

Forest Pest Control Act

(Act No. 53 of March 31, 1950)

(Purpose)

Article 1 The purpose of this Act is to thoroughly exterminate Forest Pests at an early stage to prevent their spread, thereby ensuring the conservation of forests.

(Definitions)

Article 2 (1) The term "Forest Pests, etc." as used in this Act will be defined as, beings which causes damage to trees forests, seeds and seedlings:

(i) nematodes that blight pine (hereinafter referred to as "Nematodes," and the transporter of these Nematodes, known as weevils, are hereinafter referred to as "Weevils");

(ii) borers that attach and impede the growth of trees spreading rapidly and causing serious damage to forest resources, (hereinafter referred to as "Specified Borers") specified by Cabinet Order, for which special measures are required for exterminating them and preventing their spread,; and

(iii) in addition to what is set forth in the preceding two items, pine caterpillars or any other insects, fungi, viruses, and animals which are specified by Cabinet Order.

(2) The term "Felled Wood, etc." as used in this Act are trunks and branches of felled trees and other trees removed from land (including timber and fuel wood) and their packaging.

(3) The term "Specified Forest" as used in this Act means a forest consisting of Specific Species of Trees (pine in cases involving Weevils, and the species of trees specified by Cabinet Oder for the respective types of Specified Borers in the case involving Specified Borers; the same applies hereinafter).

(4) The term "Forests with Highly Publically Beneficial Functionality" as used in this Act means a Specified Forest designated as a protection forest pursuant to Article 25, paragraph (1) or (2) or Article 25-2, paragraph (1) or (2) of the Forest Act (Act No. 249 of 1951) or any other Specified Forest with highly beneficial functionality to the public that is specified by Cabinet Order as a forest which will face difficulty insuring said functionality if converted into a forest consisting of tree species other than the Specific Species of Trees.

(5) The term "Forest Which Stops the Further Speed of Damages" as used in this Act means a Specified Forest (excluding a Forest with Highly Publically Beneficial Functionality) whereby, without implementing urgent damage control of Weevils or Specified Borers (hereinafter referred to as "Weevils or

Specified Borers."), the damage being caused to said Specified Forest by Nematodes which the Weevils carry or by the Specified Borers (hereinafter referred to as "Specific Pests Causing Damage") would significantly expand into Forests with Highly Publically Beneficial Functionality .

- (6) The term "Special Felling for Pest Extermination" as used in this Act means the felling and crushing of trees on which Weevils, etc. are attached (limited to the felling and crushing carried out in accordance with the standards specified by Ordinance of the Minister of Agriculture, Forestry and Fisheries; the same applies hereinafter) or the felling and incineration (including charring) of said trees.
- (7) The term "Tree Species Replacement" as used in this Act means conversion of a Specified Forest to which damage is being caused by Specific Pests Causing Damage into a forest consisting of tree species other than Specific Species of Trees or those that are not likely to be blighted by Specific Pests Causing Damage, which is conducted in order to protect the Specified Forest and to secure its functionality.

(Extermination Order)

Article 3 (1) When the Minister of Agriculture, Forestry and Fisheries finds a risk that Forest Pests, etc. would spread abnormally and cause serious damage to forest resources, said minister may give any of the following orders while specifying the area and the period, to the extent necessary for promptly and thoroughly exterminating the Forest Pests, etc. or preventing their spread:

- (i) to order a person who owns or takes care of the trees to which Forest Pests, etc. are attached, to carry out the felling of said trees and control through pesticide application, or the felling and stripping the bark of said trees and incineration of the Forest Pests, etc. and the branches and bark to which they are attached;
- (ii) to order a person who owns or manages a clear-felled site with stumps to which Forest Pests, etc. are attached or are likely to attach to carry out control through pesticide application, or stripping the bark of said stumps and incineration of the Forest Pests, etc. and the branches and bark to which they are attached;
- (iii) to order a person who owns or takes care of trees or Designated Seeds and Seedlings (meaning seeds and seedlings of trees that are designated by the Minister of Agriculture, Forestry and Fisheries, including their containers and packaging; the same applies hereinafter) to which Forest Pests, etc. are attached to carry out incineration of the Forest Pests, etc. and branches or Designated Seeds and Seedlings to which they are attached;
- (iv) to order a person who owns or takes care of trees or Designated Seeds and Seedlings to which damage is being caused or is likely to be caused by Forest

- Pests, etc. to carry out control through pesticide application;
- (v) to restrict and prohibit the moving of Designated Seeds and Seedlings or Felled Wood, etc. to which Forest Pests, etc. are attached; or
- (vi) to order a person who owns or takes care of Felled Wood, etc. to which Forest Pests, etc. are attached or are likely to attach to carry out control measures through the use of pesticide, or barking of said Felled Wood, etc. or incineration of the Forest Pests, etc. and the branches, strip the bark, and packaging to which they are attached.
- (2) When the Minister of Agriculture, Forestry and Fisheries finds a risk that Weevils, etc. would spread abnormally and cause serious damage to a Specified Forest, which is a forest of resource, said minister may, in addition to orders under the preceding paragraph, order a person who owns or takes care of said Specified Forest to conduct Special Felling for Pest Extermination with regard to a Forest with Highly Publically Beneficial Functionality or a Forest Which Stops the Further Spread of Damages, while specifying the area and the term, to the extent particularly necessary for prompt and thorough extermination of the Forest Pests, etc. or preventing their spread.
- (3) When the Minister of Agriculture, Forestry and Fisheries, upon or after giving an order under paragraph (1), item (i) (limited to an order involving the felling of trees to which Weevils, etc. are attached and controlled through pesticide application) or an order under the preceding paragraph with regard to a Forest with Highly Publically Beneficial Functionality or a Forest Which Stops the Further Spread of Damages, finds that the purpose of promptly and thoroughly exterminating the Weevils, etc. or preventing their spread cannot be achieved solely based on these orders in light of the status of the damage being caused to said Specified Forest by the Specific Pests Causing Damage, said minister may, to the extent necessary therefor, order the person who owns or takes care of said Specified Forest to carry out the felling of trees to which Weevils, etc. are likely to be attached (limited to those that have been blighted) and controlled through pesticide application (hereinafter referred to as "Supplementary Felling for Pest Extermination"), while specifying the area and the duration within the extent of the area and duration specified in these orders.
- (4) An order under the preceding three paragraphs which involves compensation for losses pursuant to Article 8 must be given within the extent that the total amount of compensation required therefor will not exceed the amount of budget approved by a Diet resolution.
- (5) When the Minister of Agriculture, Forestry and Fisheries intends to give an order under paragraph (1) through (3), said minister must publish the following matters in accordance with the procedures specified by Ordinance of the Ministry of Agriculture, Forestry and Fisheries within twenty days prior to

giving said order; provided, however, that this does not apply where there is a need to urgently implement measures for exterminating Forest Pests, etc. or preventing their spread:

- (i) the area and the duration;
- (ii) the type of Forest Pests, etc.
- (iii) the contents of the measure to be implemented;
- (iv) the reason for giving the order; and
- (v) other necessary matters.

