

Act on Port Regulations

(Act No. 174 of July 15, 1948)

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Chapter I General Provisions

(Purpose of the Act)

Article 1 The purpose of this Act is to ensure marine traffic safety and order in the ports.

(Ports and Their Areas)

Article 2 Ports to which this Act applies and their areas are provided for by Cabinet Order.

(Definitions)

- Article 3 (1) The term "Miscellaneous Vessel" as used in this Act means a steam launch, barge, or boat, a ship that is operated solely using oars and paddles, or a ship that is operated mainly using oars and paddles.
- (2) The term "Specified Port" as used in this Act means a port that a deep-draft vessel is able to enter and leave, or a port that a foreign vessel regularly enters and leaves, which is specified by the Cabinet Order.

Chapter II Port Entry and Departure, and Anchoring

(Notification of Port Entry and Departure)

Article 4 When a vessel has entered a Specified Port or seeks to leave a Specified Port, it shall notify the Captain of the Port pursuant to Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism.

(Anchorage)

- Article 5 (1) A vessel anchoring in a Specified Port shall anchor in the specified area in said Specified Port for its tonnage or kind of shipment, pursuant to Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism.
- (2) If a vessel as provided by Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism seeks to anchor in a Specified Port prescribed by Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism, unless it moors at a mooring buoy, landing pier, quay, or other facility for mooring a vessel (hereinafter referred to as a "Mooring Facility"), the vessel must have its place to anchor (hereinafter referred to as "Anchorage") designated by the Captain of the Port. In this, the Captain of the Port shall designate an Anchorage within the specified area provided for in the preceding paragraph, unless there are special circumstances for doing otherwise.
- (3) If the Captain of the Port finds it to be particularly necessary, the Captain of the Port may designate the Anchorage of a vessel entering a port other than a Specified Port provided for in the preceding paragraph.
- (4) Notwithstanding the provisions of paragraph (1), a vessel that has its Anchorage designated pursuant to the provisions of the preceding two paragraphs shall anchor at said Anchorage.
- (5) If the administrator of a Mooring Facility in a Specified Port will provide said Mooring Facility for the mooring of a vessel, it shall notify the Captain of the Port of this in advance, as provided for in the Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism.
- (6) If the Captain of the Port finds it to be necessary for marine traffic safety, the Captain of the Port may restrict or prohibit the administrator of a Mooring Facility in a Specified Port from providing said Mooring Facility for the mooring of a vessel.
- (7) The Captain of the Port and the administrator of a Mooring Facility in a Specified Port shall reciprocally facilitate the signaling or other communication entered into with a vessel about the designation of its Anchorage or its use of the Mooring Facility.

Article 6 Deleted

(Restriction on Movement)

- Article 7 (1) Except in a case referred to in Article 4, Article 8, paragraph (1), Article 10, or Article 23, a vessel other than a Miscellaneous Vessel may not move into an area outside the specified area in which it is anchored pursuant to the provisions of paragraph (1) of Article 5 or away from the Anchorage designated by the Captain of the Port without obtaining the permission of the Captain of the Port; provided, however, that this shall not apply if the vessel is attempting to avert a marine accident or if there are otherwise compelling

reasons.

(2) If a vessel has moved pursuant to the proviso to the preceding paragraph, said vessel shall notify the Captain of the Port of this without delay.

(Repair and Berthing)

Article 8 (1) A person that seeks to repair or berth a vessel other than a Miscellaneous Vessel in a Specified Port shall notify the Captain of the Port of this.

(2) In a Specified Port, a vessel being repaired or a berthed vessel shall anchor at a place designated by the Captain of the Port.

(3) If the Captain of the Port finds it to be necessary in order to prevent a hazard, the Captain of the Port may order a vessel being repaired or a berthed vessel to have the necessary number of mariners on board.

(Restrictions on Mooring, etc.)

Article 9 In a port, no Miscellaneous Vessel or raft may moor at a mooring buoy or to another vessel without due cause, nor may it anchor or stop in a place that could obstruct the navigation of another vessel.

(Order to Move)

Article 10 If the Captain of the Port finds it to be particularly necessary, the Captain of the Port may order a vessel anchoring in a Specified Port to move.

(Restriction on Anchoring)

Article 11 Any necessary matter with regard to the places in a port in which it is prohibited for a vessel to anchor or stop, or with regard to the way in which a vessel is anchored is specified by Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism.

