

# **WILDLIFE PROTECTION AND HUNTING LAW AND RELATED LEGISLATION (1918)**

Law No. 32 of 1918  
Cabinet Order No. 254 of 1953  
Ordinance of the Ministry of Agriculture and Forestry No. 108 of 1950

## **ENVIRONMENT AGENCY, JAPAN**

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## **WILDLIFE PROTECTION AND HUNTING LAW**

Law No. 32 of 4 April, 1918

Final Amendment: Law No. 85 of 22 June, 1972

### **Article 1**

The purpose of this Law shall be to protect and propagate the game, to control and prevent the danger of the harmful game through the execution of game protection project and effectuation of hunting for the purpose of the improvement of living environment and contribution to the promotion of agriculture, forestry and fisheries.

### **Article 1-2**

The prefectural governor, in order to execute the project aiming at the protection and propagation of game (inclusive of the control with respect to hunting thereof. Hereinafter referred to as game protection project) in accordance with the standard specified by the Director-General of the

Environment Agency upon hearing the opinion of the Nature Conservation Council, shall set up the game protection project plan.

In the game protection project plan, the following matters shall be provided for:

Term of plan

Matters regarding establishment of sanctuary, designation of special sanctuary, establishment of temporary hunting prohibited area and administration thereof.

Matters regarding artificial propagation of game and liberation thereof.

Matters regarding the control of the harmful game.

Matters regarding the survey of habitat of the game.

Matters regarding public information on the game protection project.

Matters regarding development of steps to work out the game protection project and other necessary matters for execution of the game protection project.

The prefectural governor shall set up or altered the plan of the game protection project, make it public without delay and at the same time report it to the Director-General of the Environment Agency.

### **Article 1-3**

The State, when it deems necessary with respect to establishment of the plan for game protection project for prefecture, shall exercise the recommendation and shall make its efforts toward the necessary guidance and assistance for execution of the game protection project.

The prefectural governor, in order to accomplish the plan of the game protection project, shall take necessary measures.

### **Article 1-4**

Other birds and animals than "game" shall not be taken.

The species of "game" shall be specified by the Director-General of the Environment Agency.

The Director-General of the Environment Agency or the prefectural governor when he deems it necessary for protection and propagation of game, shall specify the species of game, district, term or means of hunting and prohibit or restrict the hunting thereof.

The Director-General of the Environment Agency, when he shall specify the species of the game in accordance with the provisions of paragraph 2 or prohibit or restrict the hunting of the game in accordance with the provision of the preceding paragraph, shall hold the public hearing and hear the opinion of the interested persons and consult with the Nature Conservation Guild.

The prefectural governor shall, when he shall prohibit or restrict the hunting of the game in accordance with the provisions of the paragraph 3, hold the public hearing and consult with the prefectural nature conservation council and obtain the approval of the Director-General of the Environment Agency.

## **Article 2**

The young game bird or eggs of game bird except those specified by the Director-General of the Environment Agency shall not be taken or collected.

## **Article 3**

The game, unless the hunting permit of the prefectural governor is obtained, shall not be taken by means of firearms, net, trap or other hunting tackles specified by the Director-General of the Environment Agency: provided that such hunting shall be made without the use of firearms in the residential site surrounded by railing, fences and the like.

## **Article 4**

The hunting permit is classed as A, B and C and the hunting license shall be granted.

License A shall be granted to those who perform the hunting by other method than use of firearms, License B to those who perform hunting with firearms (except air-gun) and License C to those who perform hunting with air-gun.

The prefectural governor shall give the hunting license to those who are given hunting permit as well as the badge which certifies the grant of hunting permission.

The hunting permit shall not be valid in other district than the district under the control of the prefectural governor who granted the hunting license.

The validity of the hunting license shall be from 15 October to 15 April of the following year: provided that it shall be from 15 September to 15 April of the following year in Hokkaido.

The Director-General of the Environment Agency, when he deems it necessary for protection and propagation of game, may limit the period of hunting during the period of the preceding paragraph.

The game shall not be taken in other period than that prescribed in the preceding two paragraphs.

## **Article 5**

Hunting permit shall not be granted to the offender of this Law or the ordinance of the Prime Minister's Office or the prefectural regulation issued based on this Law who was punished by heavier penalty than a fine and completed a sentence or it is still less than two years since he is placed under the stay of execution.

The person who was cancelled the hunting permit in accordance with the provisions of Article 8 paragraph 1 shall not be granted the hunting permit of the prefectural governor who cancelled the hunting permit with respect to the cancellation thereof unless two years are passed since its cancellation.

## **Article 6**

The hunting permit shall not be granted to a minor, an idiot or a lunatic.

When the person who was granted the hunting permit becomes an idiot or a lunatic, the prefectural governor shall cancel the hunting permit thereof.

## **Article 7**

The prefectural governor shall not grant the hunting permit to the person who is deemed not to have the certificate prescribed in the paragraph 2 of the following article and is deemed not to have the necessary knowledge with respect to the matters prescribed in each of paragraph 1 of the same article.

The prefectural governor, when he issues the hunting permit, shall consider the condition of habitat and other situations in the district of prefecture concerned and especially when he deems necessary, examine whether he has the necessary attitude for doing hunting of the person who applied for the hunting permit or not and then, he shall do so.

## **Article 7-2**

The prefectural governor, in accordance with the provision of the Cabinet Order, shall hold the hunting school every year to afford the necessary knowledge with respect to the following matters for the attendants who intend to obtain the hunting permits.

Legislation with respect to hunting

Identification of game

Handling of hunting tackles

The prefectural governor, in accordance with the provision of the Cabinet Order, shall deliver the certificate to the person who attended at the hunting school of the preceding paragraph and completed the course.

