

Act on Special Measures for the Building, Etc. and Use of Livestock Barns, Etc.

(Act No. 34 of 2021)

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Chapter I General Provisions

(Purpose)

Article 1 This Act aims to promote the livestock industry by establishing an approval system for plans concerning the building, etc. and use of a livestock barn, etc. and by providing special measures under the Building Standards Act (Act No. 201 of 1950) for a livestock barn, etc. to be built, etc. and used based on those plans obtained the approval, in light of changes in the international economic environment surrounding the livestock industry and in order to strengthen the industry's international competitiveness.

(Definitions)

Article 2 (1) The term "livestock barn, etc." as used in this Act means a livestock barn (meaning a facility used for the care of livestock and a facility specified by Order of the Ministry of Agriculture, Forestry and Fisheries as one related to the facility) and a manure barn (meaning a facility specified by Order of the Ministry of Agriculture, Forestry and Fisheries as one used for treatment or storage of livestock manure).

(2) The term "building, etc." as used in this Act means acts specified by Order of the competent ministry as acts of constructing, extending, or reconstructing a livestock barn, etc., and of changing their structure.

(3) The term "technical standards" as used in this Act means the standards specified by Order of the competent ministry as necessary for satisfying the following requirements regarding the site, structure, and building equipment (meaning the equipment for providing electricity, gas, water supply, drainage, ventilating, heating, cooling, fire extinguishing, smoke exhaust, or waste management, and other facilities specified by Order of the Ministry of Agriculture, Forestry and Fisheries that are installed in a livestock barn, etc.; the same applies below) of a livestock barn, etc.:

(i) there are no hindrances in terms of safety, fire prevention, or sanitation for conducting continuous livestock farming operations, in combination with the method of using a livestock barn, etc. that conforms to the standards for use (excluding the requirements stated in the following item and item (iii));

(ii) there are no hindrances in terms of sanitation regarding the discharge or treatment of rainwater and sewage within the site and the treatment of waste discharged from the lavatories; and

(iii) When a livestock barn, etc. is built, etc. in a city planning area and quasi-city planning area prescribed in Article 4, paragraph (2) of the City Planning Act (Act No. 100 of 1968), a quasi-landscape district prescribed in Article 74, paragraph (1) of the Landscape Act (Act No. 110 of 2004), and an area designated by the prefectural governor based on Article 6, paragraph (1), item (iv) of the Building Standards Act after hearing the opinions of the relevant municipality, the building coverage ratio (meaning the ratio of the building area to the site area), height, and other structures of the livestock barn, etc. do not hinder traffic, safety, fire prevention, and sanitation from the viewpoint of appropriate and reasonable land use and the preservation of a good landscape.

(4) The term "standards for use" as used in this Act means the standards specified by Order of the competent ministry as those necessary for ensuring that there are no hindrances in terms of safety, fire prevention, and sanitation regarding the method of use of a livestock barn, etc. in conducting continuous livestock farming operations, which specify the following matters:

(i) matters concerning restrictions on the number of persons and hours of stay per day in a livestock barn, etc.;

(ii) matters related to securing evacuation routes at the time of a disaster;

(iii) matters concerning the implementation of evacuation drills, and other initiatives that contribute to the prevention or mitigation of damage caused by a disaster.

Chapter II Approval of Livestock Barns Building and Use Plan

(Approval of Livestock Barns Building and Use Plan)

Article 3 (1) A person, who intends to build, etc. a livestock barn, etc. so that their site, structure, and building equipment conform to the technical standards and who intends to use them in accordance with the standards for use (referred to as the "applicant" in the following paragraph and paragraph (4)), may prepare a plan concerning the building, etc. and the use of the livestock barn, etc. (referred to below as the "livestock barns building and use plan") and submit the plan to the prefectural governor with jurisdiction over the construction site or location of the livestock barns (simply referred to below as the "prefectural governor") to obtain approval, pursuant to the provisions of Order of the competent ministry.

