

THE SURVEY ACT [Provisional Translation Only]

This provisional English translation of The Survey Act is provided for an information purpose only.

If there are any inquiries about the legal terminology and interpretation of articles etc., please contact to gsi-intl@gxb.mlit.go.jp

GEOSPATIAL INFORMATION AUTHORITY OF JAPAN
MINISTRY OF LAND, INFRASTRUCTURE, TRANSPORT AND TOURISM
JAPAN

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CHAPTER 1 GENERAL PROVISIONS

Section 1 Purpose and Definition

(Purpose of the Survey Act)

Article 1 The Survey Act applies to land surveys whose expenses are, wholly or in part,

borne or subsidized by the National Government or public organizations, or land surveys that are carried out using the results obtained from such surveys.

The purpose of this Act is to set the standard for such land surveys as stated above, to define the power necessary for their execution, to avoid redundancy in surveys, and to assure survey accuracy. This Act also aims to contribute to fair operations and development of survey business, by regulating business activities and requiring registration of survey companies. Finally, this Act aims to contribute to coordination among various kinds of surveys and development of the survey system in Japan.

(Act 106 of June 1961 (partial revision))

(Relation with Other Acts)

Article 2 Land survey shall be accomplished according to the provisions of this Act, unless stipulated specifically in other acts.

(Survey)

Article 3 In this Act, the term “Surveying or surveys” means any land surveys, including compiling maps and taking photographs for surveying.

(Basic Survey)

Article 4 In this Act, the term “Basic Surveys” means surveys that serve as a basis for all other surveys, and that are conducted by the Geospatial Information Authority of Japan, Ministry of Land, Infrastructure, Transport and Tourism.

(Act 115 of July 1960 and Act 160 of December 1999 (partial revision))

(Public Survey)

Article 5 In this Act, the term “Public Survey” means surveys other than Basic surveys falling under the subsequent items except for surveys for buildings or other local surveys or surveys for preparation of maps of small scale or other surveys not requiring high accuracy specified by the Government Ordinance.

1. Surveys whose expenses are, wholly or in part, borne or subsidized by the National Government or other public organization
2. Basic Surveys or surveys which are done for the project shown below using the survey results of surveys of the preceding Item and specified by the Minister of Land, Infrastructure, Transport and Tourism
 - (1) Projects done with permission, approval or other decisions of an administrative office
 - (2) Projects done with their expenses wholly or partly borne, subsidized, financed or

otherwise assisted by the National Government or other public organization
(Act 282 of July 1952, Act 106 of June 1961 and Act 55 of May 2007 (partial
revision))

(Surveys other than Basic Surveys or Public Surveys)

Article 6 In this Act, the term “Surveys other than Basic or Public Surveys” means any surveys except for Basic or Public Surveys executed based on survey results obtained in Basic or Public Surveys (but excluding surveys for buildings, other local surveys or surveys for preparation of maps of small scales or other surveys not requiring high accuracy specified by the Government Ordinance).

(Act 106 of June 1961 (total revision) and Act 55 of May 2007 (partial revision))

(Survey Planning Organization)

Article 7 In this Act, the term “Survey Planning Organization” means an organization or a person who plans surveys stipulated in Articles 5 and 6. When a Survey Planning Organization plans surveys by itself, it may also be the Survey Operation Organization.

(Survey Operation Organization)

Article 8 In this Act, the term “Survey Operation Organization” means a company or person who conducts a survey under instruction or assignment by the Survey Planning Organization.

(Survey Results and Survey Records)

Article 9 In this Act, the term “Survey Results” means the finalized data obtained from the survey concerned. The term “Survey Records” means the operation records compiled in the course of conducting a survey.

(Survey Markers)

Article 10 In this Act, the term “Survey Markers” means permanent monuments and temporary and provisional markers that are defined as follows:

- (1) Permanent monuments: Triangulation markers, supplementary control markers, azimuth markers, bench marks, magnetic station markers, standard baseline markers, baseline markers, and other types of long-lasting markers, including tide gauges and tide observation stations.
- (2) Temporary markers: Targets and wooden markers.
- (3) Provisional markers: Signal flags and temporary wooden markers.

