

LAW CONCERNING SPECIAL MEASURES FOR  
THE PRESERVATION OF LAKE WATER QUALITY

(Law 61 of 7.27 of 1984)  
Amended Law 69 of 1986

**CHAPTER I GENERAL PROVISIONS**

**(Purpose)**

**Article 1**

The purpose of this law is to establish the basic policy for the preservation of lake water quality and formulate a plan regarding the measures to be taken for the preservation of water quality of such lakes where it is eminent to establish an environmental standard regarding the pollution of water quality and take special measures such as enacting necessary regulations relative to the facilities discharging polluted water, waste liquids and other substances causing the pollution of water whereby contributing to ensure a healthy and cultural life of the people.

**(Basic Policy for the Preservation of Lake Water Quality)**

**Article 2**

The national government shall establish a basic policy for preservation lake water quality (hereinafter referred to as the "Basic Policy for the Preservation of Lake Water Quality").

2. The following particulars shall be defined in the Basic Policy for Preservation of Lake Water Quality:

- (1) Basic plan concerning the preservation of lake water quality.
- (2) Preparation of a plan to preserve the lake water quality.
- (3) In addition to the preceding 2 Items, important matters pertaining to the preservation of lake water quality.

3. The Basic Policy for Preservation the Lake Water Quality, in view of the fact that lakes play an important role in securing of a healthy and cultural life, shall be established in accordance with the basic concept of taking appropriate and balanced measures for the preservation of water quality according to the cause of pollution and the characteristics of the lakes with due consideration to flood control, fishery and other public functions of the lakes so that the people, now and in the future, may enjoy the benefits thereof.

4. The Prime Minister shall make a draft of the Basic Policy for the Preservation of Lakes Water Quality and obtain the approval of the Cabinet Council.

5. The Prime Minister, upon obtaining the approval of the Cabinet Council as mentioned in the preceding paragraph, shall make an

official announcement of the Basic Policy for Preservation of Lake Water Quality.

6. The provisions of the preceding 2 paragraphs shall also apply to amendments of the Basic Policy for Preservation of Lake Water Quality.

## **CHAPTER II PLANS, ETC. CONCERNING THE PRESERVATION OF WATER QUALITY OF DESIGNATED LAKES**

### **(Designated Lakes and Designated Areas)**

#### **Article 3**

The Prime Minister, in response to the report by the governors of prefectures, may designate certain lakes which are not assured of or extremely likely of not being assured of the standards (referred to as "Environmental Water Quality Standards under Article 23-1) regarding the environmental conditions relative to water pollution as specified in Article 9, Paragraph 1 of the Basic Law for Environmental Pollution Control (Law No. 132 of 1967) and for which a general measure to maintain the water quality is considered necessary in view of the usage of the water and the development of water pollution in the lakes as designated lakes.

2. The Prime Minister shall designate such areas which are deemed to be involved in the pollution of water quality of designated lakes as designated areas.

3. When designating designated lakes or designated areas, the Prime Minister shall obtain comments of the governors of prefectures having jurisdiction over such areas (excluding such governors of prefectures having submitted applications under Paragraph 1 relative to the designation of designated lakes.)

4. Governors of prefectures, when submitting applications under Paragraph 1 or expressing their opinions in accordance with the preceding paragraph, shall obtain comments of the mayors of the cities, towns and villages concerned.

5. When designating designated lakes or designated areas, the Prime Minister shall obtain the approval of the Cabinet Council.

6. When designating designated lakes or designated areas, the Prime Minister shall so officially announce in the official gazette.

7. Provisions of Paragraph 1 (only such portions relative to the submission of reports by the governors of prefectures) and Paragraph 3 to the preceding paragraph shall also apply to the amendment or termination of designations of designated lakes and the provisions in Paragraph 3 to the preceding paragraph to the amendment or termination of designations of designated areas.

**(Plan for Preserving the Lake Water Quality)**

**Article 4**

When designated lakes and designated areas are established in accordance with the provisions of the preceding article, the governor of prefectures, as stipulated in the Basic Policy for Preservation of Lake Water Quality, shall prepare a plan (hereinafter referred to as Plan for the Preservation of Lake Water Quality), every 5 years, regarding the measures to be taken for preserving the water quality of designated lakes.

2. When a designated area extends over 2 or more prefectures, the governors of the prefectures concerned shall consult with each other and determine the Plan for the Preservation of Lake Water Quality.

