

# **National Spatial Planning Act**

(Act No. 205 of May 26, 1950)

Latest Revision: Act No. 89 of 2005

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## **Chapter 1 General Provisions**

(Purpose)

Article 1 The purpose of this Act is to promote the use, improvement and conservation of national land, from a comprehensive viewpoint of policies for the economy, society, culture, etc., with consideration for natural conditions of national land, by formulating National Spatial Strategies and taking other measures, in combination with measures by the National Land Use Planning Act (Act No. 92 of 1974), and thereby contributing to the realization of the economy and society in which present and future citizens can live rich lives with peace of mind.

(National Spatial Strategies)

Article 2 (1) The term "National Spatial Strategies" as used in this Act shall mean the comprehensive and basic plans to promote the use, improvement and conservation of national land (hereinafter referred to as "spatial development"), which are related to the following matters:

- (i) Matters concerning the utilization and conservation of national land resources including land and water;
- (ii) Matters concerning the utilization and preservation of sea areas (including the acts prescribed in the Act on the Exclusive Economic Zone and the Continental Shelf (Act No.74 of 1996), Article 3, paragraph 1, item 1 to item 3 inclusive, in the exclusive economic zone set forth in the same Act, Article 1, paragraph 1, or on the continental shelf set forth in the same Act, Article 2);

- (iii) Matters concerning the prevention and mitigation of disasters including earthquake disaster, flood damage and wind damage;
  - (iv) Matters concerning the adjustment of the size and arrangement as well as the improvement of cities and farming, mountain and fishing villages;
  - (v) Matters concerning the proper location of industries;
  - (vi) Matters concerning the use, improvement and conservation of important public facilities including transport facilities, information and communications facilities and research facilities pertaining to science and technology;
  - (vii) Matters concerning the protection of resources, and the use and improvement of the facilities related to culture, welfare and tourism;
  - (viii) Matters concerning preservation of environments including the creation of prosperous environments on national land and formation of good landscapes.
- (2) The National Spatial Strategies set forth in the preceding paragraph shall be the National Plan prescribed in Article 6, paragraph 2, and the Regional Plans prescribed in Article 9, paragraph 2.

(Basic Principles of National Spatial Strategies)

- Article 3 (1) National Spatial Strategies shall appropriately formulate measures for the spatial development to maintain and improve the natural, economic, social and cultural conditions of Japan, while paying attention to securing domestic and international coordination pertaining to the said measures, in order to appropriately respond to the changes in social and economic structures including population and industry in Japan and the world and realize a national land that acts as the foundation of: local communities that independently develop in accordance with their own characteristics; a vital economy and society through the enhancement of international competitiveness, promotion of science and technology, etc.; citizens' lives for which safety is secured; and a rich environment which also contributes to the preservation of the global environment.
- (2) National Spatial Strategies shall be formulated so that the national government fulfills its obligation in regard to the implementation of measures for the comprehensive spatial development, while respecting independent approaches by local governments and at the same time understanding the roles the national government should intrinsically play, including implementation of measures that must be carried out on a nationwide scale or from a nationwide viewpoint.

**Chapter 2 Study, Deliberation, etc. of the National Land Council**

(Study, Deliberation, etc. of the National Land Council)

Article 4 (1) The National Land Council studies and deliberates on matters necessary for National Spatial Strategies and their implementation, and reports the result, or makes recommendations, to the Minister of Land, Infrastructure, Transport and Tourism.

(2) The National Land Council may, when it deems necessary, offer its opinion about National Spatial Strategies to the head of the relevant administrative organ through the Minister of Land, Infrastructure, Transport and Tourism.

(3) The head of the relevant administrative organ may hear the National Land Council's opinion about a basic plan pertaining to the organ's affairs under its jurisdiction that has a close relationship with National Spatial Strategies.

(Publication of Gist)

Article 5 The National Land Council shall, when it deems necessary, publish the gist of the result of the study and deliberation carried out pursuant to the provision of this Act.

### **Chapter 3 Formulation of National Spatial Strategies**

(National Plan)

Article 6 (1) The national government shall formulate a National Spatial Strategy for all districts in the nation as a policy guideline for the comprehensive spatial development.

(2) The National Spatial Strategy set forth in the preceding paragraph (hereinafter referred to as the "National Plan") shall provide for the following matters:

(i) Basic policy concerning the spatial development;

(ii) Objectives concerning the spatial development;

(iii) Matters concerning basic measures found necessary from a nationwide perspective to achieve the objectives set forth in the preceding item.

(3) The National Plan shall be harmonious with the national government's basic plan for the preservation of the environment.

(4) The Minister of Land, Infrastructure, Transport and Tourism shall prepare a draft of the National Plan and seek a cabinet decision.