The prefectural governor, when he deems it necessary, shall let the person who is designated by the Director-General of the Environment Agency upon hearing the opinion of the Nature Conservation Council to perform a part of the businesses with respect to the hunting school prescribed in the paragraph 1. In this case the consent of the person who shall be made to take the business shall be obtained in advance.

## **Article 8**

When the person who was granted the hunting permit violated this Law or the ordinance of Prime Minister's prefectural regulation issued based on this Law, the prefectural governor may cancel a part of the whole of the hunting permit thereof.

The Director-General of the Environment Agency, when he accepted the application of examination on the dealing of the preceding paragraph, shall reserve a justifiable period and make an advance notice for the applicant of the examination and then hold the public hearing.

In the advance notice of the preceding paragraph, the date, locality and the detail of the matter shall be indicated.

At the public hearing of the paragraph 2, the applicant for examination shall be afforded an opportunity of showing the proof and expressing his opinion.

## **Article 8-2**

The Director-General of the Environment Agency or the prefectural governor, when he deems it necessary for protection and propagation of game, may, in accordance with the provision of the Cabinet Order, establish the sanctuary.

The person who has a right of ownership or other rights with respect to the land or standing trees or bamboos inside of the gundary if the sanctuary shall not reject the establishment of facilities of nesting, water supply and feeding needed for breeding and propagation of game on the land or standing trees or bamboos concerned by the Director-General of the Environment Agency or the prefectural governor.

The Director-General of the Environment Agency or the prefectural governor when he deems it necessary for protection and propagation of game, shall, in accordance with the provision of the Cabinet Order specify the special sanctuary inside of the boundary of the sanctuary.

The provisions of paragraphs 4 and 5 of Article 1-4 shall apply mutatis to the case of paragraph 1 and the preceding paragraph.

The person who intends to make filling up of the water surface, or reclamation, felling of standing trees and bamboos or establishment of any structure shall be required for permission of the Director-General of the Environment Agency or the prefectural governor except the action which shall be deemed no hindrance to the protection and propagation of which shall be deemed no hindrance to the protection and propagation of game and specified by the Director-General of the Environment Agency or the construction of minor structure which is specified by the prefectural governor.

In case where the application for permission of the preceding paragraph is made, the Director-General of the Environment Agency or the prefectural governor shall not reject the application unless the action with respect to the application involves the justifiable reason in which there is a hindrance to the protection and propagation of game in the special sanctuary concerned.

The State or prefecture shall compensate the loss to be occurred naturally to the person who suffered a loss caused by the establishment of facilities provided for in the paragraph 2 or to the person who suffered a loss arising from the inability of obtaining the permission provided for in paragraph 5.

The amount of the compensation provided for in the preceding paragraph shall be decided by the Director-General of the Environment Agency or the prefectural governor.

The person who is not satisfied with the decision provided for in the preceding paragraph shall claim the increase of the amount of compensation with a suit within three months from the day when he was informed the decision.

In the case of the suit of the preceding paragraph, the State or prefecture shall be a defendant.

## **Article 9**

The prefectural governor, in case when the game is decreased in a given area, and he deems it necessary to increase such game, shall establish a temporary hunting prohibited area in the period of not more than three years.

## **Article 10**

The prefectural governor, when he deems it necessary for prevention of danger and others, may establish the gun hunting prohibited area.

## **Article 11**

No game shall be taken in any of the following places:

Sanctuary;

Temporary hunting prohibited area;

Highway;

Parks and the like designated by the Director-General of the Environment Agency;

Precincts of Buddhist temple or Shinto shrine;

Cemetery;

## **Article 12**

Any person may take game and collect eggs of bird, regardless of the provision of the preceding articles, in case where he has been approved to do so by the Director-General of the Environment Agency or the prefectural governor for scientific study control of noxious bird and animal or any other specific reasons.

The Director-General of the Environment Agency or the prefectural governor, in case where he has given the approval provided for in the preceding paragraph, shall deliver a license.

## **Article 13**

No person shall raise, transfer or take over any bird and animal (exclusive game) taken in accordance with the provision of paragraph 1 of the preceding Article except with raising permit issued by the prefectural governor in accordance with what provided for by order; provided this shall not apply to any case of raising the same within thirty days after the expiration of effective time limit as referred to in the permission under the provision of the same paragraph.

### **Article 13-2**

No pheasant nor copper pheasant (inclusive of any foodstuff processed therefrom) shall not be sold; provided this shall not apply to any case approved by the Director-General of the Environment Agency for scientific studies, raising for the purpose of propagation, or any other special reasons.

### **Article 14**

The State or the local public body may establish a game area subject to the approval of the Director-General of the Environment Agency accompanied by the game area control regulation in case where it is necessary to do so for coordination of capture of game bird and animal in a given areas.

Matters to be provided for in the game area control regulation of the preceding paragraph shall be provided for by the Cabinet Order.

In case where the person who established the game area intends to change the game area control regulation and the matter with respect to the change shall fall under the matters to be provided for by the Cabinet Order, the approval of the Director-General of the Environment Agency shall be required in accordance with the provision of the Cabinet order.

The game area shall not be established unless the consent of the person who has a right registered on the land inside of the boundary of the area.

The term of existence of the game area shall not exceed ten years.

In case where the Director-General of the Environment Agency approved the establishment of the game area, he shall make public the title, the district and the term of existence of the game area and other matters specified by the ordinance.

The person who established a game area in case where he deems it necessary for protection and propagation of game inside of the boundary of the game area, may entrust the business with respect to the maintenance and administration of the game area concerned such as establishment of facilities needed for breeding and propagation, artificial propagation of game, liberation of game and others to the designated person; provided in case of the game area set up by the State,



the Director-General of the Environment Agency shall hear the opinion of the Nature Conservation Council or in case of the game area set up by the local public body, the prefectural governor shall hear the opinion of the prefectural nature conservation council.