- (6) A person who owns or takes care of forests, trees, Designated Seeds and Seedlings, or Felled Wood, etc. within the area set forth in item (i) of the preceding paragraph may file an objection with the Minister of Agriculture, Forestry and Fisheries by submitting a document stating the reason, within two weeks from the day of the publication under said paragraph.
- (7) When the Minister of Agriculture, Forestry and Fisheries receives the filing of an objection under the preceding paragraph, said minister must make a decision on said objection after hearing the opinions of the person who filed said objection in an open session while giving notice of the date and place in advance. In this case, upon the hearing of opinions, the person or agent who filed said objection may submit evidence and state opinions on the case.
- (8) When the Minister of Agriculture, Forestry and Fisheries gives an order under paragraph (1), items (i) through (iv) or item (vi), or paragraph (2) or (3) without making the publication, pursuant to the proviso to paragraph (5), said minister must set the period set forth in paragraph (1), (2), or (3) while giving consideration to the preparation period required for implementing the measure pertaining to the order.
- (9) In order to make an order under paragraphs (1) through (3), the Minister of Agriculture, Forestry and Fisheries must deliver a written order stating the following matters to the person who is to receive said order:
- (i) with regard to an order under paragraph (1), items (i) through (iv) or item (vi) or paragraph (2) or (3), the following matters:
 - (a) the matters set forth in the items of paragraph (5);
 - (b) In the event that the person who is to receive the order falls under the case prescribed in paragraph (1) of the following Article, the measure prescribed in said paragraph may be implemented; and
 - (c) in the event that the person falls under the case prescribed in paragraph (2) of the following Article as a result of implementing the measure under paragraph (1) of said Article, the costs may be collected as prescribed in paragraph (2) of the following Article;
 - (ii) with regard to the order prescribed in paragraph (1), item (v), the matters set forth in the items of paragraph (5).
- (10) When the whereabouts of the person who is to receive delivery of a written

order under the preceding paragraph is unknown or not possible to deliver the, said written order to said person, the Minister of Agriculture, Forestry and Fisheries may give public notice of the contents of said written order in lieu of said delivery, in accordance with the procedure specified by Ordinance of the Ministry of Agriculture, Forestry and Fisheries.

(11) With regard to an order under paragraphs (1) through (3), the provisions of Chapter III (excluding Articles 12 and 14) of the Administrative Procedure Act (Act No. 88 of 1993) do not apply.

(Extermination Measures)

Article 4 (1) When the Minister of Agriculture, Forestry and Fisheries gives an order under paragraph (1), items (i) through (iv) or item (vi) of the preceding Article or paragraph (2) or (3) of the preceding Article, but the owner or manager of the forest, trees, Designated Seeds and Seedlings, or Felled Wood, etc. fails to implement, insufficiently implements, or is unlikely to implement the ordered measure within the designated period, said minister may implement all or part of said measure.

(2) When the Minister of Agriculture, Forestry and Fisheries implements all or part of the measure set forth in the preceding paragraph pursuant to said paragraph, and the amount of the costs for said measure exceeds the amount of compensation under Article 8, paragraph (1) which a person who receives the order set forth in the preceding paragraph would have received had said person implemented all or part of said measure, the Minister of Agriculture, Forestry and Fisheries may collect the amount in excess from said person.

(3) With regard to the collecting of costs under the preceding paragraph, the provisions of Articles 5 and 6 of the Act on Substitute Execution by Administration (Act No. 43 of 1948) applies *mutatis mutandis*.

(Request for Cooperation)

Article 4-2 In the case of implementing a measure necessary for exterminating and preventing the spread of Forest Pests, etc. pursuant to Article 3, paragraphs (1) through (3) or paragraph (1) of the preceding Article, if necessary, the Minister of Agriculture, Forestry and Fisheries may request a local public entity or a forestry cooperative or federation of forest cooperatives to cooperate in the operations necessary for implementing said measure, by delivering a document stating the contents of said operations.

(Extermination Order by Prefectural Governor)

Article 5 (1) If it is necessary for exterminating or preventing the spread of Forest Pests, etc., a prefectural governor may, to the extent necessary therefor, give an order set forth in items of Article 3, paragraph (1) while specifying the

area and the term.

- (2) If a prefectural governor finds it urgently necessary for exterminating or preventing the spread of Weevils, etc., said governor may, to the extent necessary therefor, in addition to orders under the preceding paragraph, order a person who owns a Forest with Highly Publically Beneficial Functionality or a Forest Which Stops the Further Speed of Damages, to conduct Special Felling for Pest Extermination, while specifying the area and the duration.
- (3) When the Minister of Agriculture, Forestry and Fisheries, upon or after giving an order under paragraph (1) (limited to an order involving the felling of trees to which Weevils, etc. are attached and controlled, through pesticide application) or an order under the preceding paragraph with regards to a Forest with Highly Publically Beneficial Functionality or a Forest Which Stops the Further Speed of Damages, finds that the purpose of exterminating the Weevils, etc. or preventing their spread cannot be achieved solely based on these orders, in light of the status of the damage being caused to said Specified Forest by the Specific Pests Causing Damage, said minister may, to the extent necessary therefor, order the person who owns or takes care of said Specified Forest to conduct Supplementary Felling for Pest Extermination, while specifying the areas and the duration within the extent of the area and duration specified in these orders.
- (4) In the case referred to in the preceding three paragraphs, the provisions of Article 3, paragraphs (5) through (11) and the preceding two Articles applies *mutatis mutandis*.
- (5) When the Minister of Agriculture, Forestry and Fisheries finds a risk that Forest Pests, etc. would spread and cause damage to a Forest with Highly Publically Beneficial Functionality or any other forest which is important as a forest for resources, said minister may give necessary instructions concerning an order under paragraphs (1) through (3) to a prefectural governor.

(Notice)

- Article 5-2 (1) When the Minister of Agriculture, Forestry and Fisheries implements a measure necessary for exterminating or preventing the spread of Forest Pests, etc. pursuant to Article 3, paragraphs (1) through (3) or Article 4, paragraph (1), said minister must give notice to that effect to the relevant prefectural governor without delay.
- (2) When a prefectural governor finds a risk that Forest Pests, etc. would infest and spread in the area of the prefecture, or implements a measure necessary to exterminate or prevent the spread of Forest Pests, etc. pursuant to paragraphs (1) through (3) of the preceding Article or Article 4, paragraph (1) as applied *mutatis mutandis* pursuant to paragraph (4) of the preceding Article, said governor must give notice to that effect to the Minister of Agriculture, Forestry

and Fisheries and the relevant prefectural governors without delay.

