

## Low Carbon City Act

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## Chapter 1: General Provisions

### Article 1 (Purpose)

The purpose of this Act is to prescribe matters concerning the formulation of a basic policy for the promotion of Low-carbon city in light of the fact that a considerable amount of carbon dioxide generated in connection with socioeconomic functions and other activities is generated in cities and to endeavor to promote the low-carbonization of cities in conjunction with the Act on the Promotion of Global Warming Countermeasures (Law No. 117 of 1998) by having municipalities prepare low-carbon city plan and implement special measures based thereon and measures for promoting the spread of low-carbon buildings, thereby contributing to the sound development of cities.

### Article 2 (Definitions)

(1) "Low Carbon City" as used in this Act shall mean the controlling of emissions of carbon dioxide generated in connection with socioeconomic functions and other activities in cities, as well as the maintenance and reinforcement of the absorptive actions corresponding thereto.

(2) "Low-carbon city plan" as used in this Act shall mean a plan relating to urban development for promoting the low carbonization of cities as prepared by a municipality and shall be prepared pursuant to the provisions of Article 7 hereof.

(3) "Low-carbon building" as used in this Act shall mean a building that contributes to the controlling of carbon dioxide emissions and that shall be or has been newly built, enlarged,

reconstructed, repaired, or remodeled or for which a climate-control system or other building equipment or system shall be or has been installed or repaired according to a plan for the new construction, etc., of a low-carbon building as provided for in Paragraph (1) of Article 53 hereof as certified pursuant to Paragraph (1) of Article 54 hereof (or the revised version thereof where applicable).

## Chapter 2: Basic Policy, etc.

### Article 3 (Basic policy)

(1) The Minister of Land, Infrastructure, Transport and Tourism; the Minister of the Environment; and the Minister of Economy, Trade and Industry must set forth a basic policy for the promotion of Low-carbon city (hereinafter referred to as "Basic Policy").

(2) The following matters shall be stipulated in the Basic Policy:

- (i) Matters concerning the significance of and targets for the promotion of the low-carbonization of cities;
- (ii) A basic policy concerning measures that should be implemented by the government for the promotion of the low-carbonization of cities;
- (iii) Basic matters concerning the preparation of low-carbon city plan;
- (iv) Basic matters concerning the promotion of the spread of low-carbon buildings;
- (v) Basic matters concerning the evaluation of the effects of measures concerning the promotion of the low-carbonization of cities;
- (vi) In addition to matters that are as enumerated in the preceding items, important matters concerning the promotion of the low-carbonization of cities.

(3) The Basic Policy must be consistent with state plans concerning measures designed to prevent global warming.

(4) The Minister of Land, Infrastructure, Transport and Tourism; the Minister of the Environment; and the Minister of Economy, Trade and Industry must consult with the heads of concerned administrative organs when intending to set forth the Basic Policy.

(5) When the Basic Policy has been set forth, the Minister of Land, Infrastructure, Transport and Tourism; the Minister of the Environment; and the Minister of Economy, Trade and Industry must publicly announce the fact thereof without delay.

(6) The provisions of the preceding three (3) paragraphs shall apply mutatis mutandis to any revisions made to the Basic Policy.

### Article 4 (Responsibilities of the state)

(1) The state shall be responsible for comprehensively formulating and implementing measures concerning the promotion of the low-carbonization of cities.

(2) In taking measures pertaining to projects to develop or improve urban areas, develop housing, or otherwise maintain or enhance urban functions, the state must endeavor to contribute to the low-carbonization of cities by taking matters into consideration with a view to integrating urban functions.

(3) The state must endeavor to gather and provide information required for efforts relating to the promotion of the low-carbonization of cities as undertaken by local governments and other relevant parties and provide other forms of support thereto.

(4) The state must endeavor to cultivate a better understanding of the promotion of the low-carbonization of cities among citizens through educational programs, public-relation programs, and other initiatives.

### Article 5 (Responsibilities of local governments)

The local government shall be responsible, based on an appropriate sharing of roles with the state, for formulating and implementing measures concerning the promotion of the low-carbonization of cities according to the environmental, economic, and social conditions of areas under its jurisdiction.

#### Article 6 (Responsibilities of business operators)

The business operator must, in connection with the use of land, the transportation of passengers and shipments, and other business activities, endeavor to promote the low-carbonization of cities and cooperate with measures concerning the promotion of the low-carbonization of cities as implemented by the state or a local government.

### Chapter 3: Special Measures Pertaining to Low-Carbon City Plan

#### Section 1: Preparing, etc., Low-Carbon City Plan

#### Article 7 (Low-carbon city plan)

(1) Based on the Basic Policy, a municipality may, either independently or in collaboration with others, prepare a low-carbon city plan for an area that is situated in an area of the said municipality (limited to an area corresponding to an urbanization promotion area as provided for in Paragraph (1) of Article 7 of the City Planning Act (Law No. 100 of 1968) (for a city planning area as provided for in Paragraph (2) of Article 4 of the same law for which no city plan concerning area classification as provided for in Paragraph (1) of Article 7 of the same law has been set forth, an area of land for which a use district as provided for in Item (i) of Paragraph (1) of Article 8 of the same law has been set forth; referred to as “Urbanization Area, etc.,” in Paragraph (1) of Article 53 hereof)) and for which it is deemed that the comprehensive promotion of measures concerning the promotion of the low-carbonization of cities would be effective.

(2) The applicable area (hereinafter referred to as “Planning Area”) and generally matters as enumerated below shall be stipulated in a low-carbon city plan:

- (i) Targets of the low-carbon city plan;
- (ii) Matters required for the attainment of targets as provided for in the preceding item as enumerated below:
  - (a) Matters concerning the development of an area constituting the site for the integration of urban functions (including the integration of urban functions in the Planning Area from outside the Planning Area; the same hereinafter) and the optimization of the allocation of the said urban functions;
  - (b) Matters concerning the promotion of the use of public transit;
  - (c) Matters concerning collective shipments and otherwise the rationalization of the shipments;
  - (d) Matters concerning the conservation of green space and the promotion of greening initiatives;
  - (e) Matters concerning the utilization of sewage lines, parks, bays, and other public facilities for the use of heat for which sewage (sewage as provided for in Item (i) of Article 2 of the Sewerage Act (Law No. 79 of 1958); the same in Item (v)(a) of the following paragraph and Article 47 hereof) is the heat source, sunlight, or another non-fossil fuel energy source or for the installation of facilities contributing to the efficient use of fossil fuels;
  - (f) Matters concerning the promotion of the controlling of carbon dioxide emissions through improvements in the efficiency of building energy use and

other performance standards (hereinafter referred to as “low-carbonization of buildings”);

(g) Matters concerning the promotion of the spread of automobiles (automobiles as provided for in Paragraph (2) of Article 2 of the Road Transport Vehicle Act (Law No. 185 of 1951) and motorized bicycles as provided for in Paragraph (3) of the same article; the same hereinafter in this item and in Article 51 hereof) contributing to the controlling of carbon dioxide emissions and otherwise the promotion of the controlling of emissions of carbon dioxide generated in connection with the operations of automobiles;

(h) Other matters concerning measures that should be taken to promote the low-carbonization of cities as set forth by an ordinance of the Ministry of Land, Infrastructure, Transport and Tourism, an ordinance of the Ministry of the Environment, or an ordinance of the Ministry of Economy, Trade and Industry.

(iii) Matters concerning the evaluation of the status of the attainment of a low-carbon city plan;

(iv) Planning period;

(v) Other matters as set forth by an ordinance of the Ministry of Land, Infrastructure, Transport and Tourism, an ordinance of the Ministry of the Environment, or an ordinance of the Ministry of Economy, Trade and Industry.

(3) For matters that are as enumerated in the following items, matters as provided for in the applicable item may be stated therein:

(i) Matters as provided for in Item (ii)(a) of the preceding paragraph: Matters concerning an area situated in a zone or area as provided for in Paragraph (1) of Article 20 of the Parking Places Act (Act No. 106 of 1957) or in a zone as provided for in Paragraph (2) of the same article for which functions of a parking facility (parking facility as provided for in Paragraph (1) of the same article; the same hereinafter in this item) should be integrated (referred to as “Parking Functions Integrated Area” in Article 20 hereof) and the location and size of an integrated parking facility (parking facility developed for the integration of the said functions);

(ii) Matters as provided for in Item (ii)(b) of the preceding paragraph: Matters as enumerated in (a) through (c) below:

(a) Matters concerning the contents and the entity responsible for the implementation of a project to increase the convenience of a railway (a project to be implemented by a person who manages or intends to manage a passenger railway business (railway business as provided for in Paragraph (1) of Article 2 of the Railway Business Act (Law No. 92 of 1986) that transports passengers or that assigns or grants permission to use railway facilities to a passenger-transporting railway operator as provided for in Paragraph (1) of Article 7 of the same law; the same in Items (iii) and (iv) of Paragraph (3) of Article 23 hereof) for which a section, in whole or in part, of the said project pertains to a line existing in the applicable Planning Area in order to increase convenience for users of the said passenger railway business; the same hereinafter);

(b) Matters concerning the contents and the entity responsible for the implementation of a project to increase the convenience of a tramway (a project to be implemented by a person who manages or intends to manage a passenger tramway business (tramway business as provided for in the Tramway Act (Law No. 76 of 1921) that transports passengers; the same in Item (iii) of Paragraph (3) of Article 26 hereof ) for which a section, in whole or in part, of the said project pertains to a line existing in the applicable Planning

Area in order to increase convenience for users of the said passenger railway business; the same hereinafter);

(c) Matters concerning the contents and the entity responsible for the implementation of a project to increase the convenience of road transportation (a project to be implemented by a person who manages or intends to manage a general passenger vehicle transportation business (general passenger vehicle transportation business as provided for in Item (i)(a) of Article 3 of the Road Transportation Act (Law No. 183 of 1951); the same in Item (iii) of Paragraph (3) of Article 29 hereof or specific passenger vehicle transportation business (specific passenger vehicle transportation business as provided for in Item (ii) of Article 3 of the same law; the same in Item (iii) of the same paragraph) for which a section, in whole or in part, of the said project pertains to a line existing in the applicable Planning Area in order to increase convenience for users of the said passenger railway business; the same hereinafter).

(iii) Matters as provided for in Item (ii)(c) of the preceding paragraph: Matters concerning the contents and the entities responsible for the implementation of a project for collective shipments by several operators (a project under which two (2) or more persons, each of whom manages or intends to manage a first class consigned freight forwarding business (first class consigned freight forwarding business as provided for in Paragraph (7) of Article 2 of the Consigned Freight Forwarding Business Act (Law No. 82 of 1989); the same in Item (iii) of Paragraph (3) of Article 33 hereof), second class consigned freight forwarding business (second class consigned freight forwarding business as provided for in Paragraph (8) of Article 2 of the same law; the same in Item (iv) of Paragraph (3) and Paragraph (4) of Article 33 hereof), or general motor truck transportation business (general motor truck transportation business as provided for in Paragraph (2) of Article 2 of the Motor Truck Transportation Business Act (Law No. 83 of 1989; the same in Item (v) of Paragraph (3) of Article 33 hereof) shall pick up, deliver, and otherwise transport freight (including operations incidental thereto) on a pooled basis; the same hereinafter);

(iv) Matters as provided for in Item (ii)(d) of the preceding paragraph: Matters as provided for in (a) or (b) below:

(a) Matters concerning an area in which a considerable number of trees exist and for which it is expected that the low-carbonization of cities will be effectively promoted by the conservation thereof (referred to as "Tree-Conservation Promotion Area" in Paragraph (1) of Article 38 hereof) and the standards applicable to the trees or tree zone that should be conserved in the said area (tree zone or collection of trees installed on an artificial foundation, building, or other structure and includes a grassy zone integrated therewith; the same hereunder) (referred to as "standards applicable to conserved trees, etc.," in the same paragraph);

(b) Matters concerning designation pursuant to the provisions of Paragraph (1) of Article 46 hereof.

