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This English translation of the Plant Protection Act has been prepared (up to the revisions of Act No.102 of 2005 (Effective October 1, 2007)) in compliance with the Standard Bilingual Dictionary (March 2007 edition).

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## **Plant Protection Act (Act No. 151 of May 4, 1950)**

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### **Chapter I General Provisions**

#### **Article 1 (Purpose of Act)**

The purpose of this Act is to quarantine imported and export plants, and domestic plants, and to control animals and plants injurious to plants, and to prevent them from spreading and thereby ensure the safety and promotion of agricultural production.

#### **Article 2 (Definition)**

- (1) “Plant” as used in this Act means plants that belong to flowering plants, pteridophytes or bryophytes (including their parts, seeds, fruits and processed goods such as straw mat or straw bale or other similar products), excluding

injurious plants under the following paragraph.

- (2) "Injurious plant" as used in this Act means fungus, slime mold, bacterium, parasitic plant and virus that are injurious to useful plants directly or indirectly.
- (3) "Injurious animal" as used in this Act means insect, arthropod such as mite, invertebrate such as nematode, or vertebrate that are injurious to useful plants.
- (4) "Pest forecasting program" as used in this Act means program carried out for the purpose of timely and economical control of injurious plants or injurious animals by surveying the multiplication of injurious plants or injurious animals, weather, growth of crops or other, so as to reconnoiter the prevalence of damage to crops caused by injurious animals or injurious plants and to provide persons concerned with information based on such a survey.

**Article 3 (Plant Protection Officer and Plant Protection Staff)**

- (1) A plant protection officer shall be established in the Ministry of Agriculture, Forestry and Fisheries for the purpose of engaging in the quarantine or control set forth in this Act,
- (2) Plant protection staff may be established in the Ministry of Agriculture, Forestry and Fisheries for assisting work of quarantine or control conducted by the plant protection officer.
- (3) The plant protection staff shall be a part-time employee.

**Article 4 (Authority of Plant Protection Officer)**

- (1) In the event that the plant protection officer considers that there are plants, containers or packages to which injurious animals or injurious plants could be attached, he/she may enter sites, storage places, warehouses, offices, vessels, vehicles or aircraft, and inspect such plants, containers, packages or other, question the persons concerned, or collect such plants, containers or packages without compensation, up to a minimum quantity that is necessary for inspection.
- (2) In the event that the plant protection officer decides as a result of the inspection pursuant to the provision of the preceding paragraph that there are injurious animals or injurious plants and that it is necessary to perform disinfestation or prevent their spread, he/she may order persons who own or administrate such plants, containers or packages, sites, storage places, warehouses, offices, vessels, vehicles or aircraft to disinfect them.
- (3) In the case of the preceding paragraph, the provision of paragraph 1 of Article 20 shall apply *mutatis mutandis*.
- (4) The authority of on-site inspection, questions and collections pursuant to the provision of paragraph 1 shall not be construed as being part of a criminal investigation.

**Article 5 (Carrying of Identification Card and Uniform)**

- (1) When a plant protection officer or a plant protection staff executes his/her duties under this Act, he/she shall carry his/her identification card that shows his/her status, and shall produce it when he/she exercises authority pursuant to the provision of paragraph 1 of the preceding Article, or when he/she is so requested by the person concerned.
- (2) The uniform of the plant protection officer shall be specified by the Minister of Agriculture, Forestry and Fisheries.

**Chapter II International Plant Quarantine**

**Article 5-2 (Quarantine Pest)**

- (1) “Quarantine Pest” as used in this Chapter means injurious animals or injurious plants that could do harm to useful plants in case of spreading, and are provided for in the Ordinance of the Ministry of Agriculture, Forestry and Fisheries as those that fall under any of the following categories:
  - (i) A pest not confirmed to present in Japan.
  - (ii) A pest present in a part of Japan and for which pest outbreak forecasting program and other measures necessary for control is being officially undertaken by the national government.
- (2) In the event that the Minister of Agriculture, Forestry and Fisheries intends to provide an Ordinance of the Ministry of Agriculture, Forestry and Fisheries pursuant to the provision of the preceding paragraph, he/she shall hold a public hearing in advance and hear the opinion of interested persons and persons with relevant knowledge and experience.

**Article 6 (Restrictions on Importation)**

- (1) Imported plants (excluding plants that are not used for cultivation and provided for in the Ordinance of the Ministry of Agriculture, Forestry and Fisheries as those with little possibility of Quarantine Pests being attached: hereinafter the same shall apply in this paragraph and the following paragraph) and their containers or packages shall not be imported, except for those to which a phytosanitary certificate, or its copy, issued by a governmental organization of the exporting country is attached, which states to the effect that it is confirmed or believed that a Quarantine Pest is not attached to them as a result of inspection by such organization; however, this shall not apply to the following plants and their containers or packages:
  - (i) Plants and their containers or packages that are imported from countries having no governmental organizations for plant quarantine, for which particularly careful inspection is carried out pursuant to the provision of this Chapter;

- (ii) Plants and their containers or packages that are imported from countries provided for in the Ordinance of the Ministry of Agriculture, Forestry and Fisheries, for which matters to be stated in the phytosanitary certificate or its copy are transmitted from the governmental organization of such countries to an electronic computer used by the plant protection station (including input and output devices) by way of a telecommunications line and are recorded in a file stored in such electronic computer.
- (2) Plants sent from areas provided for in the Ordinance of the Ministry of Agriculture, Forestry and Fisheries, for which it is provided for in the Ordinance of the Ministry of Agriculture, Forestry and Fisheries that they need to be inspected at their place of cultivation for the purpose of properly executing the inspection pursuant to the provision of paragraph 1 of Article 8, shall not be imported except for those to which an inspection certificate, or its copy, issued by a governmental organization of the exporting country is attached, which states to the effect that it is confirmed or believed that a Quarantine Pest provided for in the Ordinance of the Ministry of Agriculture, Forestry and Fisheries is not attached to them as a result of the inspection carried out by such organization at their place of cultivation. In this case, the provision of the proviso of said paragraph (excluding item (i)) shall apply *mutatis mutandis*.
- (3) Plants and import-prohibited articles listed in paragraph 1 of the following Article shall not be imported at any place other than ports and airports provided for in the Ordinance of the Ministry of Agriculture, Forestry and Fisheries, except for cases in which they are imported as postal items.
- (4) Plants and import-prohibited articles listed in paragraph 1 of the following Article shall not be imported as small packages and postal items other than parcel post or correspondence mail set forth in paragraph 3 of Article 2 of the Act Concerning Service of Correspondence by Private Proprietors (Act No. 99 of 2002) (referred to in the following paragraph as the “Correspondence Mail”).
- (5) Any person who has received plants or import-prohibited articles listed in paragraph 1 of the following Article as small packages and postal items other than parcel post or Correspondence Mail shall notify the plant protection station without delay with the actual item attached.
- (6) In the event that the Ordinance of the Ministry of Agriculture, Forestry and Fisheries under the main clause of paragraph 1 or paragraph 2 is provided for, the provision of paragraph 2 of the preceding Article shall apply *mutatis mutandis*.