(On-site Inspection)

Article 6 (1) When the Minister of Agriculture, Forestry and Fisheries or the prefectural governor finds it to be necessary for extermination and prevention of the spread of Forest Pests, etc., the minister may have said government officials or forest pest control officials enter a forest, other land, tree nursery, vessel, vehicle, timber yard where trees are grown, a warehouse, or other place where Designated Seeds and Seedlings or Felled Wood, etc. are stored, and have such officials inspect trees, Designated Seeds and Seedlings, or Felled Wood, etc., or, have such officials collect the minimum amount of necessary samples of branches, bark, packaging, or Designated Seeds and Seedlings for an inspection.

(2) Said government official or forest pest control official who conducts an on-site inspection pursuant to the preceding paragraph must carry an identification card, and present it when requested to do so by persons concerned.

(3) The on-site inspection set forth in paragraph (1) must not be misunderstood to have been issued for usage for criminal investigations.

(Right to Instruct)

Article 7 (1) As a result of carrying out an inspection under paragraph (1) of the preceding Article, if said government officials or forest pest control officials find that Forest Pests, etc. are attached to Designated Seeds and Seedlings, said official may give an instruction to implement a measure set forth in Article 3, paragraph (iii), when said officials find that damage is being caused or is likely to be caused to Designated Seeds and Seedlings by Forest Pests, etc., said officials may give instructions to implement the measure set forth in item (iv) of said paragraph, and when Forest Pests, etc. are found to be attached or are likely to attach to Felled Wood, etc., instructions may be given to implement the measure set forth in item (vi) of said paragraph to the owner or manager of said Designated Seeds and Seedlings or Felled Wood, etc., by delivering a document stating the following matters:

- (i) the time frame for implementing measures;
- (ii) the type of Forest Pests, etc.;
- (iii) the contents of the measures to be implemented; and
- (iv) other necessary matters.

(2) When the person who receives the instruction set forth in the preceding paragraph fails to implement, insufficiently implements, or is unlikely to implement the instructed measures within the allocated time set forth in item (i) of said paragraph, said government officials or forest pest control officials may make dispositions, such as control through pesticide application, barking,

or incineration with regard to said Designated Seeds and Seedlings or Felled Wood, etc.

(Pest Control Implementation Standards)

- Article 7-2 (1) In order to ensure that control through pesticide application is implemented safely and properly, while appropriately giving consideration to conservation of the natural habitat and environment, the Minister of Agriculture, Forestry and Fisheries must set standards concerning implementation of control of Forest Pests, etc. through pesticide application (hereinafter referred to as "Pest Control Implementation Standards").
- (2) The Pest Control Implementation Standards specifies standards concerning forests in which Special Pest Control (which means control through pesticide application using aircrafts for exterminating or preventing the spread of Forest Pests, etc.; the same applies hereinafter) may be implemented, matters concerning conservation of natural habitat and the environmental surroundings of the forests in which Special Pest Control is to be implemented, matters concerning measures necessary for preventing Special Pest Control from causing damage to agriculture, fisheries, or any other business, and other basic matters concerning control of Forest Pests, etc. through pesticide application.
- (3) The standards prescribed in the preceding paragraph that concern forests in which Special Pest Control may be implemented must be specified, while giving consideration to the impact of Special Pest Control on the natural habitat and environment in the area where said forest exists, so as to specify forests where precious wild fauna and flora, such as Nationally Endangered Species of Wild Fauna and Flora (meaning the nationally endangered species of wild fauna and flora prescribed in Article 4, paragraph (3) of the Act on Conservation of Endangered Species of Wild Fauna and Flora (Act No. 75 of 1992)) or Natural Monuments (meaning the natural monument designated pursuant to Article 109, paragraph (1) of the Act on Protection of Cultural Properties (Act No. 214 of 1950)), exist or any other forests where it is found inappropriate to implement Special Pest Control.
- (4) When the Minister of Agriculture, Forestry and Fisheries intends to set Pest Control Implementation Standards or make a change thereto, said minister must consult with the heads of relevant administrative agencies and listen to the opinions of the Forestry Policy Council and the relevant prefectural governors.
- (5) When the Minister of Agriculture, Forestry and Fisheries sets Pest Control Implementation Standards or makes a change thereto, said minister must publish the same and give notice to the heads of the relevant administrative agencies and the relevant prefectural governors without delay.

(Prefectural Pest Control Implementation Standards)

- Article 7-3 (1) When a prefectural governor receives a notice under paragraph (5) of the preceding paragraph, and finds it to be necessary for implementing control through pesticide application safely and properly, while appropriately giving consideration to the conservation of the natural habitat and environment in a Private Forest, (which means the private forest prescribed in Article 2, paragraph (3) of the Forest Act; the same applies hereinafter) within the area of said prefecture, said minister must set standards concerning the implementation of control of Forest Pests, etc. through pesticide application (hereinafter referred to as "Prefectural Pest Control Implementation Standards") or make a change thereto, in accordance with the Pest Control Standards.
- (2) The Prefectural Pest Control Implementation Standards specifies matters concerning forests that comply with the standards that concern forests where Special Pest Control may be implemented and are specified by the Pest Control Implementation Standards, matters concerning the conservation of the natural habitat and environment surrounding the forests in which Special Pest Control is to be implemented, matters concerning measures necessary for preventing Special Pest Control from causing damage to agriculture, fisheries, or any other business, and other matters concerning the control of Forest Pests, etc. through pesticide application.
- (3) When a prefectural governor intends to set Prefectural Pest Control Implementation Standards or make a change thereto, said governor must listen to the opinions of the prefectural forestry policy council and the relevant municipal mayors.
- (4) When a prefectural governor sets Prefectural Pest Control Implementation Standards or makes a change thereto, said governor must publish the same and give notice to the relevant municipal mayors and report to the Minister of Agriculture, Forestry and Fisheries without delay.

(Safe and Proper Use of Pesticides)

Article 7-4 A person who implements Special Pest Control is to, in accordance with the Pest Control Implementation Standards and the Prefectural Pest Control Implementation Standards, ensure safe and proper use of pesticides while giving consideration to conservation of the natural and living environment, implement measures necessary for preventing damage to agriculture, fisheries, or any other business, and strive to gain the understanding and cooperation of local residents and other relevant persons.

(Designation of the Areas of Forest with Highly Publically Beneficial

Functionality and Forest Which Stops the Further Speed of Damages)

- Article 7-5 (1) When a prefectural governor finds it necessary to prioritize protecting Specified Forests that are important as forests for resources and for securing their functionality through exterminating or preventing the spread of Weevils, etc., in light of the status of the damage being caused to Specified Forests within the area of said prefecture by Specific Pests Causing Damage, said governor must designate the areas of Forests with Highly Publically Beneficial Functionality and Forests Which Stop the Further Speed of Damages with regard to Specified Forests which are Private Forests, for the respective types of Weevils, etc.
- (2) When a prefectural governor intends to designate the areas of Forests with Highly Publically Beneficial Functionality and Forests Which Stop the Further Speed of Damages to make a change thereto, said governor must listen to the opinions of the prefectural forestry policy council and the relevant municipal mayors.
- (3) In the case referred to in the preceding paragraph, if the area of said Forest with Highly Publically Beneficial Functionality or a Forest Which Stops the Further Speed of Damages is adjacent to the area of another prefecture, or falls under any other case specified by Ordinance of the Ministry of Agriculture, Forestry and Fisheries as a case where there is a risk that the damage set forth in paragraph (1) would expand beyond the area of the prefecture, the prefectural governor must consult with the Minister of Agriculture, Forestry and Fisheries and obtain said ministers consent.
- (4) With regard to designation or change of the areas of Forests with Highly Publically Beneficial Functionality and Forests Which Stop the Further Speed of Damages, the provisions of Article 7-3, paragraph (4) apply mutatis mutandis; provided, however, a report does not need to be made if consent is obtained under the preceding paragraph.