(v) Matters as provided for in Item (ii)(e) of the preceding paragraph: Matters as enumerated in (a) through (c) below:

(a) Matters concerning the contents and the entity responsible for the implementation of a project that concerns the development and management of a heat-supply facility or other facility similar thereto as provided for in Paragraph (4) of Article 2 of the Heat Supply Business Act (Law No. 88 of 1972) that features equipment designed to use heat for which sewage is the heat source and that is as set forth by an applicable Cabinet Order where such

project pertains to permission as provided for in Paragraph (1) of Article 47 hereof;

(b) Matters concerning the contents and entity responsible for the implementation of a project that concerns the development of a facility that converts sunlight into electricity or contributes to the use of another non-fossil fuel energy source or the efficient use of fossil fuels in an urban park (urban park as provided for in Paragraph (1) of Article 2 of the City Park Act (Law No. 79 of 1956) (referred to as “non-fossil fuel energy source-utilizing facility, etc.” in (c) hereof) and that is as set forth by an applicable Cabinet Order;

(c) Matters concerning the contents and entity responsible for the implementation of a project that concerns the development of a non-fossil fuel energy source-utilizing facility, etc., in an area adjacent to a port area (area adjacent to a port area as provided for in Paragraph (1) of Article 37 of the Ports and Harbors Act (Law No. 218 of 1950)) and that is as set forth by an applicable ordinance of the Ministry of Land, Infrastructure, Transport and Tourism (limited to projects requiring permission as provided for in the same paragraph for the implementation thereof).

(4) Where a municipality intends to state matters that are as enumerated in the following items in a low-carbon city plan, it must consult with and obtain the consent of the person as provided for in the applicable item with respect to the said matters in advance:

(i) Matters as provided for in Item (v)(a) of the preceding paragraph: Public sewage manager, etc., who has the authority to grant permission as provided for in Paragraph (1) of Article 47 hereof (public sewage system manager as provided for in Paragraph (1) of Article 4 of the Sewerage Act or river basin sewage system manager as provided for in Paragraph (1) of Article 25-3 of the same law; the same in Articles 47 and 63 hereof);

(ii) Matters as provided for in Item (v)(b) of the preceding paragraph: Park manager of the city park pertaining to the said matters (park manager as provided for in Paragraph (1) of Article 5 of the City Park Act; the same in Article 48 hereof);

(iii) Matters as provided for in Item (v)(c) of the preceding paragraph: Port manager of the port pertaining to the said matters (port manager as provided for in Paragraph (1) of Article 2 of the Ports and Harbors Act; the same in Article 49 hereof).

(5) Where a municipality intends to state matters that are as enumerated in the following items in a low-carbon city plan, it must consult with the person as provided for in the applicable item with respect to the said matters:

(i) Matters as provided for in Item (i) of Paragraph (3) hereof: Prefectural governor (limited to the governor of a prefecture that has enacted an ordinance pursuant to the provisions of Paragraph (1) or (2) of Article 20 or Paragraph (1) of Article 20-2 of the Parking Places Act);

(ii) Matters as provided for in (a) through (c) of Item (ii) of Paragraph (3) hereof, matters as provided for in Item (iii) of the same paragraph, or matters as provided for in (a) through (c) of Item (v) of the same paragraph: Entity responsible for implementation pertaining to the said matters;

(iii) In addition to a matter as provided for in the preceding item, matters that have been stated as matters as provided for in Item (ii) of Paragraph (2) hereof and that concern paperwork to be carried out by a person other than the applicable municipality or the contents and entity responsible for the implementation of the applicable project: Entity responsible for implementation as it pertains to the said matters;

(iv) Matters that have been stated as matters as provided for in (a) through (c) of Item (ii) of Paragraph (2) hereof and that concern paperwork or a project for which traffic

controls of a Prefectural Public Safety Commission (hereinafter referred to as “Public Safety Commission”) are to be undertaken pursuant to the provisions of Paragraph (1) of Article 4 of the Road Traffic Act (Law No. 105 of 1960): Applicable Public Safety Commission.

(6) A low-carbon city plan must conform to a local government action plan as provided for in Paragraph (1) of Article 20-3 of the Act on the Promotion of Global Warming Countermeasures and be consistent with a policy on improving, developing, and preserving a city planning area as provided for in Paragraph (1) of Article 6-2 of the City Planning Act and basic policy concerning city planning by a municipality as provided for in Paragraph (1) of Article 18-2 of the same law.

(7) Where a low-carbon city plan has been prepared, it must be publicly announced without delay by a municipality.

(8) The Provisions of Paragraph (4) hereof through the preceding paragraph shall apply mutatis mutandis to any revisions made to a low-carbon city plan.

#### Article 8 (Low-carbon city council)

(1) A municipality may organize a council to engage in consultations concerning the preparation of a low-carbon city plan and communicate and coordinate with respect to the implementation of a low-carbon city plan (hereinafter referred to as a “Council”).

(2) A Council shall consist of persons as enumerated below:

- (i) Municipality that intends to prepare a low-carbon city plan;
- (ii) Persons who are closely connected to a low-carbon city plan and its implementation;
- (iii) Person otherwise deemed to be necessary by the said municipality.

(3) Council members must respect the results of consultations conducted by the applicable Council on matters for which an agreement has been reached through the said consultations.

(4) In addition to the provisions of the preceding three (3) paragraphs, a matter required in connection with the operations of a Council shall be as set forth by the said Council.

#### Section 2: Integrated Urban Development Projects, etc.

##### Article 9 (Certifying an integrated urban development project plan)

(1) A person intending to implement a project to develop a building to be used by hospitals, apartment complexes, and other large groups of persons in a Planning Area pertaining to a low-carbon city plan in which matters as provided for in Item (ii)(a) of Paragraph (2) of Article 7 hereof are stated (hereinafter referred to as “Specific Building”) and the premises thereof (including any project concerning the development of roads, parks, or other public facilities (referred to as “Specific Public Facility” in Item (iii) of Paragraph (1) of the following article) to be developed in conjunction therewith), as well as any project incidental thereto, where such projects shall help in the formation of a site for the integration of urban functions (hereinafter referred to as “Integrated Urban Development Project”), may prepare a plan concerning an Integrated Urban Development Project (hereinafter referred to as “Integrated Urban Development Project Plan”) in line with a low-carbon city plan as set forth by an ordinance of the Ministry of Land, Infrastructure, Transport and Tourism and submit an application for a certification by the head of the applicable municipality.

(2) Matters as enumerated below must be stated in an Integrated Urban Development Project Plan:

- (i) Area subject to the implementation of the Integrated Urban Development Project;
- (ii) Contents of the Integrated Urban Development Project;
- (iii) Period slated for the implementation of the Integrated Urban Development Project;

- (iv) Financing plan for the Integrated Urban Development Project;
- (v) Effects in terms of the low-carbonization of cities through the implementation of the Integrated Urban Development Project;
- (vi) Other matters as set forth by an ordinance of the Ministry of Land, Infrastructure, Transport and Tourism.

Article 10 (Certification standards, etc., applicable to an Integrated Urban Development Project Plan)

(1) Where an application for a certification pursuant to the provisions of Paragraph (1) of the preceding article is received and the Integrated Urban Development Project Plan pertaining to the said application is accepted as being in conformity with standards as enumerated below, the head of the applicable municipality may grant a certification:

- (i) It is accepted that the said Integrated Urban Development Project shall contribute to the formation of a site for the integration of urban functions through which emissions of carbon dioxide shall be controlled;
- (ii) The Integrated Urban Development Project Plan (limited to parts pertaining to the development of a Specific Building; the same in the following paragraph through Paragraph (4) hereof and Paragraph (6) hereof) conforms with standards as provided for in Items (i) and (ii) of Paragraph (1) of Article 54 hereof;
- (iii) Greening measures and other measures for the low-carbonization of cities shall be applied to the site of the Specific Building or Specific Public Facility to be developed through the said Integrated Urban Development Project;
- (iv) Matters as stated in the Integrated Urban Development Project Plan are appropriate for reliably executing the said Integrated Urban Development Project;
- (v) The economic foundation required for the implementation of the said Integrated Urban Development Project and other qualifications required for the precise execution thereof are adequate.

(2) The head of the applicable municipality for a municipality that does not appoint building officials (including any municipality that appoints building officials pursuant to the provisions of Paragraph (1) of Article 97-2 or Paragraph (1) of Article 97-3 of the Building Standards Act (Law No. 201 of 1950) where the Specific Building to be developed through an Integrated Urban Development Project to be implemented in the applicable area constitutes a building as set forth by an applicable ordinance) must, where he or she intends to grant a certification as provided for in the preceding paragraph, consult with the applicable prefectural governor and obtain the consent thereof with respect to the conformity of the Integrated Urban Development Project Plan pertaining to the said certification to standards as provided for in Item (ii) of the same paragraph in advance.

(3) A person applying for a certification pursuant to the provisions of Paragraph (1) of the preceding article may submit an application to the head of the applicable municipality to have the said head of the applicable municipality notify the Integrated Urban Development Project Plan pertaining to the said application to a building official and have the said Integrated Urban Development Project Plan undergo an examination to determine whether it conforms to rules relating to building standards as set forth in Paragraph (1) of Article 6 of the Building Standards Act. In such a case, a written application for confirmation pursuant to the provisions of the same paragraph must be submitted together with the said application.

(4) Upon receiving an application as provided for in the preceding paragraph, the head of the applicable municipality must promptly notify the Integrated Urban Development Project Plan pertaining to the said application to the applicable building official.



(5) The provisions of Paragraphs (3) and (12) of Article 18 of the Building Standards Act shall apply mutatis mutandis where a building official receives a notification as provided for in the preceding paragraph.

(6) Where the head of the applicable municipality is issued a certification of confirmation as set forth in Paragraph (3) of Article 18 of the Building Standards Act as applied mutatis mutandis in the preceding paragraph and has granted a certification as provided for in Paragraph (1) hereof, a certificate of confirmation as set forth in Paragraph (1) of Article 6 of the same law shall be deemed to have been issued for the said certified Integrated Urban Development Project Plan.

(7) Where the head of the applicable municipality is issued a written notification as set forth in Paragraph (12) of Article 18 of the Building Standards Act as applied mutatis mutandis in Paragraph (5) hereof, he or she must not grant a certification as provided for in Paragraph (1) hereof.

(8) The provisions of Paragraphs (7) and (8) of Article 12 and Articles 93 through 93-3 of the Building Standards Act shall apply mutatis mutandis to the issuance of a certification of confirmation or written notification as set forth in Paragraphs (3) and (12) of Article 18 of the same law as applied mutatis mutandis in Paragraph (5) hereof.

(9) Where a person intending to implement an Integrated Urban Development Project obtains a certification as provided for in Paragraph (1) hereof for the applicable Integrated Urban Development Project Plan, the submission of a notification as set forth in Paragraph (1) of Article 75 or Paragraph (1) of Article 75-2 of the Act on the Rational Use of Energy (Law No. 49 of 1979) shall be deemed to have been undertaken for the development of a Specific Building according to the said Integrated Urban Development Project Plan for which the submission of the said notification is required. In such a case, the provisions of neither Paragraphs (2) through (4) of Article 75 nor Paragraph (2) of Article 75-2 of the same law shall apply.

#### Article 11 (Revising an Integrated Urban Development Project Plan)

(1) A person who has obtained a certification as provided for in Paragraph (1) of the preceding article (hereinafter referred to as "Certified Integrated Urban Development Project Operator") must obtain a certification from the head of the applicable municipality when intending to revise the applicable certified Integrated Urban Development Project Plan (excluding minor revisions as set forth by an ordinance of the Ministry of Land, Infrastructure, Transport and Tourism).

(2) The provisions of the preceding article shall apply mutatis mutandis to a certification as provided for in the preceding paragraph.