3. The Plan for the Preservation of Lake Water Quality shall stipulate the following particulars:

(1) Policy regarding the preservation of lake water quality.

(2) Matters pertaining to the construction of sewers and septic tanks, dredging and other works contributing to the preservation of lake water quality.

(3) Matters pertaining to regulations and other measures for the preservation of lake water quality.

(4) In addition to the preceding 3 particulars, matters pertaining to measures for the preservation of lake water quality.

4. When preparing the Plan for the Preservation of Lake Water Quality, the governor of prefecture shall obtain comments of the person implementing the enterprise as stipulated in the Plan for the Preservation of Lake Water Quality concerned (excluding the national government) and the mayors of the cities. Towns and Villages concerned and furthermore, consult with the person in charge of managing rivers (person managing rivers as stipulated in Article 7 (including such cases where the provisions are applicable in Article 100 of the Law) of the River Law (Law No. 167 of 1964)) and obtain the approval of the Prime Minister.

5. When approving under the preceding paragraph, the Prime Minister shall obtain the approval of the Conference on Environmental Pollution Control.

6. When deciding on a Plan for the Preservation of Lake Water Quality, the governor of prefecture shall, without delay, deliver the plan to the mayors of the cities, towns and villages concerned as well as make an official announcement.

7. Provisions of the preceding 3 paragraphs shall also be applicable to the amending of the Plan for the Preservation of Lake Water Quality.

**(Implementation of Enterprises)**

**Article 5**

The enterprises specified in the Plan for the Preservation of Lake

Water Quality shall be implemented by the national and local governments and other organizations in accordance with the provisions of the laws (including orders under the laws) relative to the enterprises concerned.

**(Promotion for the Accomplishment of the Plan for the Preservation of Lake Quality)**

**Article 6**

The national and local governments shall endeavor to take measures necessary for accomplishing the purpose of the Plan for the Preservation of Lake Water Quality.

**CHAPTER III SPECIAL MEASURES PERTAINING TO THE PRESERVATION OF WATER QUALITY OF DESIGNATED LAKES**

**(Establishing the Standard for the Regulation)**

**Article 7**

In designated areas, the governor of prefecture shall, in accordance with the Plan for the Preservation of Lake Water Quality and in compliance with the provisions of the Order of the Prime Minister's Office, establish a regulation standard for preservation the lake water quality regarding the pollution load (pollution load specified in Article 2, Paragraph 2, Item 2 of the Law expressed in terms defined by the Cabinet Order according to each designated lakes as to the chemical oxygen demand quantity. Same shall be applicable to the following paragraph, the following article and Article 10) of water (hereinafter referred to as effluents) flowing into public water areas (public water area as stipulated in Article 2, Paragraph 1 of the Law, hereinafter the same) from designated facilities (including such facilities deemed to be designated facilities concerned according to the provisions of Article 14, also in Article 15, Paragraph 1, Article 24 and Article 32) as specified in Article 2, Paragraph 2 of the Water Pollution Control Law (Law No. 138 of 1970) installing facilities other than those specified in the Cabinet Order (hereinafter referred to as designated facilities in lakes) and exceeding the scale specified by such Order (hereinafter referred to as designated area in lakes.)

2. The regulation standard mentioned in the preceding paragraph shall set the allowance of the pollution load discharged from the designated area in the lakes concerned.

3. When establishing a regulation standard according to the provisions of Paragraph 1, the governor of prefecture shall make an official announcement. The same procedure shall be followed when amending or abolishing the standard.

by the Order of the Prime Minister's Office and such amendments for which notices have been filed according to the provisions of Article 7 of said Law before the date and procedures for the amendments taken in accordance with the Cabinet Order) of the particulars stipulated in Paragraph 4 through 8 of the Law (including such cases where the provisions are applicable as defined in Article 14) after the effective date of the regulation standards.

2. Any person acquiring a designated area in lakes by purchase, lease, inheritance or merger shall, with regards to the application of the provisions set forth in Article 8 and the preceding article and paragraph, succeed the rights and obligations of the person installing the designated area in the lakes concerned.

