to what is stated in the preceding two items, a project which is implemented in accordance with the development plan specified in Article 5, paragraph (1) of the National Highway Act (Act No. 79 of 1957), or another national plan that is specified in the provisions of laws, and is also specified by Cabinet Order, when the national plan has been established before the effective date;
- 四 前三号に掲げるもののほか、施行日前に都市計画法第十七条第一項の規定による公告が行われた同法の都市計画に定められた事業
- (iv) in addition to what is stated in the preceding three items, a project which has been incorporated into a city plan in accordance with the City Planning Act and for which a public notice has been issued before the effective date, under the provisions of Article 17, paragraph (1) of that Act;
- 五 前二号に掲げるもののほか、第二条第二項第二号ハからホまでに該当する第一種事業又は第二種事業であって、施行日から起算して六月を経過する日までに実施されるもの
- (v) in addition to what is provided for in the preceding two items, a class-1 or class-2 project falling under Article 2, paragraph (2), items (ii), (c) to (e) and are implemented within six months from the effective date.
- 2 前項の場合において、当該第一種事業又は第二種事業について施行日前に条例の定めるところに従って第五十三条第一項各号に掲げる書類のいずれかが作成されているときは、第六十条の規定にかかわらず、当該条例の定めるところに従って引き続き当該事業に係る環境影響評価その他の手続を行うことができる。
- (2) In the case of the preceding paragraph, if a document falling under one of the items of Article 53, paragraph (1) has been prepared concerning a class-1 or class-2 project, in accordance with Prefectural Ordinance, before the effective date, notwithstanding the provisions of Article 60, an environmental impact assessment, and other procedures concerning that project may be subsequently conducted, in accordance with Prefectural Ordinance.
- 3 第一項各号に掲げる事業に該当する事業であって、施行日以後の内容の変更（環境影響の程度を低減するものとして政令で定める条件に該当するものに限る。）により第一種事業又は第二種事業として実施されるものについては、第二章から第七章までの規定は、適用しない。
- (3) The provisions of Chapters II through VII do not apply to a project falling under any of the items of paragraph (1), and which is implemented as a class-1

or class-2 project, because of modification of its contents after the effective date (limited to those which satisfy the conditions specified by Cabinet Order when that modification involves a reduction in the degree of environmental impact).

第四条 前条第一項各号に掲げる事業に該当する第一種事業又は第二種事業を実施しようとする者は、同項の規定にかかわらず、当該事業について、第五条から第二十七条まで又は第十一条から第二十七条までの規定の例による環境影響評価その他の手続を行うことができる。

Article 4 (1) Notwithstanding the provisions of the preceding paragraph, a person intending to implement a class-1 or class-2 project falling under any of the items stated in paragraph (1) of the preceding Article, may conduct an environmental impact assessment, and other procedures concerning that project, under the provisions of Articles 5 through 27, or Articles 11 through 27.

2 第二十八条から第三十一条まで及び第三十二条第二項の規定は、前項の規定により環境影響評価その他の手続を行う対象事業について準用する。この場合において、これらの規定中「事業者」とあるのは、「附則第四条第一項に規定する第一種事業又は第二種事業を実施しようとする者」と読み替えるものとする。

(2) The provisions of Articles 28 through 31 and Article 32, paragraph (2), are to apply mutatis mutandis to a target project for which an environmental impact assessment, and other procedures are to be conducted pursuant to the provisions of the preceding paragraph. In such a case, the term "business operator" is deemed to be replaced with "a person intending to implement the class-1 or class-2 project prescribed in Article 4, paragraph (1) of the Supplementary Provisions".

第五条 この法律の施行後に事業者となるべき者は、附則第一条第二号に掲げる規定の施行後この法律の施行前において、第五条から第十二条までの規定の例による環境影響評価その他の手続を行うことができる。

Article 5 (1) A person becoming a business operator after the enforcement of this Act may conduct an environmental impact assessment, and other procedures pursuant to the provisions of Articles 5 through 12, after the enforcement of the provisions stated in Article 1, item (ii) of the Supplementary Provisions, and before the enforcement of this Act.

2 前項に規定する者は、同項の規定により環境影響評価その他の手続を行うこととしたときは、遅滞なく、総理府令で定めるところにより、その旨を主務大臣に届け出るものとする。

(2) When a person prescribed in the preceding paragraph intends to conduct an environmental impact assessment, or to implement other procedures pursuant to the provisions of that paragraph, that person is to notify the competent minister of that intention in accordance with Order of the Prime Minister's Office.

3 前項の規定による届出を受けた主務大臣は、遅滞なく、その旨を公告するものとする。

(3) A competent minister who has received a notification under the provisions of the preceding paragraph is to issue a public notice to that effect without delay.

4 前項の規定による公告がされた場合において、第一項に規定する者が第五条から第十二条までの規定の例による環境影響評価その他の手続を行ったときは、この法律の施行後に関係都道府県知事又は関係市町村長となるべき者は、当該規定の例による手続を行うものとする。

(4) If a public notice has been issued under the provisions of the preceding paragraph, and the person prescribed in paragraph (1) has conducted an environmental impact assessment and other procedures provided for in Articles 5 through 12, a person who is assumed to become governor of the relevant prefecture, or mayor of the relevant municipality after the enforcement of this Act, is to conduct those procedures in accordance with those provisions.

5 前項の規定による手続が行われた対象事業については、当該手続は、この法律の相当する規定により施行日に行われたものとみなす。

(5) For a target project in which the procedures have been taken under the provisions of the preceding paragraph, those procedures are deemed to have been taken on the effective date, pursuant to the provisions of this Act.

6 前各項の規定は、この法律の施行後に第四十条第一項の規定により環境影響評価その他の手続を事業者に代わるものとして行う都市計画決定権者となるべき者について準用する。この場合において、第一項中「事業者」とあるのは「第四十条第一項の規定により環境影響評価その他の手続を事業者に代わるものとして行う都市計画決定権者」と、「第五条」とあるのは「第四十条第二項の規定により読み替えて適用される第五条」と、第二項及び第三項中「主務大臣」とあるのは「主務大臣及び建設大臣」と、第四項中「第五条」とあるのは「第四十条第二項の規定により読み替えて適用される第五条」と読み替えるものとする。

(6) The provisions of the preceding items are to apply mutatis mutandis to a person intending to become a city planning decision maker for conducting an environmental impact assessment, and other procedures in lieu of the business operator pursuant to the provisions of Article 40, paragraph (1) after the enforcement of this Act. In such a case, the term "a business operator" in paragraph (1) is deemed to be replaced with "a city planning decision maker who will conduct an environmental impact assessment, and other procedures instead of the business operator, pursuant to the provisions of Article 40, paragraph (1)"; the term "Article 5" is deemed to be replaced with "Article 5 as applied following the deemed replacement of terms pursuant to the provisions of Article 40, paragraph (2)"; the term "the competent minister" in paragraph (2) and (3) is deemed to be replaced with "the competent minister and the Minister of Construction"; the term "Article 5" in paragraph (4) is deemed to be replaced with "Article 5, as applied following the deemed replacement of terms,

pursuant to the provisions of Article 40, paragraph (2)."