#### Article 12 (Collecting reports)

The head of the applicable municipality may submit a request to a Certified Integrated Urban Development Project Operator for a report on the status of the implementation of an Integrated Urban Development Project pertaining to an Integrated Urban Development Project Plan that has been certified pursuant to Paragraph (1) of Article 10 hereof (or a revised version thereof where applicable; referred to as "Certified Integrated Urban Development Project Plan" in the next article and Article 14 hereof) (hereinafter referred to as "Certified Integrated Urban Development Project").

#### Article 13 (Succession to status)

A person who has obtained ownership of land situated in an area as provided for in Item (i) of Paragraph (2) of Article 9 hereof pertaining to the applicable Certified Integrated Urban Development Project Plan and any title required for the implementation of the applicable Certified Integrated Urban Development Project from a general successor to a Certified Integrated Urban Development Project Operator or a Certified Integrated Urban Development Project Operator may, where authorized by the head of the applicable municipality, succeed to

a status based on a certification as provided for in Paragraph (1) of Article 10 hereof as granted to the said Certified Integrated Urban Development Project Operator.

Article 14 (Improvement order)

Where a Certified Integrated Urban Development Project Operator is deemed to have not implemented a Certified Integrated Urban Development Project pursuant to a Certified Integrated Urban Development Project Plan, the head of an applicable municipality may order the said Certified Integrated Urban Development Project Operator to take measures required for the amelioration thereof within a reasonable period of time as prescribed thereby.

Article 15 (Revoking the certification of an Integrated Urban Development Project Plan)

Where a Certified Integrated Urban Development Project Operator contravenes an order as provided for in the preceding article, the head of the applicable municipality may revoke the certification as provided for in Paragraph (1) of Article 10 hereof.

Article 16 (Special provisions concerning a Specific Building)

A Specific Building developed according to a Certified Integrated Urban Development Project shall be deemed to constitute a low-carbon building and shall be subject to the provisions of this law.

Article 17 (Subsidies for costs)

(1) A local government may provide a Certified Integrated Urban Development Project Operator with a subsidy to cover some of the costs incurred for the implementation of a Certified Integrated Urban Development Project.

(2) Where a local government grants a subsidy pursuant to the provisions of the preceding paragraph, the state may, pursuant to the provisions as set forth by an applicable Cabinet Order, subsidize some of the applicable costs up to a budgeted limit.

Article 18 (Rent for or price of a Specific Building developed through a Certified Integrated Urban Development Project pertaining to subsidization by a local government)

(1) A Certified Integrated Urban Development Project Operator may not conclude a contract for rent or accept rent for a Specific Building to be provided for rental purposes as developed through a Certified Integrated Urban Development Project pertaining to subsidization as provided for in Paragraph (1) of the preceding article during a period as set forth by an ordinance of the Ministry of Land, Infrastructure, Transport and Tourism that exceeds an amount as set forth by an ordinance of the Ministry of Land, Infrastructure, Transport and Tourism in consideration of the costs incurred to develop the said Specific Building, interest expenses, repair costs, administrative office expenses, nonlife insurance premiums, the amount equivalent to land rent, public dues, and other incurred costs.

(2) Where there has been a significant change in the price of or other applicable economic conditions concerning a Specific Building to be provided for rental purposes as provided for in the preceding paragraph such that standards as set forth by an ordinance of the Ministry of Land, Infrastructure, Transport and Tourism are satisfied, the costs incurred to develop the said Specific Building shall constitute costs deemed to be normally required for the development thereof subsequent to the said change.

(3) A Certified Integrated Urban Development Project Operator may not conclude a contract for a transfer price or accept a transfer price for a Specific Building developed through a Certified Integrated Urban Development Project pertaining to subsidization as provided for in Paragraph (1) of the preceding article that exceeds an amount as set forth by an ordinance of the Ministry of Land, Infrastructure, Transport and Tourism in consideration of the costs incurred to develop

the said Specific Building, interest expenses, administrative office expenses incurred for a transfer, public dues, and other incurred costs.

Article 19 (Special provisions concerning reserved land to be stipulated in a replotting plan for a land readjustment project)

(1) Certain land may be stipulated as reserved land without being stipulated as replotted land in a replotting plan for a land readjustment project (land readjustment project as provided for in Paragraph (1) of Article 2 of the Land Readjustment Act (Law No. 119 of 1954)) that pertains to matters concerning the development of a district constituting a site for the integration of urban functions stated as matters provided for in Item (ii)(a) of Paragraph (2) of Article 7 hereof in a low-carbon city plan and that shall be implemented pursuant to the provisions of Paragraph (4) of Article 3, Article 3-2, or Article 3-3 of the same law in order to be provided for use by a Specific Building to be developed through a Certified Integrated Urban Development Project (limited to a building required for the common welfare or convenience of residents in an area as provided for in Item (i) of Paragraph (2) of Article 9 hereof). In such a case, consent with respect to the acreage of the said reserved land must be obtained from all persons with ownership of, the right of superficies in, the perennial tenant right in, the right of lease in, or other right to use or receive earnings from a residential lot (residential lot as provided for in Paragraph (6) of Article 2 of the same law; the same hereinafter in this paragraph and Paragraph (3) hereof) situated in the area of the land where the said land readjustment project shall be implemented.

(2) The provisions of Paragraph (11) of Article 104 and Paragraph (1) of Article 108 of the Land Readjustment Act shall apply mutatis mutandis to reserved land stipulated in a replotting plan pursuant to the provisions of the preceding paragraph. In such a case, "Paragraph (4) or (5) of Article 3" and "Paragraph (11) of Article 104" in Paragraph (1) of the same article shall be read as "Paragraph (4) of Article 3" and "Paragraph (11) of Article 104 as applied mutatis mutandis in Paragraph (2) of Article 19 of the Act on the Promotion of the Low-Carbonization of Cities," respectively.

(3) A person implementing a land readjustment project as provided for in Paragraph (1) hereof must, where reserved land as stipulated in a replotting plan pursuant to the provisions of the same paragraph is subject to disposition, issue an amount of money equivalent to consideration for the said reserved land according to standards as set forth by an applicable Cabinet Order to persons with ownership of, the right of superficies in, the perennial tenant right in, the right of lease in, or other right to use or receive earnings from a prior residential lot as of the date of a public announcement made pursuant to the provisions of Paragraph (4) of Article 103 of the Land Readjustment Act. The provisions of Paragraph (2) of Article 109 of the same law shall apply mutatis mutandis in such a case.

(4) The provisions of Paragraph (5) of Article 85 of the Land Readjustment Act shall apply mutatis mutandis to a disposition undertaken or decision made pursuant to the provisions of any of the preceding three (3) paragraphs.

Article 20 (Special provisions concerning the Parking Places Act as it pertains to the attachment of a parking facility)

In applying the provisions of Paragraph (1) or (2) of Article 20 or Paragraph (1) of Article 20-2 of the Parking Places Act in a Parking Functions Integrated Area pertaining to matters as provided for in Item (i) of Paragraph (3) of Article 7 hereof where the said matters have been stipulated in a low-carbon city plan, "within a neighborhood commercial district" in Paragraph (1) of Article 20 of the same law shall be read as "within an area of a Parking Functions Integrated Area (Parking Functions Integrated Areas as provided for in Item (i) of Paragraph (3) of Article 7 of the Act on the Promotion of the Low-Carbonization of Cities (Law No. \_\_\_ of

2012); the same hereinafter in this article and the following article) within a neighborhood commercial district”; “Building or” in the same paragraph, Paragraph (2) of the same article, and Paragraph (1) of Article 20-2 of the same law shall be read as “Building or”; “the fact [that]” and “within a parking lot development zone or within an integrated parking facility or neighborhood commercial district” in Paragraph (1) of Article 20 of the same law shall be read as “the fact [that], the fact that a parking facility must be established within the applicable building or on the premises of the applicable building (integrated parking facility as provided for in the same item; the same hereinafter in this article and the following article), or the fact that a parking facility must be established within an integrated parking facility” and “within a an area of a Parking Functions Integrated Area,” respectively; “within a zone” in Paragraph (2) of the same article shall be read as “within an area of the Parking Functions Integrated Area situated within a zone”; “the fact [that]” in the same paragraph and Paragraph (1) of Article 20-2 of the same law shall be read as “the fact [that], the fact that a parking facility must be established within the applicable building or on the premises of the applicable building, or the fact that a parking facility must be established within an integrated parking facility”; and “within the zone or district as provided for in Paragraph (1) of the preceding article or within the zone as provided for in Paragraph (2) of the same article” and “situated in the zone” shall be read as “within the zone or district” and “situated in the area of the Parking Functions Integrated Area,” respectively.

### Section 3: Common Rail and Passage Tickets, etc.

#### Subsection 1: Common Rail and Passage Tickets

##### Article 21

(1) Where carriers intend to discount fares or fees pertaining to common rail and passage tickets (vouchers issued jointly by two (2) or more carriers for which conditions with respect to period and zones of use and other matters have been prescribed, the presentation of which entitles the holders thereof to receive transportation services by the said carriers subject to compliance with the said conditions) sold to travelers visiting a Planning Area or moving within a Planning Area in order to implement matters concerning the promotion of the use of public transportation stated as matters as provided for in Item (ii)(b) of Paragraph (2) of Article 7 hereof in a low-carbon city plan, they may jointly notify the Minister of Land, Infrastructure, Transport and Tourism of the fact thereof in advance pursuant to the provisions as set forth by an ordinance of the Ministry of Land, Infrastructure, Transport and Tourism.

(2) A carrier that has submitted a notification as provided for in the preceding paragraph shall be deemed to have submitted a notification pursuant to the provisions of the latter part of Paragraph (3) of Article 16 of the Railway Business Act, Paragraph (2) of Article 11 of the Tramway Act, the latter part of Paragraph (3) of Article 9 of the Road Transportation Act, or the latter part of Paragraph (1) of Article 8 of the Marine Transportation Act (Law No. 187 of 1949).

#### Subsection 2: Projects to Increase the Convenience of Railways

##### Article 22 (Implementing a project to increase the convenience of railways)

(1) Where matters as provided for in Item (ii)(a) of Paragraph (3) of Article 7 hereof are stated in a low-carbon city plan, a person intending to implement a project to increase the convenience of railways pertaining to the said matters shall, either independently or in collaboration with others, prepare a plan for implementing a project to increase the convenience of railways in line with the said low-carbon city plan (hereinafter referred to as

“Plan for the Implementation of a Project to Increase the Convenience of Railways”) and implement the said project to increase the convenience of railways in accordance therewith.

(2) Matters as enumerated below must be stated in a Plan for the Implementation of a Project to Increase the Convenience of Railways:

- (i) Area in which the project to increase the convenience of railways is to be implemented;
- (ii) Contents of the project to increase the convenience of railways;
- (iii) Period slated for the implementation of the project to increase the convenience of railways;
- (iv) Financing plan for the project to increase the convenience of railways;
- (v) Effects in terms of the low-carbonization of cities produced by way of the implementation of the project to increase the convenience of railways;
- (vi) Other matters as set forth by an applicable ordinance of the Ministry of Land, Infrastructure, Transport and Tourism.

(3) A person intending to implement a project to increase the convenience of railways must, where intending to prepare a Plan for the Implementation of a Project to Increase the Convenience of Railways, solicit in advance the opinions of the municipality that prepared the low-carbon city plan in which matters concerning the said project to increase the convenience of railways are stated (referred to as “Planning Municipality” in the following paragraph and the following article).

(4) A person intending to implement a project to increase the convenience of railways must send a Plan for the Implementation of a Project to Increase the Convenience of Railways to the Planning Municipality without delay upon its preparation.

(5) The provisions of the preceding two (2) paragraphs shall apply mutatis mutandis to any revisions made to a Plan for the Implementation of a Project to Increase the Convenience of Railways.