The person who has been entrusted the business of the preceding paragraph in accordance with the provision of the same paragraph (hereinafter referred to as trustee) shall bear the expenses required for the business concerned.

The trustee shall collect the money to meet the expenses required for the business with respect to the trust from the person who intends to do hunting inside of the boundary of the game area and may make it his income.

The Director-General of the Environment Agency in case where he deems it necessary for the public benefit or he deems it not necessary to keep the game area, may cancel the approval of establishment of the game area for the person who established the game area. In this case, the person who established the game area an opportunity of explanation, shall let his official to have hearings for the person who established the game area.

#### **Article 15**

No game shall be taken by means of explosives, dangerous medicine, poison, fixed rifle, dangerous trap or pitfall.

#### **Article 16**

No person shall make shooting before sunrise or after sunset, in city street, and any other places full of dwelling houses or swarmed by public, nor to any people, animal building, railroad car, electric car, warship or vessels to which shot-shells may be reached.

#### **Article 17**

No person shall make hunting or such taking of bird and animal as referred to in Article 12, paragraph 1 shall, in case where he intends to take game or collect eggs of bird, carry with himself the hunting license or the permit and exhibit it upon request of the official or employee concerned of the State or local public bodies as well as police official or interested parties.

#### **Article 18**

No person shall take the game or those provided for in Article 12, paragraph 1 shall, in case where he intends to take game or collect eggs of bird, carry with himself the hunting license or the permit and exhibit it upon request of the official or employee concerned of the State or local public bodies as well as police official or interested parties.

## **Article 19**

Any person who has received a hunting license or a permit under the provision of Article 12, paragraph 1 shall, in case where he intends to take game or collect eggs of bird, carry with himself the hunting license or the permit and exhibit it upon request of the official or employee concerned of the State or local public bodies as well as police official or interested parties.

## **Article 19-2**

The Director-General of the Environment Agency or the prefectural governor may let his officials or employees enter the sanctuary, the temporary game prohibited area, the game area or the shop and inspect the game or its processed products or eggs of bird which any hunter or other interested person possesses.

Right of entering and inspection prescribed in the preceding paragraph shall not be construed as vested one for crime detection.

Any official or employee who enters for inspection in accordance with the provision of paragraph 1 shall carry with himself an identity card showing his status in order to exhibit it upon request of interested parties.

## **Article 20**

No person shall transfer or take delivery any game (inclusive of its processed products provided for by the ordinance of the Prime Minister's Office) taken or eggs of bird collected or transfer or take delivery for the purpose of sale, processing or store of the same in violation of the provisions of the law or the ordinance of the Prime Minister's Office or prefectural regulation issued based on this law.

## **Article 20-2**

No person shall export or import any game (inclusive of its processed products) provided for in the ordinance of the Prime Minister's Office or eggs of bird provided for in the ordinance of the

Prime Minister's Office except with, in case of export, a certificate issued by the official concerned of the Environment Agency certifying that the same have never been taken or collected in violation of this Law or the ordinance of the Prime Minister's Office on the prefectural regulation issued based on this Law, and except with, in case of an import, a certificate issued by the government or collected lawfully: provided that this shall not apply to the case of import from a country that has no government agency eligible to certify taking or collection of the game concerned.

The form or delivering procedure of the certificate as referred to in the proceeding paragraph shall be provided for by the ordinance of the Prime Minister's Office

### **Article 20-3**

The Director-General of the Environment Agency or the prefectural governor may collect necessary reports for enforcement of this Law from those established the game area, those who received hunting permit, those who received the approval provided for in Article 12 paragraph 1 or those who intend to process, sell, export or import the game (inclusive of its processed products) or eggs of bird.

### **Article 20-4**

The official of prefecture who takes charge of control business relating to hunting and is nominated by the prefectural governor in consultation of the chief of a district public procurator's office corresponding to the district court which administers the major service area of the official Criminal Procedure Code (Law No. 131 of 1948) on the crime which contravened this law or the ordinance of the Prime Minister's Office or the prefectural regulation issued based on this Law.

### **Article 20-5**

In order to assist the business with respect to the execution of the game protection project, the game protection man shall be appointed in prefecture.

The game protection man shall be of part-time service.

### **Article 21**

Any person shall be liable to a penal servitude less than one year or a fine of not more than fifty thousand yen in any of the following cases:

If he has contravened the provisions of Articles 3, 11, 15, 16 or 20-2;

If he has made hunting in a gun hunting prohibited area;

If he has received by fraudulence the hunting permit or such permission as referred to in Article 12, paragraph 1;

Any thing used for criminal purpose violating the provisions of items (1) or (2) of the preceding paragraph as well as any game taken through other crimes and owned by criminal shall be forfeited.

## **Article 22**

Any person shall be subject to a penal servitude less than six months or a fine of not more than thirty thousand yen in any of the following cases:

If he has contravened the provisions of Article 1-4 paragraph 1, Article 2, Article 4 paragraph 7, Article 13, Article 13-2, or Article 20;

If he has failed to abide by any prohibition or restrictions under Article 1-4 paragraph 3;

If he has let others use his own hunting license, the permit under the provision of Article 12 paragraph 2, or the raising permit under the provision of Article 13;

If he has used other's hunting license, the permit under the provision of Article 12 paragraph 2 or the raising permit under the provision of Article 13;

## **Article 22-2**

Any person who has contravened the provision of Article 8-2 paragraph 2 or 5, Article 17 or 18 shall be liable to a fine of not more than thirty thousand yen provided that any criminal in violation of the provision of Article 17 shall be indicted upon complaint of either occupant or any license-holder for joint game area.