Chapter III Passage and Navigation

(Passage)

Article 12 If a vessel other than a Miscellaneous Vessel enters or leaves a Specified Port or passes through a Specified Port, it shall use a passage prescribed by Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism (referred to simply as a "Passage" from the following Article to Article 37 inclusive and in Article 37-3); provided, however, that this shall not apply if the vessel is attempting to avert a marine accident or if there are otherwise compelling reasons.

Article 13 A vessel shall not drop anchor or release a vessel it is towing in a

Passage, except in the cases referred to in the following items:

- (i) It is attempting to avert a marine accident;
- (ii) It loses operability;
- (iii) It is engaged in rescuing a human life or a vessel facing imminent peril
- (iv) It is engaged in construction or working with the permission of the Captain of the Port under the provisions of Article 31.

(Navigation)

Article 14 (1) A vessel entering a Passage from outside or seeking to leave a Passage must give way to other vessels navigating the Passage.

(2) Vessels must not navigate abreast of each other in a Passage.

(3) When vessels pass each other in a Passage, they must keep to the starboard side.

(4) A vessel may not overtake another vessel in a Passage.

Article 14-2 In the cases set forth for each Passage by Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism as those that risk endangering a vessel navigating the Passage, if the Captain of the Port finds it to be necessary in order to prevent a hazard to a vessel that is navigating or seeking to navigate a Passage, in consideration of topographical, tidal, and other natural conditions as well as the marine traffic conditions, the Captain of the Port may, pursuant to Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism, instruct said vessel to stand by outside the Passage for as long as is necessary to prevent said hazard.

Article 15 If there is a risk of a steamship meeting with another steamship at the entrance to a port's breakwater or in its vicinity, the entering steamship must give way to the departing steamship outside the breakwater.

Article 16 (1) A vessel shall navigate at a speed that does not endanger other vessels in a port and in the vicinity of a port's boundaries.

(2) In a port, a sailboat shall navigate with lowered sails or using a tugboat.

Article 17 In a port, when a vessel navigates with the breakwater, quay, or other headland structure, or with an anchored vessel on the starboard side, it must navigate as closely as possible to such structure or vessel, and when a vessel navigates with such a structure or vessel on the port side, it must navigate as far as possible away from such structure or vessel.

Article 18 (1) In a port, a Miscellaneous Vessel gives way to any vessel that is not a Miscellaneous Vessel.

- (2) A vessel that has a tonnage of up to that which Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism specifies within the scope of 500 tonnes or less of gross tonnage, and which is not a Miscellaneous Vessel (hereinafter referred to as a "Small Vessel"), shall give way to any vessel that is not a Miscellaneous Vessel or a Small Vessel in a Specified Port with extremely congested marine traffic which is provided for in the Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism.
- (3) When a vessel that is not a Miscellaneous Vessel or a Small Vessel navigates in a Specified Port referred to in the preceding paragraph, it shall hoist a sign of the style provided for by Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism in a prominent manner on its mast.

Article 19 (1) If the Minister of Land, Infrastructure, Transport and Tourism finds compliance with the provisions of Article 14, paragraph (3) or (4), Article 15, or Article 17 to be detrimental to marine traffic safety due to the terrain, tidal currents, or other natural conditions in a port, the minister may, notwithstanding such provisions, stipulate special regulations on navigation in such port through Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism.

- (2) In addition to what is provided from Article 14 to the immediately preceding Article, the Minister of Land, Infrastructure, Transport and Tourism may stipulate special regulations on navigation in certain ports through Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism.

Article 20 Deleted

Chapter IV Dangerous Goods

Article 21 (1) If a vessel loaded with explosives or other dangerous goods (excluding goods being used by said vessel; the same applies hereafter) seeks to enter a Specified Port, it must receive directions from the Captain of the Port outside the boundaries of the port.

- (2) The kinds of dangerous goods referred to in the preceding paragraph are prescribed by the Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism.

Article 22 In a Specified Port, a vessel loaded with dangerous goods must not anchor or stop at a place other than the place designated by the Captain of the Port, except if an Anchorage is required to be designated for it; provided, however, that this shall not apply to a vessel loaded with dangerous goods other than explosives, if the Captain of the Port finds the vessel's so anchoring

or stopping to be unobjectionable and permits it to do so, in view of the period during which it will be anchored, as well as kind, quantity, and storage method of the dangerous goods.