Article 23 (Certifying a Plan for the Implementation of a Project to Increase the Convenience of Railways)

(1) A person intending to implement a project to increase the convenience of railways may submit an application for certification to the effect that the applicable Plan for the Implementation of a Project to Increase the Convenience of Railways is appropriate for promoting the low-carbonization of cities to the Minister of Land, Infrastructure, Transport and Tourism.

(2) An application for certification as provided for in the preceding paragraph must be submitted through the Planning Municipality. In such a case, the Planning Municipality shall investigate the applicable Plan for the Implementation of a Project to Increase the Convenience of Railways and append any pertinent opinions thereto before sending it to the Minister of Land, Infrastructure, Transport and Tourism.

(3) Where an application for certification as provided for in Paragraph (1) hereof is received and the Plan for the Implementation of a Project to Increase the Convenience of Railways pertaining to the said application is accepted as being in conformity with standards as enumerated below, the Minister of Land, Infrastructure, Transport and Tourism shall grant a certification:

- (i) Matters as stated in the Plan for the Implementation of a Project to Increase the Convenience of Railways are appropriate in light of the Basic Policy;
- (ii) Matters as stated in the Plan for the Implementation of a Project to Increase the Convenience of Railways are appropriate for properly implementing the said project to increase the convenience of railways;

(iii) The contents of a passenger rail business that is stated in the Plan for the Implementation of a Project to Increase the Convenience of Railways and that must be permitted or approved as provided for in (a) through (c) below are in conformity with the corresponding standards as set forth in (a) through (c) below:

(a) Permission as provided for in Paragraph (1) of Article 3 of the Railway Business Act: Standards as set forth in the items enumerated in Paragraph (1) of Article 5 of the same law;

(b) Approval as provided for in Paragraph (1) of Article 7 of the Railway Business Act: Standards as set forth in the items enumerated in Paragraph (1) of Article 5 of the same law as applied mutatis mutandis in Paragraph (2) of Article 7 of the same law;

(c) Approval as provided for in Paragraph (1) of Article 16 of the Railway Business Act: Standards as set forth in Paragraph (2) of the same article.

(iv) A person intending to undertake a passenger rail business that is stated in the Plan for the Implementation of a Project to Increase the Convenience of Railways and that must be permitted as provided for in Paragraph (1) of Article 3 of the Railway Business Act does not come under any of the items enumerated in Article 6 of the same law.

(4) Where certification as provided for in the preceding paragraph is to be granted, a project that must be approved as provided for in Paragraph (1) of Article 16 of the Railway Business Act shall be referred to the Transport Council.

(5) Where certification as provided for in Paragraph (3) hereof has been granted, the Minister of Land, Infrastructure, Transport and Tourism shall notify the Planning Municipality of the fact thereof without delay.

(6) A person who has obtained a certification as provided for in Paragraph (3) hereof must obtain a certification from the Minister of Land, Infrastructure, Transport and Tourism when intending to revise the applicable certified Plan for the Implementation of a Project to Increase the Convenience of Railways.

(7) The provisions of Paragraphs (2) through (5) hereof shall apply mutatis mutandis to a certification as provided for in the preceding paragraph.

(8) Where it is accepted that a Plan for the Implementation of a Project to Increase the Convenience of Railways that has been certified pursuant to Paragraph (3) hereof (the revised version thereof where applicable; hereinafter referred to as "Certified Plan for the Implementation of a Project to Increase the Convenience of Railways" in this paragraph and Article 31 hereof) is no longer in conformity with any of the items enumerated in Paragraph (3) hereof or that a person who has obtained a certification as provided for in the same paragraph has not implemented the applicable project to increase the convenience of railways pursuant to the Certified Plan for the Implementation of a Project to Increase the Convenience of Railways, the Minister of Land, Infrastructure, Transport and Tourism may revoke the said certification.

(9) Matters required in connection with certification as provided for in Paragraph (3) hereof and the certification of revisions as provided for Paragraph (6) hereof shall be as set forth by an applicable ordinance of the Ministry of Land, Infrastructure, Transport and Tourism.

#### Article 24 (Special provisions concerning the Railway Business Act)

Where a person intending to implement a project to increase the convenience of railways obtains a certification as provided for in Paragraph (3) or (6) of the preceding article with respect to an applicable Plan for the Implementation of a Project to Increase the Convenience of Railways, permission or approval as provided for in Paragraph (1) of Article 3 of the Railway Business Act or approval as provided for in Paragraph (1) of Article 7 or Paragraph (1) of Article 16 of the same law shall be deemed to have been granted or notification as provided for in Paragraph (3) of Article 7 or Paragraph (3) of Article 16 of the same law shall be deemed to

have been submitted for a project to increase the convenience of railways that is stated in the said Plan for the Implementation of a Project to Increase the Convenience of Railways and for which the said permission or approval must be granted or for which the said notification must be submitted.

### Subsection 3: Projects to Increase the Convenience of Tramways

#### Article 25 (Implementing a project to increase the convenience of tramways)

(1) Where matters as provided for in Item (ii)(b) of Paragraph (3) of Article 7 hereof are stated in a low-carbon city plan, a person intending to implement a project to increase the convenience of tramways pertaining to the said matters shall prepare a plan for implementing a project to increase the convenience of tramways in line with the said low-carbon city plan (hereinafter referred to as "Plan for the Implementation of a Project to Increase the Convenience of Tramways") and implement the said project to increase the convenience of tramways in accordance therewith.

(2) Matters as enumerated below must be stated in a Plan for the Implementation of a Project to Increase the Convenience of Tramways:

- (i) Area in which the project to increase the convenience of tramways is to be implemented;
- (ii) Contents of the project to increase the convenience of tramways;
- (iii) Period slated for the implementation of the project to increase the convenience of tramways;
- (iv) Financing plan for the project to increase the convenience of tramways;
- (v) Effects in terms of the low-carbonization of cities produced by way of the implementation of the project to increase the convenience of tramways;
- (vi) Other matters as set forth by an applicable ordinance of the Ministry of Land, Infrastructure, Transport and Tourism.

(3) A person intending to implement a project to increase the convenience of tramways must, where intending to prepare a Plan for the Implementation of a Project to Increase the Convenience of Tramways, solicit in advance the opinions of the municipality that prepared the low-carbon city plan in which matters concerning the said project to increase the convenience of tramways are stated (referred to as "Planning Municipality" in the following paragraph and the following article).

(4) A person intending to implement a project to increase the convenience of tramways must send a Plan for the Implementation of a Project to Increase the Convenience of Tramways to the Planning Municipality without delay upon its preparation.

(5) The provisions of the preceding two (2) paragraphs shall apply mutatis mutandis to any revisions made to a Plan for the Implementation of a Project to Increase the Convenience of Tramways.

#### Article 26 (Certifying a Plan for the Implementation of a Project to Increase the Convenience of Tramways)

(1) A person intending to implement a project to increase the convenience of tramways may submit an application for certification to the effect that the applicable Plan for the Implementation of a Project to Increase the Convenience of Tramways is appropriate for promoting the low-carbonization of cities to the Minister of Land, Infrastructure, Transport and Tourism.

(2) An application for certification as provided for in the preceding paragraph must be submitted through the Planning Municipality. In such a case, the Planning Municipality shall investigate the applicable Plan for the Implementation of a Project to Increase the Convenience

of Tramways and append any pertinent opinions thereto before sending it to the Minister of Land, Infrastructure, Transport and Tourism.

(3) Where an application for certification as provided for in Paragraph (1) hereof is received and the Plan for the Implementation of a Project to Increase the Convenience of Tramways pertaining to the said application is accepted as being in conformity with standards as enumerated below, the Minister of Land, Infrastructure, Transport and Tourism shall grant a certification:

- (i) Matters as stated in the Plan for the Implementation of a Project to Increase the Convenience of Tramways are appropriate in light of the Basic Policy;
- (ii) Matters as stated in the Plan for the Implementation of a Project to Increase the Convenience of Tramways are appropriate for properly implementing the said project to increase the convenience of tramways;
- (iii) The contents of a passenger tramway business that is stated in the Plan for the Implementation of a Project to Increase the Convenience of Tramways are in conformity with standards applicable to the granting of a special license as provided for in Article 3 of the Tramway Act and to the granting of the approval of fares and fees as provided for in Paragraph (1) of Article 11 of the same law.

(4) Where certification as provided for in the preceding paragraph is to be granted, a project that must be granted a special license as provided for in Article 3 of the Tramway Act or the approval of fares and fees as provided for in Paragraph (1) of Article 11 of the same law shall be referred to the Transport Council with other required procedures to be prescribed by a Cabinet Order.

(5) The Minister of Land, Infrastructure, Transport and Tourism shall solicit opinions from concerned road administrators as set forth by an applicable ordinance of the Ministry of Land, Infrastructure, Transport and Tourism and concerned Public Safety Commissions as set forth by an applicable ordinance of the Ministry of Land, Infrastructure, Transport and Tourism or Cabinet Office Ordinance where he or she intends to grant a certification as provided for in Paragraph (3) hereof. Provided, however, that this provision shall not apply where an applicable ordinance of the Ministry of Land, Infrastructure, Transport and Tourism stipulates that there is no need to solicit the opinion of a road administrator or where an applicable ordinance of the Ministry of Land, Infrastructure, Transport and Tourism or Cabinet Office Ordinance stipulates that there is no need to solicit the opinion of a Public Safety Commission.

(6) Where certification as provided for in Paragraph (3) hereof has been granted, the Minister of Land, Infrastructure, Transport and Tourism shall notify the Planning Municipality of the fact thereof without delay.

(7) A person who has obtained a certification as provided for in Paragraph (3) hereof must obtain a certification of the Minister of Land, Infrastructure, Transport and Tourism when intending to revise the applicable certified Plan for the Implementation of a Project to Increase the Convenience of Tramways.

(8) The provisions of Paragraphs (2) through (6) hereof shall apply mutatis mutandis to a certification as provided for in the preceding paragraph.

(9) Where it is accepted that a Plan for the Implementation of a Project to Increase the Convenience of Tramways that has been certified pursuant to Paragraph (3) hereof (the revised version thereof where applicable; hereinafter referred to as "Certified Plan for the Implementation of a Project to Increase the Convenience of Tramways" in this paragraph and Article 31 hereof) is no longer in conformity with any of the items enumerated in Paragraph (3) hereof or that a person who has obtained a certification as provided for in the same paragraph has not implemented the applicable project to increase the convenience of tramways pursuant to the Certified Plan for the Implementation of a Project to Increase the Convenience of



Tramways, the Minister of Land, Infrastructure, Transport and Tourism may revoke the said certification.

(10) Matters required in connection with certification as provided for in Paragraph (3) hereof and the certification of revisions as provided for Paragraph (7) hereof shall be as set forth by an applicable ordinance of the Ministry of Land, Infrastructure, Transport and Tourism.

#### Article 27 (Special provisions concerning the Tramway Act)

Where a person intending to implement a project to increase the convenience of tramways obtains a certification as provided for in Paragraph (3) or (7) of the preceding article with respect to an applicable Plan for the Implementation of a Project to Increase the Convenience of Tramways, a special license as provided for in Article 3 of the Tramway Act or the approval of fares and fees as provided for in Paragraph (1) of Article 11 of the same law shall be deemed to have been granted or a notification as provided for in Paragraph (2) of the same article shall be deemed to have been submitted for a project to increase the convenience of tramways that is stated in the said Plan for the Implementation of a Project to Increase the Convenience of Tramways and for which the said special license or approval must be granted or for which the said notification must be submitted.

#### Subsection 4: Projects to Increase the Convenience of Road Transportation

##### Article 28 (Implementing a project to increase the convenience of road transportation)

(1) Where matters as provided for in Item (ii)(c) of Paragraph (3) of Article 7 are stated in a low-carbon city plan, a person intending to implement a project to increase the convenience of road transportation pertaining to the said matters shall, either independently or in collaboration with others, prepare a plan for implementing a project to increase the convenience of road transportation in line with the said low-carbon city plan (hereinafter referred to as "Plan for the Implementation of a Project to Increase the Convenience of Road Transportation") and implement the said project to increase the convenience of road transportation in accordance therewith.

