

Outline of the Act to Partially Amend the Act on Development of Fishing Ports and Grounds, and the Fishery Industry Cooperative Association Act

Background

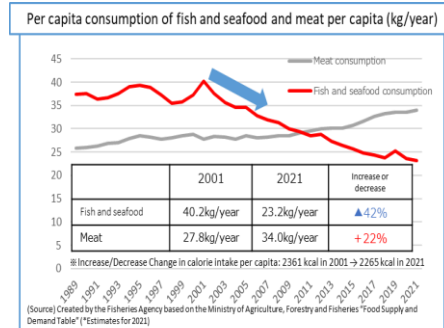
- In response to important issues such as the significant decrease in the consumption of marine products and poor catches of major species of fish, the following actions are necessary to grow the fishing industry and revitalize fishing communities by promoting the "umigyō (Projects that utilize the value and attractiveness of local resources in the sea and fishing villages) " at fishing ports, in order to ensure a stable supply of marine products to the public in the future.

1. Promoting Efforts to Increase Consumption of Marine Products at Fishing Ports

- Method to promote fishing ports is to be established, by utilizing their resources and capitalizing on their uniqueness their value and attractiveness, and by promoting efforts to increase consumption of marine products and promote exchanges, while maintaining a balance with fishing operations, on the premise that they are used for fishing operations.

2. Enhancing Fishing Port Functions

- Fishing port facilities are to be reviewed in order to address issues such as maintaining a stable supply through aquaculture, having advanced sanitary management for promoting export, etc. and strengthening sales functions.



Outline of the Act

Partial Amendment to the Act on Development of Fishing Ports and Grounds

1. Establishing Systems for Projects Utilizing Fishing Port Facilities

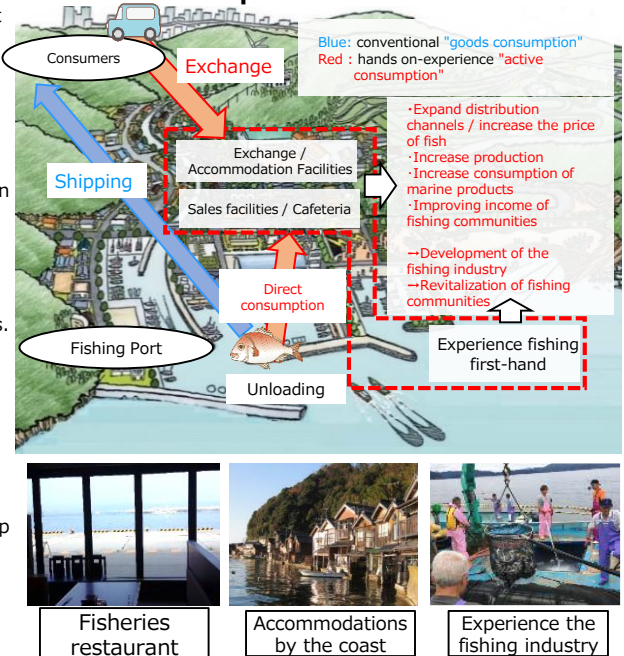
(1) Adding "promoting the utilization of fishing ports" in the purpose of the Act

- Adding "promoting the utilization of fishing ports" in the purpose of the Act and changing the name of the Act to "The Act on Development of Fishing Ports and Fishing Grounds" (Article 1)
- Adding particulars related to promoting projects utilizing fishing port facilities, etc. to the basic policy specified by the government (Article 40)

(2) Systems for Projects Utilizing Fishing Port Facilities

- In line with the basic policy, the fishing port managers can formulate a plan for promoting projects utilizing fishing port facilities, etc. (projects that contribute to promoting the consumption of marine products and the interaction of fishing communities and urbans by utilizing facilities and water in the fishing port facilities, waters and areas surrounding them, after securing their use for fishing operations) through coordination with relevant parties to secure fishing operations are conducted at fishing ports. (Article 4-3, Article 41)
- At fishing port where the fishing port manager formulated the plan for promoting projects, the business operators who are authorized to implement the promoting projects utilizing fishing port facilities by the manager receives the following new rights and status as follows to encourage the stable implementation of the project:
 - the rental of fishing port facilities (for up to 30 years), which are government property; and
 - the establishment of rights to operate the water in the fishing port (for up to 10 years, renewable); and
 - permission for the long-term exclusive use of the water (for up to 30 years)
 (Article 4-3, Article 39, Article 44, Article 48, Article 57)

