

Act on Special Measures for Enhancement of the Conservation and Management of Tuna Resources

(Act No. 101 of June 21, 1996)

(Purpose)

Article 1 The purpose of this Act is, given that Japan historically holds a unique position in the world with regard to the catching and consumption of tuna, to deal with the recent trends in tuna resources, the development in international cooperation for their conservation and management, and other substantial changes in the environment surrounding tuna fisheries, and to implement measures required for enhancing the conservation and management of tuna resources, thereby contributing to the sustainable development of tuna fisheries and the stability of tuna supply.

(Basic Policy)

- Article 2 (1) The Ministry of Agriculture, Forestry and Fisheries shall establish a basic policy for enhancing the conservation and management of tuna resources (hereinafter referred to as the "Basic Policy" in this Article) based on tuna resource trends.
- (2) The Basic Policy shall provide for the following items:
- (i) a basic guideline concerning the enhancement of conservation and management of tuna resources;
 - (ii) basic particulars concerning measures for enhancing the conservation and management of tuna resources; and
 - (iii) other important particulars concerning the enhancement of conservation and management of tuna resources.
- (3) The Minister of Agriculture, Forestry and Fisheries shall revise the basic policy when necessary due to changes in the supply-and-demand status of tuna, or any other circumstances.
- (4) When the Minister of Agriculture, Forestry and Fisheries intends to establish or revise the Basic Policy, they must consult the Minister of Foreign Affairs, the Minister of Economy, Trade and Industry, and the head of any other relevant administrative organ.
- (5) When the Minister of Agriculture, Forestry and Fisheries has established or revised the Basic Policy, they must make it public without delay.

(Promotion of International Cooperation)

Article 3 (1) In order to establish international organizations for the conservation and management of tuna resources (hereinafter referred to as

"International Organizations") and to ensure their effective administration, the government shall endeavor to cooperate with relevant countries and to encourage foreign countries to become members of said International Organizations.

(2) The government shall endeavor to ensure that appropriate measures for the conservation and management of tuna resources are decided on at said International Organizations.

(3) In addition to what is provided for in the preceding two paragraphs, the government will endeavor to promote necessary international cooperation for enhancing the conservation and management of tuna resources.

(Domestic Measures)

Article 4 The Minister of Agriculture, Forestry and Fisheries must implement necessary measures to ensure that the measures for the conservation and management of resources decided on in International Organizations (referred to as "Conservation and Management Measures" in the following Article) are complied with by Japanese fishery operators.

(Requests to International Organizations)

Article 5 When the government finds that tuna fishing activity by fishery operators of a foreign country is diminishing the effectiveness of Conservation and Management Measures, it must request the International Organization that has decided on said Conservation and Management Measures to implement necessary measures for deterring said activity, as well as requesting said foreign country to reform said activity.

(Measures on Importation)

Article 6 When the government finds that, after making requests under the provisions of the preceding Article, the activity pertaining to said requests has not been reformed after a reasonable period of time, it may restrict the importing of tuna from the foreign country prescribed in the preceding Article based on the provisions of Article 52 of the Foreign Exchange and Foreign Trade Control Act (Act No. 228 of 1949) to the extent necessary, according to arrangements made at said International Organization. In this case, the government shall comply with the treaties and any other international agreements which Japan has entered into.

(Development and Dissemination of Technology for Breeding)

Article 7 In order to maintain and increase tuna resources, the government shall endeavor to promote the development and dissemination of technology for breeding tuna and other necessary projects.

(Assistance to the Business of Storage)

Article 8 The government shall endeavor to provide bodies organized by those operating tuna fisheries with necessary advice, instructions and other assistance with regard to the implementation of the business of tuna storage by said bodies.

(Collection of Information)

Article 9 (1) In order to contribute to enhancing the conservation and management of tuna resources, the government shall endeavor to collect information on imported tuna.

(2) In order to contribute to enhancing the conservation and management of tuna resources, the government shall endeavor to exchange necessary information with International Organizations, foreign governments, bodies organized by those operating tuna fisheries or those carrying out tuna distribution or processing business, and other organizations.

(Collection of Reports)

Article 10 When it is necessary for enforcing this Act, the Minister of Agriculture, Forestry and Fisheries may have those operating tuna fisheries or those carrying out tuna distribution or processing business, or bodies organized by such persons make necessary reports concerning their business.

(Penal Provisions)

Article 11 Persons who have failed to make a report under the provisions of the preceding Article or have made a false report shall be punished by a non-criminal fine of not more than 300,000 yen.

Supplementary Provisions

This Act comes into effect as of the date of promulgation.

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.