

Basic Act for Land

(Act No. 84 of December 22, 1989)

Chapter I General Provisions

(Purpose)

Article 1 The purpose of this Act is, by way of providing for the basic principles on land, clarifying the responsibilities of the State, local public entities, business operators and citizens with regard to the basic principles on land, and providing for the basic matters on measures concerning land, to comprehensively promote land measures for forming normal supply-and-demand relationships and reasonable land prices while securing proper land use, thereby contributing to improved stability in citizens' lives and the sound development of the national economy.

(Precedence of public welfare with regard to land)

Article 2 Considering that land has the characteristics of being related to public interest, such as the fact that it is a finite, precious resource for citizens both at present and in the future, that it is an indispensable basis for citizens' activities, that the use of a certain piece of land is closely linked with the use of other pieces of land, and that the value of land fluctuates mainly based on the trends of population and industry, trends of land use, the state of development of social infrastructure, and other social and economic conditions, public welfare shall take precedence with regard to land.

(Proper use and use in accordance with the plan)

Article 3 (1) Land shall be properly used according to the natural, social, economic and cultural conditions of its area.
(2) Land shall be used in accordance with the plan on land use, which has been formulated to achieve proper and reasonable land use.

(Restraint of speculative transactions)

Article 4 Land shall not be made subject to speculative transactions.

(Reasonable burden based on the profits pertaining to the increase in value)

Article 5 When the value of land increases due to changes in its area's social and economic conditions as prescribed in Article 2, the person entitled to the land shall be required to bear reasonable burden based on the profits pertaining to such increase in value.

(Responsibilities of the State and local public entities)

Article 6 (1) The State and local public entities shall be responsible for comprehensively formulating and implementing measures on land in conformity to the basic principles on land set forth from Article 2 to the preceding article inclusive (hereinafter referred to as the "Basic Principles on Land").

(2) The State and local public entities shall take appropriate measures to deepen citizens' understanding of the Basic Principles on Land through public relations and other activities.

(Responsibilities of business operators)

Article 7 (1) Business operators shall comply with the Basic Principles on Land when using and transacting in land (including acts that support such use or transactions).

(2) Business operators shall cooperate with the measures on land implemented by the State and local public entities.

(Responsibilities of citizens)

Article 8 (1) Citizens shall respect the Basic Principles on Land when using and transacting in land.

(2) Citizens shall endeavor to cooperate with the measures on land implemented by the State and local public entities.

(Legislative measures, etc.)

Article 9 The government shall take necessary legislative, fiscal and financial arrangements for implementing measures on land.

(Annual report, etc.)

Article 10 (1) Every year, the government shall submit to the Diet a report on the trends concerning land, including land prices, land uses and land transactions, and the basic measures it has implemented in relation to land.

(2) Every year, the government shall create a document clarifying the basic measures it intends to implement in consideration of the trends of land as it pertains to the report prescribed in the preceding paragraph, and submit this document to the Diet.

(3) When creating the document clarifying the basic measures it intends to implement prescribed in the preceding paragraph the government shall hear the opinions of the National Land Council.

Chapter II Basic Measures on Land

(Formulation, etc. of Land Use Plans)

Article 11 (1) In order to achieve proper and reasonable land use, the State and local public entities shall formulate necessary plans on land use (hereinafter referred to as "Land Use Plans") by taking into consideration natural, social, economic and cultural conditions including the future outlook of population and industry and trends of land use.

(2) In the case referred to in the preceding paragraph, the State and local public entities shall formulate the Land Use Plans in detail if they find it particularly necessary for an intensive use of land that attends to a favorable environment, proper conversion of land use, or formation or preservation of a favorable environment in consideration of the characteristics of the area, and they shall formulate the Land Use Plans by taking a wide area into view if they find it particularly necessary in consideration of a wide-area development of the social and economic activities in the area.

(3) In the case referred to in paragraph 1, the State and local public entities shall incorporate the opinions of the residents and other relevant persons.

(4) The State and local public entities shall change the Land Use Plans if they find it necessary in consideration of changes in the conditions prescribed in paragraph 1.

(Measures for ensuring proper land use)

Article 12 (1) In order to ensure an intensive use of land that attends to a favorable environment, proper changeover of land use, formation or preservation of a favorable environment, or other proper land use conducted in accordance with the Land Use Plans, the State and local public entities shall take appropriate measures to control land use as well as implement projects pertaining to the Land Use Plans and take other necessary measures.

(2) For taking the measures set forth in the preceding paragraph, the State and local public entities shall endeavor to secure land for public use, such as promoting the expansion of necessary public land.

(3) When taking the measures set forth in paragraph 1, the State and local public entities shall endeavor to achieve promotion of the supply of residential land in response to demand.

(Measures to control land transactions, etc.)

Article 13 In order to eliminate the adverse effects that speculative land transactions and steep rises in land prices have on citizens' lives and to contribute to the formation of reasonable land prices, the State and local public entities shall take measures to control land transactions and other necessary measures.

(Reasonable burden based on the profits associated with development of social infrastructure)

Article 14 Where a person entitled to land will enjoy extremely large profits in association with development of social infrastructure, if it is found appropriate in consideration of the characteristics of the area and other factors, the State and local public entities shall take necessary measures to impose a reasonable burden on such person with regard to the development of the social infrastructure, as based on the profits.

(Taxation measures)

Article 15 The State and local public entities shall, in conformity to the Basic Principles on Land and based on the measures on land, take reasonable taxation measures with regard to land while ensuring fair tax burden.

(Achieving reasonableness in public land appraisals, etc.)

Article 16 In order to contribute to the formation of reasonable land prices and achieve fairness in taxation, the State shall publicly notify the normal prices of land and endeavor to achieve balance and reasonableness in public land appraisals.

(Implementation of investigation, etc.)

Article 17 (1) In order to achieve comprehensive and efficient implementation of measures on land, the State and local public entities shall take necessary measures such as conducting investigations and collecting materials on the state of ownership and use of land, trends of land prices, and other matters.
(2) In order to contribute to the smooth implementation of measures on land, the State and local public entities shall endeavor to provide citizens with information on land, such as the state of ownership and use of land, trends of land prices and other matters, while giving consideration to the protection of rights and interests of individuals.

(Ensuring consistency in measures and adjustment of the administrative organization, etc.)

Article 18 (1) The State and local public entities shall cooperate with each other in taking measures on land and endeavor to ensure consistency in the measures.
(2) The State and local public entities shall endeavor to adjust the administrative organization and improve the administrative management from a comprehensive viewpoint in taking measures on land.

Chapter III Study and Deliberation, etc. by the National Land Council

(Study and deliberation, etc. by the National Land Council)

- Article 19 (1) The National Land Council shall study and deliberate matters concerning comprehensive and basic measures on land and basic matters on use of national land in response to the consultation of the Minister of Land, Infrastructure, Transport and Tourism.
- (2) The National Land Council may offer opinions on the matters prescribed in the preceding paragraph to the Minister of Land, Infrastructure, Transport and Tourism and to the head of any relevant administrative organ through the Minister of Land, Infrastructure, Transport and Tourism.
- (3) The head of a relevant administrative organ may seek the opinions of the National Land Council with regard to matters concerning comprehensive and basic measures on land that are under his or her jurisdiction and basic matters on use of national land that are under his or her jurisdiction.

Supplementary Provisions [Extract]

(Effective date)

- (1) This Act shall come into force as from the day of promulgation.