(2) A livestock barns building and use plan must state the following matters (excluding the matters stated in item (iv), if the building, etc. and use of a livestock

barn, etc. whose floor area is not larger than the scale specified by Order of the competent ministry (referred to below as a "special livestock barn, etc.") as the scale that is found to cause no hindrance in terms of safety, fire prevention, and sanitation in consideration of the technical level of architects (meaning the architects prescribed in Article 2, paragraph (1) of the Act on Architects and Building Engineers (Act No. 202 of 1950); the same applies to item (iii) of the following paragraph) and other circumstances is intended):

(i) the name and address of the applicant and, in the case of a corporation, the name of their representative;

(ii) the type, construction site or location, and scale and layout of the livestock barn, etc.;

(iii) a designer of a livestock barn, etc. (meaning a person who has prepared design drawings (meaning drawings for construction work of a livestock barn, etc. or their sites (except for full size drawings and similar to those) and specifications; the same applies below) on the responsibility of the designer; that applies below);

(iv) the site, structure, and building equipment of a livestock barn, etc.;

(v) the method of use of a livestock barn, etc.;

(vi) the details of the livestock farming to be conducted by the applicant in the livestock barn, etc.;

(vii) the scheduled dates for the commencement and completion of the construction work for the building, etc.; and

(viii) other matters specified by Order of the competent ministry.

(3) If an application for the approval referred to in paragraph (1) has been filed, and when the prefectural governor finds that the livestock barns building and use plan to which the application is related conforms to all of the following items (excluding item (iv) if the applicant intends to build, etc. and use a special livestock barn, etc.) pursuant to the provisions of Order of the competent ministry, the governor is to grant the approval:

(i) the building, etc. and use of a livestock barn, etc. are intended for an urbanization promotion area prescribed in Article 7, paragraph (1) of the City Planning Act or a site outside use districts prescribed in Article 8, paragraph (1), item (i) of that Act;

(ii) the height of the livestock barn, etc. is not more than the height specified by Order of the competent ministry, have one floor, and have no room for residency in the livestock barn, etc.;

(iii) the livestock barn, etc. are designed by an architect;

(iv) the site, structure, and building equipment of the livestock barn, etc. conform to the technical standards, as well as the provisions of laws concerning the site, structure, or building equipment of a livestock barn, etc., and the orders and ordinances based on the laws which are specified by Order of the competent ministry;

(v) the method of use of a livestock barn, etc. conforms to the standards for use;
and

(vi) other plans of the livestock barn, etc. conform to standards specified by Order of the competent ministry according to which a livestock barn, etc. is built, etc. and used properly.

(4) Notwithstanding the preceding paragraph, the prefectural governor must not grant the approval referred to in paragraph (1) if the plan falls under any of the following items:

(i) if the livestock barn, etc. related to the application for approval referred to in paragraph (1) has been designed in violation of Article 3, paragraph (1) of the Act on Architects and Building Engineers (including as applied pursuant to paragraph (2) of that Article; the same applies to Article 5, paragraph (2)), Article 3-2, paragraph (1) of that Act (including as applied pursuant to Article 3, paragraph (2) of that Act as applied mutatis mutandis pursuant to paragraph (2) of that Article; the same applies to Article 5, paragraph (2)) or Article 3-3, paragraph (1) of that Act (including as applied pursuant to Article 3, paragraph (2) of that Act as applied mutatis mutandis pursuant to paragraph (2) of that Article; the same applies to Article 5, paragraph (2)), or in violation of Prefectural Ordinance based on Article 3-2, paragraph (3) of that Act (including as applied mutatis mutandis pursuant to Article 3-3, paragraph (2) following the deemed replacement of terms; the same applies to Article 5, paragraph (2));

(ii) if the applicant falls under a person specified by Order of the Ministry of Agriculture, Forestry and Fisheries as a person who is unable to properly manage the care of livestock or manage their manure in the a livestock barn, etc. (excluding a manure barn) to which the application for the approval referred to in paragraph (1) is related; or

(iii) if the applicant is a corporation, and any of their officers falls under a person specified by Order of the Ministry of Agriculture, Forestry and Fisheries referred to in the preceding item.

(5) In applying Article 7, paragraph (1) of the Fire Service Act (Act No. 186 of 1948) when the prefectural governor grants the approval referred to in paragraph (1) of this Article (excluding when the governor grants the approval regarding the livestock barns building and use plan related to a special livestock barn, etc.), the term "permission, authorization, or confirmation" in that paragraph is deemed to be replaced with "approval".

(6) When the prefectural governor has granted the approval referred to in paragraph (1), the governor must promptly notify the person who has received the approval (referred to below as an "approved plan implementer") of and make public the approval.

(Changes to the Approved Livestock Barns Building and Use Plan)

Article 4 (1) When an approved plan implementer intends to change the livestock barns building and use plan approved under paragraph (1) of the preceding Article, the implementer must obtain approval from the prefectural governor, pursuant to the provisions of Order of the competent ministry; provided, however, that this does not apply to minor changes specified by Order of the competent ministry.