## **Article 23**

Any person shall be liable to a fine of not more than ten thousand yen in any of the following cases:

If he has contravened the provision of Article 14 paragraph 3 or Article 19;

If he has refused, obstructed or evaded such inspection by entering as provided for in the provision of Article 19-2 paragraph 1;

If he has failed to submit report in accordance with the provision of Article 20-3 or made false report;

If he has moved, damaged, wrecked or removed any sign of sanctuary, special sanctuary, temporary hunting prohibited area, or any facilities as referred to in the provision of Article 8-2, paragraph 2;

#### **Article 24**

In case where any person who had received a hunting permit or the permit under the provision of Article 12 paragraph 1 has been sentenced a penalty more than a fine by contravening the provision of this law or the ordinance of the Prime Minister's Office or the regulation of prefecture issued thereunder, his hunting license or the permit shall become null and void.

#### **Article 25**

In case where any representative of a juridical person or any proxy, employee or other worker of a juridical or natural person has acted in violation of the provisions of Article 21 to 23 inclusive with respect to business of the juridical or natural person, the latter shall also be liable to the punishment inflicted on the real offender, unless it is proved that due care and supervision has been exercised in connection with the business of said juridical or natural person in order to prevent such violation by the proxy, employee, or other worker thereof.

#### **Article 26**

Abolished

### **Supplementary Provisions**

#### **Article 27**

The data of enforcement of this Law shall be decided by the Imperial Ordinance.

## **Article 28**

The law No. 7 of 1897 shall be abolished.

## **Article 29**

As for the permission granted under the provision of the former law, the precedents shall apply thereto.

The hunting prohibited area or the gun hunting prohibited area established under the provision of the abolished law shall be deemed as the hunting prohibited area or the gun hunting prohibited area established under the provision of this Law.

## **Article 30**

The permission granted to the joint game area prior to the enforcement of this Law shall hold its validity.

The period of the permission of the preceding paragraph may be renewed upon request.

## **Article 31**

In case where any person who had received the hunting permit has been punished in accordance with the provisions of Article 21 to 23 inclusive of the abolished law, his hunting permit shall become null and void. In this case, no person shall receive a new hunting permit before one year has elapsed since that time.

### **CABINET ORDER FOR THE**

### **IMPLEMENTATION OF THE WILDLIFE**

### **PROTECTION AND HUNTING LAW**

Cabinet Order No. 254 of 31 August, 1953 Final Revision:

Cabinet Order No. 219 of 30 June, 1971

**(Hunters' School)**

Article 1

The hunters' school (hereinafter referred to as "school") under the provision of Article 7-2, Paragraph 1 of Wildlife Protection and Hunting Law (hereinafter referred to as "Law") shall have trainers who have the residence inside the boundary of the district under the control of prefectural governor who shall hold the school concerned and such school shall be held by each of the hunting permit, classes A, B, and C.

The school shall be held in other season than that specified in Article 4 paragraph 5 of the Law (in case where the Director-General of the Environment Agency specifies the hunting season under the provision of the Paragraph 6 of the said Article. This season hereinafter referred to as "hunting season"). The school might be held in hunting season for the person who could not attend at school during the season other than the hunting season owing to the sickness or other inevitable circumstances.

**Article 2**

The date and place of the school to be held shall be decided taking consideration of the purpose that the person who intends to obtain the hunting permit can attend at school without any difficulty.

**Article 3**

The prefectural governor shall, when he intends to hold the school, make public the date and place of the school and other necessary matters for holding the school not later than twenty days before the expected day of opening school.

**Article 4**

Lectures at the school shall be conducted in accordance with the syllabus specified by the Director General of the Environment Agency.

Lectures at the school on items listed under Article 7-2, Paragraph 1, (1) of the Law shall be three hours or more; on items listed under (2) of the said paragraph shall be two hours and more;

and for item listed under (3) of the said paragraph shall be one hour or more for class A hunting license and four hours or more for classes B and C hunting licenses. In cases of schools for the licensees holding license (if the school is concerned with class B and C hunting license, B or C class licenses) effective in one or two years of the three consecutive license years (from April 16 to each year to April 15 of the following year), including the preceding license year of the starting date of the school, the total lecture hours with respects to items listed under each items of the said Paragraph may be from two hours to six hours.

**(Certificate)**

Article 5

This certificate specified in Article 7-2, Paragraph 2 of the Law shall be granted only to those who attended at school and only when they were examined whether the matters related to the lesson concerned were acquired or not and who are deemed to have acquired the knowledge on these matters.

**Article 6**

The period of validity of the certificate of Article 702, Paragraph 2 of the Law shall be five years counting from the first day of the authorized year to which the day of completion of school course belongs.

**(Term of existence of the sanctuary)**

Article 7

Establishment of the sanctuary shall be made after the term of its existence is fixed.

The term of existence of the preceding paragraph shall be less than twenty years: provided that its renewal shall not be precluded.

**Article 7-2**

Designation of the special sanctuary shall be made within the limits of the term of existence of the sanctuary to which the special sanctuary belongs after the term of existence is fixed.



## **Article 8**

The following matters shall be provided for in the game area control regulation:

Name of the game area;

Location of the office;

District of the game area;

Term of existence of the game area

Procedure for application of hunting;

Fee for approval of hunting and how to pay it;

Matters relating to the hunting permission;

Conditions to be observed by hunters;

Other matters related to the maintenance and control of the game area and prescribed by the Order of the Prime Minister's Office.

## **Article 9**

Matters provided for by the Cabinet Order of Article 14 Paragraph 3 of the law shall be those prescribed in Nos. 3, 4, and 6 and from 8 to 11 exclusively.

