

(Unofficial Translation)

Enforcement Order of the Law on Provisional
Measures relating to the Fishing Zone
(Cabinet Order No. 212 of 17 June, 1977)

The Cabinet hereby enacts this Cabinet Order in accordance with the provisions of Article 3 Paragraph 3, Article 4, Article 6 Paragraph 1 Sub-paragraph 1, Article 7 and Article 14 of the Law on Provisional Measures relating to the Fishing Zone (Law No. 31 of 1977).

(Areas of the sea prescribed by Cabinet Order provided for in Article 3 Paragraph 3 of the Law on Provisional Measures relating to the Fishing Zone)

Article 1

The areas of the sea prescribed by Cabinet Order provided for in Article 3 Paragraph 3 of the Law on Provisional Measures relating to the Fishing Zone (hereinafter referred to as "the Law") shall be those areas of the sea to the west of the line formed by the lines enumerated hereunder (excluding areas of the sea which are fishery zones of Japan in accordance with the provisions of the Cabinet Order relating to the Establishment of Fishery Zones provided for in Article 1 Paragraph 1 of the Agreement on Fisheries between Japan and

and the Republic of Korea (Cabinet Order No. 373 of 1965).

(1) The line of 135° East Longitude (but limited to that part north of its point of intersection in the Sea of Japan (referred to as "point A" in the next sub-paragraph) with the line every point of which is twelve nautical miles from the nearest point on the baseline of Japan (hereinafter referred to as "the twelve-nautical mile line").

(2) The twelve-nautical mile line extending from point A and passing north of Mishima Island to the first point (referred to as "point B" in the next sub-paragraph) at which the line drawn from the southernmost point of Yokoatejima Island ($28^{\circ}47'15''$ North Latitude, $128^{\circ}59'40''$ East Longitude) to the Sotsukozaki Lighthouse ($28^{\circ}15'3''$ North Latitude, $129^{\circ}8'20''$ East Longitude) intersects with the twelve-nautical mile line.

(3) The line drawn from the southernmost point of Yokoatejima Island to the Sotsukozaki Lighthouse (but limited to that part from point B to the other point (referred to as "point C" in the next sub-paragraph) at which it intersects with the twelve-nautical mile line).

(4) The twelve-nautical mile line extending from point C and passing north of Okinawajima Island to the first point (referred to as "point D" in the next sub-paragraph) at which the line drawn from the Nishimezaki Lighthouse ($26^{\circ}21'40''$

North

North Latitude, 126°42'40" East Longitude) to the Fudeiwa Lighthouse (24°58'40" North Latitude, 125°21'36" East Longitude) intersects with the twelve-nautical mile line.

(5) The line drawn from the Nishimezaki Lighthouse to the Fudeiwa Lighthouse (but limited to that part from point D to the other point (referred to as "point E" in the next sub-paragraph) at which it intersects with the twelve-nautical mile line).

(6) The twelve-nautical mile line extending from point E and passing north of Ishigakijima Island to the first point (referred to as "point F" in the next sub-paragraph) at which the line drawn from the Funauke Harbor Lighthouse (24°20'39" North Latitude, 123°42'12" East Longitude) to the Agarisaki Lighthouse (24°27'24" North Latitude, 123°2'31" East Longitude) intersects with the twelve-nautical mile line.

(7) The line drawn from the Funauke Harbor Lighthouse to the Agarisaki Lighthouse (but limited to that part from point F to the other point (referred to as "point G" in the next sub-paragraph) at which it intersects with the twelve-nautical mile line).

(8) The twelve-nautical mile line extending from point G and passing north of Yonakunijima Island to the point 24°17'15" North Latitude, 122°47'42" East Longitude.

(9) The line drawn at an angle of 131 degrees from the point 24°17'15" North Latitude, 122°47'42" East Longitude.

(Application

(Application of Laws and Regulations within
the fishing zone)

Article 2

The Laws and Regulations of Japan other than the following Laws (including Orders enacted thereunder) shall apply with respect to the fisheries and the catching and taking of marine animals and plants in which foreigners engage within the fishing zone.

- (1) The Law to Control Hunting of Sea Otters and Fur Seals (Law No. 21 of 1912)
- (2) The Fisheries Law (Law No. 267 of 1949) (excluding Article 74, and those parts of Article 141 and Article 145 which refer to Article 74)
- (3) The Fishery Resources Conservation Law (Law No. 313 of 1951)

2. With respect to the application of the provisions of Article 74 of the Law on Regulation of Fisheries of Foreigners, in Paragraph 1 of that article, the words "the competent Minister or Prefectural Governor" shall be modified to read "the competent Minister", and the words "fisheries inspector or fisheries inspection official" shall be modified to read "fisheries inspector".

(Highly migratory species prescribed by Cabinet Order)

Article 3

The highly migratory species prescribed by

Cabinet

Cabinet Order provided for in Article 6 Paragraph 1 Sub-paragraph 1 of the Law shall be the following:

- (1) skipjack (Katsuwonus pelamis), black skipjack (Euthynnus affinis yaito), frigate mackerel (Auxis thazard) and bullet mackerel (Auxis tapeinosoma);
- (2) albacore (Thunnus alalunga), yellowfin tuna (Thunnus albacares), bluefin tuna (Thunnus thynnus), bigeye tuna (Thunnus obesus), and longtail tuna (Thunnus tonggol);
- (3) broadbill swordfish (Xiphias gladius), blue marlin (Makaira mazara), black marlin (Makaira indica), striped marlin (Tetrapturus audax), sailfish (Istiophorus platypterus), and shortbill spearfish (Tetrapturus angustirostris).

(Criteria for permission)

Article 4

The criteria prescribed by Cabinet Order provided for in Article 7 Paragraph 1 of the Law shall be that the foreign country to which a foreigner making an application belongs shall not be a country which fails to give due consideration to fishing by Japanese fishermen in the waters adjacent to that foreign country.

(Hearing of opinions)

Article 5

In laying down the limits of catch provided for in Article 7 Paragraph 1 of the Law, the Minister of Agriculture and

and Forestry shall hear the opinion of persons of learning and experience, fishermen, and other parties concerned, with respect to factors such as fishery resources trends and the actual situation with respect to fishing within the fishing zone (excluding the areas of the sea designated in each of the sub-paragraphs of Article 5 of the Law; the same shall apply hereinafter), and the situation with respect to Japanese fishing in the waters adjacent to a foreign country.

(Exceptions with regard to application)

Article 6

The provisions of the Law shown in the top section of the following schedule shall not apply with respect to the fisheries or the catching and taking of marine animals and plants in which the foreigners as set forth in the middle section of the schedule engage in the areas of the sea as set forth in the bottom section of the schedule.

Article 5	Articles 6 to 11	
<p>Nationals of the Republic of Korea (including the Republic of Korea, its public organizations or similar organizations, or juridical persons and other organizations established under its laws and regulations; the same shall apply hereinafter)</p>	<p>Nationals of the Republic of Korea</p>	<p>Nationals of the People's Republic of China (including the People's Republic of China, its public organizations or similar organizations, or juridical persons and other organizations established under its laws and regulations)</p>
<p>Areas of the sea which are fishery zones of Japan established in accordance with the provisions of the Cabinet Order relating to the Establishment of Fishery Zones provided for in Article 1 Paragraph 1 of the Agreement on Fisheries between Japan and the Republic of Korea</p>	<p>The fishing zone</p>	<p>The fishing zone</p>

Supplementary Provisions

This Cabinet Order shall enter into force on the date of entry into force of the Law (1 July, 1977).