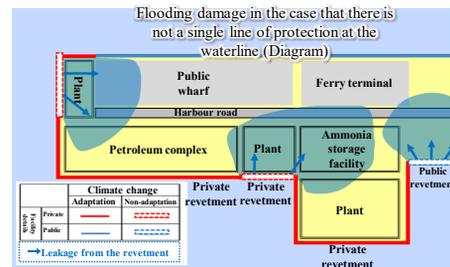


# The Act Partially Amending the Port and Harbour Act, etc.

## Background / Importance

### 1. Issues that became clear due to the 2024 Noto Peninsula Earthquake

- While the importance of the sea transport that is centered around ports and harbours was once again recognized, difficulty arose in the procurement of materials necessary for the emergency recovery of the port facilities due to the severance of land routes. Building a system to **ensure that the ability of ports and harbours to function as transport centers for emergency supplies during a disaster is quickly and reliably recovered** is critical.



### 2. Rise in sea levels accompanying climate change

- As a **rise in sea levels accompanying climate change** is currently predicted, due to the special nature of ports and harbours of being the location for various entities that face the waterline, **joint preparation** by public and private related parties are essential.

### 3. Lack of technical staff in port management bodies

- As the **aging and deterioration of the infrastructure of ports and harbours** progresses, for small and middle-sized port management bodies **the lack of technical staff is a serious problem**. It is becoming difficult to conduct the construction necessary to maintain the functions of the infrastructure of the port and harbours that support the region. Thus, it is important to **establish systems that can provide support** as necessary.

### 4. Promote the introduction of offshore wind power generation stations

- During the introduction of offshore wind power generation systems, **the schedules for the base ports and harbours necessary for the placement and supervision of offshore windmills are expected to become increasingly tight**. In order to **reliably achieve the target for the introduction of offshore wind power generation systems** toward the achievement of carbon neutrality in 2050, a system to **enable the efficient arrangement of the temporary use of the base ports and harbours** is necessary.

## Outline of the Act

### 1. Ensure the Functional Capability of Ports and Harbours to Serve as Transport Centers for Emergency Supplies, etc. and Other Functional Capabilities

- Establish a system (expropriation for emergency official use) that makes it possible for the port management bodies to use earth and stone possessed by others for the recovery of the facilities of the ports and harbours when it is unavoidable during a disaster
- Establish an agreement that allows the port management bodies to use privately owned port and harbour facilities to assist in strengthening the functional capability of ports and harbours to serve as transport centers for emergency supplies, etc. during disasters
- Expand the system in which the port management bodies give recommendations to the private port and harbour facilities (cargo handling facilities, etc.) that may represent a risk to the transport of emergency supplies, etc. in cases of collapses of those private facilities
- During a disaster, the national government provides necessary information to port management bodies regarding the need, etc. for port entry of assistance vessels, and other support



### 2. Protection (Collaborative protection) of Ports and Harbours to Respond to the Rise in Sea Levels Accompanying Climate Change

- Establish a system of planning of collaborative protection in order to promote public-private collaboration for efforts to protect ports and harbours from the rise in sea levels accompanying climate change through such efforts as elevating the revetment
- Concerning the abovementioned plan for collaborative protection, the port management bodies and the related companies will establish a collaborative protection committee
- In order to promote efforts based on the collaborative protection plan, an agreement system will be established, and other necessary actions will be taken



### 3. Construction works on behalf of port management bodies, etc. to Ensure the Functionality of Public Quay Walls, etc.

- Establish a system where the national government carries out port construction works which requires advanced technologies on behalf of port management bodies <budget>
- Establish a system where the national government exercises necessary authorities when it carries out port construction works based on discussions with port management bodies

### 4. Dealing with the Issues Involved in Promoting the Introduction of Offshore Wind Power Generation

- In order to conduct discussions related to the temporary use of base ports and harbours, a conference committee system will be established, along with other necessary measures

\*Necessary amendments will be conducted for application of 3. and 4. to Act on Port and Harbours Construction Conducted for the Development of Hokkaido and the Act on Special Measures for the Promotion and Development of Okinawa

#### [Targets / Effectiveness]

- Ensuring the functional capability of ports and harbours to serve as transport centers for emergency supplies, etc. and other functional capabilities, taking into account the Noto Peninsula Earthquake, efforts will be made to strengthen measures for disaster response for ports and harbours.
- (KPI) The revision rate (For major ports, strategic international hub ports and international hub ports) of the business continuity plans of ports and harbours that take into account the Noto Peninsula Earthquake and include disaster prevention: (Current) 0% to (FY2030) 100%
- Efforts will be made to promote the introduction of offshore wind power generation by increasing the efficiency of the use of important base ports and harbours, which is necessary for the installation and sustainable maintenance of offshore wind power generation facilities.
- (KPI) Project formation for achieving increases from Approximately 5.1 million kW (Currently) to 10 million kW by 2030, and to 30 million kW to 45 million kW by 2040

