

# Outline of the Act on Promotion of Supply and Utilization of Low-Carbon Hydrogen and its Derivatives for Smooth Transition to a Decarbonized, Growth-Oriented Economic Structure [Hydrogen Society Promotion Act]

## Background and Overview of the Act

- ✓ The challenge we are facing is to advance green transformation (“GX”) in sectors that are hard to decarbonize, and to achieve stable energy supply, decarbonization, and economic growth at the same time, in the future, toward achieving “**carbon neutrality by 2050**”. **It is essential to promote the utilization of low carbon hydrogen, etc., while ensuring its safety, as key energy and raw materials for advancing GX** in these sectors.
- ✓ Therefore, in order to **promote the supply and use of low carbon hydrogen, etc. at an early stage, the national government will take the lead in formulating basic policies, establishing a business plan approval scheme** related to both supply and demand, and introducing **support measures and special regulatory measures for businesses that have received approval of the business plan**, as well as take **measures such as formulating standards that businesses supplying hydrogen, etc. should abide by** in order to increase the supply of low carbon hydrogen, etc.

## 1. Definition, Basic Policies, and Responsibilities of the National Government

### (1) Definition

“**Low-carbon hydrogen, etc.**”: hydrogen, etc. that meets the requirements specified by Order of the Ministry of Economy, Trade and Industry such as:

- (a) the amount of CO2 emitted during its production is less than a certain amount;
- (b) its utilization contributes to the reduction of CO2 emissions in Japan in light of international decisions on the calculation of CO2 emissions.

\* “Hydrogen, etc.”: hydrogen and its derivatives specified by Order of the Ministry of Economy, Trade and Industry (ammonia, e-methane, and e-fuels are assumed)

### (2) Formulation of Basic Policies

- After consulting with the heads of relevant administrative organs, the competent minister will formulate the **basic policies (“Basic Policies”)** for promoting the supply and utilization of low-carbon hydrogen, etc.
- Matters including (i) **objectives and goals** for the supply and utilization of low-carbon hydrogen, etc., (ii) **actions whose implementation should be prioritized toward the realization of GX**, and (iii) **initiatives aimed at self-reliant supply of low-carbon hydrogen, etc.** will be stated in the Basic Policies.

### (3) Responsibilities of the National Government, Local Governments, and Businesses

- **The national government** has **responsibilities to comprehensively and effectively advance measures** concerning the promotion of supply and utilization of low-carbon hydrogen, etc., and will conduct **the development of the necessary business environment** and take **support measures, such as review of regulations**.
- **Local governments will cooperate with the measures of the national government** and **advance measures** concerning the promotion of the supply and utilization of low-carbon hydrogen, etc.
- **Businesses will endeavor to actively conduct capital investment etc.** that contribute to the promotion of supply and utilization of low-carbon hydrogen, etc., while **ensuring safety**.

## 2. Establishment of the Business Plan Approval Scheme

### (1) Preparation of Business Plans

- **Businesses that plan to supply low-carbon hydrogen, etc. by producing it in Japan or importing it, and those that plan to use low-carbon hydrogen, etc. as energy and raw materials, will solely or jointly prepare the business plan** and submit it to the competent minister.

### (2) Approval Criteria

- The following criteria will be set for the aim of **creation and expansion of supply chains that are proactive and are expected to be self-reliant**.
  - (a) The plan is **economic and reasonable**, and **contribute to strengthening of the international competitiveness of Japanese industry** concerning the supply and utilization of low-carbon hydrogen, etc.
  - (b) If the applicant wishes to obtain “**support focusing on price difference**” or “**support for hub development**”,
    - (i) the plan must be **a joint plan jointly submitted by both the supplier and the users**;
    - (ii) the supply of low-carbon hydrogen, etc. **is expected to start within a certain period of time and expected to continue for a certain period of time or longer**; and
    - (iii) **the users** are expected to make **new capital investment or implement business innovation for utilizing** low-carbon hydrogen, etc.
  - (c) The ports and roads, etc. for which pipes or storage tanks, etc. will be installed **are appropriate in light of the port plans and the status of utilization of land such as road situations**. etc.

