

# OUTLINE OF THE HOT SPRING ACT

Act No. 125 of 1948

**Purpose:** To protect hot springs, prevent disasters caused by flammable natural gas resulting from the extraction or use of hot springs, and ensure the proper use of hot springs, thereby contributing to the enhancement of public welfare. (Article 1 of the Hot Spring Act)

**Definition:** A hot spring refers to “hot water, mineral water, water vapor, and other gases gushing out from underground (excluding natural gas whose primary component is hydrocarbons), that have temperature or substances listed in the appended table.” (Article 2 of the Hot Spring Act)

## Protection of hot springs, etc.

(Related to Chapter Two)

Licensing system of hot springs drilling, etc.

Measures to protect hot spring resources

The prefectural governor's permission must be obtained for drilling, additional drilling, and installation of powered equipment.

Prefectural governor's order to restrict hot spring extraction and to take measures to prevent the impact of drilling for other purposes.

## Prevention of disasters resulting from the extraction of hot spring

(Related to Chapter Three)

Licensing system for the extraction of hot springs containing flammable natural gas

The prefectural governor's permission must be obtained for the extraction of hot springs (excluding cases that received confirmation from the prefectural governor that the concentration of flammable natural gas does not require disaster prevention measures.)

## Use of hot springs

(Related to Chapter Four)

Licensing system for the public use of hot springs

Posting of composition of hot springs and contraindications, etc.

The designation of national recreational hot spring resorts

The permission of the prefectural governor or the mayor of the city with a public health center must be obtained when the hot spring is intended to be used for public bathing or drinking.

Facilities permitted to use hot springs are required to make a posting about the composition of hot springs and contraindications, etc.

The Minister of the Environment designates hot spring resorts as those that play an important role for health and rest of citizens.

(\*There are other provisions such as provisions on the conditions associated with the permission granted by prefectural governors, etc., collection of reports, on-site inspections, and penalties)

# 温泉法の概要

昭和23年法律第125号

**目的：**温泉を保護し、温泉の採取等に伴い発生する可燃性天然ガスによる災害を防止し、及び温泉の利用の適正を図り、もって公共の福祉の増進に寄与すること（温泉法第1条）。

**定義：**温泉とは「地中からゆう出する温水、鉱水及び水蒸気その他のガス（炭化水素を主成分とする天然ガスを除く。）で、別表に掲げる温度又は物質を有するもの」（温泉法第2条）。

## 温泉の保護等

（第二章関係）

温泉の掘削等の許可制

温泉資源の保護の措置

温泉の掘削・増掘、動力の装置は、都道府県知事の許可が必要

都道府県知事による温泉採取制限命令、他目的掘削の影響防止措置命令

## 温泉の採取に伴う災害の防止

（第三章関係）

可燃性天然ガスが含まれる温泉の採取の許可制

温泉の採取は、都道府県知事の許可が必要（可燃性天然ガスの濃度が災害防止措置を必要としないものとして都道府県知事の確認を受けた場合を除く）

## 温泉の利用

（第四章関係）

温泉の公共的利用の許可制

温泉の成分、禁忌症等の掲示

国民保養温泉地の指定

温泉を公共の浴用・飲用に供しようとする場合は、都道府県知事又は保健所設置市（区）長の許可が必要

利用の許可を得た施設では、温泉の成分・禁忌症等の掲示が必要

国民の保健休養に重要な役割を果たす温泉地として環境大臣が指定

（＊その他、都道府県知事等による許可の際の条件付与、報告徴収及び立入検査並びに罰則等の規定あり）