**Article 7 (Prohibition on Importation)**

- (1) Any person shall not import goods listed in the following (hereinafter referred to as the “import-prohibited article”); however, this shall not apply if the permission of the Minister of Agriculture, Forestry and Fisheries is obtained for use in test

and research and for other special purposes provided for in the Ordinance of the Ministry of Agriculture, Forestry and Fisheries:

- (i) Plants that are sent from areas provided for in the Ordinance of the Ministry of Agriculture, Forestry and Fisheries or those sent by way of such areas and which are provided for in the Ordinance of the Ministry of Agriculture, Forestry and Fisheries;
  - (ii) Quarantine Pests;
  - (iii) Soil or plants to which soil is attached;
  - (iv) Containers or packages of goods listed in each of the foregoing items.
- (2) In the event that permission under the proviso of the preceding paragraph is granted, the importation shall be accompanied by a document which certifies that permission under said paragraph has been granted.
- (3) The method of importation, method of administration after importation and other necessary conditions may be attached to the permission under the proviso of paragraph 1.
- (4) In the event that the Ordinance of the Ministry of Agriculture, Forestry and Fisheries under item (i) of paragraph 1 is provided for, the provision of paragraph 2 of Article 5-2 shall apply *mutatis mutandis*.

**Article 8 (Inspection of Imported Plants)**

- (1) Any person who has imported plants or the import-prohibited articles shall notify the plant protection station of such circumstances without delay and shall receive an inspection by the plant protection officer on whether or not such plants or the import-prohibited articles and their containers or packages violate, as they are in their present state, the provision of paragraphs 1 and 2 of Article 6, whether or not they are the import-prohibited articles and whether or not they contain quarantine pests (excluding quarantine pests designated by the Minister of Agriculture, Forestry and Fisheries; the same shall apply in this Article and the following Article); however, this shall not apply if they have received an inspection pursuant to the provision of paragraph 3 or they are imported as postal items.
- (2) The inspection under the preceding paragraph shall be carried out at the place in the port or airport under paragraph 3 of Article 6 designated by the plant protection officer.
- (3) In the event that the plant protection officer deems necessary, he/she may inspect imported plants and containers or packages in vessels or aircraft prior to importation.
- (4) In the event that Japan Post Holdings Co., Ltd. accepts small packages or parcel post that contain or could be suspected to contain plants or import-prohibited articles at its offices where customs clearance formalities are carried out, it shall notify the plant protection station of such circumstances without delay.

- (5) When notice under the preceding paragraph is given, the plant protection officer shall inspect the small packages or parcel post under said paragraph. In this case, if it is necessary for the inspection, such postal items may be opened in the presence of employees of Japan Post Holdings Co., Ltd.
- (6) Any person who has received small packages or parcel post that have not received an inspection under the preceding paragraph and that contain plants, shall notify the plant protection station of such circumstances with such postal items without delay and shall receive an inspection by the plant protection officer.
- (7) With regard to seeds and seedlings provided for in the Ordinance of the Ministry of Agriculture, Forestry and Fisheries, if the plant protection officer still deems it necessary to judge, after the inspection pursuant to the provision of paragraphs 1, 3 and 5 or the preceding paragraph, whether or not Quarantine Pests are present, he/she may order the owner of such plants to carry out an isolated culture and may inspect them at the place of cultivation or may carry out an isolated culture for himself/herself as provided for in the Ordinance of the Ministry of Agriculture, Forestry and Fisheries.

**Article 9** (Action such as destruction or disinfection.)

- (1) In the event that a Quarantine Pest is found as a result of the inspection pursuant to the preceding Article, the plant protection officer shall disinfect or destroy such plants and containers or packages, or shall order the person who owns or administrates them to disinfect or destroy them in the presence of the plant protection officer.
- (2) The plant protection officer may destroy plants and containers or packages that have been imported in violation of the provision of paragraph 1 through to paragraph 5 of Article 6, or paragraph 1 or 6 of Article 8, or may order the person who is in possession of them to destroy them in the presence of the plant protection officer. In the event of a violation against the order of isolated culture pursuant to the provision of paragraph 7 of Article 8, the same shall apply to plants pertaining to such violation.
- (3) In the event that there are the import-prohibited articles imported in violation of the provision of Article 7, the plant protection officer shall destroy them.
- (4) In the event that the plant protection officer judges, as a result of the inspection pursuant to the preceding Article, that such plants and containers or packages do not violate the provision of paragraphs 1 and 2 of Article 6, do not fall under the Prohibited Imports nor contain any Quarantine Pests, he/she shall certify that they pass the inspection.

**Article 10** (Inspection of Exporting Plants)

- (1) Any person who intends to export plants and their containers or packages for

which an importing country requires an inspection certificate of an exporting country when they are imported, shall receive an inspection of the plant protection officer to the effect that such plants and their containers or packages conform to the requirements of such importing country and shall not export them unless they pass such inspection.

- (2) The inspection under the preceding paragraph shall be carried out at the plant protection station; however, in the event that the plant protection officer deems necessary, the inspection may be carried out at the location of such plants.
- (3) Plants for which the importing country requires an inspection at the place of cultivation when they are imported and other plants provided for in the Ordinance of the Ministry of Agriculture, Forestry and Fisheries, shall not receive an inspection under paragraph 1 unless they are inspected by the plant protection officer at the place of cultivation in advance and pass such inspection.
- (4) In the event that it is necessary to comply with the request of the importing country, the plant protection officer may further inspect the plants etc. that have received an inspection under paragraph 1.

**Article 11 (Provisions for Delegation)**

- (1) In addition to what is provided for in this Chapter, the procedures and method of inspection, and the standards for dispositions that are rendered on the basis of the result of the inspection, shall be prescribed and publicly announced by the Minister of Agriculture, Forestry and Fisheries.
- (2) In the case of the preceding paragraph, the provision of paragraph 2 of Article 5-2 shall apply *mutatis mutandis*.

**Chapter III Domestic Plant Quarantine**

**Article 12 (Domestic Quarantine)**

For the purpose of preventing the spread of injurious animals or injurious plants that are newly introduced in Japan or that already occur in a part of Japan, the Minister of Agriculture, Forestry and Fisheries shall execute the quarantine pursuant to the provision of this Chapter.

**Article 13 (Inspection of Seeds and Seedlings)**

- (1) Persons who produce plants that are designated by the Minister of Agriculture, Forestry and Fisheries and are used for propagation (hereinafter referred to as “Designated Seeds and Seedlings”) (hereinafter referred to as “Seed and Seedling Producer”), shall receive inspections of the plant protection officer annually in respect of the Designated Seeds and Seedlings produced by them at the place, and during the period, of cultivation.