### (3) Measures for Approved Businesses

- (a) “**Support focusing on price difference**” and “**support for hub development**”  
(Subsidies will be provided by the Japan Organization for Metals and Energy Security (JOGMEC))  
**Subsidies will be provided for**
  - (i) **funds necessary for suppliers to continuously supply low-carbon hydrogen, etc.**, and
  - (ii) **installation of shared facilities to be used by the businesses under the approved business plan**.
- (b) **Special provisions on the High Pressure Gas Safety Act**  
**For facilities, etc. that are covered by the approved business plan**, the Minister of Economy, Trade and Industry will grant permits and conduct inspections, etc. on behalf of prefectural governors, in order to assure safety in an integrated manner, for a certain period of time.  
\* After a certain period of time has passed, a business can qualify as an Accredited Advanced Safety Inspector under the High Pressure Gas Safety Act (voluntary safety activities by the businesses).
- (c) **Special provisions on the Port and Harbor Act**  
With respect to **acts requiring permission or notification under the Port and Harbor Act** (such as occupation of water areas and building of new workplaces) to be conducted in accordance with the approved business plan, the **permission will be deemed to have been given and notification will be unnecessary**.
- (d) **Special provisions on road occupancy**  
When **an application for road occupancy** is filed for **pipes to be laid** in accordance with the approved business plan, **the road administrator** must grant permission **for occupancy** if certain criteria are met.

## 3. Formulation of Hydrogen, etc. Supply Business Conduct Standards

- In order to promote the supply of low-carbon hydrogen, etc., **the Minister of Economy, Trade and Industry** will **formulate standards** that **hydrogen suppliers** (business that supplies hydrogen, etc. by producing it in Japan or importing it) **should abide by (“Standards”)** and **encourage businesses to take voluntary initiatives to increase the supply of low-carbon hydrogen, etc.**
- If **the Minister of Economy, Trade and Industry** finds it necessary, the Minister may provide guidance and advice to suppliers of hydrogen, etc. In addition, when the acts conducted by **suppliers of hydrogen, etc. that are a certain size or larger are significantly insufficient**, the Minister may issue **a recommendation or an order** to those suppliers of hydrogen, etc.

Note: Review of **the desirable state of the measures for promoting the utilization of low-carbon hydrogen etc., in industry sectors including electricity, gas, oil, manufacturing, and transportation** will be taken and the necessary measures will be implemented accordingly.

# 脱炭素成長型経済構造への円滑な移行のための 低炭素水素等の供給及び利用の促進に関する法律【水素社会推進法】の概要

## 背景・法律の概要

- ✓ **2050年カーボンニュートラル**に向けて、今後、脱炭素化が難しい分野においてもGXを推進し、エネルギー安定供給・脱炭素・経済成長を同時に実現していくことが課題。こうした分野における**GXを進めるためのカギとなるエネルギー・原材料として、安全性を確保しながら、低炭素水素等の活用を促進することが不可欠。**
- ✓ このため、**国が前面に立って、低炭素水素等の供給・利用を早期に促進**するため、**基本方針の策定**、需給両面の**計画認定制度の創設**、**計画認定を受けた事業者に対する支援措置**や**規制の特例措置**を講じるとともに、低炭素水素等の供給拡大に向けて、**水素等を供給する事業者が取り組むべき判断基準の策定等の措置**を講じる。

## 1. 定義・基本方針・国の責務等

### (1) 定義

- 「**低炭素水素等**」：水素等であって、
    - ①その製造に伴って排出されるCO2の量が一定の値以下
    - ②CO2の排出量の算定に関する国際的な決定に照らしてその利用が我が国のCO2の排出量の削減に寄与する等の経済産業省令で定める要件に該当するもの
- ※「水素等」：水素及びその化合物であって経済産業省令で定めるもの（アンモニア、合成メタン、合成燃料を想定）