The person who has established the game area in case where he intends to obtain the approval of the Director-General of the Environment Agency provision of Article 14 Paragraph 3 of the Law shall submit the written application stating the reason for such alteration to the Director-General of the Environment Agency.

### **IMPLEMENTATION ORDINANCE OF THE WILDLIFE**

#### **PROTECTION AND HUNTING LAW**

**Ministry of Agriculture and Forestry Ordinance No. 108**

**of 30 September 1950**

Final Revision:

Ordinance of the Prime Minister's Office No. 72 of 27 November, 1972

**(Species of Game)**

Article 1

The species of game of Article 1-4, Paragraph 2 of the Wildlife Protection and Hunting Law (hereinafter referred to as "Law") shall be as follows:

Goi-sagi (Night Heron), Kiji (Green Pheasant), Korai-kiji (Korean Ring-necked Pheasant), Yama-dori (Copper Pheasant), Uzura (Japanese Quail), Ezoraicho (Japanese Hazel Grouse), Kojukei (Chinese Bamboo Partridge), Onagagamo (Pintail), Kogamo (Teal), Yoshigamo (Falcated Teal), Magamo (Mallard), Karugamo (Spot-billed Duck), Hidorigamo (Wigeon), Hashibirogamo (Shoveller), Hoshajiro (Pcchard), Kinkurohajiro (Tufted Duck), Suzugamo (Eastern Scaup-duck), Biroudo kinkuro (Eastern Velvet-Scoter), Kurogamo (American Black Scoter), Korigamo (Long-tailed Duck), Umi-aisa (Red-breasted Merganser), Kawa-asia (Asiatic Goosander), Ban (Indian Moorhen), O-ban (Coot), Ta-shigi (Common Snipe), Yama-shigi (Woodcock), Kiji-bato (Eastern Turtle-Dove), Hashibuto-garasu (Japanese Jungle-Crow), Hashiboso-garasu (Eastern Carrion-Crow), Miyama-garasu (Easter Rock), Suzume (Japanese Tree Sparrow), Nyunai-suzume (Russet Sparrow), Kuma (Bear), Higuma (Brown Bear), Inoshishi (Wild Boar), Osu-jika (Male deer), Kitsune (Japanese Fox), Tanuki (Raccoon Dog) Annaguma (Japanese Badger), Ten (Marten, except Tsushima Marten), Musasabi (Giant Flying Squirrel), Risu (Squirrel), Shima-risu (Chipmunk), Taiwan-risu (Formosa Common Squirrel), Osu-Itachi (Male Japanese Mink), No-usagi (Hare), No-neko (Car-run-Wild), No-inu (Dog-run-Wild), and Nutria (Nutria).

**(Limits of hunting season)**

Article 2

No hunting shall be allowed for Anaguma (Japanese Badger), Osu-Itachi (Male Japanese Mink), Kitsune (Japanese Fox), Osu-Jika (Male deer), Tanuki (Raccoon Dog), Ten (Marten, except Tsushima Marten), Musasabi (Giant Flying Squirrel and Risu (Squirrel) in other season than that from 1 December to 15 February of the following years (in Hokkaido, from 15 November to 31 January of the following year).

**(Restriction on means of hunting)**

Article 3

Any one of the following means of hunting shall not be used for the game:

Mist net;

Gun with No. 10 (0.775 inch) bore or with larger bore;

Shooting from a flying airplane, driving motor car, or motor boat running at the speed of over 5 knots;

A shotgun that has a chamber that may be charged with more than four ball cartridges;

Rifle of 59-caliber and below charged with gunpowder;

Air rifle;

Pressure trap;

Fishing hook and bird-lime;

Bow and arrow;

Pheasant whistle.

Games other than bear, brown bear, wild boar and male deer shall not be caught by using a rifle charged with gunpowder (exclude rifle below 59-caliber charged with gunpowder).

Game birds shall not be caught by traps (exclude pressure trap).

No trapping or powder charged rifle shall not be used for game bird hunting.

**(Bag limit)**

Article 4

The game listed in the left shall not be taken outside of the game area not more than the bag limit per day listed in the right.

Kiji (Green Pheasant), Korai-kiji (Korean Ring-necked Pheasant), Yamadori (Copper Pheasant) -  
Up to 2 in all

Uzura (Japanese Quail) - Up to 5 in all

Ezo-raicho (Japanese Hazel Grouse) - Up to 2 in all

Kojukei (Chinese Bamboo Partridge - Up to 8 in all

Kamo (Ducks (Article 1)) - (less than 500 throughout the hunting season for net hunters)

Ban (Indian Moorhen), O-ban (Coot) - Up to 3 in all

Ta-shigi (Common Snipe), Yama-shigi (Wood cock) - Up to 5 in all

Kiji-bato (Eastern Turtle-Dove) - Up to 10 in all

Article 5

Omission

**(Hunting tackles)**

Article 6

Hunting tackles specified by the Director-General of the Environment Agency under the provision of Article 3 of the Law shall be as follows:

Firearms; powder charged rifle and air gun (except for the one which discharges cork bullets) and others which discharge bullets by the power of gas.

Nets: Muso nets, stretched nets, (except mist net), thrusting nets, and casting nets.

Traps: binding traps, box traps, falling box traps, and pressing traps.

**(Applications for hunting permit)**

Article 7

A person who intends to obtain the hunting permit under the provision of Article 3 of the Law shall submit a written application stated the following matters accompanied by a certificate under the provision of Article 7-2, Paragraph 2 of the Law (hereinafter referred to as "the certificate of completion of hunters' school course") or a document to certify that he has a certificate of completion of hunters' school course, and two photographs of Leica size having been taken in

recent six months showing full face with no hat on, and bust to the prefectural governor who administers the district where is going to do hunting.