(5) When intending to make a draft of the National Plan pursuant to the provision of the preceding paragraph, the Minister of Land, Infrastructure, Transport and Tourism shall, in advance, take necessary measures to reflect the opinions of the public pursuant to the provision of an Ordinance of the Ministry of Land,

Infrastructure, Transport and Tourism, as well as confer with the Minister of Environment and the heads of other relevant administrative organs, hear the opinions of prefectures and designated cities (referring to the ordinance-designated cities set forth in the Local Autonomy Act (Act No. 67 of 1947), Article 252-19, paragraph 1; the same shall apply hereinafter), and pass through the study and deliberation of the National Land Council.

(6) When the cabinet decision set forth in paragraph 4 is made on the National Plan, the Minister of Land, Infrastructure, Transport and Tourism shall publicly announce the National Plan without delay.

(7) The National Plan shall be formulated in an integrated manner together with the plan for national land use for all districts in the nation set forth in the National Land Use Planning Act, Article 4.

(8) The provisions in paragraph 4 to the preceding paragraph inclusive shall apply mutatis mutandis to amendments to the National Plan.

(Policy Evaluation pertaining to the National Plan)

Article 7 (1) When formulating the basic plan set forth in the Government Policy Evaluations Act (Act No. 86 of 2001), Article 6, paragraph 1, the Minister of Land, Infrastructure, Transport and Tourism shall formulate the National Plan as a policy set forth in the same Article, paragraph 2, item 6.

(2) After two years has passed since the date of the public announcement pursuant to the provision of the preceding Article, paragraph 6 (including the cases where it is applied mutatis mutandis under the same Article, paragraph 8), when the Minister of Land, Infrastructure, Transport and Tourism formulates the implementation plan set forth in the Government Policy Evaluations Act, Article 7, paragraph 1 for the first time, he/she shall formulate the National Plan as a policy set forth in the same Article, paragraph 2, item 1.

(Proposal Pertaining to the National Plan)

Article 8 (1) Prefectures or designated cities may, singly or jointly, propose to the Minister of Land, Infrastructure, Transport and Tourism to prepare a draft of the National Plan necessary to further increase the effect of the measures concerning the matters listed in items of paragraph 1 of Article 2 within the district of the said prefectures or designated cities (including a draft for a change in the National Plan; hereinafter the same shall apply in this Article). In this case, a rough draft of the draft of the National Plan pertaining to the said proposal shall be accompanied.

(2) When the proposal pursuant to the provision of the preceding paragraph

(hereinafter referred to as "Planning Proposal" in this Article) is made, the Minister of Land, Infrastructure, Transport and Tourism shall, without delay, judge whether it is necessary to prepare a draft of the National Plan that takes into account the said Planning Proposal (referring to a draft of the National Plan that will realize the whole or a part of the content of the rough draft of the said draft of the National Plan pertaining to the Planning Proposal; the same shall apply in paragraph 4), and if he/she finds it necessary to prepare the said draft of the National Plan, then he/she shall prepare the draft.

- (3) When the Minister of Land, Infrastructure, Transport and Tourism intends to prepare a draft of the National Plan that takes into account the said Planning Proposal (referring to a draft of the National Plan that will realize a part of the content of the rough draft of the said draft of the National Plan pertaining to the Planning Proposal), and intends to go through the study and deliberation of the National Land Council pursuant to the provision of Article 6, paragraph 5 (including the cases where it is applied mutatis mutandis under the same Article, paragraph 8), he/she shall submit the rough draft of the draft of the National Plan pertaining to the said Planning Proposal.
- (4) If the Minister of Land, Infrastructure, Transport and Tourism judges that it is not necessary to prepare a draft of the National Plan that takes into account the said Planning Proposal, he/she shall, without delay, notify to that effect and the grounds for it to the prefectures or designated cities that made the said Planning Proposal.
- (5) When the Minister of Land, Infrastructure, Transport and Tourism intends to notify pursuant to the provision of the preceding paragraph, he/she shall, in advance, submit the rough draft of the draft of the National Plan pertaining to the said Planning Proposal to the National Land Council and hear its opinion.

(Regional Plans)

Article 9 (1) The Minister of Land, Infrastructure, Transport and Tourism shall formulate a National Spatial Strategy for each of the districts listed in the following (hereinafter referred to as "Regional Plan Districts"):

- (i) The Metropolitan Area (referring to the district as a whole that consists of Saitama Prefecture, Tokyo Metropolis, Kanagawa Prefecture, and other Prefectures designated by a Cabinet Order);
- (ii) The Kinki Area (referring to the district as a whole that consists of Kyoto Prefecture, Osaka Prefecture, Hyogo Prefecture, and other Prefectures designated by a Cabinet Order);
- (iii) The Chubu Area (referring to the district as a whole that consists of Aichi