(政令への委任)

(Delegation to Cabinet Order)

第六条 附則第二条から前条までに定めるもののほか、この法律の施行に関し必要な経過措置に関する事項は、政令で定める。

Article 6 In addition to what is provided for in Articles 2 through 5 of the Supplementary Provisions, matters concerning transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

(検討)

(Review)

第七条 政府は、この法律の施行後十年を経過した場合において、この法律の施行の状況について検討を加え、その結果に基づいて必要な措置を講ずるものとする。

Article 7 When ten years have elapsed since the enforcement of this Act, the national government is to review the status of the enforcement of this Act, and take any necessary measures based on the results of that review.

附 則 [平成十一年七月十六日法律第八十七号] [抄]

Supplementary Provisions [Act No. 87 of July 16, 1999] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成十二年四月一日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect on April 1, 2000; provided, however, that the provisions stated in the following items come into effect on the date specified in each item:

一 第一条中地方自治法第二百五十条の次に五条、節名並びに二款及び款名を加える改正規定（同法第二百五十条の九第一項に係る部分（両議院の同意を得ることに係る部分に限る。）に限る。）、第四十条中自然公園法附則第九項及び第十項の改正規定（同法附則第十項に係る部分に限る。）、第二百四十四条の規定（農業改良助長法第十四条の三の改正規定に係る部分を除く。）並びに第四百七十二条の規定（市町村の合併の特例に関する法律第六条、第八条及び第十七条の改正規定に係る部分を除く。）並びに附則第七条、第十条、第十二条、第五十九条ただし書、第六十条第四項及び第五項、第七十三条、第七十七条、第一百五十七条第四項から第六項まで、第一百六十条、第一百六十三条、第一百六十四条並びに第二百二条の規定 公布の日

(i) the provisions in Article 1 to revise the Local Autonomy Act by adding five Articles, a Section name and two Subsections, and two Subsection titles after Article 250 (limited to the part concerning Article 250-9, paragraph (1) of

that Act (limited to the part concerning the consent of both Houses of the Diet)); the provisions in Article 40 to revise paragraphs (9) and (10) of the Supplementary Provisions to the Natural Parks Act (limited to the part concerning paragraph (10) of the Supplementary Provisions to that Act); the provisions in Article 244 (except the part concerning the provisions to revise Article 14-3 of the Agricultural Improvement Promotion Act), and provisions in Article 472 (except the part concerning the provisions to revise Article 6, 8 and 17 of the Act on Special Provisions of the Merger of Municipalities), and provisions in Articles 7, 10, 12, the proviso to Article 59, Article 60, paragraph (4) and (5), Articles 73, 77, 157, paragraphs (4) to (6), Articles 160, 163, 164 and 202 of the Supplementary Provisions: the date of promulgation.

(国等の事務)

(Affairs of the National Government)

第百五十九条 この法律による改正前のそれぞれの法律に規定するもののほか、この法律の施行前において、地方公共団体の機関が法律又はこれに基づく政令により管理し又は執行する国、他の地方公共団体その他公共団体の事務（附則第百六十一条において「国等の事務」という。）は、この法律の施行後は、地方公共団体が法律又はこれに基づく政令により当該地方公共団体の事務として処理するものとする。

Article 159 In addition to what is provided for in respective laws before revision by this Act, affairs that are managed or executed, before the enforcement of this Act, by a body of a local government on behalf of the national government, or local governments, or other public bodies pursuant to the provisions of an Act, or a Cabinet Order enacted under them (referred to below as "affairs of the national government, etc." in Article 161 of the Supplementary Provisions), after the enforcement of this Act, is to be handled by that local government as local government affairs, in accordance with the laws , or Cabinet Order enacted under those laws.

(処分、申請等に関する経過措置)

(Transitional Measures Concerning Dispositions and Applications)

第百六十条 この法律（附則第一条各号に掲げる規定については、当該各規定。以下この条及び附則第百六十三条において同じ。）の施行前に改正前のそれぞれの法律の規定によりされた許可等の処分その他の行為（以下この条において「処分等の行為」という。）又はこの法律の施行の際現に改正前のそれぞれの法律の規定によりされている許可等の申請その他の行為（以下この条において「申請等の行為」という。）で、この法律の施行の日においてこれらの行為に係る行政事務を行うべき者が異なることとなるものは、附則第二条から前条までの規定又は改正後のそれぞれの法律（これに基づく命令を含む。）の経過措置に関する規定に定めるものを除き、この法律の施行の日以後における改正後のそれぞれの法律の適用については、改正後のそれぞれの法律の相当規定によりされた処分等の行為又は申請等の行為とみなす。

Article 160 (1) When applying respective laws that are amended by this Act on or after the date of the enforcement of this Act, except the provisions of Article 2 through the preceding Article of the Supplemental Provisions, and the provisions related to the transitional measures for those respective laws (including orders based on them) that are amended by this Act, dispositions to grant permission, etc. and other acts (referred to below as "acts of dispositions, etc." in this article) carried out pursuant to the provisions of Acts not yet amended by this Act (or the provisions stated in each item of Article 1 of the Supplementary Provisions; the same applies below in this Article, and Article 163 of the Supplementary Provisions) before the enforcement of this Act, or filing applications for permission, etc. and other acts (referred to below as "the acts of filing applications, etc." in this Article) carried out pursuant to the provisions of Acts not yet amended by this Act, at the time of enforcement of this Act, in cases where affairs regarding these acts are dealt with by any other administrator on the enforcement date of this Act, which are deemed to be the acts of dispositions, etc. or the acts of filing applications, etc. carried out pursuant to the corresponding provisions of respective laws amended by this Act.

2 この法律の施行前に改正前のそれぞれの法律の規定により国又は地方公共団体の機関に対し報告、届出、提出その他の手続をしなければならない事項で、この法律の施行の日前にその手続がされていないものについては、この法律及びこれに基づく政令に別段の定めがあるもののほか、これを、改正後のそれぞれの法律の相当規定により国又は地方公共団体の相当の機関に対して報告、届出、提出その他の手続をしなければならない事項についてその手続がされていないものとみなして、この法律による改正後のそれぞれの法律の規定を適用する。

(2) For the matters requiring a report, notification, submission, or other procedures to be made or taken before the enforcement of this Act to a national or local government body, pursuant to the provisions of the respective laws before revision, and for which those procedures have not been taken before the enforcement date of this Act, the provisions of the respective laws amended by this Act are applied by regarding them as the matters for which a report, notification, submission, or other procedures are required to be made to the corresponding body of national or local government pursuant to the corresponding provisions of the respective revised laws, and for which those procedures have not been taken, except as otherwise provided for in this Act, or a Cabinet Order under it.