- (2) In the event that the plant protection officer considers that the purpose of disinfection or prevention of spread of injurious animals or injurious plants cannot be achieved solely by inspection under the preceding paragraph, he/she may also carry out an inspection of the Designated Seeds and Seedlings prior to cultivation or after harvesting.
- (3) In the event that the plant protection officer considers, based on the result of the inspection pursuant to the provision of paragraph 1 or the preceding paragraph, that there are no injurious animals or injurious plants designated by the Minister of Agriculture, Forestry and Fisheries in the Designated Seeds and Seedlings, he/she shall issue a certificate to such Seed and Seedling Producer.
- (4) Designated Seeds and Seedlings shall not be assigned, commissioned to assign nor transferred outside the prefecture to which the place of cultivation, where such inspection has been received, except for those to which a certificate under the preceding paragraph, its authentic copy or extract copy issued by the plant protection officer is attached.
- (5) In the event that the plant protection officer considers as a result of the inspection pursuant to the provision of paragraph 1 or 2 that there are injurious animals or injurious plants under paragraph 3, he/she shall suspend the inspection and instruct matters, which he/she deems necessary for disinfection of such injurious animals or injurious plants or prevention of their spread, to such Seed and Seedling Producer orally or in writing.
- (6) In the event that the Seed and Seedling Producer who has received the instruction under the preceding paragraph has undertaken necessary disinfection and prevention in accordance with such instruction, he/she may apply to the plant protection officer to continue the inspection set forth in paragraph 1 or 2 in respect of such Designated Seeds and Seedlings.
- (7) In the event that designation under paragraph 1 is to be made, the provision of paragraph 2 of Article 5-2 shall apply *mutatis mutandis*.

**Article 14 (Disposition of Dumping)**

The plant protection officer may order persons who possess Designated Seeds and Seedlings that are assigned, commissioned to assign or transferred in violation of the provision of paragraph 4 of the preceding Article, to dump them or may dump them himself/herself.

**Article 15 (Collection of Fee and Provisions for Delegation)**

- (1) The Minister of Agriculture, Forestry and Fisheries may collect a fee, the amount of which is provided for in the Ordinance of the Ministry of Agriculture, Forestry and Fisheries within a scope not exceeding the actual cost of inspection, from persons who receive an inspection pursuant to the provision of paragraph 1 of



Article 13.

- (2) The provision of Article 11 shall apply mutatis mutandis to the inspection under paragraph 1 or 2 of Article 13.

**Article 16 (Exclusion from Application)**

The provisions of Article 12 through to the preceding Article shall not apply to Designated Seeds and Seedlings listed as follows:

- (i) Designated Seeds and Seedlings that are produced in an area designated by the Minister of Agriculture, Forestry and Fisheries;
- (ii) Designated Seeds and Seedlings that are produced by the prefecture or the National Center for Seeds and Seedlings, Incorporated Administrative Agency, and are inspected by these bodies in accordance with the standards provided for by the Minister of Agriculture, Forestry and Fisheries;
- (iii) Designated Seeds and Seedlings that are produced by the Seed and Seedling Producer within the area of the same prefecture for their own use for breeding.

**Article 16-2 (Restrictions on Transfer of Plants, etc.)**

- (1) Plants within an area provided for in the Ordinance of the Ministry of Agriculture, Forestry and Fisheries that are provided for in the Ordinance of the Ministry of Agriculture, Forestry and Fisheries as those for which it is necessary to restrict their transfer to other areas for the purpose of preventing the spread of injurious animals or injurious plants and their containers or packages, shall not be transferred to other areas, except for cases provided for in the Ordinance of the Ministry of Agriculture, Forestry and Fisheries, unless a representation to the effect that the plant protection officer judges, based on the result of an inspection carried out by him/her that no injurious animals or injurious plants are attached, or that he/she has disinfected them in accordance with the standards provided for in the Ordinance of the Ministry of Agriculture, Forestry and Fisheries, is attached to them as provided for in the Ordinance of the Ministry of Agriculture, Forestry and Fisheries.
- (2) In the event that the Ordinance of the Ministry of Agriculture, Forestry and Fisheries under the preceding paragraph is to be provided for, the provision of paragraph 2 of Article 5-2 shall apply mutatis mutandis.

**Article 16-3 (Prohibition on Transfer of Plants, etc.)**

- (1) Plants, injurious animals or injurious plants or soil within an area provided for in the Ordinance of the Ministry of Agriculture, Forestry and Fisheries that are provided for in the Ordinance of the Ministry of Agriculture, Forestry and Fisheries as those for which it is necessary to prohibit their transfer to other areas for the purpose of preventing the spread of injurious animals or injurious plants

and their containers or packages, shall not be transferred to other areas; however, this shall not apply if the permission of the Minister of Agriculture, Forestry and Fisheries is obtained for use in test and research.

- (2) In the event that the Ordinance of the Ministry of Agriculture, Forestry and Fisheries under the preceding paragraph is to be provided for, the provision of paragraph 2 of Article 5-2 shall apply mutatis mutandis, and in the case of the proviso of the preceding paragraph, the provision of paragraphs 2 and 3 of Article 7 shall apply mutatis mutandis.

**Article 16-4 (Prohibition on Loading of Vessels and Vehicles)**

In the event that the plant protection officer deems necessary for the prevention of the transfer of plants, injurious animals or injurious plants or soil and their containers or packages in violation of the provision of paragraph 1 of Article 16-2 or paragraph 1 of the preceding Article, he/she may order persons who own or administrate these articles not to load nor bring these articles on or in vessels, vehicles or aircraft, or to unload these articles loaded or brought on or in vessels, vehicles or aircraft.

**Article 16-5 (Disposition of Dumping)**

The plant protection officer may order persons who possess plants, injurious animals or injurious plants or soil and their containers or packages that have been transferred in violation of the provision of paragraph 1 of Article 16-2 or paragraph 1 of Article 16-3 to dump them, or may dump them for himself/herself.

**Chapter IV Emergency Action**

**Article 17 (Control)**

- (1) If injurious animals or injurious plants that are newly introduced in Japan or that already occur in a part of Japan could spread and do serious damage to useful plants, or if the export of useful plants could be interfered with by injurious animals or injurious plants, and in the event that the Minister of Agriculture, Forestry and Fisheries deems necessary for their disinfection or prevention of their spread, he/she shall carry out the control pursuant to the provision of this Chapter; however, this shall not apply if the control for forest pests, etc. is carried out pursuant to the provision specified separately by an act.
- (2) In the event that the Minister of Agriculture, Forestry and Fisheries carries out the control pursuant to the provision of the preceding paragraph, he/she shall notify the following items publicly no later than thirty days prior to the implementation:
- (i) Area and period for control;

- (ii) Kinds of injurious animals or injurious plants;
- (iii) Details of control;
- (iv) Other necessary items.

**Article 18 (Details of Control)**

- (1) The Minister of Agriculture, Forestry and Fisheries may issue an order listed in each of the following items to the extent necessary for carrying out the control under paragraph 1 of the preceding Article:
  - (i) To restrict or prohibit persons, who cultivate plants to which injurious animals or injurious plants are attached or could be attached, from cultivating such plants;
  - (ii) To restrict or prohibit the assignment or transfer of plants, containers or packages to which injurious animals or injurious plants are attached or could be attached;
  - (iii) To order persons, who own or administrate plants, containers or packages to which injurious animals or injurious plants are attached or could be attached, to take measures for disinfection, removal, dumping or other;
  - (iv) To order persons, who own or administrate articles such as agricultural instruments, conveyers or facilities such as warehouses to which injurious animals or injurious plants are attached or could be attached, to take measures for disinfection or other.
- (2) In the case of paragraph 1 of the preceding Article and if no time for complying with the provision of paragraph 2 of said Article is available by reason of emergency action, the Minister of Agriculture, Forestry and Fisheries may, to the extent necessary for such necessity, issue an order under item (iii) of the preceding paragraph or cause the plant protection officer to take measures for disinfection, removal, dumping or other in respect of plants, containers or packages to which injurious animals or injurious plants are attached or could be attached.