#### **Article 12**

With regard to persons discharging effluents from mines, specified in Article 2, Paragraph 2 of the Mine Safety Law (Law No. 70 of 1949), where specified facilities in lakes such as, constructions, buildings and other facilities as provided for in Article 8, Paragraph 1 of said law, are installed, and electrical facilities stipulated under Article 2, Paragraph 7 of the Electrical Enterprise Law (Law No. 170 of 1964) or factories or workshops installing waste oil treatment facilities defined as specified facilities in lakes in Article 3, Paragraph 14 of the Law relating to the prevention of Marine Pollution and Maritime Disaster (Law No. 136 of 1970), the applications of the provisions of Article 8 and Article 10 shall be exempted and the relative provisions of the said laws shall apply.

2. The governors of prefectures may, when it is deemed that there is the possibility of damage to the environment due to the water pollution of designated lakes caused by effluents from specified facilities in lakes stipulated in the preceding paragraph, request the chiefs of the national administrative organs having the authority under the law provided for in the preceding paragraph, to take measures in accordance with the provisions of the Mine Safety Law or Electrical Enterprise Law (in the case of the law pertaining to the prevention of marine pollution and maritime disaster, the provisions of the law corresponding to those of Article 8) corresponding to the provisions of Article 8 or Article 10.

3. The provisions of Article 23, Paragraph 5 of the Water Pollution Control Law shall be applicable to the request mentioned in the preceding paragraph.

#### **(Applications of the Water Pollution Control Law)**

#### **Article 13**

With regard to the application of the provisions of Article 22, Paragraph 1 of the Water Pollution Control Law in designated areas, the term "this law" used in the paragraph shall mean "this law (including the provisions of Articles 7 through 10 of the Law Con-

cerning Special Measures for the Preservation of Lake Water Quality”  
**(Regulations, Etc. of Effluents Discharged in Connection with  
Quasi Specified Facilities)**  
**Article 14**

With regard to the water quality of lakes in designated areas, facilities specified by Cabinet Orders as facilities discharging polluted water or waste liquids at the level specified in Article 2, Paragraph 2, Item 2 of the Water Pollution Control Law, shall be construed as specified facilities mentioned in said paragraph and the provisions of said law shall apply. In this connection, the term “when being designated” in Article 6, Paragraph 1 and Article 12, Paragraph 2 of said law shall read “when being designated or when an area is designated as a designated area under Article 3, Paragraph 2 of the Law Concerning Special Measures for the Preservation of Lake Water Quality” and the term “the day when designated” shall read “the day when designated or the day when the area concerned is designated as a designated area under said paragraph” and the term “for 6 months” in said paragraph shall read “for one year” and the term “for one year” shall read “for 3 years” and the term “Article 2, Paragraph 2” under “Article 13, Paragraph 4 of said law” shall read “Article 14 of the Law Concerning Special Measures for the Preservation of Lake Water Quality” and the term “Cabinet Order or” shall read “Cabinet Order or” and “amendment” shall read “amendment, or designation or amendment of designated areas under Article 3, Paragraph 2 of said law.”

**(Submitting Notice of Installation of Designated Facilities)**  
**Article 15**

In designated areas, facilities producing substances causing the water pollution of lakes as defined in the provisions of Article 2, Paragraph 2, Item 2 of the Water Pollution Control Law (specified facilities mentioned in said paragraph are exempted) and discharging such substances into Public Water Areas and persons intending to install such facilities which are designated by Cabinet Order as facilities not appropriate for regulation by the effluent standards under Article 3, Paragraph 1 or Paragraph 3 of the said law from the viewpoint of maintaining the water quality of lakes, shall submit notice stating the following particulars to the governor of prefecture in accordance with the provisions of the Order of the Prime Minister's Office. However, persons obtaining the approval of the river administrator as stipulated in Article 26 of the River Law regarding the installation of the designated facility concerned shall be exempted.

- (1) Name of individual or name, address and the name of representative in case of a company.

- (2) Location of the specified facility
  - (3) Classification of the specified facility
  - (4) Structure of the specified facility
  - (5) Method of usage of the specified facility
  - (6) Other matters specified by the Order of the Prime Minister's Office
2. When approving as per the provision of the preceding paragraph, The River Administrator shall so notify the prefectural governor.

**(Transitional Measures)**

**Article 16**

When a facility is designated as a specified facility in a designated area where a person is currently in possession of the facility (including persons in the process of installing such facilities, hereafter same in this paragraph) or when an area is designated as a designated area where a person is currently in possession of a specified facility, such person shall, within 30 days from the day when the facility is specified as a specified facility or when the area is designated as a designated area, submit a notice to the governor of prefecture in accordance with the provisions stipulated in the Order of the Prime Minister's Office stating the particulars listed in the Items of Paragraph 1 of the preceding article.