(不服申立てに関する経過措置)

(Transitional Measures Concerning an Appeal)

第六十一条 施行日前にされた国等の事務に係る処分であつて、当該処分をした行政庁（以下この条において「処分庁」という。）に施行日前に行政不服審査法に規定す

る上級行政庁（以下この条において「上級行政庁」という。）があったものについての同法による不服申立てについては、施行日以後においても、当該処分庁に引き続き上級行政庁があるものとみなして、行政不服審査法の規定を適用する。この場合において、当該処分庁の上級行政庁とみなされる行政庁は、施行日前に当該処分庁の上級行政庁であった行政庁とする。

Article 161 (1) For an appeal under the Administrative Complaint Review Act against a disposition concerning the affairs of the national government that was made before the effective date by an administrative agency (referred to below as an "administrative agency reaching the disposition" in this Article) that has a higher administrative agency provided for in that Act (referred to below as a "higher administrative agency" in this Article) before the effective date, the provisions of the Administrative Complaint Review Act are applied even after the effective date, by deeming that the administrative body reaching the disposition continues to be a higher administrative agency. In such a case, the administrative agency that is deemed to be the higher administrative agency of the administrative agency reaching the disposition, is the administrative agency which is the higher administrative agency of the administrative agency reaching the disposition before the effective date.

2 前項の場合において、上級行政庁とみなされる行政庁が地方公共団体の機関であるときは、当該機関が行政不服審査法の規定により処理することとされる事務は、新地方自治法第二条第九項第一号に規定する第一号法定受託事務とする。

(2) In the case referred to in the preceding paragraph, when the administrative agency that is deemed to be the higher administrative agency is a body of a local government, the affairs to be handled by that body pursuant to the provisions of the Administrative Complaint Review Act are the type-1 statutory entrusted function prescribed in Article 2, paragraph (9), item (i) of the new Local Autonomy Act.

（その他の経過措置の政令への委任）

（Delegation of Other Transitional Measures to Cabinet Order）

第百六十四条 この附則に規定するもののほか、この法律の施行に伴い必要な経過措置（罰則に関する経過措置を含む。）は、政令で定める。

Article 164 In addition to what is provided for in the present Supplementary Provisions, any transitional measures (including transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

（検討）

（Review）

第二百五十条 新地方自治法第二条第九項第一号に規定する第一号法定受託事務については、できる限り新たに設けることのないようにするとともに、新地方自治法別表第一に掲げるもの及び新地方自治法に基づく政令に示すものについては、地方分権を推

進する観点から検討を加え、適宜、適切な見直しを行うものとする。

Article 250 For the type 1 statutory entrusted function specified in Article 2, paragraph (9), item (i) of the new Local Autonomy Act, creation of new statutory entrusted functions are to be avoided to the extent possible, and those stated in Appended Table 1 of the new Local Autonomy Act, and those specified by Cabinet Order under the new Local Autonomy Act, are to be reviewed from the perspective of promoting decentralization, and are to be revised appropriately as necessary.

第二百五十一条 政府は、地方公共団体が事務及び事業を自主的かつ自立的に執行できるよう、国と地方公共団体との役割分担に応じた地方税財源の充実確保の方途について、経済情勢の推移等を勘案しつつ検討し、その結果に基づいて必要な措置を講ずるものとする。

Article 251 To enable local governments to conduct their affairs and projects voluntarily and independently, the national government is to review ways to secure adequate sources of local tax revenue in accordance with the sharing of roles between the national government and local governments as it considers prevailing economic trends, etc., and are to take any necessary measures based on the results of that review.

附 則 〔平成十一年十二月二十二日法律第百六十号〕 〔抄〕

Supplementary Provisions [Act No. 160 of December 22, 1999] [Extract]

(施行期日)

(Effective Date)

第一条 この法律（第二条及び第三条を除く。）は、平成十三年一月六日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act (excluding Articles 2 and 3) comes into effect on January 6, 2001; provided, however, that the provisions stated in the following items come into effect on the dates specified respectively in those items:

一 第九百九十五条（核原料物質、核燃料物質及び原子炉の規制に関する法律の一部を改正する法律附則の改正規定に係る部分に限る。）、第千三百五条、第千三百六条、第千三百二十四条第二項、第千三百二十六条第二項及び第千三百四十四条の規定 公布の日

(i) the provisions of Article 995 (limited to the part concerning the provisions revising the Supplementary Provisions of the Act for Partial Revision of the Act on the Regulation of Nuclear Source Material, Nuclear Fuel Material and Reactors) and Article 1305, Article 1306, Article 1324, paragraph (2), Article 1326, paragraph (2) and Article 1344: the date of promulgation.

附 則 〔平成十二年五月十九日法律第七十三号〕 〔抄〕

Supplementary Provisions [Act No. 73 of May 19, 2000] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日から施行する。

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.

附 則 [平成十六年三月三十一日法律第十号] [抄]

Supplementary Provisions [Act No. 10 of March 31, 2004] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成十六年四月一日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect on April 1, 2004; provided, however, that the provisions of the following items come into effect on the date specified in each of these items:

一 第二条並びに附則第二条から第四条まで及び第六条の規定 公布の日から起算して三月を超えない範囲内において政令で定める日

(i) the provisions of Article 2 and Articles 2 through 4 and Article 6 of the Supplementary Provisions: the date specified by Cabinet Order within a period not exceeding three months from the date of promulgation;

二 第三条並びに附則第五条及び第七条の規定 平成十六年七月一日

(ii) the provisions of Article 3, and Article 5 and 7 of the Supplementary Provisions: July 1, 2004.

附 則 [平成十七年四月二十七日法律第三十四号] [抄]

Supplementary Provisions [Act No. 34 of April 27, 2005] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。ただし、第一条の規定（都市再生特別措置法第三十条第一項及び第四十二条第三号の改正規定を除く。）及び附則第十五条の規定は、公布の日から施行する。

Article 1 This Act comes into effect on the date specified by Cabinet Order within a period not exceeding six months from the date of promulgation; provided, however, that the provisions of Article 1 (except the provisions of Article 30, paragraph (1) of the Act on Special Measures concerning Urban

Reconstruction and the provisions to revise Article 42, item (iii) of that Act) and Article 15 of the Supplementary Provisions, come into effect on the date of promulgation.

附 則 〔平成十七年七月二十九日法律第八十九号〕〔抄〕
Supplementary Provisions [Act No. 89 of July 29, 2005] [Extract]

(施行期日等)

(Effective Date)

第一条 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日（以下「施行日」という。）から施行する。

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

附 則 〔平成十八年十二月二十二日法律第百十八号〕〔抄〕
Supplementary Provisions [Act No. 118 of December 22, 2006] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して三月を超えない範囲内において政令で定める日から施行する。

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

附 則 〔平成十九年三月三十一日法律第十九号〕〔抄〕
Supplementary Provisions [Act No. 19 of March 31, 2007] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。

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

附 則 〔平成二十年六月十八日法律第七十五号〕〔抄〕
Supplementary Provisions [Act No. 75 of June 18, 2008] [Extract]

(施行期日等)

(Effective Date)

第一条 この法律は、公布の日から施行する。

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

附 則 〔平成二十三年三月三十一日法律第九号〕〔抄〕

Supplementary Provisions [Act No. 9 of March 31, 2011] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成二十三年四月一日から施行する。

Article 1 This Act comes into effect on April 1, 2011.