- Prefecture, Mie Prefecture, and other Prefectures designated by a Cabinet Order);
- (iv) Other districts that consist of two or more Prefectures between which a close relationship in terms of nature, economy, society, culture and so forth is recognized to a considerable degree, and are designated by a Cabinet Order as the districts that need promotion of the comprehensive spatial development as a whole.
- (2) The National Spatial Strategy set forth in the preceding paragraph (hereinafter referred to as the "Regional Plans") shall provide, based on the National Plan, for the following matters:
- (i) Policy concerning the spatial development in the said Regional Plan District;
- (ii) Objectives concerning the spatial development in the said Regional Plan District;
- (iii) Matters concerning major measures found necessary from the regional perspective beyond a single Prefectural area to achieve the objectives set forth in the preceding item in the said Regional Plan District (including measures covering beyond the said Regional Plan District that are found particularly necessary for promoting the comprehensive spatial development in the said Regional Plan District).
- (3) When the Minister of Land, Infrastructure, Transport and Tourism intends to formulate a Regional Plan pursuant to the provision of paragraph 1, he/she shall in advance take necessary measures to reflect the opinions of the public pursuant to the provision of an Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism, as well as pass through conference of the Regional Plan Council set forth in the next Article, paragraph 1, and confer with the head of each relevant administrative organ.
- (4) When the Minister of Land, Infrastructure, Transport and Tourism has formulated a Regional Plan, he/she shall publicly announce this without delay.
- (5) The provisions in the preceding three paragraphs shall apply *mutatis mutandis* to amendments to a Regional Plan.

(Regional Plan Council)

- Article 10 (1) In order to confer on matters necessary for the Regional Plan and its implementation, for each Regional Plan District, pursuant to the provision of a Cabinet Order, the relevant national administrative organs in the region, relevant Prefectures and relevant designated cities (hereinafter referred to as "national regional administrative organs, etc." in this Article) shall organize a Regional Plan Council (hereinafter referred to as "Council").
- (2) The Council may, when it deems necessary, by conference, add municipalities

(except designated cities) within the said Regional Plan District, local governments adjacent to the said Regional Plan District, and other entities that have a close relationship with the implementation of the Regional Plan.

- (3) The meeting for the conference set forth in paragraph 1 (referred to as "Meeting" in paragraph 6) shall consist of the following members:
  - (i) The head of national regional administrative organs or a staff member designated by him/her;
  - (ii) The head of local governments that joined pursuant to the provision of the preceding paragraph or a staff member designated by him/her;
  - (iii) The representative of the entities (except local public bodies) that joined pursuant to the provision of the preceding paragraph or a person designated by him/her.
- (4) The Council, when it deems necessary, may ask relevant administrative organs to provide some forms of cooperation including to submit materials, express opinions and give explanations.
- (5) When the Council confers pursuant to the provision of the preceding Article, paragraph 3 (including the cases where it is applied mutatis mutandis under the same Article, paragraph 5), it shall hear the opinions of persons with relevant knowledge and experience.
- (6) On matters for which conference has been settled, the members of the Council shall respect the result of the deliberation.
- (7) The common affairs of the Council shall be dealt with by the Ministry of Land, Infrastructure, Transport and Tourism.
- (8) In addition to the matters set forth in the preceding paragraphs, matters necessary for the operation of the Council shall be decided by the Council.

(Proposal etc. Pertaining to a Regional Plan)

Article 11 (1) Municipalities (except those municipalities which are the members of the Council) within a Regional Plan Districts may, singly or jointly, propose to the Minister of Land, Infrastructure, Transport and Tourism, pursuant to the provision of an Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism, via the Prefecture, to carry out formulation or change of the Regional Plan as necessary to further increase the effect of the measures concerning the matters listed in the items of paragraph 1 of Article 2 within the district of the said municipalities. In this case, a rough draft of the Regional Plan pertaining to the said proposal shall be accompanied it.

- (2) When the proposal pursuant to the provision of the preceding paragraph

(hereinafter referred to as "Planning Proposal" in this Article) is made, the Minister of Land, Infrastructure, Transport and Tourism shall, without delay, judge whether it is necessary to carry out the formulation or change of the Regional Plan that takes into account the said Planning Proposal (referring to the formulation or change of the Regional Plan that will realize the whole or a part of the content of the rough draft of the Regional Plan pertaining to the Planning Proposal; the same shall apply in paragraph 4), and if he/she finds it necessary to carry out the formulation or change of the said Regional Plan, then he/she shall prepare its draft.