2. The proviso in Paragraph 1 of the preceding article and the provision of Paragraph 2 shall be applicable to the instances described in the preceding paragraph.

**(Notice of Revision of Structures, Etc. of Specified Facilities)**

**Article 17**

Persons submitting notices in accordance with the provisions of Article 15, Paragraph 1 or Paragraph 1 of the preceding article (including such persons in connection with the notice under Article 15, Paragraph 2 (including such instances where the provisions are applicable as mentioned in Paragraph 2 of the preceding article) also applicable in Paragraph 1 of the following article), when revising the particulars stated in Items 1 or 2 of Paragraph 1 of Article 15, shall so notify the governor of prefecture in accordance with the provisions of the Order of the Prime Minister's Office.

2. Persons specified in the preceding paragraph shall, when revising the particulars described in Items 1 or 2 of Paragraph 1 of Article 15 or when terminating the usage of the designated facility in connection with the notice, within 30 days from such date, so notify the governor of prefecture.

3. The proviso in Article 15, Paragraph 1 and the provisions of Paragraph 2 shall be applicable to the preceding 2 paragraphs.

**(Succession)**

**Article 18**

The provisions of Article 11, Paragraphs 1 and 2 of the Water Pollution Control Law shall be applicable to persons succeeding the positions of the persons submitting notifications according to the provisions of Article 15, Paragraph 1 or Article 16, Paragraph 1.

2. Persons succeeding the positions of the persons stipulated in the preceding paragraph in accordance with the provisions of Article 11, Paragraph 1 or 2 of the Water Pollution Control Law, shall so notify the governor of prefecture within 30 days of such succession. However, persons submitting notices in accordance with the provisions of Article 33, Paragraph 3 of the River Law shall be exempted.

3. The provisions of Article 15, Paragraph 2 shall be applicable to instances described in the proviso of the preceding paragraph.

**(Obligation to Observe the Standards)**

**Article 19**

Persons having specified facilities in designated areas shall, with reference to such specified facilities, observe the standards concerning the structures and the method of usage as determined by the governor of prefecture in accordance with the provisions stipulated by the Order of the Prime Minister's Office.

2. The provisions of Article 7, Paragraph 3 shall be applicable to standards in the preceding paragraph.

**(Improvement Advice and Improvement Order)**

**Article 20**

When a person having a specified facility in a designated area is deemed to be in violation of the standards set forth in Paragraph 1 of the preceding article, the governor of prefecture may advise such person to improve the structure or the method of usage within a specified period.

2. When the person receiving the advice mentioned in the preceding paragraph continues to use the designated facility concerned failing to follow the advice, the governor of prefecture may order the person to improve the structure or the method of usage within a specified period.

3. The provisions of the preceding 2 paragraphs shall not apply, for a period of 1 year from the applicable date of the standards (for 3 years in case the facility concerned is a facility specified by the Cabinet Order) to specified facilities of persons (including such persons in the process of installing facilities and persons who have submitted notifications according to the provisions of Article 15, Paragraph 1, or persons having completed the procedures relative to the installation of facilities as stipulated by Cabinet Orders but who have not yet commenced the construction thereof) currently in possession of specified facilities in designated areas at the time

of applying the standards specified in Paragraph 1 of the preceding article. However, relative to applying the standards, when there is a provision in the local government regulations applicable to the person corresponding to the provisions of Paragraph 1 and when the person revises (except for minor revisions as prescribed by the Order of the Prime Minister's Office and revisions for which the notice according to the provisions of Article 17, Paragraph 1 have been completed before the date) the particulars mentioned in Article 15, Paragraph 1, Items 4 through 6 regarding the facility after the applicable date of the standards, the foregoing provisions shall not be applicable.

4. The governors of prefectures, in applying the provisions of Paragraph 1 or Paragraph 2 to small scale enterprises, shall give special consideration to the contents of the advice or order so as not to cause undue hardships to the activities of the enterprises of such persons.

**(Reporting and Inspection)**

**Article 21**

Prefectural governors may, to the extent necessary in enforcing this law, request the person having a designated facility to report on its condition and on other pertinent matters, or may have his officer enter the premises where the facility concerned is located and inspect the specified facility and other facilities.