附 則 〔平成二十三年四月二十七日法律第二十四号〕〔抄〕

Supplementary Provisions [Act No. 24 of April 27, 2011] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して三月を超えない範囲内において政令で定める日から施行する。

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

附 則 〔平成二十三年四月二十七日法律第二十七号〕〔抄〕

Supplementary Provisions [Act No. 27 of April 27, 2011] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して二年を超えない範囲内において政令で定める日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect on the date specified by Cabinet Order within a period not exceeding two years from the date of promulgation; provided, however, that the provisions stated in the following items come into effect on the date specified in each of these items:

一 附則第九条の規定 公布の日

(i) the provisions of Article 9 of the Supplementary Provisions: the date of promulgation;

二 第一条の規定、第二条中環境影響評価法第二章中第四条の前に一節及び節名を加える改正規定（同法第三条の八に係る部分に限る。）及び同法第六章中第三十八条の次に四条を加える改正規定（同法第三十八条の二第三項に係る部分に限る。）並びに次条から附則第四条までの規定及び附則第十一条の規定（電気事業法（昭和三十九年法律第七十号）の目次の改正規定、同法第四十六条の四及び第四十六条の二十二の改正規定並びに同法第三章第二節第二款の二中同条を第四十六条の二十三

とし、第四十六条の二十一を第四十六条の二十二とし、第四十六条の二十の次に一条を加える改正規定を除く。) 公布の日から起算して一年を超えない範囲内において政令で定める日

- (ii) the provisions of Article 1, the provisions for revision to Article 2 by adding a new section and a section title before Chapter II, Article 4 of the Environmental Impact Assessment Act (limited to the part concerning Article 3-8 of that Act) and adding four articles following Chapter VI, Article 38 of that Act (limited to the part concerning Article 38-2, paragraph (3) of that Act), as well as the provisions of the following Article to Article 4 of the Supplementary Provisions, and the provisions of Article 11 of the Supplementary Provisions (except the provisions to revise the table of contents of the Electricity Business Act (Act No. 170 of 1964), the provisions to revise Article 46-4 and 46-22 of that Act, as well as the provisions for the revision of Chapter III, Section 2, Subsection 2-2 of that Act, to change the number of Article 46-22 to Article 46-23, change the number of Article 46-21 to Article 46-22, and by adding a new article following Article 46-20): the date specified by Cabinet Order within a period not exceeding one year from the date of promulgation;

三 第二条中環境影響評価法第二章中第四条の前に一節及び節名を加える改正規定(同法第三条の二第二項及び第三項並びに第三条の七第二項に係る部分に限る。)及び同法第六章中第三十八条の次に四条を加える改正規定(同法第三十八条の二第二項に係る部分に限る。)並びに附則第八条の規定 公布の日から起算して一年六月を超えない範囲内において政令で定める日

- (iii) the provisions for the revision of Article 2 to add a new section, and a section title before Chapter II, Article 4 of the Environmental Impact Assessment Act (limited to the part concerning Article 3-2, paragraphs (2) and (3), as well as Article 3-7, paragraph (2) of that Act) and by adding four articles following Chapter VI, Article 38 of that Act (limited to the part concerning Article 38-2, paragraph (2) of that Act), as well as the provisions of Article 8 of the Supplementary Provisions: the date specified by Cabinet Order within a period not exceeding one year, and six months from the date of promulgation.

(経過措置)

(Transitional Measures)

第二条 第一条の規定による改正後の環境影響評価法(以下「新法」という。)第七条、第十六条又は第二十七条の規定は、前条第二号に掲げる規定の施行の日以後に行う公告及び縦覧に係る環境影響評価法第五条第一項に規定する環境影響評価方法書(以下「方法書」という。)、同法第十四条第一項に規定する環境影響評価準備書(以下「準備書」という。)又は同法第二十一条第二項に規定する環境影響評価書(以下「評価書」という。)について適用する。

Article 2 The provisions of Article 7, 16, or 27 of the Environmental Impact Assessment Act amended by Article 1 (referred to below in this Article as the "new Act") are applied to the following document, concerning a public notice issued, or a public inspection conducted after the enforcement date of the provisions stated in the preceding Article, item (ii); scoping document for an environmental impact assessment prescribed in Article 5, paragraph (1) of that Act (referred to below as a "scoping document"); a draft environmental impact statement prescribed in Article 14, paragraph (1) of that Act (referred to below as a "draft EIS"); or an environmental impact statement prescribed in Article 21, paragraph (2) of that Act (referred to below as an "EIS").

第三条 新法第七条の二（新法第十七条第二項の規定により準用する場合を含む。）の規定は、附則第一条第二号に掲げる規定の施行の日以後に行う公告及び縦覧に係る方法書又は準備書について適用する。

Article 3 The provisions of Article 7-2 of the new Act (including the cases where it is applied mutatis mutandis pursuant to the provisions of Article 17, paragraph (2) of the new Act), are applied to a scoping document, or a draft EIS concerning a public notice issued, or a public inspection conducted after the enforcement date of the provisions stated in Article 1, item (ii) of the Supplementary Provisions.

第四条 新法第十条第四項から第六項まで及び第二十条第四項から第六項までの規定は、附則第一条第二号に掲げる規定の施行の日以後に行う公告及び縦覧に係る方法書又は準備書について適用する。

Article 4 The provisions of Article 10, paragraphs (4) through (6), and Article 20, paragraphs (4) to (6) of the new Act, are applied to a scoping document, or a draft EIS concerning a public notice issued, or a public inspection conducted after the enforcement date of the provisions stated in Article 1, item (ii) of the Supplementary Provisions.

第五条 第二条の規定による改正後の環境影響評価法（以下「第二条による改正後の法」という。）第三条の二から第三条の七までの規定は、この法律の施行の日（以下「施行日」という。）前に方法書を公告した事業については、適用しない。

Article 5 The provisions of Articles 3-2 through 3-7 of the Environmental Impact Assessment Act revised under the provisions of Article 2 (referred to below as the "Act revised under the provisions of Article 2") are not applied to a project for which a public notice has been issued for a scoping document before the enforcement date (referred to below as "enforcement date").

第六条 この法律の施行の際、環境影響評価法第二条第二項に規定する第一種事業（以下「第一種事業」という。）について、条例又は行政手続法（平成五年法律第八十八

号)第三十六条に規定する行政指導(地方公共団体が同条の規定の例により行うものを含む。)その他の措置(次項において「行政指導等」という。)の定めるところに従って作成された次の各号に掲げる書類(この法律の施行に際し次項の規定により指定されたものに限る。)があるときは、当該書類は、それぞれ当該各号に定める書類とみなす。

Article 6 (1) When enforcing this Act, concerning a class-1 project prescribed in Article 2, paragraph (2) of the Environmental Impact Assessment Act (referred to below as a "class-1 project"), and there is a document which has been prepared, as referred to in each of the following items in accordance with a Prefectural Order or administrative guidance prescribed in Article 36 of the Administrative Procedure Act (Act No. 88 of 1993) (including those enforced by a local government as prescribed in the provisions of that Article) and other measures (in the following paragraph referred to as "administrative guidance, etc."), that document is deemed to fall under one of the categories specified in the respective items:

一 第二条による改正後の法第五十三条第一項第一号に掲げる書類 第二条の規定による改正後の法第三条の三第一項の計画段階環境配慮書

(i) a document stated in Article 53, paragraph (1), item (i) of the Act revised under the provisions of Article 2: a document on primary environmental impact consideration referred to in Article 3-3, paragraph (1) of the Act revised under the provisions of Article 2;

二 第二条による改正後の法第五十三条第一項第二号に掲げる書類 第二条の規定による改正後の法第三条の六の書面

(ii) a document stated in Article 53, paragraph (1), item (ii) of the Act revised under the provisions of Article 2: a document referred to in Article 3-6 of the Act revised under the provisions of Article 2.