Kind of hunting permit which he intends to obtain;

The address, profession, full name and date of birth of the applicant;

Whether or not the applicant had been sentenced to a fine in violation of the Law or Ordinance of the Prime Minister's Office or the prefectural regulation issued based on the law: and in case he had been sentenced to a heavier penalty than a fine, the date on which the term for execution of his punishment had expired on or the date on which he has been released from the execution of his punishment.

Whether or not the hunting permit had been cancelled under the provision of Article 8 paragraph 1 of the Law: in case it has been cancelled, the name of the prefectural governor who cancelled it and the date on which it had been cancelled.

If the person intends to obtain class B or C hunting licenses, the number and the date of issue of the permit under Article 4, Paragraph 1, Sub-paragraph (1) of the Law Regulating the Possession of Guns, Swords and Others (Law No. 6 of 1958), received at the time of the application with respects to the possession of hunting tackle provided for by Article 6, Sub-paragraph (1).

### **(Hunters' Badge)**

Article 8

A person who has been afforded the hunting permit shall bear the badge provided for in Article 4 paragraph 3 of the Law (hereinafter referred to as "hunter's badge") on the breast.

### **(Hunting season)**

Article 8-2

The hunting season of game shall be from 1 November every year to 15 February next year; and in Hokkaido from 1 October every year to 31 January next year.

### **Article 9**

A person, who intends to obtain the approval specified in Article 12 Paragraph 1 of the Law, shall, in case where he intends to do hunting for the purpose of extermination of the game, Tobi (Black-eared Kite), Dobato (Dove), Saru (Japanese Monkey) and Hakubishin (Paguma lavata) by other hunting means than those specified in Article 3 Paragraph 1 No. 1 or for the purpose of

extermination of birds and animals in aerodromes which might cause interference over the safety of aircraft; in case where he intends to do hunting for the purpose of extermination of Hiyodori (Brown-eared bulbul) with hunting tackle specified in Article 6 No. 1; in case where he intends to capture Mahiwa (Siskin), Uso (Japanese Bullfinch), Hojiro (Japanese Meadow Bunting), Hibari (Skylark), Mejiro (Japanese White-eye), Yamagara (Varied Tit), or Uguisu (Japanese bush-warbler), for the purpose of breeding with other hunting means than those specified in Article 3, Paragraph 1 No. 1, submit the written application stating the matters specified in each of the following items accompanied by the document certifying the reason for such hunting or collection to the prefectural governor and in any other cases, to the Director-General of the Environment Agency:

Address, profession, full name, and date of birth of the applicant;

Species and quantity of game to be caught or of eggs to be collected;

Purpose, period, area, and means of hunting or of collection as well as the matters and methods of study in case of scientific researches;

In case where it is intended to catch the game or to collect the egg in the places or within the game area specified in each item of Article 11 of the Law, said purpose.

If the hunting tackles referred to under Article 6, (1) are used for the catch, the number and the date of issue of the permit provided for in the regulation under Article 4, Paragraph 1, Sub-paragraph (1) of the Law Regulating the Possession of Gun, Swords and Others which the applicant has already received at the time of application with respects to the possession of the hunting tackle concerned.

#### **(Term of validity of breeding permit of game)**

##### Article 10

The breeding permit specified in Article 13 of the Law (hereinafter referred to as "game breeding permit") shall be issued for each of game upon the application of any person who intends to breed, transfer, or obtain by transfer any game which have been caught with the approval specified in Article 12 of this Law.

The term of validity specified in the preceding paragraph may be renewed upon application.

#### **(Report on change of address etc.)**

##### Article 11

In case where any person who has obtained the hunting permit, approval specified in Article 12, Paragraph 1 of the Law, or the game breeding permit, has changed his address or name, he shall submit a report thereof within two weeks to the administrative agencies under whose jurisdiction he is placed.

In case where any person who attended at the hunters' school and completed the course has changed his address or name, he shall report to the effect (in case where he changed the address and new address is placed under the jurisdiction of the governor of other prefecture, the type of school, address, name, date of birth and date of removal) to the governor of prefectural who administers the site where he lives.

**(Report on loss of hunting license etc.)**

Article 12

Any person who has obtained the hunting license, the hunter's badge, the certificate of completion of hunter's school course, the permit specified in Article 12, Paragraph 2 of the Law (hereinafter referred to as "the game hunting permit") or the game breeding permit (hereinafter referred to as "game license") and lost the same, shall state the reason thereof and report it without delay to the administrative agency concerned which granted it.

**(Re-delivery of hunting license, etc.)**

Article 13

A person who has obtained the hunting license (exclusive of a certificate of completion of hunter's school course) when he lost or damaged it, may ask for re-delivery of it.

A person who has been delivered the certificate of completion of hunter's school course, when he lost or damaged it or when it is deemed necessary specifically to take re-delivery of it, he may apply for re-delivery of it.

**(Report on hunting etc.)**

Article 14

Any person who has obtained the hunting license (exclusive of the certificate of completion of hunters' school course and hunters' badge, the same shall apply in this article) shall return, in case of the hunting license, within thirty days from the day when the hunting season specified in Article 8-2 has expired and when the hunting permit was cancelled or lost its validity, it shall be returned as soon as possible and in case of the game hunting permit or game breeding permit, within thirty days since they lost their validity, hunting license and others shall be returned to the administrative agency which delivered them.

A person who has obtained the hunting license and others shall report the number of game caught by prefecture and species (the person who has obtained the game hunting permit shall report the number of game caught or eggs collected by species and the outline of disposition), within the period of returning hunting license and others specified in the preceding paragraph to the administrative agencies which delivered them.