**Article 19 (Instruction for Cooperation)**

- (1) In the event that it is necessary for carrying out the control under paragraph 1 of Article 17, the Minister of Agriculture, Forestry and Fisheries may instruct local governments, bodies organized by agricultural workers or pest control enterprises to cooperate with undertakings relating to the control.
- (2) In the case of the preceding paragraph, a written instruction for cooperation shall be issued.
- (3) In the event that the control is carried out in accordance with the instruction pursuant to the provision of paragraph 1, the national government shall compensate the cost.

**Article 20 (Compensation for Loss)**

- (1) The national government shall compensate persons who have suffered a loss by reason of the disposition under Article 18 for the loss that normally arises from such disposition.
- (2) Persons who intend to receive compensation pursuant to the preceding paragraph shall submit a written application, in which the estimated amount for compensation is described, to the Minister of Agriculture, Forestry and Fisheries.
- (3) In the event that an application under the preceding paragraph is made, the Minister of Agriculture, Forestry and Fisheries shall decide the amount to be compensated and notify such applicant without delay.
- (4) When the Minister of Agriculture, Forestry and Fisheries decides the amount of compensation pursuant to the provision of the preceding paragraph, he/she shall select three appraisers including at least one agricultural worker from the area and hear the opinion of such persons.
- (5) The disposition to be accompanied by the compensation pursuant to the provision of paragraph 1 shall be rendered within a scope in which the total amount of compensation which becomes necessary by reason of such disposition does not exceed the amount of budget that is approved by the Diet.
- (6) Any person who is dissatisfied with the decision of the amount of compensation under paragraph 3 may demand to increase such amount by an action within six months after the day on which he/she receives a notice of such decision.
- (7) In the action under the preceding paragraph, the national government shall be the defendant.

**Article 21 (Obligation of Report)**

In the event that the prefectural governor recognizes that injurious animals or injurious plants that are newly introduced in Japan or that already occur in a part of Japan could spread and do material harm to useful plants, he/she shall report such circumstance to the Minister of Agriculture, Forestry and Fisheries.

**Chapter V Control of Specified Pests**

**Article 22 (Specified Pest)**

“Specified Pests” as used in this Chapter and the next Chapter means injurious animals or injurious plants that are specified by the Minister of Agriculture, Forestry and Fisheries as those for which special measures are required for their control since their distribution in Japan is not localized, and they spread quickly and tend to do material harm to crops.

**Article 23 (Prevalence Reconnaissance Business by the National Government)**

- (1) The Minister of Agriculture, Forestry and Fisheries shall carry out Prevalence Reconnaissance Business in respect of the Specified Pests.
- (2) The prefecture shall cooperate with the Prevalence Reconnaissance Business under the preceding paragraph in accordance with the plan established by the Minister of Agriculture, Forestry and Fisheries upon obtaining the consent of the prefecture.

**Article 24** (Plan for Control)

- (1) In the event that the Minister of Agriculture, Forestry and Fisheries deems necessary on the basis of materials obtained as a result of the execution of the Prevalence Reconnaissance Business under paragraph 1 of the preceding Article or taking other circumstances into consideration, he/she shall establish a broad outline of a plan that constitutes the base of control of the Specified Pests to be carried out by local governments, agricultural workers or bodies organized by them (hereinafter referred to as the “Plan for Control”), and shall give such Plan to the prefectural governors concerned.
- (2) When the prefectural governor receives the instruction under the preceding paragraph, he/she shall promptly establish the Plan for Control relating to the prefecture based on the broad outline under said paragraph.
- (3) The area and period in which the control shall be implemented, kinds of Specified Pests, details of the control and other necessary matters shall be specified in the Plan for Control under the preceding paragraph.
- (4) In the event that the prefectural governor has established or changed the Plan for Control under paragraph 2, he/she shall promptly consult with the Minister of Agriculture, Forestry and Fisheries and obtain his/her consent; however, if the execution of the control by such Plan for Control requires urgency, it shall be sufficient for him/her to make a report of such circumstance.
- (5) In the event that the prefectural governor has obtained consent under the preceding paragraph or has made the report under the proviso of said paragraph, he/she shall publicly notify the Plan for Control pertaining to such consent or report without delay.

**Article 25** (Subsidy for Chemicals and Equipment for Control)

- (1) The national government may grant a subsidy of not more than one half of the cost, within the scope of the budget, required for the purchase of chemicals (including such substances as may be used as chemicals: the same shall apply hereinafter), spray pumps, dust guns, fog machines and other equipment necessary for the control (hereinafter referred to as the “Equipment for Control”) to local governments, agricultural workers or bodies organized by them that have implemented the control based on the Plan for Control pertaining to the public

notice under paragraph 5 of the preceding Article.

- (2) Persons who intend to receive the grant of the subsidy under the preceding paragraph shall submit a written application for subsidy, together with documents provided for in the Ordinance of the Ministry of Agriculture, Forestry and Fisheries, to the Minister of Agriculture, Forestry and Fisheries.
- (3) In the event that the Minister of Agriculture, Forestry and Fisheries examines the submitted documents under the preceding paragraph and recognizes that they are properly prepared, he/she shall decide the grant of the subsidy.

#### **Article 26 <Repealed>**

#### **Article 27 (Disposition, etc. of Chemicals and Free Lending of Equipment for Control)**

- (1) In the event that it is specifically necessary for the control of the Specified Pests, the national government may dish out, or transfer at a price lower than the market price, chemicals necessary for the control or may lend the Equipment for Control without charge to local governments, agricultural workers or bodies organized by them that intend to implement the control based on the Plan for Control pertaining to the public notice under paragraph 5 of Article 24.
- (2) Matters necessary for the disposition, transfer and lending pursuant to the provision of the preceding paragraph shall be specified by the Minister of Agriculture, Forestry and Fisheries.
- (3) In the case of the preceding paragraph, the Minister of Agriculture, Forestry and Fisheries shall consult with the Minister of Finance.
- (4) For serving the purpose of disposition, transfer and lending pursuant to the provision of paragraph 1, the Minister of Agriculture, Forestry and Fisheries shall make an effort to administrate necessary chemicals and the Equipment for Control at any time.

#### **Article 28 (Prohibition of False Information)**

Any person shall not spread false information concerning the occurrence of loss in a wide range of areas caused by spread of the Specified Pests for crops in an attempt to obtain unjustifiable profit on property for the benefit of himself/herself or of a third party.

### **Chapter VI Protection by Prefecture**

#### **Article 29 (Protection by Prefecture)**

- (1) In the event that there is a possibility that the spread of injurious animals or injurious plants could do material harm to useful plants and that it is necessary

for their disinfection or prevention of their spread, the prefecture may quarantine plants or may take necessary measures for the control of injurious animals or injurious plants.

- (2) In the case of the preceding paragraph, the prefecture shall take care that proper distribution of seeds and seedlings or other products produced in other prefectures will not be interfered with.

**Article 30 (Recommendation on Control)**

In the event that there is a possibility that the loss could spread into areas of other prefectures if the control of injurious animals or injurious plants on crops (hereinafter referred to as “Control”) is not implemented, or the method of Control is not suitable, the Minister of Agriculture, Forestry and Fisheries may recommend such prefectures to take necessary measures for Control.