2 前項各号に掲げる書類は、当該書類の作成の根拠が条例又は行政指導等(地方公共団体に係るものに限る。)であるときは環境大臣が当該地方公共団体の意見を聴いて、行政指導等(国の行政機関に係るものに限る。)であるときは主務大臣が環境大臣(第一種事業が都市計画法(昭和四十三年法律第百号)第四条第七項に規定する市街地開発事業として同法の規定により都市計画に定められる場合における当該第一種事業又は第一種事業に係る施設が同条第五項に規定する都市施設として同法の規定により都市計画に定められる場合における当該都市施設に係る第一種事業について当該都市計画を定める第二条による改正後の法第三十八条の六第一項の都市計画決定権者(以下「都市計画決定権者」という。)が環境影響評価その他の手続を行うものとする旨を定める行政指導等にあつては、国土交通大臣が主務大臣及び環境大臣)に協議して、それぞれ指定するものとする。

(2) For the documents stated in the preceding items, when the relevant document is based on a Prefectural Order, or administrative guidance, etc. (limited to those regarding a local government), the Minister of the Environment is to designate that document by asking the opinions of the relevant local

government; or when that document is based on administrative guidance, etc. (limited to that concerning the administrative bodies of the national government), the competent minister is to designate that document in consultation with the Minister of the Environment (concerning administrative guidance, etc. which specifies that the city planning decision maker referred to in Article 38-6, paragraph (1) of the Act revised under the provisions of Article 2 (referred to below as the "city planning decision maker") responsible for specifying a city plan is to conduct an environmental impact assessment, and other procedures concerning a class-1 project incorporated into city plan pursuant to the provisions of the City Planning Act (Act No. 100 of 1968), as an urban development project prescribed in Article 4, paragraph (7) of that Act, or a class-1 project whose urban facilities are incorporated into a city plan, pursuant to the provisions of that Act, the Minister of Land, Infrastructure, Transport and Tourism is to designate that document in consultation with the competent minister, and the Minister of the Environment).

3 前項の規定による指定の結果は、公表するものとする。

(3) The results of the designation pursuant to the provisions of the preceding paragraph is made public.

第七条 第二条による改正後の法第三十八条の二及び第三十八条の三（第二条による改正後の法第四十条の二の規定により読み替えて適用する場合を含む。）の規定は、施行日以後に評価書の公告及び縦覧を行った事業者及び都市計画決定権者について適用する。

Article 7 The provisions of Article 38-2 and 38-3 of the Act revised under the provisions of Article 2 (including the cases where it is applied following the deemed replacement of terms pursuant to the provisions of Article 40-2 of the Act revised under the provisions of Article 2) are applied to a business operator and a city planning decision maker who has issued a public notice for an EIS, and has made that EIS available for public inspection after the enforcement date.

第八条 この法律の施行後に第二条による改正後の法第三条の二第一項に規定する第一種事業を実施しようとする者となるべき者は、この法律の施行前において、第二条による改正後の法第三条の二から第三条の九までの規定の例による第二条による改正後の法第三条の二第一項に規定する計画段階配慮事項についての検討その他の手続を行うことができる。

Article 8 (1) Any person intending to implement the class-1 project prescribed in Article 3-2, paragraph (1) of the Act revised under the provisions of Article 2 after the enforcement of this Act may conduct examination of matters for a primary environmental impact consideration at the planning stage, before the enforcement of this Act, and other procedures prescribed in Article 3-2,

paragraph (1) of the Act revised under the provisions of Article 2, as prescribed in the provisions of Articles 3-2 through 3-9 of the Act revised under the provisions of Article 2.

2 前項の規定による手続が行われた第一種事業については、当該手続は、第二条による改正後の法の相当する規定により施行日に行われたものとみなす。

(2) For a class-1 project for which a procedure prescribed in the preceding paragraph has been taken, the procedure is deemed to have been taken on the enforcement date pursuant to the corresponding provisions of the Act revised under the provisions of Article 2.

3 前二項の規定は、この法律の施行後に第二条による改正後の法第三十八条の六第一項の規定により同条第三項の規定により読み替えて適用される第二条による改正後の法第三条の二第一項に規定する計画段階配慮事項についての検討その他の手続を第二条による改正後の法第三条の二第一項に規定する第一種事業を実施しようとする者に代わるものとして行う都市計画決定権者となるべき者について準用する。この場合において、第一項中「、第二条による改正後の法」とあるのは「、第二条による改正後の法第三十八条の六第三項の規定により読み替えて適用される第二条による改正後の法」と、「による第二条による改正後の法」とあるのは「による同項の規定により読み替えて適用される第二条による改正後の法」と読み替えるものとする。

(3) The provisions of the preceding two paragraphs, pursuant to the provisions of Article 38-6, paragraph (1) of the Act revised under the provisions of Article 2, are applied mutatis mutandis to a person who is to be the city planning decision maker intending to conduct an examination of matters for a primary environmental impact consideration at the planning stage after the enforcement of this Act, and other procedures prescribed in Article 3-2, paragraph (1) of that Act as applied following the deemed replacement of terms pursuant to the provisions of Article 38-6, paragraph (3) of the same Act, instead of a person intending to implement a class-1 project prescribed in Article 3-2, paragraph (1) of that Act. In such a case, the term "the Act revised under the provisions of Article 2" in paragraph (1) is deemed to be replaced with "the Act amended by Article 2 as applied following the deemed replacement of terms pursuant to the provisions of Article 38-6, paragraph (3) of the Act revised under the provisions of Article 2"; the term "of the Act revised under Article 2" is deemed to be replaced with "of the Act revised under the provisions of Article 2 as applied following the deemed replacement of terms pursuant to the provisions of that paragraph."

(政令への委任)

(Delegation to Cabinet Order)

第九条 附則第二条から前条までに定めるもののほか、この法律の施行に関し必要な経過措置に関する事項は、政令で定める。

Article 9 In addition to what is provided for in the Supplementary Provisions,

Articles 2 through 8, matters concerning transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

(検討)

(Review)

第十条 政府は、この法律の施行後十年を経過した場合において、この法律による改正後の環境影響評価法の施行の状況について検討を加え、その結果に基づいて必要な措置を講ずるものとする。

Article 10 When ten years have elapsed since the enforcement of this Act, the national government is to review the situation of enforcement of this Act, and take any necessary measures based on the results of that review.

附 則 [平成二十三年六月二十二日法律第七十号] [抄]

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

(施行期日)

(Effective Date)

第一条 この法律は、平成二十四年四月一日から施行する。ただし、次条の規定は公布の日から、附則第十七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（平成二十三年法律第百五号）の公布の日又はこの法律の公布の日のいずれか遅い日から施行する。

Article 1 This Act comes into effect on April 1, 2012; provided, however, that the provisions of the following Article come into effect on the date of promulgation, and the provisions of Article 17 of the Supplementary Provisions come into effect on the date of promulgation of the Act on the Development of Related Acts for Promoting Reform with the Aim of Increasing the Autonomy and Independence of Local Authorities (Act No. 105 of 2011), or the date of promulgation of this Act.