(2) If an approved plan implementer intends to make minor changes specified by Order of the competent ministry stated in the proviso to the preceding paragraph, the implementer must notify the prefectural governor of the changes.

(3) Paragraphs (3) through (6) of the preceding Article apply mutatis mutandis to the approval for changes referred to in paragraph (1). In this case, the phrase "the approval referred to in paragraph (1)" in paragraph (5) of that Article is deemed to be replaced with "the approval for changes referred to in paragraph (1) of the following Article (limited to the approval related to changes to the matters stated in Article 3, paragraph (2), item (iv))".

(4) Paragraph (3), item (i) as applied mutatis mutandis pursuant to the preceding paragraph does not apply if the site of the livestock barn, etc. related to the application of approval for changes referred to in paragraph (1) is located in a zone or area prescribed in paragraph (3), item (i) of the preceding Article, and if the livestock barn, etc. falls under the cases specified by Order of the competent ministry as those that do not hinder traffic, safety, fire prevention, or sanitation from the viewpoint of appropriate and reasonable land use in the zone or area prescribed in that item.

(Supervision of Design and Construction of Livestock Barns, Etc.)

Article 5 (1) Construction work of an approved livestock barn, etc. (meaning a livestock barn, etc. related to the approved livestock barns building and use plan (meaning the livestock barns building and use plan approved under Article 3, paragraph (1) (if there has been any change, the plan after the change)); the same applies below to this paragraph and Article 16, paragraph (2)); the same applies below) may not be carried out unless the construction work is based on the design by the designer stated in the approved livestock barns building and use plan.

(2) If an approved plan implementer carries out construction work for an approved livestock barn, etc. that falls under the category of buildings prescribed in Article 3, paragraph (1), Article 3-2, paragraph (1), or Article 3-3, paragraph (1) of the Act on Architects and Building Engineers or the category of buildings prescribed in Prefectural Ordinance based on Article 3-2, paragraph (3) of that Act, the implementer must designate a construction supervisor (meaning a person who conducts construction supervision prescribed in Article 2, paragraph (8) of that Act; the same applies to Article 14) who is an architect prescribed in the respective Articles.

(3) Construction work in violation of the preceding paragraph may not be carried out.

(Notification of Completion of Construction Work)

Article 6 (1) When the construction work such as building, etc. of an approved livestock barn, etc. is completed, the approved plan implementer must notify the prefectural governor of the completion pursuant to the provisions of Order of the competent ministry.

(2) If newly constructing an approved livestock barn, etc. (excluding a special livestock barn, etc.; the same applies below to this paragraph and Article 18, paragraph (1)), the approved plan implementer must not use or allow the use of the approved livestock barn, etc. until after making the notification under the provisions of the preceding paragraph; provided, however, that if the prefectural governor finds that there are no hindrances to safety, fire prevention, or evacuation, the approved livestock barn, etc. or their parts may be temporarily used or allowed to be used even before making the notification.

(3) Order of the competent ministry provides for the necessary matters concerning the procedures for applying for approval under the provisions of the proviso to the preceding paragraph.

(Obligation to Conform to Standards)

Article 7 (1) The site, structure, and building equipment of an approved livestock barn, etc. must conform to the technical standards.

(2) An approved plan implementer must use an approved livestock barn, etc. in accordance with the standards for use.

(3) An approved plan implementer must not change the use of an approved livestock barn, etc. to anything other than a livestock barn, etc.

(Exemption from Application of Technical Standards to Existing Approved Livestock Barns, Etc.)

Article 8 (1) When Order of the competent ministry referred to in Article 2, paragraph (3) (referred to as the "Ministerial Order on Technical Standards" in the following paragraph) (referred to below as the "technical standards provisions" in this Article) comes into effect or is applied, if the approved livestock barn, etc. or their site that actually exists or the approved livestock barn, etc. or their site that is actually under construction work for building, etc. does not conform to the technical standards provisions or has parts that do not conform to the technical standards provisions, paragraph (1) of the preceding Article (limited to the part of the technical standards that is related to the technical standards provisions (referred to as the "standards for the non-conforming part" in paragraph (3))) does not apply to the approved livestock barn, etc., their site, or the parts of the approval livestock barn, etc. or their site.