## **Article 15**

Abolished

### **(Establishment of sanctuary)**

#### Article 16

The sanctuary, in case where of the area of the district of such establishment, the State-owned land shall not cover more than fifty per cent and the district shall not extend over two prefectures, shall be established by the governor of prefecture and in any other case, by the Director-General of the Environment Agency; provided in case where it is specially necessary for protection and propagation of game and of the area of the district of such establishment, the State-owned land shall not cover more than fifty per cent and the district shall not extend over two prefectures, the Director-General of the Environment Agency may establish it.

### **(Application for establishment of the sanctuary)**

#### Article 17

The application for approval under the provision of Article 1-4, Paragraph 5 of the Law which shall apply *mutatis mutandis* in Article 8-2, Paragraph 4 of the Law shall be made by submittance of a written application stating the following matters accompanied by a map showing the area and location of the game area concerned a protocol specified in Article 53 with respect to the establishment of game area and a copy of the reply of the prefectural nature conservation council to the Director-General of the Environment Agency.

Title of the sanctuary;

District of the sanctuary;

Area of the land classification which is to be incorporated into the district of the sanctuary of water surface;



Term of existence;

Condition of habitat of wildlife for the past three years and the outline of the land condition before these years which is to be incorporated in to the sanctuary;

Matters with respect to the compensation under the provision of Article 8-2, Paragraph 7;

How to protect and propagate the game;

Matters with respect to the expenses required for establishment and maintenance of the sanctuary;

How to control;

Application for approval for abolition of sanctuary or the alteration of the district specified in Article 1-4, Paragraph 5 of the Law which shall be applied *mutatis mutandis* to Article 8-2, Paragraph 4 of the law shall be made by submittance of a document stating the reason thereof to the Director-General of the Environment Agency (in case where there is a region to be newly registered as a result of alteration of the district, a document stating the reason thereof accompanied by a map indicating the district of the region and the location, a document stating the matters listed in Nos. 2, 3, 5 of the preceding paragraph and 6 with respect to the district, the protocol of Article 53 with respect to alteration concerned and a copy of a reply of prefectural nature conservation council).

### **(Notification)**

#### Article 18

The Director-General of the Environment Agency or the prefectural governor shall issue notification of the title, the district and the term of existence in case where he has established the sanctuary or of the purpose in case where he has abolished the sanctuary of the title, the district or the term of existence concerned in case where he as changed the title, the district or the term of existence of the sanctuary or of the term of existence with respect to the renewal concerned in case where has renewed the term of existence.

### **(Establishment of sign)**

#### Article 19

A person who has established the sanctuary shall establish the sign necessary to indicate the district of the sanctuary.

**(Application of *mutatis mutandis* to the special sanctuary)**

**Article 19-2**

The provisions of the preceding 3 Articles shall apply *mutatis mutandis* to the special sanctuary.

**(Case where the approval specified in Article 8-2, Paragraph 5 of the Law is not necessary)**

Article 20

The acts specified under the proviso of Article 8-2, Paragraph 5 of the Law shall be as follows.

Filling up or reclamation of water surface less than one hectare in total (exclusive of those designated by the designator of the special sanctuary);

With respect to single tree selective cutting or the number of standing trees and bamboos, thinning of less than 20 per cent or weeding or improvement cutting for tending;

Establishment of residence and its annexed structures.

**(Application for approval)**

Article 21

A person who intends to obtain the approval specified in Article 8-2, Paragraph 5 of the Law shall submit a written application stating the following matters accompanied by a map indicating the location to the Director-General of the Environment Agency or the prefectural governor.

Full name of the applicant and the owner or the title and address;

Location and lot number;

Purpose of filling up of water surface or reclamation, cutting of standing trees and bamboos or establishment of structures;

In case of filling up of water surface or reclamation, its outline and cost, in case of felling of standing trees and bamboo, age, number of trees and bamboos by species or its outline, growing stock and the price of standing trees and bamboos to be felled;

The or the may give his order to the applicant of the preceding paragraph to submit other documents deemed necessary than the document specified in the same paragraph.

## **Article 22**

A person who intends to make claim for compensation specified in Article 8-2, Paragraph 7 of the Law shall submit a written application accompanied by a written estimate on loss thus suffered therefrom to the Director-General of the Environment Agency or the prefectural governor.

## **Article 23**

Abolished

### **(Notification of establishment of the temporary hunting prohibited are and establishment of its sign)**

## Article 24

In case where he has established the temporary hunting prohibited area in accordance with the provision of Article 9 of the Law shall make notification of its title, district and term of existence as well as to establish the sign necessary for showing the district without delay.

### **(Gun hunting prohibited district)**

## Article 25

The provision of the preceding article shall apply mutatis mutandis to the gun hunting prohibited area.

### **(Definition of park)**

## Article 26

Park specified by the Director-General of the Environment Agency or other similar place as referred to in item (4) of Article 11 of the Law shall be any garden ground made with a view to give comfort to general public and enclosed with fence or sign as distinguished from other area such as special sanctuary referred to in Article 18, Paragraph 1 of the Natural Parks Law (Law No. 161 of 1957), and park and green area approved as city planning facilities specified in Article 4, Paragraph 5 of City Planning Law.

### **(Permission of selling, etc.)**

## Article 27

Any person who intends to obtain the permission in accordance with the provision of the proviso of Article 13-2 of the Law shall submit a written application stating the items listed below to the Director-General of the Environment Agency:

Residence, occupation, full-name, date of birth of seller (as for a juridical person, residence and title);

Species number, and address;

Reason for which application is made for permission;

### **(Procedure for establishment of game area)**

## Article 28

Application for approval specified in the Article 14, Paragraph 1 of the Law shall be made by submission of a written application stating the items listed below accompanied by the game area control regulation, a map showing the district and location of the game area and a document certifying the consent specified in Article 14, Paragraph 4 of the Law and a document stating an estimated cost with respect to establishment of the game area to the Director-General of the Environment Agency.

