

ACT ON THE REVIEW AND REGULATION OF THE USE OF REAL ESTATE SURROUNDING IMPORTANT FACILITIES AND ON REMOTE TERRITORIAL ISLANDS

provisional translation

1 PURPOSE

- **Purpose (Article 1) :**
Preventing real estate in areas surrounding important facilities and on remote territorial islands from being used for acts that impede the functions of those facilities and islands
- **Basic Policy (Article 4) :** Basic Direction / Matters on
 - ① Preventing use of real estate that impedes the functions of important facilities and remote territorial islands;
 - ② Designation of monitored areas and special monitored areas (including economic and social matters to be taken into consideration);
 - ③ Reviewing the use of real estate in monitored areas and Recommendations and orders to users of real estate in monitored areas (including those on details of acts that impede the functions of important facilities and remote territorial islands in relation to those recommendations and orders);
- **Note (Article 3) :** Measures taken under this Act are limited to the bare minimum necessary to prevent use of real estate in monitored areas that impedes the functions of important facilities and remote territorial islands, while giving due consideration to the protection of personal information.

2 COVERED AREAS AND FRAMEWORK OF REVIEW AND REGULATION

MONITORED AREAS (Article 5)

- **Areas surrounding important facilities:** Individually designated around*¹ Defense facilities (JSDF and US forces in Japan), facilities of Japan Coast Guard and facilities supporting public*² by public notice.
※¹ Approx. 1,000m
※² Facilities supporting public: Selected from nuclear facilities and airports adjacent to a facility of and also used by JSDF
- **Remote territorial islands:** Individually designated within the islands which have a baseline used for determining the boundary limits of territorial waters, and the islands within populated remote territorial island by public notice.

SPECIAL MONITORED AREAS (Article 12)

- **Areas surrounding specified important facilities:** facilities whose functions are of particular importance or are vulnerable, and cannot be easily substituted.
e.g. Defense facilities having functions as a center command, defense facilities with functions for surveillance and intelligence
- **Specified border islands :** Islands that are of particular importance or vulnerable, and not substitutable.
e.g. Unmanned remote territorial islands

REVIEW (Article 6) (common to both areas)

- **Coverage**
 - Owner and lessee, etc. of real estate
- **Information to be collected**
 - Name, Address, Nationality, etc. (Article 7)
 - Use of real estate
- **Means**
 - On-site examination
 - Public registers (Incl. Real estate register, Basic register of residents etc.)
 - Reports and Documentation from owners, etc. (Article 8) ※ (Criminal penalties applicable)
※ When enough information cannot be collected from public registers.

Regulation based on review

Pre-notification (Article 13) (Special monitored areas only)

- **Coverage**
 - Transaction of real estate* (Buyer and seller / Criminal penalty applicable)
※ Areas above 200 square meters.
- **Matters for Notification**
 - Name, Address, Nationality, etc.
 - Purpose of use, Location, Size etc.

Review

Purchase by GOJ

Purchase by GOJ

REGULATION on USE (common to both areas)

- **Measures based on existing laws and regulations (Article 21)**
- **Recommendation ⇒ Order to prevent improper use (Article 9)** (Criminal penalty applicable)
 - Compensation by GOJ (Article 10)
 - Offers to purchase of real estate by GOJ (Article 11)

PURCHASE by GOJ (common to both areas)

- **Purchase of real estate by GOJ**
※GOJ is to endeavor to purchase (Article 23)

OTHERS

- **Council on the Use of Real Estate (Article 14-20) :** Giving opinions before (a)enacting /amending /repealing the Cabinet Order concerning facilities supporting public, (b) designation of areas, (c)recommendations.
- **Date of enforcement (Supplementary Provisions Article 1) :** Basic Policy, Council ⇒ June 1, 2022
Designation of areas, Review, Notification ⇒ September 20, 2022
- **Review (Supplementary Provisions Article 2) :** Five years after this Act comes into effect, the Government is to examine the state of implementation of this Act, and take any measures found necessary based on the results of this review.