(2) The preceding paragraph does not apply to an approved livestock barn, etc., their site, or the parts of the approved livestock barn, etc. or their site that fall under any of the following items:

(i) an approved livestock barn, etc., their site, or the parts of the approved livestock barn, etc. or their site that are in violation of the previous provisions equivalent to the technical standards provisions at the time of the application of the technical standards provisions after the amendment by Order of the competent ministry that amends the Ministerial Order on Technical Standards (including the establishment of a new equivalent Ministerial Order on Technical Standards at the same time as the repeal of the Ministerial Order on Technical Standards);

(ii) an approved livestock barn, etc., or their site related to the acts specified by Order of the competent ministry (excluding acts within the scope specified by Order of the competent ministry) such as extension, reconstruction, or acts that change the structure of a livestock barn, etc. for which the construction work of building, etc. is commenced after the enforcement or application of the technical standards provisions;

(iii) the part of approved livestock barn, etc. or their site falling under the preceding item; or

(iv) an approved livestock barn, etc., their site, or the parts of the approved livestock barn, etc. or their site that have come to conform to the technical standards provisions;

(3) In applying the provisions of Article 4, paragraph (3) if a person intends to conduct acts within the scope specified by Ordinance of the competent ministry referred to in item (ii) of the preceding paragraph regarding an approved livestock barn, etc. to which the provisions of paragraph (1) are applied, the phrase "in paragraph (5) of that Article" in that paragraph is deemed to be replaced with "in item (iv) of paragraph (3) of that Article, the phrase 'technical standards' is deemed to be replaced with 'technical standards (excluding standards for non-conforming parts)' and in paragraph (5) of that Article", and the phrase "shall be deemed to be replaced with" is deemed to be replaced with "is deemed to be replaced with".

(Succession of Status)

Article 9 (1) When an approved plan implementer is inherited, the heir is to succeed to the status of the implementer.

(2) An heir who has succeeded to the status of an approved plan implementer pursuant to the preceding paragraph must notify the prefectural governor of the inheritance within thirty days from the date of inheritance, pursuant to the provisions of Order of the competent ministry.

Article 10 (1) If an approved plan implementer transfers an approved livestock barn, etc., and when the transferor and the transferee have obtained the authorization of the prefectural governor for the transfer and acquisition in advance pursuant to the provisions of Order of the competent ministry, the transferee succeeds to the status of the implementer.

(2) If a corporation that is an approved plan implementer is dissolved as a result of a merger, and when the authorization of the prefectural governor has been

obtained in advance for the merger pursuant to the provisions of Order of the competent ministry, the corporation surviving the merger or the corporation established as a result of the merger is to succeed to the status of the implementer.

(3) When a corporation that is an approved plan implementer has the approved livestock barn, etc. succeeded to through a split, if the corporation has obtained the authorization of the prefectural governor regarding the split in advance pursuant to the provisions of Order of the competent ministry, the corporation that has succeeded to the approved livestock barn, etc. through the split will succeed to the status of an approved plan implementer.

(4) Article 3, paragraph (3) (limited to the part related to item (v)) and paragraph (4) (limited to the part related to items (ii) and (iii)) apply mutatis mutandis to the authorization referred to in the preceding three paragraphs.

(5) If an approved plan implementer transfers an approved livestock barn, etc., or a corporation that is an approved plan implementer ceases to exist as a result of a merger or succeeds to an approved livestock barn, etc. as a result of a split, but the governor decides not to grant the authorization referred to in paragraphs (1) through (3) (if there is no application for these authorizations, when the transfer of the approved livestock barn, etc. or the merger or split of the corporation has taken place), the approval referred to in Article 3, paragraph (1) ceases to be effective, and except when a new livestock barns building and use plan (including a plan prepared when no building, etc. is carried out regarding the expired livestock barn, etc. but the expired livestock barn, etc. is continuously used in accordance with the standards for use; the same applies below to this paragraph and Article 16, paragraph (4)) is prepared for the livestock barn, etc. that was the approved livestock barn, etc. (referred to below as "expired livestock barn, etc.") and the approval referred to in Article 3, paragraph (1) is obtained, or when the prefectural governor has confirmed that the expired livestock barn, etc. and their site actually conform to the Building Standards Act and orders and ordinances based on the Building Standards Act (referred to below as "the Building Standards Act Order"), the transferee, the corporation surviving the merger or the corporation established as a result of the merger, or the corporation that has succeeded to the expired livestock barn, etc. as a result of the split, or their successor (referred to below as the "transferee, etc.") must suspend the use of the expired livestock barn, etc., prohibit entry into the expired livestock barn, etc., remove the expired livestock barn, etc., and take other necessary measures for safety (referred below to as "security measures") within one hundred twenty days from the date of the disposition (if there is no application for these authorizations, the date of the transfer of the approved livestock barn, etc. or the merger or split of the corporation). In this case, Article 7, Article 8, Articles 12 through 14, Article 15 (excluding paragraph (4)), Article 17, and Article 18 (including penal provisions related to these provisions) apply by deeming the transferee, etc. to be an approved

plan implementer and by deeming the expired livestock barn, etc. to be approved livestock barn, etc. respectively, until new livestock barns building and use plan is prepared for the expired livestock barn, etc. and the approval referred to in that paragraph is obtained, until the governor has confirmed that the expired livestock barn, etc. and their site actually conform to the Building Standards Act Order, or until all of the expired livestock barn, etc. are removed or destroyed due to other reasons.