Matters stated in Article 17, Paragraph 1 No. 2 and No. 5 and in case of trust of business with respect to maintenance and control of the game area, its purpose;

Establishment of facilities of protection and propagation of game, project plan with respect to artificial propagation and liberation of birds and animals in the authorized year (from 16 April every year to 15 April of following year. The same shall apply hereinafter) to which the day of establishment belongs.

Estimated number of hunters entered (by kind of permit) and game captured (by species) by month in one hunting season.

The application for approval specified in Article 14, Paragraph 1 of the Law with respect to suspension of hunting in the game area and abolition of the game area and abolition of the game area shall be made by submission of a document stating its reason to the Director-General of the Environment Agency.

## **Article 29**

The provision of Article 19 shall apply *mutatis mutandis* to the game area.

### **(Game area control regulation)**

#### Article 30

In accordance with the provision of Article 8 No. 11 of the Cabinet Order for the Implementation of Wildlife Protection and Hunting Law (Cabinet Order No. 254 of 1953. Hereinafter referred to as "Order"), the matters to be specified in the game area control regulation shall be as follows.

Matters with respect to the establishment of necessary facilities for breeding and propagation of game;

Matters with respect to artificial propagation of game or liberation thereof;

Matters with respect to designation of hunting prohibited district;

Matters with respect to restriction of bag;

Matters with respect to restriction of hunting means or hunting tackles;

Matters with respect to compensation for loss by game in the game area;

## **Article 31 - 37**

Abolished

### **(Report on change in the game area control regulation)**

#### Article 38

A person who has established the game area, in case where he has changed other matters in the game area control regulation than those specified in Article 9 paragraph 1 of the Order, shall report to the effect to the Director-General of the Environment Agency without delay.

### **(Notification of the term of existence etc.)**

#### Article 39

The Director-General of the Environment Agency in case where he has approved the establishment of the game area, shall make notification of the items listed below. The same shall apply to the change in the matters thus notified.

Title of the game area;

Location of the office;

District of the game area;

Term of existence of game area;

Admission fee for hunting;

**(Report on the work in the game area etc.)**

Article 40

A person who has established the game area shall submit the work report of the game area stating the matters listed below in the authorized year concerned within thirty days after each authorized year concerned with respect to establishment of facilities necessary for breeding and propagation of game and artificial propagation and liberation of game and the work plan for the following authorized year to the Director-General of the Environment Agency.

Number of days opened for hunting;

Number of hunting applicants and hunters entered;

Number of bag by species;

A person who has established the game area in case where he has entrusted the business with respect to maintenance and control of the game area in accordance with the provision of Article 14 paragraph 7 of the Law, shall report to the effect accompanied by a copy of the trust contract with respect to the trust concerned to the Director-general of the Environment Agency without delay.

**Article 41**

The Director-General of the Environment Agency in case where he has cancelled the approval of the establishment of the game area in accordance with the provision of Article 14, Paragraph 10 of the Law, shall make notification to the effect.

**(Joint game area)**

## Article 42

Any person who intends to apply for renewal of authorized term of joint game area shall, specifying the term of renewal, submit a written application accompanied by a document certifying consent of landowners within the limits of such area to the Director-General of the Environment Agency not later than three months before expiration of the time limit.

As for a joint game area, the precedents under the former provisions shall apply thereto in addition to the provisions of the preceding paragraph.

### **(Passing through of a document)**

## Article 43

A document which shall be submitted to the Director-general of the Environment Agency in accordance with the provision of this ministerial ordinance shall pass through the prefectural governor except the application under the provision of Article 45.

### **(Processed game which are prohibited transfer or acceptance)**

## Article 43-2

The processed goods specified in the provision of the ministerial ordinance of Article 20 of the Law shall be stuffed, specimen, feather products, fur products and processed foodstuffs.

### **(Processed game which are prohibited transfer or acceptance)**

## Article 44

The game, processed game and eggs of bird specified in the ministerial ordinance of Article 20-2, Paragraph 1 of the Law shall be as follows:

Bird and its processed goods: Kiji (Green Pheasant), Yamadori (Copper Pheasant) Ikaru (Japanese Grosbeak), Uso (Japanese Bullfinch), Isuka (Japanese Crossbill), Miyamahojiro (Yellow-throated Bunting), Nojiko (Japanese Yellow Bunting), Hojiro (Japanese Meadow Bunting), Hibari (Skylark), Mejrio (Japanese White-eye), Yamagara (Varied Tit), Higara (Japanese Coal-tit), Oruri (Japanese Bush Warbler), Komadori (Japanese Robin), Ojirowash (White-tailed Sea-eagle), Owashi (Steller's Sea-Eagle), and Oshidori (Mandarin Duck) and their stuffed, specimen and fur goods:

Animal and its processed goods: stuffed and specimen of Kitsune (Japanese Fox) Tanuki (Raccoon Dog), Anaguma (Japanese Badger), Ten (Marten), Itachi (Japanese Mink), Risu (Squirrel), Musasabi (Giant Flying Squirrel) and Kamoshika (Mountain Goat); fur and fur goods of Tanuki (Raccoon Dog), Ten (Marten) Itachi (Japanese Mink), Risu (Squirrel) Musasabi (Giant Flying Squirrel), and Kamoshika (Japanese Serow);

Eggs of bird; eggs of each species (Except the birds specified under the provisions of Article 2, Paragraph 1 of the Law relating to the Regulation of Transfer of Special Birds.

**(Certificate to be accompanied by the game in case of export)**

Article 45

Any person who intends to take delivery of a certificate issued by the official concerned of the Environment Agency specified in Article 20-2 paragraph 1 of the Law shall submit a written application to the chief of the export goods inspection office.