附 則 [平成二十三年八月三十日法律第百五号] [抄]

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

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect on the date of promulgation; provided, however, that the provisions of the following items come into effect as stated in each of these items:

一 略

(i) omitted;

二 第二条、第十条（構造改革特別区域法第十八条の改正規定に限る。）、第十四条（地方自治法第二百五十二条の十九、第二百六十条並びに別表第一騒音規制法（昭和四十三年法律第九十八号）の項、都市計画法（昭和四十三年法律第百号）の項、都市再開発法（昭和四十四年法律第三十八号）の項、環境基本法（平成五年法律第九十一号）の項及び密集市街地における防災街区の整備の促進に関する法律（平成九年法律第四十九号）の項並びに別表第二都市再開発法（昭和四十四年法律第三十八号）の項、公有地の拡大の推進に関する法律（昭和四十七年法律第六十六号）の項、大都市地域における住宅及び住宅地の供給の促進に関する特別措置法（昭和五十年法律第六十七号）の項、密集市街地における防災街区の整備の促進に関する法律（平成九年法律第四十九号）の項及びマンションの建替えの円滑化等に関する法律（平成十四年法律第七十八号）の項の改正規定に限る。）、第十七条から第十九条まで、第二十二條（児童福祉法第二十一条の五の六、第二十一条の五の十五、第二十一条の五の二十三、第二十四条の九、第二十四条の十七、第二十四条の二十八及び第二十四条の三十六の改正規定に限る。）、第二十三条から第二十七条まで、第二十九条から第三十三条まで、第三十四条（社会福祉法第六十二条、第六十五条及び第七十一条の改正規定に限る。）、第三十五条、第三十七条、第三十八条（水道法第四十六条、第四十八条の二、第五十条及び第五十条の二の改正規定を除く。）、第三十九条、第四十三条（職業能力開発促進法第十九条、第二十三条、第二十八条及び第三十条の二の改正規定に限る。）、第五十一条（感染症の予防及び感染症の患者に対する医療に関する法律第六十四条の改正規定に限る。）、第五十四条（障害者自立支援法第八十八条及び第八十九条の改正規定を除く。）、第六十五条（農地法第三条第一項第九号、第四条、第五条及び第五十七条の改正規定を除く。）、第八十七条から第九十二条まで、第九十九条（道路法第二十四条の三及び第四十八条の三の改正規定に限る。）、第一百条（土地区画整理法第七十六条の改正規定に限る。）、第一百二条（道路整備特別措置法第十八条から第二十一条まで、第二十七条、第四十九条及び第五十条の改正規定に限る。）、第一百三、第一百五（駐車場法第四条の改正規定を除く。）、第一百七、第一百八条、第一百五（首都圏近郊緑地保全法第十五条及び第十七条の改正規定に限る。）、第一百六条（流通業務市街地の整備に関する法律第三条の二の改正規定を除く。）、第一百八条（近畿圏の保全区域の整備に関する法律第十六条及び第十八条の改正規定に限る。）、第一百二十条（都市計画法第六条の二、第七条の二、第八条、第十条の二から第十二条の二まで、第十二条の四、第十二条の五、第十二条の十、第十四条、第二十条、第二十三条、第三十三条及び第五十八条の二の改正規定を除く。）、第一百二十一条（都市再開発法第七条の四から第七条の七まで、第六十条から第六十二条まで、第六十六条、第九十八条、第九十九条の八、第一百三十九条の三、第一百四十一条の二及び第一百四十二条の改正規定に限る。）、第一百二十五条（公有地の拡大の推進に関する法律第九条の改正規定を除く。）、第一百二十八条（都市緑地法第二十条及び第三十九条の改正規定を除く。）、第一百三十一条（大都市地域における住宅及び住宅地の供給の促進に関する特別措置法第七条、第二十六条、第六十四条、第六十七条、第一百四条及び第一百九条の二の改正規定に限る。）、第一百四十二条（地方拠点都市地域の整備及び産業業務施設の再配置の促進に関する法律第十八条及び第二十一条か

ら第二十三条までの改正規定に限る。)、第四百四十五条、第四百四十六条(被災市街地復興特別措置法第五条及び第七条第三項の改正規定を除く。)、第四百四十九条(密集市街地における防災街区の整備の促進に関する法律第二十条、第二十一条、第二百九十一条、第二百九十二条、第二百九十七条、第二百三十三条、第二百四十一条、第二百八十三条、第三百十一条及び第三百十八条の改正規定に限る。)、第四百五十五条(都市再生特別措置法第五十一条第四項の改正規定に限る。)、第四百五十六条(マンションの建替えの円滑化等に関する法律第百二条の改正規定を除く。)、第四百五十七条、第四百五十八条(景観法第五十七条の改正規定に限る。)、第四百六十条(地域における多様な需要に応じた公的賃貸住宅等の整備等に関する特別措置法第六条第五項の改正規定(「第二項第二号イ」を「第二項第一号イ」に改める部分を除く。))並びに同法第十一条及び第十三条の改正規定に限る。)、第四百六十二条(高齢者、障害者等の移動等の円滑化の促進に関する法律第十条、第十二条、第十三条、第三十六条第二項及び第五十六条の改正規定に限る。)、第四百六十五条(地域における歴史的風致の維持及び向上に関する法律第二十四条及び第二十九条の改正規定に限る。)、第四百六十九条、第四百七十一条(廃棄物の処理及び清掃に関する法律第二十一条の改正規定に限る。)、第四百七十四条、第四百七十八条、第四百八十二条(環境基本法第十六条及び第四十条の二の改正規定に限る。))及び第四百八十七条(鳥獣の保護及び狩猟の適正化に関する法律第十五条の改正規定、同法第二十八条第九項の改正規定(「第四条第三項」を「第四条第四項」に改める部分を除く。))、同法第二十九条第四項の改正規定(「第四条第三項」を「第四条第四項」に改める部分を除く。))並びに同法第三十四条及び第三十五条の改正規定に限る。)の規定並びに附則第十三条、第十五条から第二十四条まで、第二十五条第一項、第二十六条、第二十七条第一項から第三項まで、第三十条から第三十二条まで、第三十八条、第四十四条、第四十六条第一項及び第四項、第四十七条から第四十九条まで、第五十一条から第五十三条まで、第五十五条、第五十八条、第五十九条、第六十一条から第六十九条まで、第七十一条、第七十二条第一項から第三項まで、第七十四条から第七十六条まで、第七十八条、第八十条第一項及び第三項、第八十三条、第八十七条(地方税法第五百八十七条の二及び附則第十一条の改正規定を除く。)、第八十九条、第九十条、第九十二条(高速自動車国道法第二十五条の改正規定に限る。)、第百一条、第百二条、第百五条から第百七条まで、第百十二条、第百十七条(地域における多様な主体の連携による生物の多様性の保全のための活動の促進等に関する法律(平成二十二年法律第七十二号)第四条第八項の改正規定に限る。)、第百十九条、第二百一十一条の二並びに第二百二十三条第二項の規定 平成二十四年四月一日