(2) Matters as enumerated below must be stated in a Plan for the Implementation of a Project to Increase the Convenience of Road Transportation:

- (i) Area in which the project to increase the convenience of road transportation is to be implemented;
- (ii) Contents of the project to increase the convenience of road transportation;
- (iii) Period slated for the implementation of the project to increase the convenience of road transportation;
- (iv) Financing plan for the project to increase the convenience of road transportation;
- (v) Effects in terms of the low-carbonization of cities produced by way of the implementation of the project to increase the convenience of road transportation;
- (vi) Other matters as set forth by an applicable ordinance of the Ministry of Land, Infrastructure, Transport and Tourism.

(3) A person intending to implement a project to increase the convenience of road transportation must, where intending to prepare a Plan for the Implementation of a Project to Increase the Convenience of Road Transportation, solicit in advance the opinions of the municipality that prepared the low-carbon city plan in which matters concerning the said project to increase the convenience of road transportation are stated (referred to as "Planning Municipality" in the following paragraph and the following article).

(4) A person intending to implement a project to increase the convenience of road transportation must send a Plan for the Implementation of a Project to Increase the

Convenience of Road Transportation to the Planning Municipality without delay upon its preparation.

(5) The provisions of the preceding two (2) paragraphs shall apply mutatis mutandis to any revisions made to a Plan for the Implementation of a Project to Increase the Convenience of Road Transportation.

Article 29 (Certifying a Plan for the Implementation of a Project to Increase the Convenience of Road Transportation)

(1) A person intending to implement a project to increase the convenience of road transportation may submit an application for certification to the effect that the applicable Plan for the Implementation of a Project to Increase the Convenience of Road Transportation is appropriate for promoting the low-carbonization of cities to the Minister of Land, Infrastructure, Transport and Tourism.

(2) An application for certification as provided for in the preceding paragraph must be submitted through the Planning Municipality. In such a case, the Planning Municipality shall investigate the applicable Plan for the Implementation of a Project to Increase the Convenience of Road Transportation and append any pertinent opinions thereto before sending it to the Minister of Land, Infrastructure, Transport and Tourism.

(3) Where an application for certification as provided for in Paragraph (1) hereof is received and the Plan for the Implementation of a Project to Increase the Convenience of Road Transportation pertaining to the said application is accepted as being in conformity with standards as enumerated below, the Minister of Land, Infrastructure, Transport and Tourism shall grant a certification:

- (i) Matters as stated in the Plan for the Implementation of a Project to Increase the Convenience of Road Transportation are appropriate in light of the Basic Policy;
- (ii) Matters as stated in the Plan for the Implementation of a Project to Increase the Convenience of Road Transportation are appropriate for properly implementing the said project to increase the convenience of road transportation;
- (iii) The contents of a general passenger vehicle transportation business or specific passenger vehicle transportation business that is stated in the Plan for the Implementation of a Project to Increase the Convenience of Road Transportation are in conformity with standards as set forth in the items enumerated in Article 6 of the Road Transportation Act (including where applied mutatis mutandis in Paragraph (2) of Article 15 of the same law) or the items enumerated in Paragraph (3) of Article 43 of the same law (including where applied mutatis mutandis in Paragraph (2) of Article 15 of the same law as applied mutatis mutandis by the reading of terms under Paragraph (5) of Article 43 of the same law) and the person intending to implement the said general passenger vehicle transportation business or specific passenger vehicle transportation business does not come under any of the items enumerated in Article 7 of the same law (including where applied mutatis mutandis in Paragraph (4) of Article 43 of the same law).

(4) The Minister of Land, Infrastructure, Transport and Tourism shall solicit opinions from concerned road administrators as set forth by an applicable ordinance of the Ministry of Land, Infrastructure, Transport and Tourism and concerned Public Safety Commissions as set forth by an applicable ordinance of the Ministry of Land, Infrastructure, Transport and Tourism or Cabinet Office Ordinance where he or she intends to grant a certification as provided for in the preceding paragraph. Provided, however, that this provision shall not apply where an applicable ordinance of the Ministry of Land, Infrastructure, Transport and Tourism stipulates that there is no need to solicit the opinion of a road administrator or where an applicable

ordinance of the Ministry of Land, Infrastructure, Transport and Tourism or Cabinet Office Ordinance stipulates that there is no need to solicit the opinion of a Public Safety Commission.

(5) Where certification as provided for in Paragraph (3) hereof has been granted, the Minister of Land, Infrastructure, Transport and Tourism shall notify the Planning Municipality of the fact thereof without delay.

(6) A person who has obtained a certification as provided for in Paragraph (3) hereof must obtain a certification of the Minister of Land, Infrastructure, Transport and Tourism when intending to revise the applicable certified Plan for the Implementation of a Project to Increase the Convenience of Road Transportation.

(7) The provisions of Paragraphs (2) through (5) hereof shall apply mutatis mutandis to a certification as provided for in the preceding paragraph.

(8) Where it is accepted that a Plan for the Implementation of a Project to Increase the Convenience of Road Transportation that has been certified pursuant to Paragraph (3) hereof (the revised version thereof where applicable; hereinafter referred to as "Certified Plan for the Implementation of a Project to Increase the Convenience of Road Transportation" in this paragraph and Article 31 hereof) is no longer in conformity with any of the items enumerated in Paragraph (3) hereof or that a person who has obtained a certification as provided for in the same paragraph has not implemented the applicable project to increase the convenience of road transportation pursuant to the Certified Plan for the Implementation of a Project to Increase the Convenience of Road Transportation, the Minister of Land, Infrastructure, Transport and Tourism may revoke the said certification.

(9) Matters required in connection with certification as provided for in Paragraph (3) hereof and the certification of revisions as provided for Paragraph (6) hereof shall be as set forth by an applicable ordinance of the Ministry of Land, Infrastructure, Transport and Tourism.

#### Article 30 (Special provisions concerning the Road Transportation Act)

Where a person intending to implement a project to increase the convenience of road transportation obtains a certification as provided for in Paragraph (3) or (6) of the preceding article with respect to an applicable Plan for the Implementation of a Project to Increase the Convenience of Road Transportation, permission as provided for in Paragraph (1) of Article 4 or Paragraph (1) of Article 43 of the Road Transportation Act or approval as provided for in Paragraph (1) of Article 15 of the same law (including where applied mutatis mutandis in Paragraph (5) of Article 43 of the same law) shall be deemed to have been granted or notification as provided for in Paragraph (3) or (4) of Article 15 of the same law (including where applied mutatis mutandis in Paragraph (5) of Article 43 of the same law) shall be deemed to have been submitted for a project to increase the convenience of road transportation that is stated in the said Plan for the Implementation of a Project to Increase the Convenience of Road Transportation and for which the said permission or approval must be granted or for which the said notification must be submitted.

#### Subsection 5: Collection of Reports

##### Article 31

The Minister of Land, Infrastructure, Transport and Tourism may submit a request to a person implementing a project to increase the convenience of railways as stated in a Certified Plan for the Implementation of a Project to Increase the Convenience of Railways, a project to increase the convenience of tramways as stated in a Certified Plan for the Implementation of a Project to Increase the Convenience of Tramways, or a project to increase the convenience of road transportation as stated in a Certified Plan for the Implementation of a Project to Increase the

Convenience of Road Transportation for the submission of a report on the status of the implementation thereof.

#### Section 4: Projects for Collective Shipments by Several Operators

##### Article 32 (Implementing a project for collective shipments by several operators)

Where matters as provided for in Item (iii) of Paragraph (3) of Article 7 are stated in a low-carbon city plan, persons intending to implement a project for collective shipments by several operators pertaining to the said matters (hereinafter referred to as “collective Operators”) shall, in collaboration with one another, prepare a plan for implementing a project for collective shipments by several operators in line with the said low-carbon city plan (hereinafter referred to as “Plan for Conducting Collective Shipments by Several Operators”) and implement the said project for collective shipments by several operators in accordance therewith.

(2) Matters as enumerated below must be stated in a Plan for Conducting Collective Shipments by Several Operators:

- (i) Area in which the project for collective shipments by several operators is to be implemented;
- (ii) Contents of the project for collective shipments by several operators;
- (iii) Period slated for the implementation of the project for collective shipments by several operators;
- (iv) Financing plan for the project for collective shipments by several operators;
- (v) Effects in terms of the low-carbonization of cities produced by way of the implementation of the project for collective shipments by several operators;
- (vi) Contents of an agreement concerning conveyance as provided for in Article 11 of the Consigned Freight Forwarding Business Act (including where applied mutatis mutandis in Paragraph (1) of Article 34 of the same law) pertaining to the project for collective shipments by several operators where concluded;
- (vii) Other matters as set forth by an applicable ordinance of the Ministry of Land, Infrastructure, Transport and Tourism.

(3) Collective Operators must, where intending to prepare a Plan for Conducting Collective Shipments by Several Operators, solicit in advance the opinions of the municipality that prepared the low-carbon city plan in which matters concerning the said project for collective shipments by several operators are stated (referred to as “Planning Municipality” in the following paragraph and the following article).

(4) Collective Operators must send a Plan for Conducting Collective Shipments by Several Operators to the Planning Municipality without delay upon its preparation.

(5) The provisions of the preceding two (2) paragraphs shall apply mutatis mutandis to any revisions made to a Plan for Conducting Collective Shipments by Several Operators.

##### Article 33 (Certifying a Plan for Conducting Collective Shipments by Several Operators)

(1) Joint Operators intending to implement a project for collective shipments by several operators may submit an application for certification to the effect that the applicable Plan for conducting collective shipments by several operators is appropriate for promoting the low-carbonization of cities to the Minister of Land, Infrastructure, Transport and Tourism.

(2) An application for certification as provided for in the preceding paragraph must be submitted through the Planning Municipality. In such a case, the Planning Municipality shall investigate the applicable Plan for Conducting Collective Shipments by Several Operators and append any pertinent opinions thereto before sending it to the Minister of Land, Infrastructure, Transport and Tourism.

(3) Where an application for certification as provided for in Paragraph (1) hereof is received and the Plan for Conducting Collective Shipments by Several Operators pertaining to the said application is accepted as being in conformity with standards as enumerated below, the Minister of Land, Infrastructure, Transport and Tourism shall grant a certification:

- (i) Matters as stated in the Plan for Conducting Collective Shipments by Several Operators are appropriate in light of the Basic Policy;
- (ii) Matters as stated in the Plan for Conducting Collective Shipments by Several Operators are appropriate for properly implementing the said project for collective shipments by several operators;
- (iii) Persons undertaking businesses that are stated in the Plan for Conducting Collective Shipments by Several Operators and that constitute first class consigned freight forwarding businesses do not come under any of Items (i) through (iv), (vi), and (vii) of Paragraph (1) of Article 6 of the Consigned Freight Forwarding Business Act;
- (iv) No person intending to undertake a business that is stated in the Plan for the Implementation of a Project for Collective Shipments by Several Operators and that constitutes a second class consigned freight forwarding business (excluding a foreigner's international second class consigned freight forwarding business (business undertaken upon obtaining permission as provided for in Paragraph (1) of Article 45 of the Consigned Freight Forwarding Business Act; the same in the following paragraph)) comes under any of the items enumerated in Article 22 of the same law and the contents of the said business are in conformity with the standards as set forth in the items enumerated in Article 23 of the same law.
- (v) No person intending to undertake a business that is stated in the Plan for Conducting Collective Shipments by Several Operators and that constitutes a general motor truck transportation business comes under any of the items enumerated in Article 5 of the Motor Truck Transportation Business Act and the contents of the said business are in conformity with the standards as set forth in Items (i) through (iii) as enumerated in Article 6 of the same law.