2. The prefectural official entering the premises for inspection according to the provisions of the preceding paragraph, shall carry a certificate identifying his status and present such certificate to the persons concerned.

3. The right to enter premises for inspection shall not construed to be a right to enter premises for criminal investigation.

**(Quasi Specified Facilities)**

**Article 22**

The provisions of the preceding 3 articles shall be applicable to specified facilities in lakes determined by the Cabinet Order to be treated as specified facilities. In such case, the term "provisions of Article 15, Paragraph 1" shall read "provisions of Article 5 of the Water Pollution Control Law" and "provisions of Article 17, Paragraph 1" shall read "provisions of Article 7 of said law."

**(Reducing the Total Quantity of Pollution Load)**

**Article 23**

With reference to designated lakes into which substantial amount of effluents is discharged from the daily lives and business activities of concentrated population and enterprises and it is deemed difficult to conserve the water quality environment standard of such lakes solely by the measures provided for in Article 4 through the preced-

ing article or by the effluent discharge standards stipulated in Article 3, Paragraph 1 or Paragraph 3 of the Water Pollution Control Law and so designated by the Cabinet Order (hereinafter referred to as “Lakes Designated to Reduce the Total Quantity”), the governor of prefecture shall prepare a plan (hereinafter referred to as “Plan to Reduce the Total Quantity in Lakes”) concerning the reduction of the total amount of pollution (hereinafter simply referred to as “Pollution Load”) as prescribed in the paragraph concerned of the Plan for the Preservation of Lake Water Quality in connection with the designated area (hereinafter referred to as “Areas Designated to Reduce the Total Quantity”) relative to the Lakes Designated to Reduce the Total Quantity in order to prevent the pollution of water quality according to the particulars specified by the Cabinet Order in Article 7, Paragraph 1.

2. The plan to reduce the total quantity in lakes shall state the target of reduction in the particular area designated to reduce the total quantity, target year, method for achieving the target and other pertinent matters relative to reducing the total quantity of the pollution load. In this instance, the target of reduction shall be determined in accordance with Article 4-2, Paragraph 2-latter portion of the Water Pollution Control Law.

3. When designated lakes are found to meet the conditions prescribed in Paragraph 1, the governor of prefecture may notify the Prime Minister regarding the preparation of a Cabinet Order stipulating the lakes designated to reduce the total quantity as defined in the said paragraph.

4. When legislating, amending or abolishing a Cabinet Order designating lakes to reduce the total quantity, the Prime Minister shall obtain the comments of the governor of prefecture (except those governors of prefectures had submitted notices according to the preceding paragraph) having jurisdiction over the designated area relative to the designated lakes.

5. The governors of prefectures, when submitting notices under Paragraph 3 or expressing comments under the preceding paragraph, shall obtain the comments of the mayors of the cities, towns and villages concerned.

6. With reference to the reduction of pollution load in accordance with the Plan to Reduce the Total Quantity in the Lakes determined according to the provisions of Paragraph 1, the Plan to Reduce the Total Quantity in the Lakes shall be considered as the plan to reduce the total quantity as stipulated in Article 4-3 of the Water Pollution Control Law, and the provisions of the said law shall be applicable (including the provisions of the said law applicable in accordance with the provisions of Article 14 but excluding the provisions of Article 4-2 and Article 4-3.) In this instance, the term “designated area” shall mean “designated area for reducing

the total quantity as stipulated in Article 23, Paragraph 1 of the Law Concerning Special Measures for the Preservation of Lake Water Quality” and the term “specified facility” shall mean “specified facility (including such facilities deemed to be specified facilities according to the provisions of Article 14 of the Concerning Special Measures for the Preservation of Lake Water Quality, hereinafter the same) and the term “at the time of enforcing the Cabinet Order designating the area under Article 4-2, Paragraph 1” stated in Article 6, Paragraph 2 of the said law shall read “when an area is designated as a designated area to reduce the total quantity as prescribed in Article 23, Paragraph 1 of the Law Concerning Special Measures for the Preservation of Lake Water Quality” and the term “effective date of the Cabinet Order concerned” shall read “the date when the designated area became a designated area to reduce the total quantity” and the term “Cabinet Order or . . . designating an area under Article 4-2, Paragraph 1” in Article 13, Paragraph 4 shall read “Cabinet Order or . . . specifying a facility under Article 14 of the Law Concerning Special Measures for the Preservation of Lake Water Quality” and the term “revision” shall read “revision or the designation or change of a designated area under Article 3, Paragraph 2 of the said law” and the term “designated water area” in Article 16, Paragraph 3 of the said law shall read “designated lakes to reduce the total quantity as stipulated in Article 23, Paragraph 1 of the Law Concerning Special Measures for the Preservation of Lake Water Quality.”