Example of a project utilizing fishing port facilities



2. Reviewing Fishing Port Facilities

- Regarding "fishing port facilities" that constitute the functions of a fishing port, such as breakwaters, quays, and fish handling facilities, land-based aquaculture facilities, work facilities for delivery, wholesale brokerage facilities, direct sales stores, fuel supply facilities, etc., are added in order to respond to promote aquaculture, advancement of sanitary management, and enhancement of sales functions. (Article 3)
- Establish a system to designate organizations that maintain and manage fishing ports in cooperation with fishing port managers. (Articles 61 through 65)



Partial Amendment to the Fishery Industry Cooperative Association Act

- When fishery cooperative associations, etc. implements a project utilizing fishing port facilities, etc., they are exempted from the restrictions on using non-partner related to the workers included its workforce. (Article 11, Article 87)

Effective Date

The date specified by Cabinet Order within a period not exceeding one year from the day of promulgation

背景

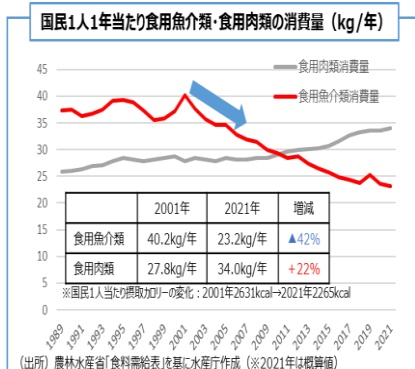
- 水産物消費の大幅な減少、主要魚種の不漁等の重要な課題に対し、漁港における「海業」の推進等により、水産業の発展及び漁業地域の活性化を図り、将来にわたって国民に水産物を安定的に供給していくため、以下の対応が必要。

1. 漁港における水産物の消費増進等のための取組の推進

- 漁港について、漁業上の利用を前提として、その価値や魅力を活かし、水産物の消費増進や交流促進に寄与する取組を、漁業利用との調和を図りつつ推進する仕組みを構築。

2. 漁港の機能強化

- 養殖による安定供給、輸出促進等に向けた衛生管理の高度化、販売機能の強化等の課題に対応できるよう、漁港施設を見直し。



法律の概要

漁港漁場整備法の一部改正

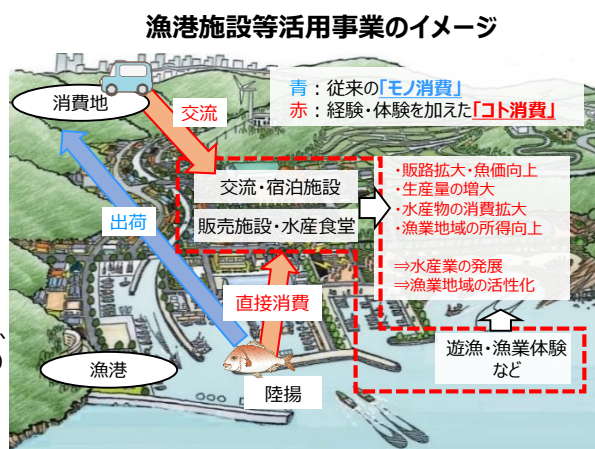
1. 漁港施設等活用事業制度の創設

① 法目的に「漁港の活用促進」を追加

- 目的規定に「漁港の活用促進」を追加し、法律名を「漁港及び漁場の整備等に関する法律」とする。(第1条)
- 国が定める基本方針に、漁港施設等活用事業の推進等に関する事項を追加。(第40条)

② 漁港施設等活用事業制度

- 漁港管理者は、基本方針に即して、漁港の漁業上の利用を確保するための関係者との調整等を経て、漁港施設等活用事業（漁業上の利用を確保した上で、漁港施設、水面等を活用して水産物の消費増進や交流促進に寄与する事業）の推進に関する計画を策定できる。(第4条の2、第41条)
- 上記推進計画が策定された漁港において、漁港管理者の認定を受けて漁港施設等活用事業を実施する者に対し、事業を安定的に実施するための新たな権利・地位として、
 - ・ 行政財産である漁港施設の貸付（最大30年）や、
 - ・ 漁港水面施設運営権（最大10年、更新可）の設定
 - ・ 水面等の長期占用（最大30年）を可能とする。(第4条の3、第39条、第44条、第48条、第57条)



2. 漁港施設の見直し等

- 防波堤、岸壁、荷さばき所等の漁港の機能を構成する「漁港施設」について、養殖の推進、衛生管理の高度化、販売機能の強化等に対応するため、陸上養殖施設、配送用作業施設、仲卸施設、直売所、燃料供給施設等を追加。(第3条)
- 漁港管理者と協力して漁港の維持管理等を行う団体を指定する制度を創設。



(第61条～第65条)

水産業協同組合法の一部改正

- 漁業協同組合等が漁港施設等活用事業を実施する場合、組合員の労働力に係る員外利用制限の対象外とする。(第11条、第87条)

施行期日

公布の日から起算して1年を超えない範囲内において政令で定める日