(4) In certifying a Plan for Conducting Collective Shipments by Several Operators with respect to a business that is stated therein and that constitutes a foreigner's international second-class consigned freight forwarding business in the event that an application for certification as provided for in Paragraph (1) hereof is received, the Minister of Land, Infrastructure, Transport and Tourism shall execute international agreements in good faith and make arrangements to ensure that fair business practices are being undertaken in fields corresponding to second-class consigned freight forwarding businesses pertaining to international freight forwarding (international freight forwarding as provided for in Item (v) of Paragraph (1) of Article 6 of the Consigned Freight Forwarding Business Act) and that the sound development thereof is secured.

(5) Where certification as provided for in Paragraph (3) hereof has been granted, the Minister of Land, Infrastructure, Transport and Tourism shall notify the Planning Municipality of the fact thereof without delay.

(6) Persons who have obtained a certification as provided for in Paragraph (3) hereof (referred to as "Certified Collective Operators" in Paragraph (2) of the following article and Paragraph (2) of Article 35 hereof) must obtain a certification from the Minister of Land, Infrastructure, Transport and Tourism when intending to revise the applicable certified Plan for Conducting Collective Shipments by Several Operators.

(7) The provisions of Paragraphs (2) through (5) hereof shall apply mutatis mutandis to a certification as provided for in the preceding paragraph.

(8) Where it is accepted that a Plan for Conducting Collective Shipments by Several Operators that has been certified pursuant to Paragraph (3) hereof (the revised version thereof where

applicable; hereinafter referred to as “Certified Plan for Conducting Collective Shipments by Several Operators”) is no longer in conformity with any of the items enumerated in the same paragraph or that a person who has obtained a certification as provided for in the same paragraph has not implemented the applicable project for Collective Shipments by Several Operators pursuant to the Certified Plan for Conducting Collective Shipments by Several Operators, the Minister of Land, Infrastructure, Transport and Tourism may revoke the said certification.

(9) Matters required in connection with certification as provided for in Paragraph (3) hereof and the certification of revisions as provided for in Paragraph (6) hereof shall be as set forth by an applicable ordinance of the Ministry of Land, Infrastructure, Transport and Tourism.

#### Article 34 (Special provisions concerning the Consigned Freight Forwarding Business Act)

(1) Where Collective Operators obtain a certification as provided for in Paragraph (3) or (6) of the preceding article with respect to an applicable Plan for Conducting Collective Shipments by Several Operators, registration as provided for in Paragraph (1) of Article 3 of the Consigned Freight Forwarding Business Act or a registration of revision as provided for in Paragraph (1) of Article 7 of the same law shall be deemed to have been undertaken or notification as provided for in Paragraph (3) of the same article shall be deemed to have been submitted for a project for collective shipments by several operators that is stated in the said Plan for Conducting Collective Shipments by Several Operators and for which the said registration or registration of revision must be undertaken or for which the said notification must be submitted.

(2) Where a Certified Collective Operator constituting a first-class consigned freight forwarding business operator (person registered as provided for in Paragraph (1) of Article 3 of the Consigned Freight Forwarding Business Act) concludes an agreement concerning conveyance as provided for in Article 11 of the same law with a Certified Joint Operator constituting another carrier pursuant to an applicable Certified Plan for Conducting Collective Shipments by Several Operators, notification of the said agreement as provided for in the same article shall be deemed to have been submitted in advance. The same shall apply to any revisions made to an agreement concerning conveyance as provided for in the same article pursuant to an applicable Certified Plan for Conducting Collective Shipments by Several Operators.

#### Article 35

(1) Where Collective Operators obtain a certification as provided for in Paragraph (3) or (6) of Article 33 hereof with respect to an applicable Plan for Conducting Collective Shipments by Several Operators, permission as provided for in Article 20 or Paragraph (1) of Article 45 of the Consigned Freight Forwarding Business Act or approval as provided for in Paragraph (1) of Article 25 or Paragraph (2) of Article 46 of the same law shall be deemed to have been granted or notification as provided for in Paragraph (3) of Article 25 or Paragraph (4) of Article 46 of the same law shall be deemed to have been submitted for a project for collective shipments by several operators that is stated in the said Plan for Conducting Collective Shipments by Several Operators and for which the said permission or approval must be granted or for which the said notification must be submitted.

(2) Where a Certified Collective Operator constituting a second-class consigned freight forwarding business operator (person granted permission as provided for in Article 20 of the Consigned Freight Forwarding Business Act) concludes an agreement concerning conveyance as provided for in Article 11 of the same law as applied mutatis mutandis in Paragraph (1) of Article 34 of the same law with a Certified Collective Operator constituting another carrier pursuant to an applicable Certified Plan for Conducting Collective Shipments by Several Operators, notification of the said agreement as provided for in the same article as applied mutatis mutandis in the same paragraph shall be deemed to have been submitted in advance.

The same shall apply to any revisions made to an agreement concerning conveyance as provided for in the same article as applied mutatis mutandis in the same paragraph pursuant to an applicable Certified Plan for Conducting Collective Shipments by Several Operators.

Article 36 (Special provisions concerning the Motor Truck Transportation Business Act)  
Where Collective Operators obtain a certification as provided for in Paragraph (3) or (6) of Article 33 hereof with respect to an applicable Plan for Conducting Collective Shipments by Several Operators, permission as provided for in Article 3 of the Motor Truck Transportation Business Act or approval as provided for in Paragraph (1) of Article 9 of the same law shall be deemed to have been granted or notification as provided for in Paragraph (3) of the same article shall be deemed to have been submitted for a project for Collective Shipments by Several Operators that is stated in the said Plan for Conducting Collective Shipments by Several Operators and for which the said permission or approval must be granted or for which the said notification must be submitted.

Article 37 (Collecting reports)

The Minister of Land, Infrastructure, Transport and Tourism may submit a request to a person implementing a project for collective shipments by several operators that is stated in a Certified Plan for Conducting Collective Shipments by Several Operators for a report on the status of the implementation of the said project for collective shipments by several operators.

Section 5: Maintenance Agreements, etc., Concerning Trees, etc.

Article 38 (Concluding, etc., maintenance agreements concerning trees, etc.)

(1) Where matters as provided for in Item (iv)(a) of Paragraph (3) of Article 7 hereof are stated in a low-carbon city plan, a municipality or an organization for green-space maintenance (limited to an organization that engages in operations as provided for in Item (i) of Paragraph (1) of Article 45 hereof) as designated pursuant to the provisions of Paragraph (1) of Article 68 of the Urban Green Space Conservation Act (Act No. 72 of 1973) may, in order to conserve trees or a tree zone, etc., conforming to standards applicable to conserved trees, etc., situated in a Tree-Conservation Promotion Area pertaining to the said matters, conclude an agreement setting forth matters as enumerated below (hereinafter referred to as "Tree-Maintenance Agreement") with an owner of or a person with the right to use or profit from the said trees or tree zone, etc., (excluding rights clearly established for enabling temporary use) (referred to as "Owner, etc.," in the following paragraph and Article 43 hereof) and engage in the maintenance of the said trees or tree zone, etc.

(i) Area of trees covered by the Tree-Maintenance Agreement (hereinafter referred to as "Agreement-Covered Trees") or tree zone, etc. (hereinafter referred to as "Agreement-Covered Area");

(ii) Matters concerning the method by which Agreement-Covered Trees or tree zones, etc., in an Agreement-Covered Area (hereinafter referred to as "Agreement-Covered Trees, etc.," in this article and Article 43 hereof) will be managed;

(iii) Matters concerning the development of any facility required in connection with the conservation of Agreement-Covered Trees;

(iv) Term of validity of the Tree-Maintenance Agreement;

(v) Measures to be taken in the event that the Tree-Maintenance Agreement is breached.

(2) The unanimous consent of Owners, etc., of Agreement-Covered Trees, etc., must be obtained for a Tree-Maintenance Agreement.

(3) The contents of a Tree-Maintenance Agreement must conform to all standards as enumerated below:

- (i) Contents are consistent with the basic plan as provided for in Paragraph (1) of Article 4 of the Urban Green Space Conservation Act and conform to matters as provided for in Item (ii)(d) of Paragraph (2) of Article 7 hereof as stated in a low-carbon city plan;
- (ii) The use of Agreement-Covered Trees, etc., shall not be improperly restricted;
- (iii) Matters as provided for in items enumerated in Paragraph (1) hereof are in conformity with standards as set forth by an applicable ordinance of the Ministry of Land, Infrastructure, Transport and Tourism.

(4) Where an organization for green-space maintenance as referred to in Paragraph (1) hereof intends to conclude a Tree-Maintenance Agreement, it must obtain the approval of the governor of the applicable prefecture in advance.

#### Article 39 (Inspections, etc., of a Tree-Maintenance Agreement)

(1) Where the applicable municipality or governor of the applicable prefecture intends to conclude its own Tree-Maintenance Agreement or where an application for the approval of a Tree-Maintenance Agreement as provided for in Paragraph (4) of the preceding article has been made, the fact thereof shall be publicly announced pursuant to provisions as set forth by an applicable ordinance of the Ministry of Land, Infrastructure, Transport and Tourism and the said Tree-Maintenance Agreement must be made available for inspection by concerned parties for a period of two (2) weeks from the date of the said public announcement.

(2) Where a public announcement as provided for in the preceding paragraph has been made, concerned parties may submit a written opinion concerning the applicable Tree-Maintenance Agreement to the applicable municipality or governor of the applicable prefecture by the date on which the inspection period as provided for in the same paragraph expires.

#### Article 40 (Approval of a Tree-Maintenance Agreement)

Where an application for the approval of a Tree-Maintenance Agreement as provided for in Paragraph (4) of Article 38 hereof satisfies all points in the items enumerated below, the governor of the applicable prefecture must approve the said Tree-Maintenance Agreement:

- (i) Application procedures do not contravene relevant laws and ordinances;
- (ii) The contents of the Tree-Maintenance Agreement conform to all standards as set forth in the items as enumerated in Paragraph (3) of Article 38 hereof.

#### Article 41 (Public announcement, etc., of a Tree-Maintenance Agreement)

Where the applicable municipality or governor of the applicable prefecture has concluded its own Tree-Maintenance Agreement or granted an approval pursuant to the provisions of the preceding article, the fact thereof shall be publicly announced pursuant to provisions as set forth by an applicable ordinance of the Ministry of Land, Infrastructure, Transport and Tourism, a copy of the said Tree-Maintenance Agreement shall be made publicly available for inspection at the offices of the said municipality or said prefecture, the fact that certain trees constitute Agreement-Covered Trees in the event that the said Tree-Maintenance Agreement applies to Agreement-Covered Trees must be clearly posted in the location where they are situated, and the fact that that a certain area constitutes an Agreement-Covered Area in the event that the said Tree-Maintenance Agreement applies to a tree zone, etc., in an Agreement-Covered Area must be clearly posted in the said area.

#### Article 42 (Revising a Tree-Maintenance Agreement)



The provisions of Paragraphs (2) through (4) of Article 38 hereof and the preceding three (3) articles shall apply mutatis mutandis to revisions to matters as set forth in a Tree-Maintenance Agreement.

**Article 43 (Effect of a Tree-Maintenance Agreement)**

A Tree-Maintenance Agreement for which a public announcement has been made pursuant to the provisions of Article 41 hereof (including where applied mutatis mutandis in the preceding article) shall be deemed to also apply to any person who becomes an Owner, etc., of Agreement-Covered Trees, etc., pertaining to the said Tree-Maintenance Agreement subsequent to the public announcement thereof.