# ● 港湾法等の一部を改正する法律

## 背景・必要性

### 1. 令和6年能登半島地震で明らかになった課題

- 港湾を核とした海上輸送の重要性が再認識された一方で、陸路の寸断により港湾施設の応急復旧資材の調達等に困難が生じた。災害時における、**港湾の緊急物資等の輸送拠点としての機能を速やか、かつ確実に確保**するための体制構築が不可欠。

### 2. 気候変動に伴う海水面上昇

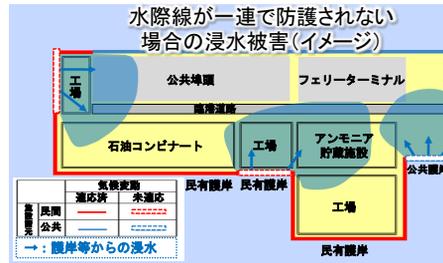
- 気候変動に伴う海水面上昇が予測される中、多様な主体が立地し、水際線に面するという港湾の特性上、官民の関係者の**協働による備え**が不可欠。

### 3. 港湾管理者の技術職員不足

- 港湾インフラの老朽化・陳腐化が進む中、中小港湾管理者においては、**技術職員不足が深刻化**。地域を支える港湾インフラの機能確保に係る**工事の実施が困難**となっており、必要に応じて**サポートする仕組み**が必要。

### 4. 洋上風力発電の導入促進に向けた課題

- 洋上風力発電の導入が進む中、洋上風車の設置・維持管理に必要な**基地港湾の利用スケジュールがさらに過密**になることが予見。2050年カーボンニュートラルの達成に向けた**洋上風力発電の導入目標を確実に達成**するため、**基地港湾の一時利用の調整を円滑に行うための仕組み**等が必要。



## 法律の概要

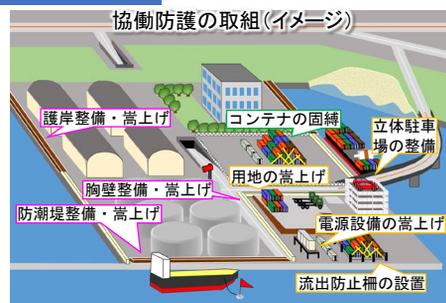
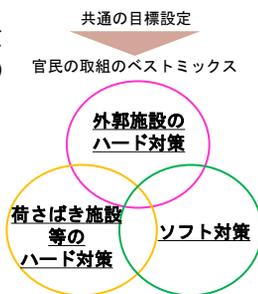
### 1. 緊急物資等の輸送拠点としての港湾機能の確保等

- 災害時やむを得ない場合、**港湾施設の応急復旧に他人の土石等を活用可能とする制度（応急公用負担）の創設**
- 緊急物資等の輸送拠点としての機能強化に資する**民有港湾施設を災害時に港湾管理者が使用することができる協定制度的創設**
- 倒壊した場合、緊急物資等の輸送に支障を及ぼす恐れのある**民間の港湾施設（荷さばき施設等）に対する港湾管理者による勧告制度の拡充**
- 災害時における国から**港湾管理者に対する支援船舶の入港需要等の必要な情報の提供**等



### 2. 気候変動に伴う海水面上昇に対応した港湾の保全（協働防護）

- 気候変動に伴う海水面の上昇から港湾の保全を図るための護岸の嵩上げ等といった、官民協働の取組を促進するための**協働防護計画制度の創設**
- 港湾管理者・立地企業等からなる同計画の作成・実施に関する**協働防護協議会の設置**
- 協働防護計画に基づく取組を促進するための**協定制度的創設**等



### 3. 公共岸壁等の適切な機能確保のための工事代行等

- 港湾管理者の要請に基づく、**国による高度な技術等を要する港湾工事の代行制度の創設** <予算>
- 国が港湾工事を行う場合において、港湾管理者と協議の上で、工事に必要な権限を代行する措置の創設

### 4. 洋上風力発電の導入促進に向けた課題への対応

- 基地港湾の一時的な利用に関する協議を行うための**協議会制度の創設**等

※ 3. 4. に関し、北海道港湾工事事法・沖振法にも適用するための所要の改正を併せて行う。

#### 【目標・効果】

- 能登半島地震を踏まえた緊急物資等の輸送拠点としての港湾機能の確保等により、港湾の防災対策の充実を図る。  
(KPI) 能登半島地震を踏まえた防災対策を含めた港湾BCPの改訂率（重要港湾以上）（現在）0%→（2030年度）100%
- 洋上風力発電設備の設置・維持管理に必要な基地港湾の利用の効率化等により、洋上風力発電の導入促進を図る。  
(KPI)（現在）約510万kW→2030年までに1,000万kW、2040年までに3,000万kW～4,500万kWの案件形成