(Notification of Dissolution)

Article 11 (1) If a corporation that is an approved plan implementer is dissolved for reasons other than a merger, their liquidator or bankruptcy trustee must notify the prefectural governor of the dissolution within thirty days from the date of the dissolution, pursuant to the provisions of Order of the competent ministry.

(2) If a corporation that is an approved plan implementer is dissolved for reasons other than a merger, the approval referred to in Article 3, paragraph (1) ceases to be effective, and the corporation under liquidation (meaning the corporation in liquidation or special liquidation or the corporation after the commencement of the bankruptcy proceeding) or their successor (referred to below as the "corporation under liquidation, etc.") must suspend the use of the expired livestock barn, etc. and take security measures within one hundred twenty days from the date of the dissolution, except when the authorization referred to in paragraph (1) of the preceding Article is obtained for the transfer of the expired livestock barn, etc. or when the prefectural governor has confirmed that the expired livestock barn, etc. and their site actually conform to the Building Standards Act Order. In this case, Article 7, Article 8, paragraphs (1) and (4) of the preceding Article, the following Article through Article 14, Article 15 (excluding paragraph (4)), Article 17, and Article 18 (including penal provisions related to these provisions) apply by deeming the corporation under liquidation, etc. to be an approved plan implementer and by deeming the expired livestock barn, etc. to be an approved livestock barn, etc. respectively, until the authorization referred to in that paragraph is obtained for the transfer of the expired livestock barn, etc., until the governor has confirmed that the expired livestock barn, etc. and their site actually conform to the Building Standards Act Order, or until all of the expired livestock barn, etc. are destroyed due to removal or other reasons.

(Exemption from Application of the Building Standards Act Order)

Article 12 The Building Standards Act Order do not apply to an approved livestock barn, etc.

Chapter III Supervision of Approved Plan Implementers

(Reporting on the Status of Use)

Article 13 (1) An approved plan implementer must periodically report the status of use of the approved livestock barn, etc. to the prefectural governor, pursuant to the provisions of Order of the competent ministry.

(2) If all of the approved livestock barn, etc. have been destroyed due to removal or other reasons, the approved plan implementer must notify the prefectural governor of the destruction within thirty days from the date of the destruction.

(Collection of Reports and On-Site Inspections)

Article 14 (1) To the extent necessary for the enforcement of this Act, the prefectural governor may request a report from an approved plan implementer, a person who enters an approved livestock barn, etc., the owner of the site of the approved livestock barn, etc., the custodian or occupant of the approved livestock barn, etc. or the site of the approved livestock barn, etc., the designer, the manufacturer of building materials, building equipment, or other parts of the livestock barn, etc. (referred to below as "building materials, etc." in this Article), the construction superintendent, or the construction executor (meaning the contractor of the construction work for a livestock barn, etc. or the person undertaking the construction work themselves without a service contract; the same applies below) regarding the status of use of the approved livestock barn, etc., the site, structure, building equipment, or use of the approved livestock barn, etc., the status of receipt or delivery of building materials, etc., or the status of the plan or execution of the construction work concerning the approved livestock barn, etc.

(2) To the extent necessary for the enforcement of this Act, the prefectural governor may request an approved plan implementer, a person who enters an approved livestock barn, etc., the owner of the site of the approved livestock barn, etc., the custodian or occupant of the approved livestock barn, etc. or the site of the approved livestock barn, etc., the designer, the manufacturer of building materials, etc., the construction superintendent, or the construction executor to submit books, documents, and other items.

(3) To the extent necessary for the enforcement of this Act, the prefectural governor may have their official enter approved livestock barn, etc., their site, factory, business office, office, warehouse, or any other workplace or building construction field of a person who has manufactured building materials, etc., have them inspect or test the approved livestock barn, etc., their site, building equipment, building materials, items related to the manufacture of building materials, etc., design drawings, or other items related to the construction work concerning the approved livestock barn, etc., or have them ask questions about necessary matters to an approved plan implementers, a person who enters the approved livestock barn, etc., the owner of the site of the approved livestock barn, etc., the custodian or occupant of the approved livestock barn, etc. or their site, designer, a person who has manufactured building materials, etc., the construction superintendent, or construction executor.