**Article 31 (Prevalence Reconnaissance Business by Prefecture)**

- (1) The prefecture shall carry out Prevalence Reconnaissance Business in respect of injurious animals or injurious plants other than the Specified Pests.
- (2) The prefectural governor shall report the details and results of Prevalence Reconnaissance Business under the preceding paragraph to the Minister of Agriculture, Forestry and Fisheries in a timely manner.
- (3) In the event that a loss of crops due to injurious animals or injurious plants other than the Specified Pests could arise beyond the boundary of prefectures and the Minister of Agriculture, Forestry and Fisheries deems specifically necessary for ensuring a comprehensive adjustment of Prevalence Reconnaissance Business by prefectures, he/she may give necessary instructions to prefectural governors.
- (4) In the event that the Minister of Agriculture, Forestry and Fisheries deems necessary, he/she shall cause its employees to cooperate with Prevalence Reconnaissance Business by prefectures.

**Article 32 (Control Station for Pests)**

- (1) A control station for pests shall be established by prefectures for the purpose of contributing to the quarantine or Control of plants in local areas.
- (2) The location, name and jurisdictional district of the control station for pests shall be provided for in a Prefectural Ordinance.
- (3) In the event that a prefecture intends to establish a control station for pests, it shall notify the Minister of Agriculture, Forestry and Fisheries in advance of matters provided for in the Ordinance of the Ministry of Agriculture, Forestry and Fisheries.
- (4) For the purpose of achieving the purpose set forth in paragraph 1, the control station for pests shall carry out the following work:

- (i) Office work relating to the quarantine of plants;
  - (ii) Office work relating to the planning of Control;
  - (iii) Office work relating to guidance on and cooperation with Control implemented by municipality, agricultural workers or bodies organized by them;
  - (iv) Office work relating to the Prevalence Reconnaissance Business;
  - (v) Office work relating to the storage of chemicals or equipment necessary for Control, and relating to repair of equipment necessary for Control;
  - (vi) Other office work necessary for Control.
- (5) The control station for pests shall be the one that conforms to the standards provided for in a Cabinet Order as necessary for carrying out office work set forth in the preceding paragraph.
- (6) In the event that there is a possibility that the spread of injurious animals or injurious plants could do material harm to useful plants beyond the boundary of prefectures and that it is specifically necessary for their disinfection or prevent their spread, the Minister of Agriculture, Forestry and Fisheries may instruct necessary matters or require necessary reports in connection with the office work of the control station for pests to the prefectural governor.
- (7) Any facility other than the control station for pests under this Act shall not use the characters of the “control station for pests” or similar characters in its name.

**Article 33 (Control Staff for Pests)**

- (1) In the event that the prefecture deems necessary for Control, it shall establish the control staff for pests on part-time basis in each area prescribed in the Prefectural Ordinance to cause him/her to engage in office work pertaining to Prevalence Reconnaissance Business or any other works relating to Control.
- (2) In the case of the foregoing paragraph, the provision of paragraph 3 of the preceding Article shall apply mutatis mutandis.

**Article 34 <Repealed>**

**Chapter VII Miscellaneous Provisions**

**Article 35 (Subsidy)**

- (1) The national government shall grant a subsidy to prefectures to allocate financial resources for the cost required for cooperation with Prevalence Reconnaissance Business under paragraph 1 of Article 23 pursuant to the provision of paragraph 2 of said Article and for the operation of the control station for pests.
- (2) With regard to the subsidy to be granted to prefectures pursuant to the provision of the preceding paragraph, the Minister of Agriculture, Forestry and Fisheries shall decide it in accordance with the standards provided for in a Cabinet Order on



the basis of the number of farming households, area of agricultural land, number of municipalities and other factors, and taking the necessity for each prefecture to carry out urgent quarantine of plants, Control and Prevalence Reconnaissance Business, etc., into consideration.

**Article 36 (Appeal)**

- (1) With regard to an order by the plant protection officer pursuant to the provision of paragraph 1 or 2 of Article 9, Article 14, Article 16-4 or Article 16-5, an appeal under the Administrative Appeal Act (Act N. 160 of 1962) shall not be permitted.
- (2) Any person who is dissatisfied with the result of the inspection under paragraph 1 or 4 of Article 10 or paragraph 2 of Article 13 may apply for re-inspection to the plant protection officer within sixty days from the following day of the inspection and, if he/she is dissatisfied with the result of the re-inspection, he/she may file an action for its revocation.
- (3) Any person who is dissatisfied with the result of the inspection set forth in the preceding paragraph may only dispute pursuant to the provision of said paragraph.

**Article 37 (Collection of Reports)**

In addition to cases pursuant to other provisions in this Act, in the event that it is specifically necessary for Control, the Minister of Agriculture, Forestry and Fisheries may request local governments, agricultural workers or bodies organized by them to submit necessary reports.

**Article 38 (Office Work, etc. Processed by Prefecture)**

- (1) A part of the office work performed under the authority of the Minister of Agriculture, Forestry and Fisheries pursuant to the provision of Article 25 and the preceding Article, may be processed by the prefectural governor as provided for in a Cabinet Order.
- (2) A part of the authority of the Minister of Agriculture, Forestry and Fisheries set forth in Chapter III through to this Chapter may be delegated to the head of the regional agricultural administration office as provided for in an Ordinance of the Ministry of Agriculture, Forestry and Fisheries.

**Article 38-2 (Classification of Office Work)**

Office work that is to be dealt with by the prefecture pursuant to the provision of Article 21 shall be No. 1 statutory entrusted office work set forth in item (i) of paragraph 9 of Article 2 of the Local Autonomy Act (Act No. 67 of 1947).

**Chapter VIII Penal Provisions**

### **Article 39**

Any person who falls under any one of the following items shall be punished by imprisonment with work for not more than 3 years or a fine of no more than one million yen:

- (i) A person who violates the provisions of paragraph 1, 2 or 3 of Article 6, paragraph 1 of Article 7, paragraph 4 of Article 13, paragraph 1 of Article 16-2 or paragraph 1 of Article 16-3;
- (ii) A person who violates the conditions for permission pursuant to the provisions of paragraph 3 of Article 7 (including cases in which said provision is applied *mutatis mutandis* in paragraph 2 of Article 16-3);
- (iii) A person who fails to receive an inspection pursuant to the provisions of paragraph 1 of Article 8 or commits unlawful acts when receiving such inspection;
- (iv) A person who violates an order pursuant to the provisions of paragraph 1 of Article 18.

### **Article 40**

Any person who falls under any one of the following items shall be punished by imprisonment with work for not more than 1 year or a fine of no more than five hundred thousand yen:

- (i) A person who fails to receive an inspection pursuant to the provisions of paragraph 6 of Article 8 or commits unlawful acts when receiving such inspection;
- (ii) A person who violates an order pursuant to the provisions of paragraph 7 of Article 8 or Article 16-4;
- (iii) A person who violates an order pursuant to the provisions of paragraph 1 or 2 of Article 9 or who refuses, interferes with or avoids a disposition pursuant to the provisions of paragraph 1, 2 or 3 of said Article;
- (iv) A person who violates the provisions of paragraph 1 of Article 10 or commits unlawful acts when receiving an inspection under said paragraph;
- (v) A person who violates an order pursuant to the provisions of Article 16-5 or who refuses, interferes with or avoids a disposition pursuant to the provisions of said Article;
- (vi) A person who violates an order pursuant to the provisions of paragraph 2 of Article 18 or who refuses, interferes with or avoids a disposition pursuant to the provisions of said paragraph;
- (vii) A person who violates the provisions of Article 28.