(Guidelines for Promoting Tree Species Replacements)

- Article 7-6 (1) When a prefectural governor designates the areas of Forests with Highly Publically Beneficial Functionality and Forests Which Stop the Further Speed of Damages pursuant to paragraph (1) of the preceding Article, and finds it necessary for protecting Forests with Highly Publically Beneficial Functionality and securing their functionality, said governor must set guidelines for promoting Tree Species Replacements in Specified Forests which are Private Forests within the area of said prefecture (hereinafter referred to as "Guidelines for Promoting Tree Species Replacements").
- (2) The Guidelines for Promoting Tree Species Replacements specify matters concerning the undertaking of Tree Species Replacements, matters concerning promotion of Tree Species Replacements by forest cooperatives, and other

matters that are to serve as guidelines for implementing Tree Species Replacements.

- (3) When a prefectural governor intends to set Guidelines for Promoting Tree Species Replacement or make a change thereto, said governor must listen to the opinions of the prefectural forestry policy council and the relevant municipality mayors.
- (4) When a prefectural governor sets Guidelines for Promoting Tree Species Replacement or makes a change thereto, said governor must endeavor to publish the same and must give notice thereof to the relevant municipality mayors without delay.

(Advice on Tree Species Replacement to Forest Cooperative, etc.)

Article 7-7 When a prefectural governor finds it to be necessary for protecting Forests with Highly Publically Beneficial Functionality and securing their functionality, said governor may, in accordance with the Guidelines for Promoting Tree Species Replacement, give a forest cooperative or a Forest Management Corporation (which means the forest management corporation set forth in Article 9, item (ii) of the Act on Special Measures concerning Shared Forest (Act No. 57 of 1958)) advice, instructions, and recommendations necessary with regard to deciding the rules concerning Tree Species Replacement or any other measures that contribute to promoting Tree Species Replacement to be carried out by the forest cooperative or the Forest Management Corporation.

(Publication of Specified Forests Where Tree Species Replacement Should Be Particularly Promoted)

Article 7-8 When a prefectural governor finds it necessary for protecting Forests with Highly Publically Beneficial Functionality and securing their functionality, said governor may, in accordance with the Guidelines for Promoting Tree Species Replacement, select and publish Specified Forests in which implementation of Tree Species Replacement should be particularly promoted, with regard to Forests with Highly Publically Beneficial Functionality or Forests Which Stop the Further Speed of Damages. In this case, the prefectural governor is to strive to give the persons who owns or takes care of said Specified Forests, advice and instructions concerning the undertaking and other necessary matters.

(District Pest Control Guidelines)

Article 7-9 (1) When a prefectural governor designates the areas of Forests with Highly Publically Beneficial Functionality and Forests Which Stop the Further Speed of Damages pursuant to Article 7-5, paragraph (1), and finds it

necessary to implement damage control of Weevils, etc. along with Specified Forests other than Forests with Highly Publically Beneficial Functionality and Forests Which Stop the Further Speed of Damages, said governor must set guidelines on measures necessary for exterminating or preventing the spread of Weevils, etc. to be implemented by the persons who own or takes care of said Specified Forests which are Private Forests within the area of said prefecture and which are subject to the District Implementation Plan set forth in paragraph (1) of the following Article (such measures are hereinafter referred to as "Voluntary Pest Control Measures" and such guidelines are hereinafter referred to as "District Pest Control Guidelines").

- (2) The District Pest Control Guidelines specify standards concerning Specified Forests other than Forests with Highly Publically Beneficial Functionality and Forests Which Stop the Further Speed of Damages for which, in light of their location and size, there is a risk that the damage being caused to said Specified Forests by Specific Pests Causing Damage would spread to Forests with Highly Publically Beneficial Functionality unless the persons who owns or takes care of said Specified Forests appropriately implement Voluntary Pest Control Measures, and other matters that are to serve as guidelines for the District Implementation Plan set forth in paragraph (1) of the following Article (excluding the matters that are to be specified by Prefectural Pest Control Implementation Standards pursuant to Article 7-3, paragraph (2) and the matters that are to be specified by Guidelines for Promoting Tree Species Replacement pursuant to Article 7-6, paragraph (2)).
- (3) With regard to District Pest Control Guidelines, the provisions of Article 7-6, paragraphs (3) and (4) apply mutatis mutandis.

(District Implementation Plan)

- Article 7-10 (1) When a municipality which has a Specified Forest complying with the standards set forth in paragraph (2) of the preceding Article within its area receives notice under Article 7-6, paragraph (4) as applied mutatis mutandis pursuant to paragraph (3) of the preceding Article, and finds it to be necessary for exterminating or preventing the spread of Weevils, etc., it must, in accordance with the District Pest Control Guidelines (with regard to matters concerning control through pesticide application, the Prefectural Pest Control Implementation Standards, and with regard to matters concerning Tree Species Replacement, the Guidelines for Promoting Tree Species Replacement), set a plan concerning the implementation of Voluntary Pest Control Measures with regard to the Specified Forest complying with said standards within its area (hereinafter referred to as the "District Implementation Plan") or make a change thereto.
- (2) In a District Implementation Plan, a municipality is to attempt to specify the

area of the Specified Forest subject to the plan and necessary matters concerning the implementation of Voluntary Pest Control Measures with regard to said Specified Forest.

- (3) When a municipality intends to set a District Implementation Plan or make a change thereto, it must listen to the opinions of the persons who own the Specified Forests subject to the plan.
- (4) When a municipality sets a District Implementation Plan or makes a change thereto, it must publish the same and report to the prefectural governor without delay.

(Observance of District Implementation Plan)

Article 7-11 (1) A person who owns or takes care of a Specified Forest subject to a District Implementation Plan must aim to implement Voluntary Pest Control Measures in accordance with the District Implementation Plan.

- (2) When a municipal mayor finds that the person prescribed in the preceding paragraph has failed to implement Voluntary Pest Control Measures and it is necessary for achieving the District Implementation Plan, said mayor may indicate the matters to be observed and give a recommendation to observe those matters to said person.