- Article 23 (1) If a vessel seeks to load, transship, or unload dangerous goods in a Specified Port, it must obtain the permission of the Captain of the Port to do so.
- (2) If the Captain of the Port finds it unsuitable for the work prescribed in the preceding paragraph to be done in the Specified Port, the Captain of the Port may designate a suitable place outside the boundaries of the port and grant the permission set forth in the preceding paragraph.
- (3) A vessel anchoring or stopping at a place designated pursuant to the provisions of the preceding paragraph shall be deemed to be within the boundaries of the port.
- (4) If a vessel seeks to transport dangerous goods within a Specified Port or in the vicinity of the boundaries of a Specified Port, it must obtain the permission of the Captain of the Port to do so.

Chapter V Preservation of Waterways

- Article 24 (1) No person may dump ballast water, waste oil, cinders, garbage, or similar kinds of waste without good reason in the Specified Port or into the surface water within 10,000 meters of the boundaries of the port.
- (2) A person who seeks to load coal, stone, brick, or other articles that could become scattered, onto a vessel or to unload them from a vessel in a port or in the vicinity of the boundaries of a port must take the necessary measures to prevent them from dropping into the surface water.
- (3) If the Captain of the Port finds it to be necessary, the Captain of the Port may order a person who dumps waste in a Specified Port, in violation of the provisions of paragraph (1), or who allows articles that could become scattered to drop into the water in a Specified Port, in violation of the provisions of the preceding paragraph, to remove the articles dumped or dropped.

Article 25 If a situation arises in which the traffic of another vessel is impeded by a marine accident that has occurred in a port or in the vicinity of the boundaries of a port, the captain of a vessel involved in such marine accident must give a sign or otherwise take the necessary measures to prevent a hazard, without delay, and must report this to the Captain of the Port, if this has occurred in a Specified Port, or to the head of the office of the nearest regional coast guard headquarters or the Captain of the Port, if this has occurred in a port other than a Specified Port; provided, however, that if the captain of a vessel has informed the relevant party pursuant to the provisions of, Article 38,

paragraph (1), (2), or (5), Article 42-2, paragraph (1), Article 42-3, paragraph (1), or Article 42-4-2, paragraph (1) of the Act on the Prevention of Marine Pollution and Maritime Disasters (Act No. 136 of 1970), the captain of the vessel need not report the matters with regard to which the captain of the vessel informed the relevant party.

Article 26 If a drifting object, sunken object, or other object, in a Specified Port or in the vicinity of the boundaries of a Specified Port, could impede marine traffic, the Captain of the Port may order the owner or holder of such object to remove it.

Chapter VI Lamps, etc.

Article 27 (1) Unless a vessel set forth in the main clause of Article 25, paragraph (2) or (5) of the Act on Preventing Collision at Sea (Act No. 62 of 1977) is displaying the lamps under those provisions or the lamps under the provisions of paragraph (3) of the same Article, notwithstanding the provisions of the proviso of paragraph (2) and of the proviso of paragraph (5) of said Article, within a port, such vessel shall display the white portable lamps or lighted white lamps provided for in these provisions in the place that can be seen most easily from the surrounding area.

(2) The proviso to Article 27, paragraph (1) and the provisions of paragraph (7) of the same Article of the Act on Preventing Collision at Sea shall not apply to a vessel of a length shorter than 12 meters in a port.

Article 28 A vessel must not blow a whistle or sound a siren in a port without good reason.

Article 29 A person seeking to establish a private signal to be used in a Specified Port must obtain the permission of the Captain of the Port to do so.

(Fire Warning)

Article 30 (1) If a fire occurs on a vessel in a Specified Port which is equipped with a whistle or siren, unless said vessel is navigating, it shall blow or sound a prolonged sound (meaning a prolonged sound under paragraph (3) of Article 32 of the Act on Preventing Collision at Sea) five times on its whistle or siren as a warning indicating a fire.

(2) The warning set forth in the preceding paragraph must be repeated at suitable intervals.

Article 30-2 A vessel anchoring in a Specified Port which is equipped with a

whistle or siren must have the fire warning procedures set forth in the preceding Article on display at place that is easy for the person engaged in blowing the whistle or sounding the siren to see.