**Article 44 (Special provisions concerning the Act on the Preservation of Trees for Maintaining the Scenic Beauty of Cities)**

With respect to the application of provisions of the Act on the Preservation of Trees for Maintaining the Scenic Beauty of Cities (Law No. 142 of 1962) to an Agreement-Covered Tree or a collection of trees situated in a tree zone, etc., in an Agreement-Covered Area that is to be managed by an organization for green-space maintenance as provided for in Paragraph (1) of Article 38 hereof pursuant to a Tree-Maintenance Agreement and that has been designated as a tree for preservation or as a grove for preservation pursuant to the provisions of Paragraph (1) of Article 2 of the same law, "owners" in Paragraph (1) of Article 5 of the same law shall be read as "owners and the applicable organization for green-space maintenance (organization for green-space maintenance as designated pursuant to the provisions of Paragraph (1) of Article 68 of the Urban Green Space Conservation Act (Law No. 72 of 1973); the same hereinafter)," "owner" in Paragraph (2) of Article 6 and Article 8 of the same law shall be read as "applicable organization for green-space maintenance," and "owners" in Article 9 of the same law shall be read as "owners or an applicable organization for green-space maintenance."

**Article 45 (Special provisions concerning the operations of an organization for green-space maintenance)**

(1) An organization for green-space maintenance as designated pursuant to the provisions of Paragraph (1) of Article 68 of the Urban Green Space Conservation Act (limited to an organization that shall engage in operations as provided for in Item (i)(a) of Article 69 of the same law) may engage in operations as set forth below in addition to operations as provided for in the items enumerated in Article 69 of the same law:

- (i) Maintain trees or tree zones, etc., pursuant to a Tree-Maintenance Agreement;
- (ii) Engage in operations incidental to operations as provided for in the preceding paragraph.

(2) In a case coming under the preceding paragraph, "or (d)(1)" in Article 70 of the Urban Green Space Conservation Act shall be read as "or (d)(1) or Item (i) of Paragraph (1) of Article 45 of the Act on the Promotion of the Low-Carbonization of Cities (Law No. \_\_\_\_ of 2012)."

**Article 46 (Designations, etc., pertaining to a specific organization for green-space maintenance)**

(1) Where matters as provided for in Item (iv)(b) of Paragraph (3) of Article 7 hereof are stated in a low-carbon city plan, the head of the municipality that prepared the said low-carbon city plan may designate a general incorporated association, general incorporated foundation, or specific non-profit organization as provided for in Paragraph (2) of Article 2 of the Act Concerning the Promotion of Specific Non-Profit Organization Activities (Law No. 7 of 1998) that is deemed capable of properly and reliably engaging in operations as provided for in the items enumerated in Article 69 of the Urban Green Space Conservation Act (limited to

operations carried out in an area of the said municipality for operations that are as provided for in the items enumerated in Paragraph (1) of the same article) as a specific organization for green-space maintenance in response to an application submitted thereby.

(2) A specific organization for green-space maintenance as designated pursuant to the provisions of the preceding paragraph shall be regarded as an organization for green-space maintenance as designated pursuant to the provisions of Paragraph (1) of Article 68 of the Urban Green Space Conservation Act and subject to the provisions of this act and the Urban Green Space Conservation Act. In such a case, "governor of the applicable prefecture" in Paragraph (4) of Article 38 hereof shall be read as "head of the applicable municipality as provided for in Paragraph (1) of Article 46 hereof (hereinafter referred to as "Specific Municipality"); "governor of the applicable prefecture" in the provisions of Articles 39 through 41 hereof shall be read as "head of the Specific Municipality"; "said prefecture" in the same article shall be read as "said Specific Municipality"; "governor of the applicable prefecture" in Paragraph (5) of Article 24 of the same law shall be read as "head of the municipality as provided for in Paragraph (1) of Article 46 of the Act on the Promotion of the Low-Carbonization of Cities (Law No. \_\_\_\_ of 2012) (hereinafter referred to as "Specific Municipality"); "governor of the applicable prefecture" in Articles 25 through 27, Paragraphs (2) through (4) of Article 68, and Articles 71 and 72 of the same law shall be read as "head of the Specific Municipality"; "said prefecture" in Article 27 of the same law shall be read as "said Specific Municipality"; and "governor of the applicable prefecture pursuant to the provisions of Article 71 hereof" in Item (iii) of Article 77 of the same law shall be read as "head of the Specific Municipality pursuant to the provisions of Article 71 hereof as read and applied pursuant to the provisions of Paragraph (2) of Article 46 of the Act on the Promotion of the Low-Carbonization of Cities."

#### Section 6: Special Provisions, etc., Pertaining to the Intake, etc., of Sewage Water from Sewage Facilities

Article 47 (Intake, etc., of sewage water from the drainage facility of a public sewage system, etc.)

(1) The entity responsible for implementing a project as provided for in Item (v)(a) of Paragraph (3) of Article 7 and as stated in a low-carbon city plan may attach connection equipment (equipment to connect the drainage facility of a public sewage system, etc., to equipment as provided for in Item (v)(a) of Paragraph (3) of Article 7 hereof; the same in Paragraph (7) hereof) to the drainage facility (including any facility by which such a facility is supplemented; the same hereinafter in this article) of a public sewage system, etc., (public sewage system as provided for in Item (iii) of Article 2 of the Sewerage Act or a river basin sewage system as provided for in Item (iv) of the same article (limited to a system corresponding to (a) of the same item); the same hereinafter in this article) upon obtaining the permission of a public sewage system manager, etc., pursuant to the provisions of an applicable ordinance, take sewage water from the said drainage facility of a public sewage system, etc., using the said connection equipment, and inject the said sewage water into the said drainage facility of a public sewage system, etc.

(2) Where an application for permission as provided for in the preceding paragraph has been received, a public sewage system manager, etc., may not grant permission if it cannot be accepted that matters pertaining to the said application are in conformity with technical standards as set forth in an applicable ordinance in light of standards as set forth by an applicable Cabinet Order.

(3) Where a person who has obtained permission as provided for in Paragraph (1) hereof (hereinafter referred to as "Licensed Operator" in this article) intends to revise matters for

which the said permission was obtained (excluding minor revisions as set forth by an applicable ordinance), the permission of a public sewage system manager, etc., must be obtained. In such a case, the provisions of the preceding two (2) paragraphs shall apply mutatis mutandis.

(4) The provisions of Article 33 of the Sewerage Act shall apply mutatis mutandis to permission as provided for in Paragraph (1) hereof or the preceding paragraph.

(5) A Licensed Operator must not mix in substances other than sewage water to be injected into the drainage facility of a public sewage system, etc., upon obtaining permission as provided for in Paragraph (1) or (3) hereof with the said sewage water (excluding substances that are as set forth by an applicable Cabinet Order and that are required for the management of equipment as provided for in Item (v)(a) of Paragraph (3) of Article 7 hereof).

(6) The provisions of Article 38 of the Sewerage Act shall apply mutatis mutandis to a Licensed Operator. In such a case, "public sewage system manager, river basin sewage system manager, or municipal sewage system manager" and "permission or recognition granted pursuant to the provisions of this law" in Paragraph (1) of the same article shall be read as "public sewage system manager, etc., (hereinafter referred to as "Public Sewage System Manager, etc.," in this article) as provided for in Item (i) of Paragraph (4) of Article 7 of the Act on the Promotion of the Low-Carbonization of Cities (hereinafter referred to as the "Low-Carbonization of Cities Act")" and "permission as provided for in Paragraph (1) or (3) of Article 47 of the Low-Carbonization of Cities Act," respectively; "this law (excluding provisions as set forth in Paragraph (1) of Article 11-3 and Paragraph (1) of Article 12-9 hereof (including where applied mutatis mutandis in Paragraph (1) of Article 25-10 hereof) or orders or ordinances based on this law" in Item (i) of the same paragraph shall be read as "Paragraph (3) or (5) of Article 47 of the Low-Carbonization of Cities Act"; "permission or recognition pursuant to the provisions of this law" in Item (ii) and (iii) of the same paragraph and Paragraph (2) of the same article shall be read as "permission as provided for in Paragraph (1) or (3) of Article 47 of the Low-Carbonization of Cities Act"; "public sewage system manager, river basin sewage system manager, or municipal sewage system manager" in the same paragraph through Paragraph (4) of the same article and Paragraph (6) of the same article and "public sewage system manager, river basin sewage system manager, or municipal sewage system manager" in Paragraph (3) of the same article shall be read as "Public Sewage System Manager, etc."; "public sewage system, river basin sewage system, or municipal sewage system" in Item (i) of Paragraph (2) of the same article shall be read as "public sewage system, etc., (hereinafter referred to as "Public Sewage System, etc.," in the following item and Item (iii) hereof) as provided for in Paragraph (1) of Article 47 of the Low-Carbonization of Cities Act"; and "public sewage system, river basin sewage system, or municipal sewage system" in Items (ii) and (iii) of the same paragraph shall be read as "Public Sewage System, etc."

(7) Where a Licensed Operator shall attach connection equipment to the drainage facility of a public sewage system, etc., the provisions of neither Article 24 nor 25-9 of the Sewerage Act shall apply.

Article 48 (Special provisions concerning permission to engage in the private use of a city park)  
Where an application for permission as provided for in Paragraph (1) or (3) of Article 6 of the City Park Law is made with respect to the private use of a city park based on a low-carbon city plan in which are stated matters as provided for in Item (v)(b) of Paragraph (3) of Article 7 hereof within two (2) years of the date on which the said low-carbon city plan is publicly disclosed pursuant to the provisions of Paragraph (7) of the same article, the park manager shall grant the said permission as long as the said private use shall be in conformity with technical standards as set forth by an applicable Cabinet Order as provided for in Article 7 of the same law.

Article 49 (Special provisions concerning permission to engage in construction work, etc., in an area adjacent to a port area)

Where an application for permission as provided for in Paragraph (1) of Article 37 of the Ports and Harbors Act is made with respect to conduct as set forth in the items as enumerated in the same paragraph based on a low-carbon city plan in which are stated matters as provided for in Item (v)(c) of Paragraph (3) of Article 7 hereof within two (2) years of the date on which the said low-carbon city plan is publicly disclosed pursuant to the provisions of Paragraph (7) of the same article, the port manager shall grant the said permission as long as the said conduct shall be in conformity with technical standards as set forth by an applicable ordinance of the Ministry of Land, Infrastructure, Transport and Tourism.

#### Section 7: Assistance Concerning the Promotion of the Low-Carbonization of Cities

Article 50 (Provision of assistance to an Owner, etc., of an existing building)

A municipality that has stated matters as provided for in Item (ii)(f) of Paragraph (2) of Article 7 hereof in a low-carbon city plan shall endeavor to provide information, advice, and other necessary assistance to owners or administrators of existing buildings in the applicable Planning Area in order to promote the low-carbonization of buildings.

Article 51 (Provision of assistance to a user, etc., of an automobile)

A municipality that has stated matters as provided for in Item (ii)(g) of Paragraph (2) of Article 7 hereof in a low-carbon city plan shall endeavor to provide information, advice, and other necessary assistance for the development of facilities to be used to supply electricity to electrical vehicles (automobiles that use only electricity as a source of power) or other environmental development work or to users of automobiles or other persons connected to the operations of automobiles in the applicable Planning Area in order to promote the controlling of emissions of carbon dioxide generated in connection with the operations of automobiles in the applicable Planning Area.

Article 52 (Consideration to be given in the process of formulating a city plan)

A city plan decision-maker (paragraph (a) prefecture or municipality as provided for in Paragraph (1) of Article 15 of the City Planning Act or a designated city as provided for in Paragraph (1) of Article 87-2 of the same law or, where Paragraph (1) of Article 22 of the same law applies, the Minister of Land, Infrastructure, Transport and Tourism (or the Director of a Regional Bureau or the Director of the Hokkaido Regional Development Bureau where the authority of the Minister of Land, Infrastructure, Transport and Tourism as provided for in Paragraph (1) of Article 22 of the same law has been delegated pursuant to the provisions of Article 85-2 of the same law thereto) or a municipality as provided for in the same paragraph) shall take into account the need to facilitate the implementation of an applicable low-carbon city plan in investigating matters concerning a city plan review, investigating other matters concerning a city plan, preparing a draft of a city plan, or otherwise carrying out a process involved in the formulation of a city plan.