(Coordination Between National Government Organs and Relevant Local Public Entities)

Article 7-12 The national government organs with jurisdiction over Specified Forests which are National Forests (which means that the national forests prescribed in Article 2, paragraph (3) of the Forest Act) and the relevant local public entities must coordinate with each other and aim to ensure that damage control of Weevils, etc. will be implemented harmoniously, in order to protect Specified Forests which are important as forest resources and to secure their functionality.

(Compensation for Loss)

- Article 8 (1) The State or a prefecture must provide compensation for losses to a person who incurs a loss as a result of an order under Article 3, paragraphs (1) through (3) or Article 5, paragraphs (1) through (3), an instruction under Article 7, paragraph (1), or dispositions made by said government officials or forest pest control officials pursuant to paragraph (2) of said Article.
- (2) The amount of compensation under the preceding paragraph is to be, in the case involving the order set forth in Article 3, paragraph (1), items (i) through (iv) or item (vi) or paragraph (3) of said Article or the instruction set forth in Article 7, paragraph (1), an amount equivalent to the amount of loss normally incurred as a result of implementing the measure of felling, crushing, or

charring of trees, and an amount equivalent to the costs normally required for implementing the measure of control through pesticide application, stripping of trunks or stumps, or incineration of trees, branches, bark, packaging, Designated Seeds and Seedlings, or Forest Pests, etc., and in the case involving the order set forth in Article 3, paragraph (1), item (v) or the disposition set forth in Article 7, paragraph (2), an amount equivalent to the amount of loss normally incurred as a result of said order or disposition.

- (3) A person who intends to receive the compensation set forth in paragraph (1) must submit to the Minister of Agriculture, Forestry and Fisheries or the prefectural governor a written application stating the estimated amount of the compensation said person intends to receive.
- (4) When the Minister of Agriculture, Forestry and Fisheries or a prefectural governor receives the application set forth in the preceding paragraph, said person must decide on the amount to be compensated without delay, and give notice thereof to said applicant.
- (5) A person who is dissatisfied with the decision set forth in the preceding paragraph may request an increase of the amount in compensation by filing an action within six months from the day on which said person finds out about the decision.
- (6) In the action set forth in the preceding paragraph, the defendant is to be the State or the prefecture.

(Subsidies from the National Treasury)

Article 9 The State is to, as provided for by Cabinet Order, provide the prefecture subsidy to cover a part of the costs required for measures concerning extermination or prevention of the spread of Forest Pests, etc. implemented by the prefectural governor pursuant to this Act.

(Contribution)

Article 10 A prefecture may collect the contribution set forth in Article 224 of the Local Autonomy Act from the owner or manager of a forest, trees, Designated Seeds and Seedlings, or Felled Wood, etc. who benefits from a measure necessary for exterminating or preventing the spread of Forest Pests, etc. implemented by the prefectural governor pursuant to Article 5, paragraphs (1) through (3) or Article 4, paragraph (1) as applied *mutatis mutandis* pursuant to Article 5, paragraph (4) or from dispositions made by forest pest control officials pursuant to Article 7, paragraph (2).

(Forest Pest Control Officials)

Article 11 A prefectural governor is to appoint forest pest control officials from among the officials in order to have them engage in affairs of extermination

and prevention of the spread of Forest Pests, etc. under this Act.

(Entry by Forest Cooperative, etc. for Investigation)

Article 11-2 (1) When it is necessary for a forest cooperative, federation of forest cooperatives, or a general incorporated association or general incorporated foundation established for the purpose of promoting control of Forest Pests, etc. (hereinafter referred to as a "Forest Cooperative, etc.") to conduct an investigation on the status of an outbreak of Forest Pests, etc. with permission from the prefectural governor, said cooperatives engaged in said investigation have the permission to enter another person's land as necessary.

(2) In the case referred to in the preceding paragraph, the Forest Cooperative, etc. must give notice to that effect to the possessor of the land in advance.

(3) In the case referred to in paragraph (1), the person engaged in the investigation set forth in said paragraph must carry an identification card, and present it when requested to do so by persons concerned.

(4) A prefecture must provide compensation for a loss normally incurred to a person who incurs a loss as a result of entry under paragraph (1).

(Obligation of Notification)

Article 12 A person who confirms that there is a risk of an outbreak and the spread of Forest Pests, etc. must give notification to that effect to the prefectural governor or municipal mayor without delay.

(Penal Provisions)

Article 13 A person who violates the order set forth in Article 3, paragraph (1), item (v) given by the Minister of Agriculture, Forestry and Fisheries or a prefectural governor is to be punished by imprisonment with work for not more than three years or a fine of not more than one million yen.

Article 14 A person who falls under either of the following items is to be punished by imprisonment with work for not more than one year or a fine of not more than 500,000 yen:

(i) a person who violates the order set forth in Article 3, paragraph (1), item (vi) given by the Minister of Agriculture, Forestry and Fisheries or a prefectural governor; or

(ii) a person who refuses, obstructs, or evades dispositions under Article 7, paragraph (2).

Article 15 A person who falls under any of the following items is to be punished by a fine of not more than 300,000 yen:

(i) a person who violates the order set forth in Article 3, paragraph (1), items

- (i) through (iv) given by the Minister of Agriculture, Forestry and Fisheries or a prefectural governor;
- (ii) a person who violates an order under Article 3, paragraph (2) or (3) or Article 5, paragraph (2) or (3); or
- (iii) a person who refuses, obstructs, or evades an inspection or collection of samples under Article 6, paragraph (1).

Article 16 When a representative of a corporation or an agent, an employee or any other worker of a corporation or individual commits any of the violations set forth in the preceding three Articles with regard to the business of said corporation or individual, not only the offender but also the corporation or individual is to be punished by the fine prescribed in the respective Articles.

Supplementary Provisions [Extract]

- (1) This Act comes into effect as of April 1, 1950.

Supplementary Provisions [Act No. 26 of March 31, 1952] [Extract]

- (1) This Act comes into effect as of April 1, 1952.
- (2) With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions in force at the time in question continue to apply.

Supplementary Provisions [Act No. 140 of May 16, 1962] [Extract]

- (1) This Act comes into effect as of October 1, 1962.
- (2) The provisions revised by this Act also apply to matters that have arisen prior to the enforcement of this Act, except as otherwise provided by these Supplementary Provisions; provided, however, that those provisions do not hinder effects which have arisen pursuant to the provisions prior to the revisions made by this Act.
- (3) With regard to litigation pending at the time of enforcement of this Act, the provisions in force at the time in question continue to apply, notwithstanding the provisions revised by this Act stipulating that said litigation may not be filed.
- (4) With regard to the jurisdiction concerning litigation pending at the time of enforcement of this Act, the provisions in force at the time in question continue to apply, notwithstanding the provisions revised by this Act making said jurisdiction an exclusive jurisdiction.
- (5) With regard to the statute of limitations for filing an action concerning a

disposition or determination for which the statute of limitations for filing an action under the provisions prior to the revisions made by this Act is running at the time of enforcement of this Act, the provisions in force at the time in question continue to apply; provided, however, that this is limited to the case where the statute of limitations for filing an action under the provisions revised by this Act is shorter than that under the provisions prior to the revisions by this Act.