**(Guidance, Etc.)**

**Article 24**

The governors of prefectures may offer guidance, advice and suggestions necessary to accomplish the Plan for the Preservation of Lake Water Quality to persons, other than persons having a specified facility or a specified facility as stipulated in Article 2, Paragraph 2 of the Water Pollution Control Law, who are discharging into Public Water Area polluted water, waste liquids and other substances causing the pollution of water in connection with the particulars stipulated in Item 2 of the said paragraph in designated areas.

**(Conserving the Natural Environment in the Lake Area)**

**Article 25**

In conjunction with other measures provided for in this chapter, the national and local governments shall endeavor to conserve the greenery and other natural environment in the lake area which contribute to the preservation of water quality of designated lakes.

## CHAPTER IV MISCELLANEOUS PROVISIONS

### (Advice and Other Measures)

#### Article 26

The national government shall endeavor to provide advices and other necessary aids to the local governments so that they may successfully implement the enterprises in the Plan for the Preservation of Lake Water Quality.

#### Article 27

The national government shall endeavor to provide funds, technical advices and other necessary measures to the enterprises for the construction of facilities to prevent the pollution of water in designated lakes.

2. In providing the measures mentioned in the preceding paragraph, special consideration shall be given to small and medium size enterprises.

### (Cooperation, Etc. of Related Administrative Organs)

#### Article 28

When deemed necessary for accomplishing the purpose of this law, governors of prefectures may request the submission of necessary materials and other cooperation or offer comments regarding the maintenance of water quality of designated lakes to the chiefs of related administrative organs or the chiefs of related local governments.

2. River Administrator, Ports and Harbors Administrator (Ports and Harbors Administrator as stipulated in Article 2, Paragraph 1 of the Port and Harbor Law (Law No. 218 of 1970)) and other persons managing the Public Water Areas within designated areas and so designated by the Cabinet Order, may offer comments concerning the preservation of water quality of designated lakes to the governor of prefecture when it is deemed necessary for the management of the Public Water Area in connection with the implementation of this law.

### (Promotion of Research, Etc.)

#### Article 29

The national government shall endeavor to promote the research and technical development relative to the preservation of water quality of lakes and propagate the results thereof.

2. With respect to the preservation of water quality of lakes, the national government shall endeavor to propagate related knowledge and solicit the cooperation of the people.

### (Transitional Measures)

#### Article 30

When issuing, revising or abolishing an order in accordance with

**(Exceptions Pertaining to Order to Amend Plans Concerning Designated Areas in Lakes)**

**Article 8**

The governor of prefecture, upon receiving the notice in accordance with the provisions of Article 5 or Article 7 of the Water Pollution Control Law concerning designated facilities in lakes (including such instances where these provisions are applicable according to Article 14), may within 60 days only of the receipt of such notice, order the person installing the facilities to improve the treatment method of the polluted water or waste liquids or take other necessary measures when it is deemed that the effluents from the designated area in the lakes concerned where the designated facility in the lakes is to be installed according to the notice, does not meet the regulation standards specified in Paragraph 1 of the preceding article.

**(Obligation to Observe the Regulation Standards)**

**Article 9**

Persons installing designated areas in lakes, shall observe the regulation standards provided for in Article 7, Paragraph 1 relating to designated areas in the lakes concerned.

**(Exceptions Pertaining to Improvement Orders, Etc. Concerning Designated Areas in Lakes)**

**Article 10**

When it is determined that there is the possibility of effluents whose pollution load does not conform to the regulation standards stipulated in Article 7, Paragraph 1, being discharged, the governor of prefecture may order the person installing the designated area in the lakes where the effluents are being discharged, to improve within a specified period the treatment method of the polluted water or waste liquids or take any other necessary measures at the designated area in the lakes.