Chapter VII Miscellaneous Provisions

(Permission for Construction, etc. and Notification of Launch, etc.)

Article 31 (1) A person seeking to engage in construction or works in a Specified Port or in the vicinity of the boundaries of a Specified Port must obtain the permission of the Captain of the Port to do so.

(2) In granting the permission referred to in the preceding paragraph, the Captain of the Port may order necessary measures for marine traffic safety.

Article 32 A person seeking to hold a boat race or other event in a Specified Port must obtain the permission of the Captain of the Port to do so in advance.

Article 33 A person seeking to cause a vessel of a length at least as long as the length prescribed in the Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism, to launch or to enter or leave dock in an area of the Specified Port provided for by Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism shall notify the Captain of the Port of this.

Article 34 (1) A person seeking to unload bamboo or wood from a vessel onto the water surface or to moor or operate a raft in a Specified Port must obtain the permission of the Captain of the Port.

(2) In granting the permission referred to in the preceding paragraph, the Captain of the Port may order the necessary measures for marine traffic safety.

(Restriction on Fishing)

Article 35 Fishing without cause is prohibited at any place in a port where fishing could interfere with marine traffic.

(Restriction on Lamps)

Article 36 (1) No person may use a strong lamp that could interfere with marine traffic in a port or in the vicinity of the boundaries of a port, without good reason.

(2) The Captain of the Port may order a person using a strong lamp that could interfere with marine traffic in a Specified Port or in the vicinity of the boundaries of a Specified Port, to reduce the light or to cover such lamp.

(Restriction on Smoking, etc.)

Article 36-2 (1) In a port, all persons must use due care in smoking or using an open flame in the vicinity of a tanker.

(2) If a flammable liquid is floating in a Specified Port due to the occurrence of a marine accident or any other circumstance, and the Captain of the Port finds that a fire could occur, the Captain of the Port may restrict or prohibit persons in the area of said water from smoking or using an open flame; provided, however, that this shall not apply if the provisions of Article 42-5, paragraph (1) of the Act on Preventing Marine Pollution and Maritime Disasters applies.

(Restrictions, etc. on Marine Traffic)

Article 36-3 (1) A vessel navigating within a Specified Port in a waterway prescribed by Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism shall comply with the signals that the Captain of the Port gives from a signal station for controlling the traffic.

(2) A vessel which has a gross tonnage or length that is the same or greater than the tonnage or length prescribed by Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism, and which seeks to navigate in a waterway provided for in the preceding paragraph, shall communicate information to the Captain of the Port with regard to the following matters, pursuant to Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism. The same shall apply if any of the matters of which the Captain of the Port was so informed, have changed:

(i) Name of the vessel;

(ii) Gross tonnage and length of the vessel;

(iii) Estimated time for the vessel to navigate through the waterway;

(iv) Means of communicating with the vessel;

(v) The Mooring Facility within the Special Port where the vessel is anchored or seeks to anchor.

(3) If a vessel seeking to navigate a Passage provided for in Article 2, paragraph (1) of the Act on Maritime Traffic Safety (Act Number 115 of 1972) which is connected to a waterway provided for in paragraph (1), communicates the information about the Mooring Facility as under item (v) of the preceding paragraph in connection with said waterway at the same time as it communicates the information under Article 22 of the Act on Maritime Traffic Safety, the vessel is not required to communicate the information under the preceding paragraph.

(4) The position of a signal station as well as the means of signaling and meaning of signals referred to in paragraph (1) are prescribed by Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism.

Article 37 (1) If the Captain of the Port finds it to be necessary for marine traffic safety, the Captain of the Port may restrict or prohibit marine traffic in a Passage or area of the Specified Port designated thereby.

(2) The Captain of the Port gives public notice of any Passage or area designated pursuant to the provisions of the preceding paragraph and the period of restriction or prohibition.

(3) If there is a risk of a marine traffic hazard or marine traffic congestion occurring in a Specified Port due to abnormal meteorological or hydrographic conditions, the occurrence of a marine accident, or any other circumstances, and the Captain of the Port finds it to be necessary for preventing the hazard or for lessening the congestion, the Captain of the Port may restrict or prohibit the navigation of any vessel traveling towards the area, and may designate the location or means of anchoring for any vessel within the Specified Port or in the vicinity of the Specified Port's boundaries, restrict such vessel's movements, or order such vessel to leave the Specified Port or the vicinity of the Specified Port's boundaries, to the extent that this is necessary for preventing the hazard or lessening the congestion; provided, however, that this shall not apply in a case to which the provisions of Article 42-8 of the Act on Preventing Marine Pollution and Maritime Disasters apply.