- (6) With regard to a public law related action concerning a disposition or determination made prior to the enforcement of this Act for which the statute of limitations has been introduced by the revisions made by this Act, the statute of limitations is counted from the day of enforcement of this Act.
- (7) With regard to an action for rescission of a disposition or determination which is pending at the time of the enforcement of this Act, the provisions in force at the time in question continue to apply, notwithstanding the provisions revised by this Act stipulating that either of the parties in the relevant legal relationship is to be the defendant; provided, however, that the court may, upon motion by the plaintiff, permit changing said action to a public law related action by an order.
- (8) In the case referred to in the proviso to the preceding paragraph, the provisions of the second sentence of Article 18 and Article 21, paragraphs (2) through (5) of the Administrative Case Litigation Act apply *mutatis mutandis*.

Supplementary Provisions [Act No. 161 of September 15, 1962] [Extract]

- (1) This Act comes into effect as of October 1, 1962.
- (2) The provisions revised by this Act also apply to dispositions made by an administrative agency prior to the enforcement of this Act, an inaction by an administrative agency pertaining to an application filed prior to the enforcement of this Act, or other matters that have arisen prior to the enforcement of this Act, except as otherwise provided by these Supplementary Provisions; provided, however, that those provisions do not hinder effects which have arisen pursuant to the provisions prior to the revision by this Act.
- (3) With regard to a petition, request for an examination, objection or any other appeal (hereinafter referred to as a "Petition, etc.") filed prior to the enforcement of this Act, the provisions in force at the time in question continue to apply after the enforcement of this Act. The same applies to a determination, ruling, or any other disposition on a Petition, etc. made prior to the enforcement of this Act (hereinafter referred to as a "Determination, etc."), or a further Petition, etc. filed in the case of dissatisfaction with a Determination, etc. made after the enforcement of this Act with regard to a Petition, etc. filed prior to the enforcement of this Act.

- (4) The Petition, etc. prescribed in the preceding paragraph, which pertains to dispositions against which an appeal under the Administrative Appeal Act may be filed after the enforcement of this Act, is deemed to be an appeal under the Administrative Appeal Act with regard to the application of Acts other than the said Act.
- (5) No appeal under the Administrative Appeal Act may be filed against a Determination, etc. on a request for an examination, objection, or any other appeal filed after the enforcement of this Act pursuant to paragraph (3).
- (6) With regard to dispositions made by an administrative agency prior to the enforcement of this Act, against which a Petition, etc. may be filed pursuant to the provisions prior to the revisions made by this Act and for which the period for filing a Petition, etc. has not been set, the period for filing an appeal under the Administrative Appeal Act is counted from the date of the enforcement of this Act.
- (8) With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions in force at the time in question continue to apply.
- (9) In addition to what is provided for in the preceding eight paragraphs, other transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

Supplementary Provisions [Act No. 101 of July 31, 1967]

- (1) This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding 30 days from the date of promulgation.
- (2) With regard to extermination measures implemented by the Minister of Agriculture, Forestry and Fisheries or a prefectural governor prior to the enforcement of this Act in relation to an order under Article 3, paragraph (1) or Article 5, paragraph (1) prior to the revision, and collection of costs pertaining to said extermination measure, the provisions in force at the time in question continue to apply.
- (3) With regard to dispositions made by said government officials or forest pest control officials prior to the enforcement of this Act in relation to an instruction under Article 7, paragraph (1) prior to the revision, the provisions in force at the time in question continue to apply.

Supplementary Provisions [Act No. 65 of June 11, 1976]

This Act comes into effect from the date of promulgation.

Supplementary Provisions [Act No. 87 of July 5, 1978] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the date of promulgation; provided, however, that the provisions set forth in the following items comes into effect as of the dates specified respectively in said items:

- (i) the provisions revising Article 64-4, paragraph (1), Articles 66 and 67, Article 68, paragraphs (1), (2), and (4), Article 69, and Article 69-2, paragraph (2), the provisions adding one Article after Article 69-3, the provisions revising Article 70, paragraphs (1) and (3), the provisions changing said Article to Article 71, and the provisions deleting Article 72 and changing Article 71 into Article 72: January 1, 1979;
- (ii) the provisions revising Article 18-8, Article 22, paragraph (2), and Article 22-3, paragraph (2), the provisions deleting Article 78, item (vi), the provisions revising Article 80, item (i) and Article 81, the provisions revising the table set forth in Article 82, paragraph (2) (limited to the portion deleting the row of the Freshwater Fisheries Research Laboratory), the provisions revising Article 83, the provisions adding one Article after said Article, and the provisions revising Article 87: the dates specified by Cabinet Order for the respective provisions within the period until March 31, 1979; and
- (iii) the provisions revising Article 18, paragraph (3), Article 18-3, paragraph (2), and Article 21, paragraph (2): the dates specified by Cabinet Order for the respective provisions within the period until March 31, 1980.

Supplementary Provisions [Act No. 21 of March 31, 1982] [Extract]

(Effective Date)

(1) This Act comes into effect as of the date of promulgation.

Supplementary Provisions [Act No. 89 of November 12, 1993] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the date of the enforcement of the Administrative Procedure Act (Act No. 88 of 1993).

(Transitional Measures Concerning Adverse Dispositions)

Article 2 If a consultation or any other request was filed with a council or any other organization adopting a council system to the effect that procedures for hearing or granting opportunities for explanations as prescribed in Article 13 of the Administrative Procedure Act, or any other procedures equivalent to the procedures for stating opinions should be followed, with regard to the procedures for adverse dispositions pertaining to said consultation or any other

request, the provisions in force at the time in question continue to apply, notwithstanding the provisions of relevant Acts revised by this Act.

(Transitional Measures Accompanying Partial Revision of the Forest Pest Control Act)

Article 10 If publication under Article 3, paragraph (3) of the Forest Pest Control Act prior to the revisions made by Article 158 (including the cases where applied mutatis mutandis pursuant to Article 5, paragraph (2) of said Act) is made prior to the enforcement of the provisions of Article 158, with regard to the procedure of an extermination order pertaining to said publication, the provisions in force at the time in question continue to apply, notwithstanding the provisions of said Act revised by Article 158.

(Transitional Measures Concerning Penal Provisions)

Article 13 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions in force at the time in question continue to apply.

(Transitional Measures Accompanying the Arrangement of Provisions on Hearings)

Article 14 Hearings or hearing meetings (excluding those pertaining to adverse dispositions) held pursuant to the provisions of an Act prior to the enforcement of this Act or the procedures thereof are deemed to have been conducted pursuant to the corresponding provisions of the relevant Act revised by this Act.

(Delegation to Cabinet Order)

Article 15 In addition to what is provided for in Article 2 of the Supplementary Provisions through the preceding Article, transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

Supplementary Provisions [Act No. 11 of March 28, 1997]

(Effective Date)

Article 1 This Act comes into effect as of April 1, 1997.