### (2) 基本方針の策定

- 主務大臣は、関係行政機関の長に協議した上で、低炭素水素等の供給・利用の促進に向けた**基本方針**を策定。
- 基本方針には、①低炭素水素等の供給・利用に関する**意義・目標**、②**GX実現に向けて重点的に実施すべき内容**、③**低炭素水素等の自立的な供給に向けた取組**等を記載。

### (3) 国・自治体・事業者の責務

- **国**は、低炭素水素等の供給・利用の促進に関する**施策を総合的かつ効果的に推進する責務**を有し、**規制の見直し等の必要な事業環境整備や支援措置**を講じる。
- **自治体**は、**国の施策に協力**し、低炭素水素等の供給・利用の促進に関する**施策を推進**する。
- **事業者**は、**安全性を確保**しつつ、低炭素水素等の供給・利用の促進に資する**設備投資等を積極的に行うよう努める**。

## 2. 計画認定制度の創設

### (1) 計画の作成

- **低炭素水素等を国内で製造・輸入して供給する事業者**や、**低炭素水素等をエネルギー・原材料として利用する事業者**が、**単独又は共同で計画を作成**し、主務大臣に提出。

### (2) 認定基準

- **先行的で自立が見込まれるサプライチェーンの創出・拡大**に向けて、以下の基準を設定。
  - ①計画が、**経済的かつ合理的**であり、かつ、低炭素水素等の供給・利用に関する**我が国産業の国際競争力の強化に寄与**するものであること。
  - ②「**価格差に着目した支援**」「**拠点整備支援**」を希望する場合は、
    - (i) **供給事業者と利用事業者の双方が連名となった共同計画**であること。
    - (ii) 低炭素水素等の供給が**一定期間内に開始され**、かつ、**一定期間以上継続的に行われる**と見込まれること。
    - (iii) **利用事業者**が、低炭素水素等を利用するための**新たな設備投資や事業革新等**を行うことが見込まれること。
  - ③ 導管や貯蔵タンク等を整備する港湾、道路等が、**港湾計画、道路の事情等の土地の利用の状況に照らして適切**であること。 等

### (3) 認定を受けた事業者に対する措置

- ①「**価格差に着目した支援**」「**拠点整備支援**」  
(JOGMEC（独法エネルギー・金属鉱物資源機構）による助成金の交付)
  - (i) **供給事業者が低炭素水素等を継続的に供給**するために**必要な資金**や、
  - (ii) **認定事業者の共用設備の整備**に充てるための**助成金を交付**する。
- ② **高压ガス保安法の特例**  
認定計画に基づく**設備等**に対しては、一定期間、**都道府県知事に代わり、経済産業大臣が一元的に保安確保のための許可や検査等を行う**。  
※ 一定期間経過後は、高压ガス保安法の認定高度保安実施者（事業者による自主保安）に移行可能。
- ③ **港湾法の特例**  
認定計画に従って行われる**港湾法の許可・届出を要する行為**（水域の占用、事業場の新設等）について、**許可はあったものとみなし、届出は不要とする**。
- ④ **道路占用の特例**  
認定計画に従って**敷設される導管**について**道路占用の申請**があった場合、一定の基準に適合するときは、**道路管理者は占用の許可を与えなければならないこととする**。

## 3. 水素等供給事業者の判断基準の策定

- **経済産業大臣**は、低炭素水素等の供給を促進するため、**水素等供給事業者**（水素等を国内で製造・輸入して供給する事業者）が**取り組むべき基準（判断基準）**を定め、**低炭素水素等の供給拡大に向けた事業者の自主的な取組を促す**。
- **経済産業大臣**は、必要があると認めるときは、**水素等供給事業者に対し指導・助言**を行うことができる。また、**一定規模以上の水素等供給事業者の取組が著しく不十分である**ときは、当該事業者に対し**勧告・命令**を行うことができる。

電気・ガス・石油・製造・運輸等の産業分野の低炭素水素等の利用を促進するための制度の在り方について検討し、所要の措置を講ずる。