### **Article 41**

Any person who falls under any one of the following items shall be punished by a

fine of no more than three hundred thousand yen:

- (i) A person who refuses, interferes with or avoids an inspection or collection pursuant to the provisions of paragraph 1 of Article 4, or who fails to answer or answers fraudulently to a question pursuant to the provisions of said paragraph;
- (ii) A person who violates an order pursuant to the provisions of paragraph 2 of Article 4;
- (iii) A person who violates the provisions of paragraph 5 of Article 6;
- (iv) A person who refuses, interferes with or avoids an inspection pursuant to the provisions of paragraph 4 of Article 10;
- (v) A person who violates an order pursuant to the provisions of Article 14 or who refuses, interferes with or avoids a disposition pursuant to the provisions of said Article.

**Article 42 (Provision of Penalty against Employer and Employee)**

In the event that a representative person of a juridical person or agents, employees or other workers of a juridical person or an individual commits acts of violation under the preceding three Articles in connection with the business of such juridical person or individual, the punishment under the respective Articles in question shall be imposed on not only the person who commits such acts but also the juridical person or individual.

**Supplementary Provisions (Extract)**

(Date of Enforcement)

- (1) This Act shall come into force as from the day of promulgation: provided, that the provisions under Chapter II and paragraph 3 and 4 of the Supplementary Provisions shall come into force as from the day on which sixty days have elapsed from the day of promulgation.

(Repealed Acts)

- (3) The following Acts shall be repealed: however, with regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions then in force shall remain applicable even after the enforcement of this Act:

Act on Quarantine for Imported and Exported Plants (Act No. 86 of 1948);

Act on Disinfestation and Prevention of Pest (Act No. 17 of 1896)

(Transitional Provisions)

- (4) Inspections made or permission granted prior to the enforcement of this Act on the basis of the provisions under the Act on Quarantine for Imported and Exported

Plants shall be deemed to have been made pursuant to the corresponding provisions of this Act.

**Supplementary Provisions (Act No. 243 of June 19, 1951) Extract**

(Date of Enforcement)

- (1) The date of enforcement of this Act shall be specified in a Cabinet Order: provided, however, that such date shall be after the budget, in which the cost for enforcement of this Act to be incurred by the national government is allocated, is approved.

**Supplementary Provisions (Act No. 26 of March 31, 1952) Extract**

- (1) This Act shall come into force as from April 1, 1952.

**Supplementary Provisions (Act No. 39 of March 31, 1952) Extract**

- (1) This Act shall come into force as from April 1, 1952: however, the provisions of paragraph 3 of the Supplementary Provisions shall come into force as from the day of promulgation.

**Supplementary Provisions (Act No. 140 of May 16, 1962) Extract**

- (1) This Act shall come into force as from October 1, 1962.
- (2) The provisions revised by this Act shall apply to matters which have arisen prior to the enforcement of this Act, except as otherwise provided for in these Supplementary Provisions; provided, however, that those provisions shall not obstruct an effect which has arisen pursuant to provisions prior to the revision by this Act.
- (3) With regard to lawsuits actually pending at the time of the enforcement of this Act, the provisions then in force shall remain applicable, notwithstanding the provisions revised by this Act to the effect that such lawsuits may not be filed.
- (4) With regard to jurisdiction over lawsuits actually pending at the time of the enforcement of this Act, the provisions then in force shall remain applicable, notwithstanding the provisions revised by this Act to the effect that such jurisdiction shall be exclusive jurisdiction.
- (5) With regard to the statute of limitations for filing a lawsuit concerning a disposition or determination, for which the statute of limitations for filing a lawsuit pursuant to provisions prior to the revision by this Act has actually progressed at the time of the enforcement of this Act, the provisions then in force shall remain

applicable; provided, however, that this is limited to cases where the statute of limitations for filing a lawsuit pursuant to provisions revised by this Act is shorter than that pursuant to provisions prior to the revision by this Act.

- (6) The statute of limitations for filing a party suit concerning a disposition imposed or a determination made prior to the enforcement of this Act, for which the statute of limitations has come to be set due to the revision by this Act, shall be counted from the date of enforcement of this Act.
- (7) With regard to actions for rescission of a disposition or determination which are actually pending at the time of the enforcement of this Act, the provisions then in force shall remain applicable, notwithstanding the provisions revised by this Act to the effect that one party to the legal relationship shall be the defendant; provided, however, that the court may, upon the plaintiff's application, permit to change the action into a party suit by its ruling.
- (8) The provisions of the second sentence of Article 18 and paragraph 2 through to paragraph 5 of Article 21 of the Administrative Case Litigation Act shall apply mutatis mutandis to the cases referred to in the proviso of the preceding paragraph.

#### **Supplementary Provisions (Act No. 161 of September 15, 1962) Extract**

- (1) This Act shall come into force as from October 1, 1962.
- (2) The provisions revised by this Act shall also apply to dispositions by an administrative agency prior to the enforcement of this Act, inactions by an administrative agency pertaining to an application filed prior to the enforcement of this Act or other matters that have arisen prior to the enforcement of this Act, except as otherwise provided for in these Supplementary Provisions; provided, however, that those provisions shall not obstruct an effect which has arisen pursuant to provisions prior to the revision by this Act.
- (3) With regard to petitions, applications for examination, objections or other appeals (hereinafter referred to as "Petitions, etc.") filed prior to the enforcement of this Act, the provisions then in force shall remain applicable even after the enforcement of this Act. The same shall apply to Petitions, etc. filed in the case of dissatisfaction with determinations, rulings or other dispositions on Petitions, etc., which have been made prior to the enforcement of this Act (hereinafter referred to as "Determinations, etc."), or a judgment, etc., made after the enforcement of this Act in regard to Petitions, etc., filed prior to the enforcement of this Act.
- (4) The Petitions, etc., specified in the preceding paragraph, pertaining to a disposition on which an appeal may be filed pursuant to the Administrative Appeal Act after the enforcement of this Act, shall be deemed to be appeals pursuant to the Administrative Appeal Act in regard to the application of laws other than the

said Act.

- (5) No appeal pursuant to the Administrative Appeal Act may be entered against Determinations, etc., on applications for examination, oppositions or other appeals filed after the enforcement of this Act pursuant to the provision of paragraph 3.
- (6) With regard to dispositions imposed by an administrative agency prior to the enforcement of this Act, on which Petitions, etc., may be filed pursuant to provisions prior to the revision by this Act and for which the statute of limitations has not been set, the statute of limitations for filing an appeal pursuant to the Administrative Appeal Act shall be counted from the date of enforcement of this Act.
- (8) With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.
- (9) In addition to what is provided for in the preceding eight paragraphs, transitional measures necessary for the enforcement of this Act shall be specified by Cabinet Order.
- (10) Where this Act and the Act on the Arrangement, etc., of Relevant Acts with the Enforcement of the Administrative Case Litigation Act (Act No. 140 of 1962) contain provisions revising one and the same act, the said Act shall first be revised by this Act and then be revised by the Act on the Arrangement, etc., of Relevant Acts with the Enforcement of the Administrative Case Litigation Act.