#### Chapter 4: Measures for Promoting the Spread of Low-Carbon Buildings

Article 53 (Certifying a plan for the new construction, etc., of a low-carbon building)

(1) A person intending to newly build a building that contributes to the low-carbonization of buildings; enlarge, reconstruct, repair, or remodel a building to contribute to the low-carbonization of buildings; install a climate-control system or other building equipment or

system as set forth by a Cabinet Order (hereinafter referred to as “climate-control equipment” in this paragraph) in a building; or repair climate-control equipment installed in a building (hereinafter referred to as “new construction, etc., of a building for the purpose of contributing to low-carbonization”) may, pursuant to the provisions of an applicable ordinance of the Ministry of Land, Infrastructure, Transport and Tourism, prepare a plan concerning the new construction, etc., of a building for the purpose of contributing to low-carbonization (hereinafter referred to as “Plan for the New Construction, etc., of a Low-Carbon Building”) and submit an application for the certification thereof to the administrative agency with jurisdiction (for an area of a municipality that appoints building officials, the head of the said municipality and, for an area of any other municipality, the governor of the prefecture in which the said municipality is situated; provided, however, that the administrative agency with jurisdiction shall constitute the prefectural governor for a building as set forth by a Cabinet Order in an area of a municipality that appoints building officials pursuant to the provisions of Paragraph (1) of Article 97-2 or Paragraph (1) of Article 97-3 of the Building Standards Act; the same hereinafter).

(2) Matters as enumerated below must be stated in a Plan for the New Construction, etc., of a Low-Carbon Building:

- (i) Location of the building;
- (ii) Total floor area and structure of the building, equipment, and systems installed or to be installed in the building, uses of the building, and lot area;
- (iii) Financing plan pertaining to the new construction, etc., of a building for the purpose of contributing to low-carbonization;
- (iv) Other matters as set forth by an applicable ordinance of the Ministry of Land, Infrastructure, Transport and Tourism.

Article 54 (Certification standards, etc., applicable to a plan for the new construction, etc., of a low-carbon building)

(1) Where an application for certification as provided for in Paragraph (1) of the preceding article is received and the Plan for the New Construction, etc., of a Low-Carbon Building pertaining to the said application is accepted as being in conformity with standards as enumerated below, the administrative agency with jurisdiction may grant a certification:

- (i) The efficiency of energy use by the building pertaining to the said application and other performance values exceed assessment standards as provided for in Paragraph (1) of Article 73 of the Act on the Rational Use of Energy and are in conformity with standards as set forth by the Minister of Economy, Trade and Industry, Minister of Land, Infrastructure, Transport and Tourism, and Minister of the Environment that should bring about the further promotion of the rationalization of the use of energy pertaining to buildings and the promotion of the low-carbonization of buildings;
- (ii) Matters stated in the Plan for the New Construction, etc., of a Low-Carbon Building are appropriate in light of the Basic Policy;
- (iii) The financing plan as provided for in Item (iii) of Paragraph (2) of the preceding article is appropriate for reliably carrying out the new construction, etc., of a building for the purpose of contributing to low-carbonization.

(2) A person applying for a certification pursuant to the provisions of Paragraph (1) of the preceding article may submit an application to the administrative agency with jurisdiction to have the said administrative agency with jurisdiction notify the Plan for the New Construction, etc., of a Low-Carbon Building pertaining to the said application to a building official and have the said Plan for the New Construction, etc., of a Low-Carbon Building undergo an examination to determine whether it conforms to rules relating to building standards as set forth in Paragraph (1) of Article 6 of the Building Standards Act. In such a case, a written application

for confirmation pursuant to the provisions of the same paragraph must be submitted together with the said application.

(3) Upon receiving an application as provided for in the preceding paragraph, the administrative agency with jurisdiction must promptly notify the Plan for the New Construction, etc., of a Low-Carbon Building pertaining to the said application to the applicable building official.

(4) The provisions of Paragraphs (3) and (12) of Article 18 of the Building Standards Act shall apply mutatis mutandis where a building official receives a notification as provided for in the preceding paragraph.

(5) Where the administrative agency with jurisdiction is issued a certification of confirmation as set forth in Paragraph (3) of Article 18 of the Building Standards Act as applied mutatis mutandis in the preceding paragraph and has granted a certification as provided for in Paragraph (1) hereof, a certificate of confirmation as set forth in Paragraph (1) of Article 6 of the same law shall be deemed to have been issued for the said certified Plan for the New Construction, etc., of a Low-Carbon Building.

(6) Where the administrative agency with jurisdiction is issued a written notification as set forth in Paragraph (12) of Article 18 of the Building Standards Act as applied mutatis mutandis in Paragraph (4) hereof, it must not grant a certification as provided for in Paragraph (1) hereof.

(7) The provisions of Paragraphs (7) and (8) of Article 12 and Articles 93 through 93-3 of the Building Standards Act shall apply mutatis mutandis to the issuance of a certification of confirmation or written notification as set forth in Paragraphs (3) and (12) of Article 18 of the same law as applied mutatis mutandis in Paragraph (4) hereof.

(8) Where a person intending to engage in the new construction, etc., of a building for the purpose of contributing to low-carbonization obtains a certification as provided for in Paragraph (1) hereof for the applicable Plan for the New Construction, etc., of a Low-Carbon Building, the submission of a notification as set forth in Paragraph (1) of Article 75 or Paragraph (1) of Article 75-2 of the Act on the Rational Use of Energy shall be deemed to have been undertaken for the said new construction, etc., of a building for the purpose of contributing to low-carbonization for which the submission of the said notification is required. In such a case, the provisions of neither Paragraphs (2) through (4) of Article 75 nor Paragraph (2) of Article 75-2 of the same law shall apply.

#### Article 55 (Revising a Plan for the New Construction, etc., of a Low-Carbon Building)

(1) A person who has obtained a certification as provided for in Paragraph (1) of the preceding article (hereinafter referred to as "Certified Builder") must, pursuant to the provisions of an applicable ordinance of the Ministry of Land, Infrastructure, Transport and Tourism, obtain a certification from the administrative agency with jurisdiction when intending to revise the applicable certified Plan for the New Construction, etc., of a Low-Carbon Building (excluding minor revisions as set forth by an ordinance of the Ministry of Land, Infrastructure, Transport and Tourism).

(2) The provisions of the preceding article shall apply mutatis mutandis to a certification as provided for in the preceding paragraph.

#### Article 56 (Collecting reports)

The administrative agency with jurisdiction may submit a request to a Certified Builder for a report on the status of the new construction, etc., of a building for the purpose of contributing to low-carbonization (referred to as "new construction, etc., of a low-carbon building" in the following article and Article 59 hereof) undertaken pursuant to a Plan for the New Construction, etc., of a Low-Carbon Building as certified pursuant to Paragraph (1) of Article 54 hereof (the

revised version thereof where applicable; referred to as “Certified Plan for the New Construction, etc., of a Low-Carbon Building” in the following article).

#### Article 57 (Improvement order)

Where a Certified Builder is deemed to have not undertaken the new construction, etc., of a low-carbon building pursuant to a Certified Plan for the New Construction, etc., of a Low-Carbon Building, the administrative agency with jurisdiction may order the said Certified Builder to take measures required for the amelioration thereof within a reasonable period of time as prescribed thereby.

#### Article 58 (Revoking the certification of a plan for the new construction, etc., of a low-carbon building)

Where a Certified Builder contravenes an order as provided for in the preceding article, the administrative agency with jurisdiction may revoke the certification as provided for in Paragraph (1) of Article 54 hereof.

#### Article 59 (Advice and guidance)

The administrative agency with jurisdiction shall endeavor to provide a Certified Builder with necessary advice and guidance in connection with the new construction, etc., of a low-carbon building.

#### Article 60 (Special provisions concerning the floor-area ratio of a low-carbon building)

The total floor area constituting the basis for calculating the floor-area ratio of a building as provided for in any of Paragraphs (1), (2), (7), (12), and (14) of Article 52, Item (ii) of Paragraph (3) of Article 57-2, Paragraph (2) of Article 57-3, Paragraphs (1) and (3) of Article 59, Paragraph (1) of Article 59-2, Paragraph (1) of Article 60, Paragraphs (1) and (4) of Article 60-2, Paragraph (1) of Article 68-3, Article 68-4, Article 68-5 (excluding Item (ii)(a)), Article 68-5-2 (excluding Item (ii)(a)), Paragraph (1) of Article 68-5-3 (excluding Item (i)(b)), Article 68-5-4 (excluding Item (i)(b)), Item (i)(b) of Paragraph (1) of Article 68-5-5, Article 68-8, Paragraph (1) of Article 68-9, Paragraphs (3) and (4) of Article 86, Paragraphs (2) and (3) of Article 86-2, Paragraph (3) of Article 86-5, and Paragraph (1) of Article 86-6 of the Building Standards Act (for buildings governed by the provisions of Paragraph (1) of Article 59, Paragraph (1) of Article 60-2, or Paragraph (1) of Article 68-9 of the same law, limited to cases pertaining to the maximum floor-area ratio of a building as set forth therein) shall include neither the floor area as provided for in Paragraphs (3) and (6) of Article 52 of the same law nor the portion of the floor area of a low-carbon building that is as set forth by a Cabinet Order where the floor area of an ordinary building will be exceeded as a result of the implementation of measures to ensure conformity with standards as set forth in Item (i) of Paragraph (1) of Article 54 hereof.

### Chapter 5: Miscellaneous Provisions

#### Article 61 (Delegation of authority)

The authority of the Minister of Land, Infrastructure, Transport and Tourism as set forth in this law may be delegated in part to the head of a local branch office pursuant to the provisions of an applicable ordinance of the Ministry of Land, Infrastructure, Transport and Tourism.

#### Article 62 (Transitional measures)

Where an order is instituted, amended, or abolished pursuant to the provisions of this law, the said order may prescribe required transitional measures (including transitional measures

concerning penal provisions) to the extent that they are deemed reasonably necessary as a result of the institution, amendment, or abolition thereof.

## Chapter 6: Penal Provisions

### Article 63

A person contravening an order of the public sewage system manager, etc., as provided for in Paragraph (1) or (2) of Article 38 of the Sewerage Act as applied mutatis mutandis by the reading of terms under Paragraph (6) of Article 47 hereof shall be liable to imprisonment not exceeding one (1) year or a fine not exceeding one million (1,000,000) yen.

### Article 64

A person who fails to submit a report pursuant to the provisions of Article 31 or 37 hereof or submits a false report shall be liable to a fine not exceeding one million (1,000,000) yen.

### Article 65

A person coming under any of the following items shall be liable to a fine not exceeding three hundred thousand (300,000) yen:

- (i) A person who fails to submit a report pursuant to the provisions of Article 12 or 56 hereof or submits a false report;
- (ii) A Certified Integrated Urban Development Project Operator who has received assistance pursuant to the provisions of Paragraph (1) of Article 17 hereof and who contravenes an order of the head of an applicable municipality as provided for in Article 14 hereof concerning a Specific Building to be developed through a Certified Integrated Urban Development Project pertaining to the said assistance;
- (iii) A person who contravenes the provisions of Paragraph (1) or (3) of Article 18 hereof.

### Article 66

Where a representative of a corporation or an agent, worker, or other employee of a corporation or individual engages in a contravening act as provided for in any of the preceding three (3) articles in connection with the operations of the said corporation or individual, the perpetrator shall be penalized and a fine as provided for in the corresponding article shall be imposed on the said corporation or individual.

## Supplementary Provisions

### Article 1 (Date of enforcement)

This law shall take effect as of the date as set forth by a Cabinet Order within a period not exceeding three (3) months from the date of the promulgation hereof.

### Article 2 (Examination)

Where five (5) years have passed after the date on which this law came into force, the government shall examine the status of the enforcement of this law and take required measures based on the results thereof.