(4) If there is a foreseeable risk of a marine traffic hazard occurring in a Specified Port due to abnormal meteorological or hydrographic conditions, the occurrence of a marine accident, or any other circumstances, and the Captain of the Port finds it to be necessary, the Captain of the Port may recommend any vessel within the Specified Port or in the vicinity of the Specified Port's boundaries to take the measures required to smoothly prevent the hazard.

(Control Over Nuclear-Powered Vessels)

Article 37-2 (1) If the Captain of the Port has received the instructions from the Minister of Land, Infrastructure, Transport and Tourism under the provisions of Article 36-2, paragraph (4) of the Act on the Regulation of Nuclear Source Material, Nuclear Fuel Material, and Reactors (Act No. 166 of 1957) or if the Captain of the Port finds it to be necessary for preventing a disaster from being caused by nuclear fuel material (including used fuels; the same shall apply hereafter), objects polluted by nuclear fuel material (including derivatives of atomic fission), or a reactor, the Captain of the Port may designate the Passage for any nuclear-powered vessel in the Specified Port or in the vicinity of the Specified Port's boundaries or the place for such vessel to anchor or stop, or may direct such vessel's navigation, restrict such vessel's movement, or order such vessel to leave the Specified Port or the vicinity of the Specified Port's boundaries.

(2) The provisions of Article 21, paragraph (1) shall apply mutatis mutandis if a

nuclear-powered vessel seeks to enter a Specified Port.

(Listening to the Information Provided by the Captain of the Port)

Article 37-3 (1) The Captain of the port shall provide a Specified Vessel (meaning a vessel that is not a Small Vessel or a Miscellaneous Vessel, and which is navigating in a Passage prescribed by Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism as one with particularly congested marine traffic within a Specified Port as provided for in Article 18, paragraph (2), or in an area within such a Specified Port which is prescribed by Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism as one in which it is particularly necessary to ensure marine traffic safety in the proximity of said Passage; hereinafter the same shall apply in this Article and the following Article) with information on the occurrence of an impediment to marine traffic such as the foundering of a ship, information on the navigation of a vessel that cannot easily avoid other vessels' courses, and any other information provided for by Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism as information that it is found to be necessary for the Specified Vessel to hear in order to safely navigate in said Passage or area, pursuant to Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism.

(2) A Specified Vessel shall listen to all information provided to it pursuant to the provisions of the preceding paragraph for the entire duration of its navigation in a Passage or area provided for in said preceding paragraph; provided, however, that this shall not apply in a case provided for by Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism as one in which it is difficult for the vessel to listen.

(Compliance with Navigation Rules and Recommendations for Preventing Hazards)

Article 37-4 (1) If the Captain of the Port finds there to be a risk that a Specified Vessel will not comply with the navigation rules applicable to a Passage or area provided for in paragraph (1) of the preceding Article, or finds there to be a risk that a Specified Vessel will come extremely close to another vessel or to an obstacle or that any other hazard will arise in the navigation of a Specified Vessel, and the Captain of the Port finds it to be necessary in order to cause compliance with the navigation rules or prevent such hazard, the Captain of the Port may recommend the Specified Vessel to change its course or to take any other necessary measure to the extent necessary for such purpose, pursuant to the Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism.

(2) If the Captain of the Port finds it to be necessary, the Captain of the Port may

request a Specified Vessel that has been issued a recommendation pursuant to the provisions of preceding paragraph to report on any measures taken based on that recommendation.

(Mutatis Mutandis Application of Provisions)

Article 37-5 The provisions of Article 10, Article 26, Article 29, Article 31, Article 36, paragraph (2), Article 36-2 paragraph (2), and Article 36-3 to 37-2 inclusive shall apply mutatis mutandis to ports other than a Specified Port. In such a case, the authority of the Captain of the Port as set forth in these provisions is to be exercised by the head of the office of the regional coast guard headquarters which has jurisdiction over the location of such port and which is provided for by Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism.