#### **Supplementary Provisions (Act No. 130 of December 31, 1971) Extract**

(Date of Enforcement)

- (1) This Act shall come into force as from the date of effect of the Agreement between Japan and the United States of America Concerning the Ryukyu Islands and the Daito Islands; however, the provisions of Article 10, Article 11 and Article 19 shall come into force as from the date specified by a Cabinet Order within a period not exceeding one year from said day, the provisions of Article 62 and the following paragraph shall come into force as from the day of promulgation of this Act, and the provision of Article 66 shall come into force as from October 1, 1972.

#### **Supplementary Provisions (Act No. 65 of June 11, 1976)**

This Act shall come into force as from the day of promulgation.

#### **Supplementary Provisions (Act No. 87 of July 5, 1978) Extract**

**Article 1** (Date of Enforcement)

This Act shall come into force as from the day of promulgation.

### **Supplementary Provisions (Act No. 37 of May 18, 1985) Extract**

(Date of Enforcement, etc.)

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

### **Supplementary Provisions (Act No. 90 of July 12, 1985) Extract**

#### **Article 1 (Date of Enforcement)**

This Act shall come into force as from the day of promulgation.

### **Supplementary Provisions (Act No. 67 of June 12, 1996)**

#### **Article 1 (Date of Enforcement)**

This Act shall come into force as from the date specified by a Cabinet Order within a period not exceeding one year from the day of promulgation; however, the provisions of the following Article shall come into force as from the day of promulgation.

#### **Article 2 (Preparatory Procedure for Enforcement)**

A public hearing pursuant to the provision of paragraph 2 of Article 5-2 (including cases in which said provision is applied mutatis mutandis in paragraph 6 of Article 6) of the Plant Protection Act after the revision (hereinafter referred to as the "New Act") may be held to specify the Ordinance of the Ministry under paragraph 1 of Article 5-2, the main clause of paragraph 1 or paragraph 2 of Article 6 of the New Act even prior to the date of enforcement of this Act (hereinafter referred to as the "Date of Enforcement").

#### **Article 3 (Transitional Measures)**

With regard to plants for which notification (including notice pursuant to the provisions of paragraph 4 of said Article or notification pursuant to the provisions of paragraph 6 of said Article: hereinafter referred to as "Notification, etc.") pursuant to the provisions of paragraph 1 of Article 8 of the Plant Protection Act prior to revision (hereinafter referred to as the "Old Act") is given prior to the Date of Enforcement, the provisions of paragraph 2 of Article 6 of the New Law shall not apply.

#### **Article 4**

In the event that an inspection pursuant to the provisions of paragraph 1, 5 or 6 of Article 8 of the Old Act was not implemented in respect of plants or Prohibited Imports and containers or packages for which Notification, etc., was given prior to

the Date of Enforcement, such Notification, etc. shall be deemed as notification pursuant to the provisions of paragraph 1 of Article 8 of the New Act, notice pursuant to the provisions of paragraph 4 of said Article or notification pursuant to the provisions of paragraph 6 of said Article.

#### **Article 5**

With regard to an inspection that was implemented pursuant to the provisions of paragraph 1, 3, 5 or 6 of Article 8 of the Old Act prior to the Date of Enforcement for which an order, disposition or certification has not been given pursuant to the provisions of Article 9 of the Old Act prior to the Date of Enforcement, the provisions of Article 9 of the New Act shall apply.

#### **Article 6**

With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.

### **Supplementary Provisions (Act No. 87 of July 16, 1999) Extract**

#### **Article 1 (Date of Enforcement)**

This Act shall come into force as from April 1, 2000, provided, however, that the provisions listed in each of the following items shall come into force from the date specified in each respective item.

- (i) Amended provisions whereby five articles, section headings, two subsections and subsection headings are added after Article 250 of the Local Autonomy Act in Article 1 (limited to the part pertaining to paragraph 1 of Article 250-9 of said Act (limited to the part pertaining to obtaining the consent of both Houses of the Diet)), the amended provisions of paragraph 9 and paragraph 10 of the Natural Parks Act Supplementary Provisions in Article 40 (limited to the part pertaining to paragraph 10 of said Supplementary Provisions), the provisions of Article 244 (excluding the part pertaining to the amended provisions of Article 14-3 of the Agricultural Improvement Promotion Act), the provisions of Article 472 (excluding the part pertaining to the amended provisions of Article 6, Article 8 and Article 17 of the Municipal Merger Act), and the provisions of Article 7, Article 10, Article 12, the proviso to Article 59, paragraph 4 and paragraph 5 of Article 60, Article 73, Article 77, paragraph 4 through to paragraph 6 of Article 157, Article 160, Article 163, Article 164 and Article 202 of the Supplementary Provisions: The date of promulgation

#### **Article 84 (Transitional Measures as a Result of Partial Revision of the Plant Protection Act)**



- (1) An order for cooperation which was given pursuant to the provisions of paragraph 1 of Article 19 of the Plant Protection Act prior to revision (hereinafter referred to in this Article as the “Old Plant Protection Act”) pursuant to the provisions of Article 254 prior to the date of enforcement shall be deemed as an instruction given pursuant to the provision of paragraph 1 of Article 19 of the Plant Protection Act after revision (hereinafter referred to in this Article as the “New Plant Protection Act”) pursuant to the provisions of Article 254.
- (2) An approval which was given pursuant to the provisions of paragraph 4 of Article 24 of the Old Plant Protection Act prior to the date of enforcement, or an application for approval which is actually made at the time of enforcement of this Act pursuant to the provisions of said paragraph, shall be deemed as a consent or application for consultation respectively which are pursuant to the provisions of paragraph 4 of Article 24 of the New Plant Protection Act.

**Article 159** (Office Work of the National Government, etc.)

In addition to what is provided for in respective laws prior to the revision by this Act, office work of the national government, other local governments or other public bodies (which are referred to as the “Office Work of the National Government, etc.” in Article 161 of the Supplementary Provisions) that were administrated or enforced by organs of local governments prior to the enforcement of this Act pursuant to the provision of laws or a Cabinet Order based on such laws shall be treated by the local government as office work of such local government pursuant to laws or a Cabinet Order based on such laws after the enforcement of this Act.

**Article 160** (Transitional Measures for Disposition or Application, etc.)

- (1) Dispositions such as permission and other acts rendered prior to the enforcement of this Act (with regard to provisions listed in each item of Article 1 of the Supplementary Provisions: each relevant provision; the same shall apply in this Article and Article 163 of the Supplementary Provisions) pursuant to the provisions of respective laws prior to the revision (hereinafter referred to in this Article as the “Acts of Disposition, etc.”), or applications for permission or other acts that are actually made at the time of enforcement of this Act pursuant to the provision of respective laws prior to the revision (hereinafter referred to in this Article as the “Acts of Application, etc.”) for which different persons will undertake the administrative affairs pertaining to such acts on the date of enforcement of this Act, shall be deemed as the Acts of Disposition, etc. or the Acts of Application, etc. that are made pursuant to the corresponding provisions of respective laws after the revision in respect of the application of respective laws after the revision on and after the date of enforcement of this Act, except for those provided for in the provisions of Article 2 through to the preceding Article of the Supplementary

Provisions or in the provision for transitional measures of respective laws (including orders based on these laws) after the revision.