(4) An official who conducts an on-site inspection pursuant to the provisions of the preceding paragraph must carry an identification card and present it to the relevant persons.

(5) The authority under the provisions of paragraph (3) must not be construed as being granted for criminal investigation.

(Order to Take Measures)

Article 15 (1) When an approved livestock barn, etc. or the site of the approved livestock barn, etc. is in violation of Article 7, paragraph (1), the prefectural governor may order the approved plan implementer related to the approved livestock barn, etc., the contractor (including the subcontractor of the contracted construction work) or field manager of the construction work concerning the approved livestock barn, etc., the owner of the site of the approved livestock barn, etc., or the custodian or occupant of the approved livestock barn, etc. or the site of the approved livestock barn, etc. to suspend the execution of the construction work, and may order to take measures, by setting a reasonable grace period, such as the removal, reconstruction, extension, prohibition of use, and restriction of use of the approval livestock barn, etc., and other necessary measures to rectify the violation.

(2) When an approved livestock barn, etc. is used in violation of Article 7, paragraph (2), the prefectural governor may order the approved plan implementer related to the approved livestock barn, etc. to improve the method of use of the approved livestock barn, etc., prohibit the use, restrict the use, or take other necessary measures to rectify the violation, by setting a reasonable grace period.

(3) When the use of an approved livestock barn, etc. has been changed to something other than a livestock barn, etc. in violation of Article 7, paragraph (3), the prefectural governor may order the approved plan implementer related to the approved livestock barn, etc. to change the use of the approved livestock barn, etc., prohibit the use, restrict the use, or take other necessary measures to rectify the violation, by setting a reasonable grace period.

(4) When the prefectural governor finds that a transferee, etc., a corporation under liquidation, etc., or a person who was an approved plan implementer prescribed in paragraph (4) of the following Article or their successor has failed to suspend the use of an expired livestock barn, etc. or to take security measures in violation of Article 10, paragraph (5), Article 11, paragraph (2), or paragraph (4) of the following Article, respectively, the governor may order the person to suspend the use of the expired livestock barn, etc. or to take the security measures.

(5) If the prefectural governor intends to order necessary measures pursuant to the provisions of paragraph (1) or the preceding paragraph, and when, without negligence, the governor is unable to ascertain the person to whom the order to take the measures is to be given, and when it is found that the violation left unaddressed would be extremely contrary to the public interest, the governor may, at the expense of the person, take the measures themselves, or have a person ordered or entrusted by the governor take the measures. In this case, the governor sets a reasonable time limit and must give a public notice in advance indicating that the measures should be taken, and that if the measures are not taken by that time

limit, the governor or a person ordered or entrusted by the governor should take the measures.

(Expiration of Approval)

Article 16 (1) In addition to the cases prescribed in Article 10, paragraph (5) and Article 11, paragraph (2), when all of the approved livestock barn, etc. have been destroyed due to removal or other reasons, the approval referred to in Article 3, paragraph (1) ceases to be effective.

(2) The prefectural governor may revoke the approval referred to in Article 3, paragraph (1) in the following cases:

(i) when an approved plan implementer has obtained the approval referred to in Article 3, paragraph (1), the approval of changes referred to in Article 4, paragraph (1), or the authorization referred to in Article 10, paragraphs (1) through (3) by deception or other wrongful means;

(ii) when an approved plan implementer has come to fall under Article 3, paragraph (4), item (ii) or (iii);

(iii) when an approved plan implementer has made changes to the matters for which approval for changes referred to in Article 4, paragraph (1) must be obtained, without obtaining the approval;

(iv) when an approved plan implementer fails to commence the construction work of building, etc. stated in the approved livestock barns building and use plan within one year after the scheduled date of commencement of the construction work, or fails to complete the construction work within one year after the scheduled date, without justifiable grounds;

(v) when an approved plan implementer has violated an order under the provisions of paragraphs (1) through (3) of the preceding Article; and

(vi) when an approved plan implementer has made a proposal to discontinue the building, etc. or use of a livestock barn, etc. based on the approved livestock barns building and use plan.