- (3) When the Minister of Land, Infrastructure, Transport and Tourism intends to carry out the formulation or change of the Regional Plan that takes into account the said Planning Proposal (referring to the formulation or change of the Regional Plan that will realize a part of the content of the rough draft of the Regional Plan pertaining to the Planning Proposal), and intends to go through the deliberation of the Council pursuant to the provision of Article 9, paragraph 3 (including the cases where it is applied mutatis mutandis under the same Article, paragraph 5), he/she shall submit the rough draft of the Regional Plan pertaining to the said Planning Proposal.
- (4) If the Minister of Land, Infrastructure, Transport and Tourism judges that it is not necessary to carry out the formulation or change of the Regional Plan that takes into account the said Plan Proposal, he/she shall, without delay, notify to that effect and the grounds for it to the municipalities that made the said Plan Proposal.
- (5) When the Minister of Land, Infrastructure, Transport and Tourism intends to notify pursuant to the provision of the preceding paragraph, he/she shall, in advance, submit the rough draft of the Regional Plan pertaining to the said Plan Proposal to the Council and hear its opinion.

(Coordination of Studies)

Article 12 (1) The Minister of Land, Infrastructure, Transport and Tourism may make necessary coordination between studies on the National Spatial Strategies by the heads of relevant administrative organs and require the said heads of relevant organs to report on the result of their studies.

- (2) When the Minister of Land, Infrastructure, Transport and Tourism makes coordination pursuant to the provision of the preceding paragraph, he/she may, if deemed necessary, hear the opinions of the heads of relevant organs and specify particular areas to be studied.

## **Chapter 4 Implementation of National Spatial Strategies**



(Coordination concerning a Regional Plan)

Article 13 (1) Prefectures or municipalities within the Regional Plan District for which a Regional Plan has been formulated may, when deemed necessary for the implementation of the said Regional Plan, singly or jointly request the Minister of Land, Infrastructure, Transport and Tourism to coordinate affairs of relevant administrative organs.

(2) When a request is made pursuant to the provision of the preceding paragraph, the Minister of Land, Infrastructure, Transport and Tourism shall, if he/she deems it necessary, hear the opinion of the National Land Council and coordinate accordingly.

(Recommendations on Implementation of National Spatial Strategies)

Article 14 When the Minister of Land, Infrastructure, Transport and Tourism finds it necessary to coordinate the implementation of the National Spatial Strategies, he/she may make a necessary recommendation to the heads of the relevant administrative organs.

## **Chapter 5 Auxiliary Provisions**

(Coordination with the Okinawa Promotion Plan)

Article 15 Coordination between the Okinawa Promotion Plan and National Spatial Strategies shall be carried out by the Minister of Land, Infrastructure, Transport and Tourism after he/she hears the opinions of the Prime Minister and the National Land Council.

(Delegation to Cabinet Order)

Article 16 Procedures for implementation of this Act and other matters necessary for its enforcement shall be prescribed by a Cabinet Order.

## **Supplementary Provisions (Extract)**

(1) This Act shall come into force as of June 1, 1950.

## **Supplementary Provisions (Act No. 89 of 2005) (Extract)**

(Effective Date, etc.)

Article 1 (1) This Act shall come into force as of the date (hereinafter referred to as "Effective Date") specified by a Cabinet Order within a period not exceeding six months from the day of promulgation; provided, however, that the provisions of the following paragraph and Supplementary Provisions Article 27 shall come into force as of the day of promulgation.

(2) The National Land Council may study and deliberate on the preparation of the draft of the National Plan pursuant to the provision of Article 6, paragraph 4 of the National Spatial Planning Act after the revision pursuant to the provision of Article 1 (hereinafter referred to simply as "National Spatial Planning Act") even prior to the enforcement of this Act.

(3) Until the National Spatial Plan is formulated pursuant to the provision of the National Spatial Planning Act, Article 6, paragraph 1, the provisions of the National Spatial Planning Act, Article 9 to Article 11 inclusive and Article 13 shall not apply.

(Transitional Measures with the Partial Revision of the National Spatial Planning Act)

Article 2 (1) After the Effective Date, until the National Spatial Strategy is formulated pursuant to the provision of the National Spatial Planning Act, Article 6, paragraph 1, the Comprehensive National Development Plan that is already prepared pursuant to the provision of the Comprehensive National Land Development Act, Article 7, paragraph 1 prior to the revision pursuant to the provision of Article 1 when this Act comes into force shall be deemed to be the National Spatial Strategy formulated pursuant to the provision of the National Spatial Planning Act, Article 6, paragraph 1.

(2) The provisions of the National Spatial Planning Act, Article 7 and Article 8 shall not apply to the Comprehensive National Land Development Plan that is deemed to be the National Spatial Strategy formulated pursuant to the provision of the National Spatial Planning Act, Article 6, paragraph 1 pursuant to the provision of the preceding paragraph.

(Delegation to Cabinet Order)

Article 27 In addition to the matters provided for in these Supplementary Provisions, the transitional measures necessary for enforcement of this Act shall be specified by a Cabinet Order.