- (2) Matters for which procedures such as reports, notification, submissions and others have to be made to the organs of national government or local government prior to the enforcement of this Act pursuant to the provisions of respective laws prior to the revision, but for which such procedures have not been made prior to the enforcement of this Act shall be deemed, in addition to those for which separate provisions are provided in this Act and Cabinet Orders based on it, as the matters for which reports, notification, submissions and others shall be made to the relevant organs of national government or local government pursuant to the corresponding provisions of respective laws after the revision, but for which such procedures have not been made, and the provisions of respective laws revised by this Act shall apply to them.

**Article 161** (Transitional Measures for Appeal)

- (1) With regard to appeals, in accordance with the Administrative Appeal Act, against dispositions pertaining to the Office Work of the National Government, etc. that were rendered prior to the date of enforcement and for which a higher administrative agency set forth in said Act (hereinafter referred to in this Article as the “Higher Administrative Agency”) existed above the administrative agency that rendered such disposition (hereinafter referred to in this Article as the “Disposing Agency”) prior to the date of enforcement, the Higher Administrative Agency shall be deemed to exist above such Disposing Agency continuously on and after the date of enforcement, and the provisions of the Administrative Appeal Act shall apply. In this case, the administrative agency that is deemed as the Higher Administrative Agency above such Disposing Agency shall be the administrative agency that was the Higher Administrative Agency above such Disposing Agency prior to the date of enforcement.
- (2) In the case of the preceding paragraph, if the administrative agency that is deemed as the Higher Administrative Agency is an organ of the local government, office work to be treated by such organ pursuant to the provision of the Administrative Appeal Act shall be No. 1 statutory entrusted office work set forth in item (i) of paragraph 9 of Article 2 of the New Local Autonomy Act.

**Article 162** (Transitional Measures for Fees)

With regard to fees to be paid prior to the date of enforcement pursuant to the provision of respective laws prior to the revision by this Act (including orders based on them), the provisions then in force shall remain applicable, in addition to those for which separate provisions exist in this Act and Cabinet Orders based on it.

**Article 163 (Transitional Measures for Penal Provisions)**

With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.

**Article 164 (Delegation to Cabinet Order for Other Transitional Measures)**

(1) In addition to what is provided for in these Supplementary Provisions, transitional measures (including transitional measures for penal provisions) that become necessary as a result of the enforcement of this Act shall be prescribed by a Cabinet Order.

**Article 250 (Review)**

As well as striving to ensure that, as far as possible, the No. 1 statutory entrusted office work set forth in item (i) of paragraph 9 of Article 2 of the New Local Autonomy Act has not been newly established, those listed in Appended Table 1 of the New Local Autonomy Act and those indicated in Cabinet Orders based on said Act shall be subjected to review and appropriately revised at suitable times, from the viewpoint of promoting regional devolution.

**Article 251**

To enable local governments to execute their office work and projects autonomously and independently, the national government shall, while taking account of trends in financial circumstances, review means of enhancing and securing local tax revenues in accordance with the distribution of roles between the national and local governments, and shall take necessary measures based on the results thereof.

**Supplementary Provisions (Act No. 160 of December 22, 1999) Extract**

**Article 1 (Date of Enforcement)**

This Act (excluding Articles 2 and 3) shall come into force as from January 6, 2001.

**Supplementary Provisions (Act No. 184 of December 22, 1999) Extract**

**Article 1 (Date of Enforcement)**

This Act shall come into force as from January 6, 2001; however, the provisions of paragraph 2 of Article 10 and Articles 7 through to Articles 9 of the Supplementary Provisions shall come into force as from the date specified by a Cabinet Order within a period not exceeding six months from said date.

**Supplementary Provisions (Act No. 100 of July 31, 2002)**

**Article 1 (Date of Enforcement)**

This Act shall come into force as from the date of enforcement of the Act Concerning Service of Correspondence by Private Proprietors (Act No. 99 of 2002).

**Article 2 (Transitional Measures for Penal Provisions)**

With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.

**Article 3 (Delegation to Cabinet Order for Other Transitional Measures)**

In addition to what is provided for in the preceding Article, necessary transitional measures concerning the enforcement of this Act shall be prescribed by a Cabinet Order.

**Supplementary Provisions (Act No. 152 of December 13, 2002) Extract**

**Article 1 (Date of Enforcement)**

This Act shall come into force as from the date of enforcement of the Act Concerning Use of Technology for Information and Communication in Administrative Procedures, etc. (Act No. 151 of 2002).

**Article 4 (Transitional Measures for Penal Provisions)**

With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.

**Article 5 (Delegation to Cabinet Order for Other Transitional Measures)**

In addition to what is provided for in the preceding three Articles, transitional measures necessary for the enforcement of this Act shall be prescribed by a Cabinet Order.

**Supplementary Provisions (Act No. 19 of March 31, 2004)**

This Act shall come into force as from April 1, 2004.

**Supplementary Provisions (Act No. 84 of June 9, 2004) Extract**

**Article 1 (Date of Enforcement)**

This Act shall come into force as from the date specified by a Cabinet Order within a period not exceeding one year from the day of promulgation.

**Article 50 (Review)**

The national government shall review the situation of the enforcement of the New Act in the event that five years have elapsed after the enforcement of this Act, and if it deems necessary, it shall take necessary measures based on the result of such review.

### **Supplementary Provisions (Act No. 102 of October 21, 2005) Extract**

#### **Article 1 (Date of Enforcement)**

This Act shall come into force as from the date of enforcement of the Postal Service Privatization Act.

#### **Article 117 (Transitional Measures for Penal Provisions)**

With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, acts committed after the enforcement of this Act in cases where the provisions then in force shall remain applicable pursuant to the provision of these Supplementary Provisions, acts committed prior to the lapse of the provision of Article 38-8 of the Old Postal Money Order Act (limited to the part pertaining to items (ii) and (iii)) which shall remain in force pursuant to the provision of paragraph 1 of Article 9 of the Supplementary Provisions even after the enforcement of this Act, acts committed prior to the lapse of the provision of Article 70 of the Old Postal Transfer Act (limited to the part pertaining to items (ii) and (iii)) which shall remain in force pursuant to the provision of paragraph 1 of Article 13 of the Supplementary Provisions even after the enforcement of this Act, acts committed prior to the lapse of the provision of Article 8 of the Old Act on the Entrustment of Postal Transfer Deposit and Contribution (limited to the part pertaining to item (ii)) which shall remain in force pursuant to the provision of paragraph 1 of Article 27 of the Supplementary Provisions even after the enforcement of this Act, acts committed prior to the lapse of the provision of Article 70 of the Old Public Companies Act (limited to the part pertaining to item (ii)) which shall remain in force pursuant to the provision of paragraph 2 of Article 39 of the Supplementary Provisions even after the enforcement of this Act, acts committed prior to the lapse of the provisions of Articles 71 and 72 of the Old Public Companies Act (limited to the part pertaining to item (xv)) which shall remain in force pursuant to the provision of paragraph 1 of Article 42 of the Supplementary Provisions even after the enforcement of this Act, and acts committed prior to the specified date pertaining to the postal savings bank prescribed in Article 104 of the Postal Service Privatization Act in the cases where the provisions of paragraph 2 of Article 2 of the Supplementary Provisions are applicable, the provisions then in force shall remain applicable.