**(Exemptions, Etc.)**

**Article 11**

When applying the regulation standards of Article 7, Paragraph 1, the provisions of the preceding 3 articles shall not apply to designated areas where specified facilities in the lakes concerned are to be installed by persons (including such persons as currently in the process of installing and also such persons who have filed notices according to the provisions of Article 5 of the Water Pollution Control Law and taken the procedures for installation as specified by the Cabinet Order but have not commenced the work thereof) who have already installed specified facilities in lakes in a designated area. However, the foregoing provisions shall not apply when the person in connection with the specified facilities in the lakes concerned makes an amendment (excluding such minor amendments as defined

the provisions of this law, necessary transitional measures (including transitional measures concerning penal provisions and penal provisions concerning transitional measures) may be established within the scope rationally deemed necessary relative to the issuance, revision or abolishment of the order.

**(Delegating Duties, Etc.)**

**Article 31**

In case all or part of the designated area is located within a city area specified by the Cabinet Order, duties relative to such area (except for duties specified in Article 3), Paragraph 1 (including such case where the provisions are applicable in Paragraph 7 of the said law), Article 4, Paragraph 1; Article 7 Paragraph 1; Article 19, Paragraph 1 (including such case where the provisions are applicable in Article 22 and Article 23, Paragraph 1 and Paragraph 3) within the authority of the governor of prefecture under the provisions of this law may be delegated to the mayor of the city in accordance with the provisions of the Cabinet Order.

2. The mayor of the city specified in the preceding paragraph shall notify the governor of prefecture of such particulars necessary for the implementation of this law and so specified by the Order of the Prime Minister's Office.

**(Relation with Local Government Orders)**

**Article 32**

Provisions of this law shall not prevent the local government in a designated area from establishing necessary regulations by prefectural orders concerning the structure of a facility or the method of its usage relative to the particulars other than those specified in Article 2, Paragraph 2, Item 2 of the Water Pollution Control Law for designated facilities (including those facilities specified by the Cabinet Order under Article 22, hereinafter the same) and the particulars specified in said paragraph for non-designated facilities, applicable to facilities discharging substances causing the pollution of water quality of lakes.

**CHAPTER V PENAL PROVISIONS**

**Article 33**

Persons in violation of the order under the provisions of Article 8 or Article 10 shall be sentenced to a prison term of not more than 1 year or be fined not more than 500 thousand yen.

**Article 34**

Persons in violation of the order under the provisions of Article 20, Paragraph 2 (including such instance where the provisions are applicable in Article 22) shall be fined not more than 300 thousand yen.

**Article 35**

Persons failing to report under the provisions of Article 15, Paragraph 1 or Article 17, Paragraph 1, or persons making false reports shall be fined not more than 200 thousand yen.

**Article 36**

Persons falling under any of the following categories shall be fined not more than 100 thousand yen.

1. Persons failing to report under the provisions of Article 16, Paragraph 1 or persons making false reports.
2. Persons failing to report under the provisions of Article 21, Paragraph 1 (including such instance where the provisions are applicable in Article 22, hereafter the same in this sub-paragraph) or persons making false reports or persons avoiding, interfering with or refusing the inspection stipulated in the said paragraph.

**Article 37**

When a representative of a judicial person or an agent, employee or other workers of a judicial person or a natural person commits any of the acts specified in Article 33 through the preceding paragraph in connection with the business of such judicial or natural person, the judicial or natural person shall be fined, as well as the person committing the violation, in accordance with the respective articles.

**Article 38**

Persons failing to report or persons making false reports under the provisions of Article 17, Paragraph 2 or Article 18, Paragraph 2 shall be fined not more than 100 thousand yen.

**SUPPLEMENTARY PROVISIONS**

**(EXTRACT)**

**(Enactment Date, Etc.)**

1. This law shall be enacted from the date determined by the Cabinet Order (1985.3.21, Cabinet Order 36 of 1985) within a period not exceeding 1 year from the date of its promulgation. However, Article 2 and Article 3, Paragraph 1 (limited to the portion relating to the report by the governor of prefecture), Paragraph 3 and Paragraph 4 shall be enacted from the date of promulgation.
2. During the interim period when Article 3, Item 11 of the Law pertaining to the Prevention of Marine Pollution and Maritime Disaster is amended to Item 14 of the said law in accordance with the provisions of Article 2 of the Law for Partial Amendment of the Law pertaining to the Prevention of Marine Pollution and Maritime Disaster, the term "Article 3, Item 14" in Article 12, Paragraph 1 shall read "Article 3, Item 11."

(Partial amendment = Law 69 of 1986)