(3) When the prefectural governor becomes aware that the approval referred to in Article 3, paragraph (1) (simply referred to below as the "approval" in this paragraph and the following paragraph) has ceased to be effective pursuant to the provisions of Article 10, paragraph (5), Article 11, paragraph (2) or (1), or revokes the approval pursuant to the provisions of preceding paragraph, the governor must promptly notify the person who was an approved plan implementer or their successor (including the assignee, etc. if the approval has ceased to be effective pursuant to the provisions of Article 10, paragraph (5), and including corporation under liquidation, etc. if the approval has ceased to be effective pursuant to the provisions of Article 11, paragraph (2)) of and make public the cessation and revocation.

(4) When the approval has been revoked pursuant to the provisions of paragraph (2) (excluding the part related to item (iv)), the person who was an approved plan

implementer or their successor must suspend the use of the expired livestock barn, etc. and take security measures within one hundred twenty days from the day on which they received the notice referred to in the preceding paragraph, except when they have prepared a new livestock barns building and use plan for the expired barn, etc. and have obtained approval, when they have obtained authorization referred to in Article 10, paragraph (1) for the transfer of the expired livestock barn, etc., or when they have obtained confirmation from the prefectural governor that the expired livestock barn, etc. and their site actually conform to the Building Standards Act Order. In this case, the provisions of Article 7, Article 8, Article 10, paragraphs (1) and (4), Articles 12 through 14, the preceding Article (excluding paragraph (4)), the following Article, and Article 18 (including penal provisions related to these provisions) apply by deeming the person who was an approved plan implementer or their successor to be an approved plan implementer and by deeming the expired livestock barn, etc. to be an approved livestock barn, etc. until they prepare a new livestock barns building and use plan for the expired livestock barn, etc. and have obtained approval, until they have obtained approval referred to in paragraph (1) of that Article for the transfer of the expired livestock barn, etc., until they have obtained confirmation from the governor that the expired livestock barn, etc. and their site actually conform to the Building Standards Act Order, or until all of the expired livestock barn, etc. are destroyed due to removal or for other reasons.

Chapter IV Miscellaneous Provisions

(Indication of Approval at Construction Fields)

Article 17 (1) An executor of construction work for the building, etc. of an approved livestock barn, etc. must indicate the names or trade names of the approved plan implementer, designer, construction executor, and field manager of construction and the fact that the approval referred to in Article 3, paragraph (1) or the certification of change referred to in Article 4, paragraph (1) has been granted regarding the construction work at an easily visible place in the relevant construction field, in the form specified by Order of the competent ministry.

(2) The executor of the construction work of building, etc., of the approved livestock barn, etc., must keep design drawings related to the construction work in the relevant construction field.

(Measures for Approved Livestock Barns, Etc. under Construction)

Article 18 (1) In addition to the cases under the provisions of Article 15, paragraphs (1) through (3), if the prefectural governor finds that an approved livestock barn, etc. being used during the construction work of building, etc. or removal work are extremely detrimental to safety, fire prevention, or evacuation, the governor may order the approved plan implementer related to the approved livestock barn, etc. or the custodian or occupant of the approved livestock barn, etc. to prohibit or restrict the use of the approved livestock barn, etc. or to take other

necessary measures for safety, fire prevention, or evacuation, by setting a reasonable grace period.

(2) Article 15, paragraph (5) applies mutatis mutandis to the case referred to in the preceding paragraph.

(Calculation of Area and Height)

Article 19 The method of calculation of the site area, building area, floor area, height, and other matters concerning the scale of a livestock barn, etc. is specified by Order of the competent ministry.

(Advice or Assistance)

Article 20 (1) The prefectural governor may request necessary advice or assistance from competent minister concerning the enforcement of this Act.

(2) The competent minister may provide the prefectural governor with necessary recommendations, advice or assistance, or necessary reference materials concerning the enforcement of this Act.

(Reporting to the Competent Minister)

Article 21 The competent minister may request the prefectural governor to submit reports or materials necessary for the enforcement of this Act.

(Promotion of Dissemination of Livestock Barns, Etc. Using Wood)

Article 22 In implementing measures for the building, etc. of a livestock barn, etc., the Minister of Agriculture, Forestry and Fisheries and prefectural governor must consider to promote the widespread use of a livestock barn, etc. that utilizes domestic wood and other wood will be popularized, in light of the fact that the appropriate use of domestic wood contributes to the proper development and conservation of forests, the prevention of global warming, and the formation of a recycling society in Japan.

(Competent Minister)

Article 23 (1) The competent ministers in this Act are the Minister of Agriculture, Forestry and Fisheries and the Minister of Land, Infrastructure, Transport and Tourism.