(Exclusion from Application of the Administrative Procedure Act)

Article 37-6 (1) The provisions of Chapter 3 of the Administrative Procedure Act (Act No. 88 of 1993) shall not apply to a disposition under Article 10 (including as applied mutatis mutandis pursuant to the provisions of the preceding Article), Article 14-2, Article 21, paragraph (1) (including as applied mutatis mutandis pursuant to Article 37-2, paragraph (2) (including as applied mutatis mutandis pursuant to the provisions of the preceding Article)), Article 36-2, paragraph (2) or Article 37, paragraph (3) (including as applied mutatis mutandis pursuant to the provisions of the preceding Article).

(2) In addition to what is provided for in the preceding paragraph, the provisions of Chapter 3 of the Administrative Procedure Act shall not apply to a disposition under the provisions of Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism based on this Act, which is made on site at a port for the purpose of ensuring marine traffic safety or order in that port.

Chapter VIII Penal Provisions

Article 38 A person falling under any of the following items is subject to imprisonment with work for up to six months or fine of up to five hundred thousand yen.

- (i) A person who has engaged in an act that constitutes a violation of the provisions of Article 22, Article 23, paragraph (1) or (4), Article 21, paragraph (1) as applied mutatis mutandis pursuant to Article 37-2, paragraph (2) (including as applied mutatis mutandis pursuant to the provisions of Article 37-5);
- (ii) A person who has engaged in an act that constitutes a violation of a disposition under the provisions of Article 37-2, paragraph (1) (including as

applied mutatis mutandis pursuant to the provisions of Article 37-5).

Article 39 A person falling under any of the following items is subject to imprisonment with work for up to three months or a fine of up to three hundred thousand yen.

- (i) A person who has engaged in an act that constitutes a violation of the provisions of Article 5, paragraph (1), Article 7, paragraph (1), Article 12, Article 13 or Article 36-3, paragraph (1) (including as applied mutatis mutandis pursuant to the provisions of Article 37-5);
- (ii) A person who has anchored a vessel without obtaining the designation under the provisions of Article 5, paragraph (2) or who has anchored a vessel at a place other than an Anchorage provided for in paragraph (4) of said Article
- (iii) A person who has engaged in an act that constitutes a violation of a disposition under the provisions of Article 8, paragraph (3), Article 10 (including as applied mutatis mutandis pursuant to Article 37-5), Article 14-2, or Article 37, paragraph (1) or (3) (including when these provisions apply mutatis mutandis pursuant to Article 37-5);
- (iv) A person who has violated the provisions of Article 24, paragraph (1) or Article 31, paragraph (1) (including as applied mutatis mutandis pursuant to Article 37-5);
- (v) A person who has violated a disposition under the provisions of Article 24, paragraph (3), or of Article 26, Article 31, paragraph (2), or Article 36, paragraph (2) (including when these provisions apply mutatis mutandis pursuant to Article 37-5);
- (vi) A person who has violated the provisions of Article 25.

Article 40 A person who has violated a disposition under the provisions of Article 36-2, paragraph (2) (including as applied mutatis mutandis pursuant to the provisions of Article 37-5) is subject to a fine of up to three hundred thousand yen.

Article 41 A person falling under any of the following items is subject to a criminal fine or petty fine of up to three hundred thousand yen.

- (i) A person who has engaged in an act that constitutes a violation of the provisions of Article 4, Article 8, paragraph (2), Article 21, paragraph (1), or Article 35;
- (ii) A person who has violated the provisions of Article 8, paragraph (1), Article 24, paragraph (2), Article 29 (including as applied mutatis mutandis pursuant to the provisions of Article 37-5), Article 32, Article 33, or Article 34, paragraph (1);

(iii) A person who has violated a disposition under the provisions of Article 34, paragraph (2);

Article 42 A person who has engaged in an act that constitutes a violation of the provisions of Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism under the provision of Article 11 is subject to a criminal fine of up to three hundred thousand yen, misdemeanor imprisonment without required labor, or a petty fine.

Article 43 If the representative of a corporation or the agent, employee, or other worker of a corporation or an individual commits a violation referred to in Article 39, item (iv) or (v) or Article 41, item (ii) or (iii) in connection with the business of said corporation or individual, in addition to the offender being subject to punishment, the corporation or individual is subject to the fine set forth in the relevant Article.