- (ii) Article 2, Article 10 (limited to the provisions for revising Article 18 of the Act on Special Districts for Structural Reform), Article 14 (limited to the provisions for revising Article 252-19 and 260 of the Local Autonomy Act, those for revising Appended Table 1 of the relevant Act, concerning the Noise Regulation Act (Act No. 98 of 1968), the City Planning Act (Act No. 100 of 1968), the Urban Renewal Act (Act No. 38 of 1969), the Basic Environment Act (Act No. 91 of 1993), and the Act on Promotion of Improvement of

Disaster Control Districts in Populated Urban Districts (Act No. 49 of 1997), and those for revising Appended Table 2 of the Act, concerning the Urban Renewal Act (Act No. 38 of 1969), the Act on Advancement of Expansion of Public Lands (Act No. 66 of 1972), the Act on Special Measures Concerning Promotion of Supply of Houses and Housing Lands in Urban Districts (Act No. 67 of 1975), the Act on Promotion of Improvement of Disaster Control Districts in Populated Urban Districts (Act No. 49 of 1997), and the Act on Facilitation of Reconstruction of Condominiums (Act No. 78 of 2002)), Articles 17 through 19, Article 22 (limited to the provisions for revising Articles 21-5-6, 21-5-15, 21-5-23, 24-9, 24-17, 24-28, and 24-36 of the Child Welfare Act), Articles 23 through 27, Article 29 through 33, Article 34 (limited to the provisions for revising Articles 62, 65, and 71 of the Social Welfare Act), Article 35, Article 37, Article 38 (excluding the provisions for revising Articles 46, 48-2, 50, and 50-2 of the Water Supply Act), Article 39, Article 43 (limited to the provisions for revising Articles 19, 23, 28, and 30-2 of the Human Resources Development Promotion Act), Article 51 (limited to the provisions for revising Article 64 of the Act on Prevention of Infectious Diseases and Medical Care for Patients Suffering Infectious Diseases), Article 54 (excluding the provisions for revising Article 88 and 89 of the Services and Support for Persons with Disabilities Act), Article 65 (excluding the provisions for revising Article 3, paragraph (1), item (ix), Article 4, Article 5, and Article 57 of the Agricultural Land Act), Articles 87 through 92, Article 99 (limited to the provisions for revising Article 24-3 and 48-3 of the Road Act), Article 101 (limited to the provisions for revising Article 76 of the Land Readjustment Act), Article 102 (limited to the provisions for revising Articles 18 through 21, 27, 49, and 50 of the Act on Special Measures Concerning Road Construction and Improvement), Article 103, Article 105 (excluding the provisions for revising Article 4 of the Parking Lot Act), Article 107, Article 108, Article 115 (limited to the provisions for revising Articles 15 and 17 of the Act on the Conservation of Suburban Green Zones in the National Capital Region), Article 116 (excluding the provisions for revising Article 3-2 of the Act on the Improvement of Urban Distribution Centers), Article 118 (limited to the provisions for revising Articles 16 and 18 of the Act on Arrangement of Conservation Districts in the Kinki Area), Article 120 (excluding the provisions for revising Articles 6-2, 7-2, and 8, Articles 10-2 through 12-2, and Articles 12-4, 12-5, 12-10, 14, 20, 23, 33, and 58-2 of the City Planning Act), Article 121 (limited to the provisions for revising Articles 7-4 through 7-7, Articles 60 through 62, and Articles 66, 98, 99-8, 139-3, 141-2, and 142 of the Urban Renewal Act), Article 125 (excluding the provisions for revising Article 9 of the Act on Advancement of Expansion of Public Lands), Article 128 (excluding the provisions for revising Articles

20 and 39 of the Urban Green Space Conservation Act), Article 131 (limited to the provisions for revising Articles 7, 26, 64, 67, 104, and 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 for revising Article 18 and Articles 21 through 23 of the Act on Comprehensive Development of Regional Core Cities with Relocation of Office-Work Function), Article 145, Article 146 (excluding the provisions for 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 for revising Articles 20, 21, 191, 192, 197, 233, 241, 283, 311, and 318 of the Act on Promotion of Improvement of Disaster Control Districts in Populated Urban Districts), Article 155 (limited to the provisions for revising Article 51, paragraph (4) of the Act on Special Measures Concerning Urban Reconstruction), Article 156 (excluding the provisions for revising Article 102 of the Act on Facilitation of Reconstruction of Condominiums), Article 157, Article 158 (limited to the provisions for revising Article 57 of the Landscapes Act), Article 160 (limited to the provisions for revising Article 6, paragraph (5) of the Act on Special Measures Concerning Development of Public Rental Housing to Accommodate Various Demands of Communities (excluding the part for revising "paragraph (2), item (ii), (a)" to "paragraph (2), item (i), (a)") and revising Articles 11 and 13 of that Act), Article 162 (limited to the provisions for revising Articles 10, 12, and 13, Article 36, paragraph (2), and Article 56 of the Act on the Promotion of Smooth Transportation of Elderly Persons, Disabled Persons), Article 165 (limited to the provisions for revising Articles 24 and 29 of the Act on Maintenance and Improvement of Traditional Scenery in Certain Districts), Article 169, Article 171 (limited to the provisions for revising Article 21 of the Waste Management and Public Cleansing Act), Article 174, Article 178, Article 182 (limited to the provisions for revising Articles 16 and 40-2 of the Basic Environment Act), and Article 187 (limited to the provisions for revising Article 15 of the Protection of Wild Bird and Mammals and Hunting Management Act, revising Article 28, paragraph (9) of that Act (excluding the part for revising "Article 4, paragraph (3)" to "Article 4, paragraph (4)"), those for revising Article 29, paragraph (4) of that Act (excluding the part for revising "Article 4, paragraph (3)" to "Article 4, paragraph (4)"), and those for revising Articles 34 and 35 of the relevant Act), as well as the provisions of the Supplementary Provisions, namely, 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 77, Article 80, paragraphs (1) and (3), Article 83, Article 87 (excluding the provisions for 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 for revising Article 25 of the National Highway Act), Article 101, Article 102, Articles 105 to 107, Article 112, Article 117 (limited to the provisions for revising Article 4, paragraph 8 of the Act on Promotion of Activities for Conservation of Biodiversity to Coordination of Diversified Actors in Community (Act No. 72 of 2010)), Article 119, Article 121-2, and Article 123, paragraph (2): April 1, 2012.

附 則 〔平成二十三年十二月十四日法律第百二十二号〕 〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して二月を超えない範囲内において政令で定める日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

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

一 附則第六条、第八条、第九条及び第十三条の規定 公布の日

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

附 則 〔平成二十五年六月二十一日法律第六十号〕 〔抄〕

Supplementary Provisions [Act No. 60 of June 21, 2013] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect on the date specified by Cabinet Order within a period not exceeding six months from the date of promulgation; provided, however, that the provisions of the following items come into effect on the date specified in each of these items:

一 略

(i) omitted;

二 第四条、次条及び附則第七条の規定 公布の日から起算して二年を超えない範囲内において政令で定める日

(ii) Article 4, the following Article, and Article 7 of the Supplementary Provisions,; the date specified by Cabinet Order within a period not exceeding two years from the date of promulgation.

