

WATER RESOURCES DEVELOPMENT PROMOTION LAW

(Law No. 217 of 1961)

urpose)

Article 1. This Law aims at promotion of the comprehensive development and the rational utilization of the water resources in the whole water system of rivers, together with the conservation and protection of the headwaters, in order to secure the supply of water for areas which need water owing to the industrial development or growth and the increase in the urban population, and thereby to contribute to the growth of the national economy and the improvement of the national living.

asic Research)

Article 2. The Government shall carry out the basic research necessary for designating a water system for water resources development provided for in paragraph 1 of the following Article and for determining the basic plan for water resources development provided for in paragraph 1 of Article 4.

2. The Director-General of the Economic Planning Agency may make necessary adjustment to the basic researches conducted under the provisions of the preceding paragraph by the heads of the administrative agencies concerned and may require the heads of the administrative agencies concerned to submit reports on the results of the basic researches.

(Designation of Water System for Water Resources Development)

Article 3. When the Prime Minister deems it necessary to carry out urgently regional measures for water utilization in an area provided for in Article 1, he shall, upon consulting with the heads of the administrative agencies concerned and hearing the opinions of the governors of the interested prefectures and the Water Resources Development Council, designate the water system of rivers with respect of which it is necessary to promote the comprehensive development and the rational utilization of the water resources in order to secure the supply of water for the area referred to above as a water system for water resources development.

2. The designation by the Prime Minister of a water system for water resources development shall be based on a Cabinet decision.
3. When the Prime Minister has designated a water system for water resources development, he shall make public notification thereof.

(Basic Plan for Water Resources Development)

Article 4. When the Prime Minister has designated a water system for water resources development, he shall consult with the heads of the administrative agencies concerned and hear the opinions of the governors of the interested prefectures and the Water Resources Development Council, so as to determine the basic plan for water resources development (hereinafter referred to as "the basic plan") which is to become the basis of the comprehensive development and the rational utilization of the water resources in the water system for water resources development.

2. The determination by the Prime Minister of the basic plan shall be based on a Cabinet decision.
3. The basic plan shall reflect sufficient consideration for erosion and flood control, development of power resources and development of under-developed areas of the said water system for water resources development.
4. When the Prime Minister has determined the basic plan, he shall make public notification thereof.
5. The provisions of the preceding four paragraphs shall apply mutatis mutandis to the case of revising the basic plan.

Article 5. The basic plan shall contain statements on the following matters:

- (1) Prospect of demand for and target of supplies in water;
- (2) Basic matters concerning construction of facilities necessary to attain the target of the supplies referred to in the preceding item:
- (3) Other important matters concerning the comprehensive development and rational utilization of water resources.

Water Resources Development Council)

Article 6. There shall be established a Water Resources Development Council (hereinafter referred to as "the Council") in the Prime Minister's Office as its auxiliary organ.

2. The Council shall, at the request of the Prime Minister, investigate and deliverate on important matters concerning a water

system for water resources development and the basic plan.

3. The Council may offer its opinion to the Prime Minister or the head of the administrative agencies concerned on important matters referred to in the preceding paragraph.

Article 7. The Council shall consist of fifteen councillors or less.

2. The councillors shall be appointed by the Prime Minister from among persons of learning and experience.
3. The term of office of a councillor shall be two years, but the term of office of a councillor who fills a vacancy shall be the remainder of the term of his predecessor.
4. Councillors may be re-appointed.
5. The councillors shall be in part-time service.
6. The council shall have a president, who shall be elected by co-optation from among the councillors.
7. The president shall preside over the business of the Council. When the president is unable to attend to his duties, the councillor nominated beforehand by the president shall act as his proxy.

Article 8. The Council may appoint expert councillors to investigate specialized matters.

2. The expert councillors shall be appointed by the Prime Minister from among the officials of the administrative agencies concerned and persons of learning and experience.
3. The expert councillors shall be in part-time service.

Article 9. The Council may request the heads of the administrative agencies concerned and the heads of the interested local governments to extend appropriate cooperation including submission of data, statement of opinions and presentation of explanations on the matter within the competence of the Council.

2. The heads of the administrative agencies concerned may attend a meeting of the Council and state their opinions.

Article 10. The necessary matters regarding the organization, management, etc. of the Council for which no provisions are made in the preceding four Articles shall be provided for by Cabinet Order.

(Coordination with the National Comprehensive Development Plan, etc.)

Article 11. Coordination between the basic plan and the National Comprehensive Development Plan shall be made by the Prime Minister after he hears the opinions of the Council and the National Comprehensive Development Council.

2. Coordination between the basic plan and the Electric Power Development Basic Plan shall be made by the Prime Minister after he hears the opinions of the Council and the Electric Power Development Adjustment Council.
3. Coordination between the basic plan and the National Capital Region Redevelopment Plan shall be made by the Prime Minister after he hears the opinions of the Council and the National Capital Region Redevelopment Commission.

4. Coordination between the basic plan and the Kinki Region Redevelopment Plan shall be made by the Prime Minister after he hears the opinions of the Council and the Kinki Region Redevelopment Council.
5. Coordination between the basic plan and the Chubu Region Redevelopment Plan shall be made by the Prime Minister after he hears the opinions of the Council and the Chubu Region Redevelopment Council.

(Implementation of Projects Based on the Basic Plan)

Article 12. A project based on the basic plan shall be implemented by the State, the local government concerned, the Water Resources Development Public Corporation or any other agency concerned in accordance with the laws regulating the project (including orders based on the laws).

(Expenses for Implementation of the Basic Plan)

Article 13. The Government must endeavour to secure the funds and to take other measures necessary to implement the basic plan.

(Compensation for Loss, etc.)

Article 14. A person who implements the project based on the basic plan must see to it that the treatment of those who suffer losses owing to the project be fair and proper.

Supplementary Provisions (excerpt)

Date of Enforcement)

1. This Law shall come into force as from the day of its promulgation.

Supplementary Provisions (excerpt)

(Law No. 102 of 1966)

Date of Enforcement)

1. This Law shall come into force as from the day of its promulgation.