(Transitional Measures Accompanying Lapse of the Act on Special Measures against Damage Caused by Weevils)

Article 2 The area of the pine forest with highly publically beneficial functionality and the pine forest which stops the further speed of damages set forth in Article 4, paragraph (2), item (i)-2 of the Act on Special Measures against Damage Caused by Weevils (Act No. 18 of 1977) prior to lapsing as the

result of paragraph (2) of the Supplementary Provisions of said Act (hereinafter referred to as the "Former Act on Special Measures") specified in the prefectural implementation plan prescribed in paragraph (1) of said Article is deemed to be a Forest with Highly Publically Beneficial Functionality and a Forest Which Stops the Further Speed of Damages designated with regard to Weevils prescribed in Article 2, paragraph (1), item (i) of the Forest Pest Control Act revised by this Act (hereinafter referred to as the "New Control Act") pursuant to Article 7-5, paragraph (1) of the New Control Act.

Article 3 (1) With regard to State subsidies and collection of contributions pertaining to Special Controls carried out by a prefectural governor prior to the enforcement of this Act pursuant to Article 5, paragraph (1) of the Former Act on Special Measures, the provisions in force at the time in question continue to apply.

(2) With regard to State subsidies and collection of contributions pertaining to urgent felling for pest extermination carried out by a prefectural governor prior to the enforcement of this Act pursuant to Article 9-2, paragraph (1) of the Former Act on Special Measures, the provisions in force at the time in question continue to apply.

Article 4 In addition to what is provided for in the preceding two Articles, a disposition, procedure or any other act made or carried out in relation to Special Felling for Pest Extermination or Supplementary Felling for Pest Extermination pursuant to the provisions of the Former Act on Special Measures is deemed to be a disposition, procedure or any other act made or carried out pursuant to the corresponding provisions of the New Control Act.

Supplementary Provisions [Act No. 87 of July 16, 1999] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2000; provided, however, that the provisions set forth in the following items comes into effect as of the dates specified respectively in said items:

(i) the provisions of Article 1 which adds five Articles, a Section title, and two Subsections and Subsection titles after Article 250 of the Local Autonomy Act (limited to the portion pertaining to Article 250-9, paragraph (1) of said Act (limited to the portion pertaining to obtaining the consent of both Houses of the Diet)), the provisions of Article 40 revising paragraphs (9) and (10) of the Supplementary Provisions of the Natural Parks Act (limited to the portion pertaining to paragraph (10) of the Supplementary Provisions of said Act), the provisions of Article 244 (excluding the portion pertaining to the

provisions revising Article 14-3 of the Agricultural Improvement Promotion Act), and the provisions of Article 472 (excluding the portion pertaining to the provisions revising Articles 6, 8, and 17 of the Act on Special Provisions Concerning Merger of Municipalities) of this Act, and the provisions of Articles 7, 10 and 12, the proviso to Article 59, Article 60, paragraphs (4) and (5), Articles 73 and 77, Article 157, paragraphs (4) through (6), Articles 160, 163, 164, and 202 of the Supplementary Provisions: the date of promulgation.

(Transitional Measures Accompanying Partial Revision of the Forest Pest Control Act)

- Article 81 (1) If the Minister of Agriculture, Forestry and Fisheries implements measures necessary for exterminating Forest Pests, etc. or for preventing the spread prior to the date of enforcement pursuant to Article 3, paragraphs (1) through (3) or Article 4, paragraph (1) of the Forest Pest Control Act prior to the revisions made by Article 251 (hereinafter referred to as the "Former Forest Pest Control Act" in this Article), the provisions of Article 5-2, paragraph (1) of the Forest Pest Control Act revised by Article 251 (hereinafter referred to as the "New Forest Pest Control Act" in this Article) does not apply.
- (2) If a prefectural governor implements measures necessary for exterminating Forest Pests, etc. or for preventing the further spread prior to the date of enforcement pursuant to Article 5, paragraphs (1) through (3) of the Former Forest Pest Control Act or Article 4, paragraph (1) of the Former Forest Pest Control Act as applied mutatis mutandis pursuant to Article 5, paragraph (4) of the Former Forest Pest Control Act, the provisions of Article 5-2, paragraph (2) of the New Forest Pest Control Act does not apply.
- (3) Designation or change of the area of a Forest with Highly Publically Beneficial Functionality or a Forest Which Stops the Further Spread of Damages for which the deliberation under Article 7-3, paragraph (3) of the Former Forest Pest Control Act as applied mutatis mutandis pursuant to Article 7-5, paragraph (2) of the Former Forest Pest Control Act has been settled prior to the date of enforcement is deemed to be a designation or change of a Forest with Highly Publically Beneficial Functionality or a Forest Which Stops the Further Spread of Damages for which consent has been obtained under Article 7-5, paragraph (2) of the New Forest Pest Control Act.

(Affairs of the State)

- Article 159 In addition to what is provided for in the respective Acts prior to the revisions made by this Act, affairs to be managed or performed, prior to the enforcement of this Act, by an organ of a local public entity on behalf of the State, another local public entity, or another public body pursuant to Acts or a Cabinet Order enacted thereunder (hereinafter referred to as "Affairs of the

State, etc." in Article 161 of the Supplementary Provisions) is to, after the enforcement of this Act, be handled by said local public entity as its own affairs pursuant to Acts or a Cabinet Order enacted thereunder.

(Transitional Measures Concerning Dispositions, Applications, etc.)

Article 160 (1) With regard to dispositions to grant licenses or a permission, etc. and any other acts conducted, prior to the enforcement of this Act (or said respective provisions set forth in the items of Article 1 of the Supplementary Provisions; hereinafter the same applies in this Article and Article 163 of the Supplementary Provisions), pursuant to the provisions of the respective Acts prior to the revision (hereinafter referred to as "Dispositions and Other Acts" in this Article) or applications for licenses or a permission, etc. and any other acts already conducted at the time of the enforcement of the Act, pursuant to the respective Acts prior to the revision (hereinafter referred to as "Applications and Other Acts" in this Article), if administrative affairs pertaining to these acts come under the jurisdiction of different persons on the date of the enforcement of this Act, these acts, except those prescribed in Article 2 of the Supplementary Provisions through the preceding Article or in the provisions of the respective revised Acts (including orders issued thereunder) concerning transitional measures, are deemed, with regard to the application of the respective revised Acts on or after the date of the enforcement of this Act, as Dispositions and Other Acts or Applications and Other Acts conducted pursuant to the corresponding provisions of the respective revised Acts.

(2) With regard to matters for which report, notification, submission, or any other procedures that are to be made or followed with respect to the organs of the State or local public entities prior to the enforcement of this Act, pursuant to the respective Acts prior to the revision, if these procedures have not yet been followed by the date of the enforcement of this Act, the provisions of the respective Acts revised by this Act apply to such procedures, except those otherwise provided by this Act or Cabinet Order enacted thereunder, by deeming that report, notification, submission, or any other procedures have not yet been made or followed for matters for which such procedures are to be followed with respect to the organs of the State or local public entities pursuant to the corresponding provisions of the respective revised Acts.