(2) Order of the competent ministries in this Act is issued by the competent ministers.

(Delegation to Order of the Competent Ministry)

Article 24 In addition to what is provided for in this Act, matters necessary for the implementation of this Act are specified by Order of the competent ministry.

(Transitional Measures)

Article 25 If enacting, amending, or repealing an order based on the provisions of this Act, necessary transitional measures (including transitional measures concerning penal provisions) may be specified by the order to the extent considered reasonably necessary for the enactment, amendment, or repeal.

Chapter V Penal Provisions

Article 26 (1) If a person falls under one of the following items, the person committing the violation is subject to imprisonment for not more than one year or a fine of not more than one million yen:

(i) if a person has obtained the approval referred to in Article 3, paragraph (1), the approval of changes referred to in Article 4, paragraph (1), or the authorization referred to in Article 10, paragraphs (1) through (3) by deception or other wrongful means;

(ii) if a person has violated the provisions of Article 6, paragraph (2); or

(iii) if a person has violated the order under the provisions of Article 15, paragraphs (1) through (4), or Article 18, paragraph (1).

Article 27 (1) If Article 7, paragraph (1) is violated (limited to the violation of the part of the technical standards related to the requirements stated in Article 2, paragraph (3), item (i)), the designer of the approved livestock barn, etc. or their building equipment (if the construction work is executed without using the design drawings or without following the design drawings, the construction executor of the relevant approved livestock barn, etc. or their building equipment (if the relevant executor is a corporation, their representative) or their agent, employee, or other worker (referred to below as the "construction executor, etc.") who has committed the relevant violation is punished by imprisonment for not more than one year or a fine of not more than one million yen.

(2) If a violation prescribed in the preceding paragraph occurs, when the violation is caused intentionally by an approved plan implementer (if the relevant approved plan implementer is a corporation, their representative) or their agent, employee, or other worker (referred to below as an "approved plan implementer, etc." in this paragraph and Article 29, paragraph (2)), not only the relevant designer or construction executor, etc. is punished but also the relevant approved plan implementer, etc. is punished by the imprisonment or fine prescribed in the preceding paragraph.

Article 28 If Article 5, paragraph (1) or (3) is violated, the construction executor, etc. who has committed the relevant violation is punished by a fine of not more than one million yen.

Article 29 If Article 7, paragraph (1) is violated (excluding the violation of the part of the technical standards related to the requirements stated in Article 2, paragraph (3), item (i)), the designer of the approved livestock barn, etc. or their building equipment (if the construction work is executed without using the design drawings or without following the design drawings, the construction executor, etc. of the relevant approved livestock barn, etc. or their building equipment) who has committed the violation is punished by a fine of not more than one million yen.

(2) If a violation prescribed in the preceding paragraph occurs, when the violation is caused intentionally by the approved plan implementer, etc., the relevant

designer or construction executor, etc. is punished, but also the relevant approved plan implementer, etc. is punished by the fine prescribed in that paragraph.

Article 30 (1) If a person falls under one of the following items, the person committing the violation is punished by a fine of not more than five hundred thousand yen:

(i) if a person has failed to notify under the provisions of Article 6, paragraph (1) or has made a false notification;

(ii) if a person has failed to report under the provisions of Article 14, paragraph (1) or has made a false report;

(iii) if a person has failed to submit an item under the provisions of Article 14, paragraph (2), or has submitted a false item;

(iv) if a person has refused, obstructed, or evaded an inspection or test under the provisions of Article 14, paragraph (3), or has failed to answer or has given a false answer to a question under the provisions of that paragraph; or

(v) if a person has violated the provisions of Article 17, paragraph (1) or (2).

Article 31 If a representative of a corporation or the agent, employee, or other worker of a corporation or individual commits a violation referred to in Article 26 through the preceding Article in connection with the business of the corporation or individual, not only the offender is punished but also the corporation or individual is punished by the fine referred to in the relevant Article.

Article 32 A person who has failed to notify under the provisions of Article 9, paragraph (2) or Article 11, paragraph (1) or has made a false notification is punished by a civil fine of not more than one hundred thousand yen.

Supplementary Provisions

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

Supplementary Provisions (Act No.68 of June 17, 2022) (Extract)
(Effective Date)

(1) This Act comes into effect on the effective date of the Act Partially Amending the Penal Code and Related Acts, etc.; provided, however, that the provisions stated in the following items come into effect on the dates specified respectively in the items:

(i) the provisions of Article 509: the date of promulgation.