(環境影響評価法の一部改正に伴う経過措置)

(Transitional Measures on the Partial Revision of the Environmental Impact Assessment Act)

第二条 第四条の規定による改正後の環境影響評価法（以下この条において「新法」という。）の規定は、前条第二号に掲げる規定の施行の日以後に新法第二十七条（新法第四十条第二項の規定により読み替えて適用される場合を含む。）の規定による公告又は新法第三十一条第三項（新法第三十二条第三項において準用する場合及び新法第四十条第二項の規定により読み替えて適用される場合を含む。）若しくは第三十二条第三項において読み替えて準用する新法第三十一条第一項（新法第四十条第二項の規定により読み替えて適用される場合を含む。）に規定する公告が行われる事業について適用し、その他の事業に係る環境影響評価その他の手続については、なお従前の例による。

Article 2 The provisions of the Environmental Impact Assessment Act, as revised under the provisions of Article 4 (referred to as the "new Act" below in this Article) which apply to a project for which a public notice has been issued under the provisions of Article 27 of the new Act (including cases as applied pursuant to Article 40, paragraph (2) of the new Act following the deemed replacement of terms), or a public notice prescribed in Article 31, paragraph (3) of the new Act (including as applied mutatis mutandis pursuant to the provisions of Article 32, paragraph (3) of the new Act, as applied pursuant to the provisions of Article 40, paragraph (2) of the new Act following the deemed replacement of terms) or a public notice prescribed in Article 31, paragraph (1) of the new Act as applied mutatis mutandis pursuant to Article 32, paragraph (3) following the deemed replacement of terms (including as applied pursuant to the provisions of Article 40, paragraph (2) of the new Act following the deemed replacement of terms) is to be issued after the enforcement date of the provisions stated in item (ii) of the preceding Article, and prior laws and continue to govern other environmental impact assessment, and other procedures for projects.

(政令への委任)

(Delegation to Cabinet Order)

第三条 前条に定めるもののほか、この法律の施行に伴い必要な経過措置は、政令で定める。

Article 3 In addition to what is provided for in the preceding Article, matters

concerning transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

附 則 〔平成二十六年五月二十一日法律第三十九号〕 〔抄〕
Supplementary Provisions [Act No. 39 of May 21, 2014] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して三月を超えない範囲内において政令で定める日から施行する。

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

附 則 〔平成二十六年六月四日法律第五十一号〕 〔抄〕
Supplementary Provisions [Act No. 51 of June 4, 2014] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成二十七年四月一日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect on April 1, 2015; provided, however, that the provisions stated in the following items come into effect on the dates specified in each of these items:

一 第四十五条の規定並びに附則第六条、第十七条及び第十八条の規定 公布の日から起算して一年を経過した日

(i) the provisions in Article 45, and the provisions in Articles 6, 17 and 18 of the Supplementary Provisions: the day on which one year has elapsed since the date of promulgation;

附 則 〔令和二年六月十日法律第四十一号〕 〔抄〕
Supplementary Provisions [Act No. 41 of June 10, 2020] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して三月を経過した日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect on the day on which three months have elapsed from the date of promulgation; provided, however, that the provisions stated in the following items come into effect on the dates specified respectively in those items:

一 第三条、第七条及び第十条の規定並びに附則第四条、第六条、第八条、第十一条、

第十三条、第十五条及び第十六条の規定 公布の日

- (i) the provisions of Article 3, Article 7, and Article 10, and the provisions of Article 4, Article 6, Article 8, Article 11, Article 13, Article 15, and Article 16 of the Supplementary Provisions: the date of promulgation.

附 則 〔令和七年六月二十日法律第七十三号〕 〔抄〕

Supplementary Provisions [Act No. 73 of June 20, 2025] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して二年を超えない範囲内において政令で定める日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect on the date specified by Cabinet Order within a period not exceeding two years from the day of promulgation; provided, however, that the provisions referred to in the following items come into effect on the dates specified in each item:

一 第四十一条第五項の改正規定及び附則第三条の規定 公布の日

- (i) the provisions amending Article 41, paragraph (5) and the provisions of Article 3 of the Supplementary Provisions: the date of promulgation;

二 目次の改正規定、第二十一条第二項の改正規定、第四十八条第二項の改正規定、第四十九条の改正規定、第六十二条を第六十三条とし、第五十六条から第六十一条までを一条ずつ繰り下げる改正規定、第五十五条第二項の改正規定、同条を第五十六条とする改正規定、第五十四条第二項の改正規定、同条を第五十五条とする改正規定、第五十三条の前の見出しを削る改正規定、同条を第五十四条とし、同条の前に見出しを付する改正規定、第五十二条を第五十三条とし、第五十一条の次に一条を加える改正規定及び附則第五条の規定 公布の日から起算して一年を超えない範囲内において政令で定める日

- (ii) the provisions amending the Table of Contents, provisions amending Article 21, paragraph (2), provisions amending Article 48, paragraph (2), provisions amending Article 49, amending provisions that amend Article 62 to Article 63 and move Articles 56 through 61 down by one Article, provisions amending Article 55, paragraph (2), amending provisions that change that Article to Article 56, provisions amending Article 54, paragraph (2), amending provisions that change that Article to Article 55, amending provisions that delete the heading before Article 53, amending provisions that change that Article to Article 54 and add a heading before that Article, amending provisions that change Article 52 to Article 53, and add an Article after Article 51, and the provisions of Article 5 of the Supplementary Provisions: the date specified by Cabinet Order within a period not exceeding one year from the date of promulgation.

(経過措置)

(Transitional Measures)

第二条 この法律の施行の際現にこの法律による改正前の環境影響評価法（以下この条において「旧法」という。）の規定による環境影響評価その他の手続が行われている事業であつて、旧法第三条の四第一項の規定による計画段階環境配慮書及びこれを要約した書類の送付又は環境影響評価法第六条第一項の規定による環境影響評価方法書及びこれを要約した書類の送付がされたものに係る当該手続については、なお従前の例による。

Article 2 Prior laws continue to govern the procedures for a project for which an environmental impact assessment, and other procedures pursuant to the provisions of the Environmental Impact Assessment Act before amendment by this Act (referred to below as the "former Act" in this Article) have been conducted at the time of the enforcement of this Act, and for which a statement of environmental impact consideration at the planning stage and a document summarizing it has been sent under the provisions of Article 3-4, paragraph (1) of the former Act, or a statement of the environmental impact assessment method, and a document summarizing it has been sent under the provisions of Article 6, paragraph (1) of the Environmental Impact Assessment Act.

(政令への委任)

(Delegation to Cabinet Order)

第三条 前条に定めるもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

Article 3 In addition to what is provided for in the preceding Article, transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

(検討)

(Review)

第四条 政府は、この法律の施行後十年を経過した場合において、この法律による改正後の規定の施行の状況について検討を加え、必要があると認めるときは、その結果に基づいて必要な措置を講ずるものとする。

Article 4 When ten years have elapsed since the enforcement of this Act, the government is to review the status of enforcement of the provisions amended by this Act, and take any necessary measures based on the results of that review, if the government finds it necessary.