(Transitional Measures Concerning Appeals)

Article 161 (1) With regard to an appeal filed pursuant to the Administrative Appeal Act against a disposition pertaining to Affairs of the State made prior to the date of enforcement by an administrative agency (hereinafter referred to as the "Administrative Agency Ordering the Disposition " in this Article) that

had been subordinated to a higher administrative agency as prescribed under the Administrative Appeal Act (hereinafter referred to as the "Higher Administrative Agency" in this Article), the provisions of the Administrative Appeal Act apply by deeming that said Administrative Agency Ordering the Disposition is still subordinated to the Higher Administrative Agency after the date of enforcement. In this case, the administrative agency deemed to be the Higher Administrative Agency of said Administrative Agency Ordering the Disposition is to be the Higher Administrative Agency to which such Administrative Agency Ordering the Disposition had been subordinated to prior to the date of enforcement.

- (2) In the case referred to in the preceding paragraph, where the administrative agency deemed to be the Higher Administrative Agency is an agency of a local public entity, the affairs to be handled by said agency pursuant to the provisions of the Administrative Appeal Act are to be Item 1 Statutory Entrusted Affairs as prescribed in Article 2, paragraph 9, item 1 of the new Local Autonomy Act.

(Transitional Measures Concerning Fees)

Article 162 With regard to fees that were to be paid prior to the date of enforcement pursuant to the provisions of the respective Acts prior to the revisions made by this Act (including orders issued thereunder), except those otherwise provided by this Act or a Cabinet Order enacted thereunder, the provisions in force at the time in question continue to apply.

(Transitional Measures on Penal Provisions)

Article 163 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions in force at the time in question continue to apply.

(Delegation of Other Transitional Measures to Cabinet Order)

Article 164 (1) In addition to what is provided for in the Supplementary Provisions, transitional measures necessary for the enforcement of this Act (including transitional measures concerning penal provisions) are specified by Cabinet Order.

- (2) Matters necessary for the application of the provisions of Articles 18, 51, and 184 of the Supplementary Provisions are specified by Cabinet Order.

(Review)

Article 250 Item 1 Statutory Entrusted Affairs as prescribed in Article 2, paragraph (9), item (i) of the new Local Autonomy Act is not be additionally created if possible, and the affairs set forth in Appended Table I of the new

Local Autonomy Act and those provided for by a Cabinet Order enacted under the new Local Autonomy Act are to be examined from the perspective of promoting decentralization and be reviewed as appropriate from time to time.

Article 251 In order to enable local public entities to execute their affairs and services willingly and with independence, the government is to examine how to secure adequate sources of local tax revenue based on the sharing of roles between the State and local public entities taking into account the prevailing economic trends, and take the necessary measures based on the results of such examination.

Article 252 The government is to, along with various reforms such as the medical insurance system reform and the pension system reform, study an ideal administrative processing system for social insurance and a desirable personnel system thereof, from the viewpoint of ensuring the convenience of the insured, etc. and increasing the efficiency of administrative processing, taking measures as required based on the study results where it is found to be necessary.

Supplementary Provisions [Act No. 160 of December 22, 1999] [Extract]

(Effective Date)

Article 1 This Act (excluding Articles 2 and 3) comes into effect as of January 6, 2001.

Supplementary Provisions [Act No. 61 of May 28, 2004] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2005.

Supplementary Provisions [Act No. 84 of June 9, 2004] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding one year from the date of promulgation.

(Review)

Article 50 When five years have passed since the enforcement of this Act, the government is to review the status of enforcement of the new Act, and if it finds it necessary, it is to implement required measures based on the results of the review.

Supplementary Provisions [Act No. 50 of June 2, 2006]

This Act comes into effect on the date of enforcement of the Act on General Incorporated Associations and General Incorporated Foundations.

Supplementary Provisions [Act No. 37 of May 2, 2011] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the date of promulgation; provided, however, that the provisions set forth in the following items comes into effect as of the dates specified respectively in said items:

- (i) the provisions of Articles 7, 22, 25, 27, 28, 30, 31, 33 (excluding the revision provisions set forth in the following item), 37. and 38 of the Act and Articles 8, 10, 11, 13, 19, 25, 33, and 41 of the Supplementary Provisions: the day on which three months have elapsed from the date of promulgation;

(Transitional Measures Accompanying Partial Revision of the Forest Pest Control Act)

Article 8 (1) With regard to formulation or change of Prefectural Pest Control Implementation Standards for which consultation was requested prior to the enforcement of the provisions of Article 22 pursuant to Article 7-3, paragraph (3) of the Forest Pest Control Act prior to the revisions made by Article 22, the provisions in force at the time in question continue to apply.

(2) With regard to designation or change of the area of a Forest with Highly Publically Beneficial Functionality or a Forest Which Stops the Further Speed of Damages for which consultation was requested prior to the enforcement of the provisions of Article 22 pursuant to Article 7-5, paragraph (2) of the Forest Pest Control Act prior to the revisions made by Article 22, the provisions in force at the time in question continue to apply.

(Transitional Measures Concerning Penal Provisions)

Article 23 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act (in the case of the provisions set forth in the items of Article 1 of the Supplementary Provisions, the enforcement of said provisions), the provisions in force at the time in question continue to apply.

(Delegation to Cabinet Order)

Article 24 In addition to what is provided for in Article 2 of the Supplementary Provisions through the preceding Article and Article 36 of the Supplementary Provisions, transitional measures necessary for the enforcement of this Act are

specified by Cabinet Order.

Supplementary Provisions [Act No. 74 of June 24, 2011] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of 20 days after the date of promulgation.

Supplementary Provisions [Act No. 105 of August 30, 2011] [Extract]

(Effective Date)

Article 1 This Act comes into effect from the date of promulgation.

(Transitional Measures Accompanying Partial Revision of the Forest Pest Control Act)

Article 34 A request for consultation being made at the time of the enforcement of this Act pursuant to Article 7-10, paragraph (3) of the Forest Pest Control Act prior to the revisions made by Article 60 is deemed to be a report made pursuant to Article 7-10, paragraph (4) of the Forest Pest Control Act revised by Article 60.

(Transitional Measures Concerning Penal Provisions)

Article 81 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act (in the case of the provisions set forth in the items of Article 1 of the Supplementary Provisions, the enforcement of said provisions; hereinafter the same applies in this Article) and to acts committed after the enforcement of this Act when the provisions then in force are to remain applicable pursuant to the provisions of the Supplementary Provisions, the provisions in force at the time in question continue to apply.

(Delegation to Cabinet Order)

Article 82 In addition to what is provided for in these Supplementary Provisions, transitional measures necessary for the enforcement of this Act (including transitional measures concerning penal provisions) are specified by Cabinet Order.