2. Specifications of the above survey markers shall be defined in the appropriate Land, Infrastructure, and Transport Ministry Ordinance.
3. Survey markers shall bear the name of the Geospatial Information Authority of Japan thereon to show that they are established as part of a Basic Survey.
(Act 115 of July 1960 and Act 160 of December 1999 (partial revision))

(Survey Business)

Article 10-2 In this Act, the term “Survey Business” means any business contracting to conduct a Basic Survey, a Public Survey, or a survey other than a Basic Survey or Public Survey.
(Act 106 of June 1961 (addition))

(Private Survey Company)

Article 10-3 In this Act, the term “Private Survey Company” means a private company that is engaged in survey business and is registered as stipulated in Article 55-5, Paragraph 1.
(Act 106 of June 1961 (addition))

Section 2 Survey Standards

(Survey Standards)

Article 11 Basic Surveys and Public Surveys shall be executed according to the following standards:

- (1) The position of a point shall be expressed with geographic coordinates and an elevation from the mean sea level: provided that, as the case may be, it can be expressed with rectangular coordinates and an elevation from the mean sea level, or polar coordinates and an elevation from the mean sea level, or geocentric rectangular coordinates.
- (2) A distance and an area shall be expressed with values on the surface of the ellipsoid of revolution stipulated in Paragraph 3.
- (3) The datum station of survey shall be the geographic coordinates of Japan and the standard datum of leveling of Japan: provided that this does not apply in the case where there is any special reason such as a survey in an isolated island, subject to the approval of the Director General of the Geospatial Information Authority of Japan.
- (4) The site and datum station value of the geographic coordinates of Japan and the standard datum of leveling of Japan in the preceding item shall be prescribed in the appropriate Government Ordinance.

2. The geographic coordinates in Item 1 of the preceding Paragraph shall be measured according to the world geodetic system.
 3. The “world geodetic system” of the preceding Paragraph refers to a standard for surveying of geographic coordinates conducted assuming that the earth is an ellipsoid of rotation with a flattening in conformity with the following requirements.
 - (1) The semi-major axis and the flattening of the ellipsoid of rotation shall be the values prescribed in the appropriate Government Ordinance based on the international decision concerning the surveying of geographic coordinates.
 - (2) The center of the ellipsoid of rotation shall agree with the center of gravity of the earth.
 - (3) The semi-minor axis of the ellipsoid of rotation shall agree with the revolving axis of the earth.
- (Act 115 of July 1960 (partial revision), and Act 53 of June 2001 (partial revision))

CHAPTER 2 BASIC SURVEYS

Section 1 Planning and Execution

(Long-Range Planning)

Article 12 The Minister of Land, Infrastructure, Transport and Tourism shall make long-range plans concerning Basic Surveys.
(Act 282 of July 1952 and Act 160 of December 1999 (partial revision))

(Request of Data and Reports)

Article 13 The Director General of the Geospatial Information Authority of Japan may require concerned administrative authorities or others to submit data or reports pertaining to Basic Surveys.
(Act 115 of July 1960 (partial revision))

(Notice for Execution of Basic Surveys)

Article 14 The Director General of the Geospatial Information Authority of Japan shall notify the prefectural governors concerned as to the districts, time period, and other necessary matters, before executing Basic Surveys.

2. The Director General of the Geospatial Information Authority of Japan shall notify the prefectural governors concerned of the completion of Basic Surveys, when they have been finished.
3. When a prefectural governor has received such a notice as stipulated in the preceding two paragraphs, he shall have it published without delay.

(Act 115 of July 1960 (partial revision))

(Entry to Land and Its Notice)

Article 15 The Director General of the Geospatial Information Authority of Japan, or a person authorized by the Director General, may enter upon national, public, or private land, when necessary, to execute Basic Surveys.

2. If an authorized person as described above needs to enter residential land, or a lot enclosed by fences, palisades, or the like, he shall notify the owner or occupant in advance of the intended entry. However, this may be exempted when it is difficult to notify the owner or occupant of the intention to make such an entry.
3. When such a person enters upon lots or land in accordance with Paragraph 1, he shall present, upon request, an authorization certificate to the person concerned.
4. The specifications of the authorization certificate as described in the above Paragraph shall be prescribed in the appropriate Land, Infrastructure, Transport and Tourism Ministry Ordinance.

(Act 115 of July 1960, Act 106 of June 1961 and Act 160 of December 1999 (partial revision))

(Removal of Obstacles)

Article 16 The Director General of the Geospatial Information Authority of Japan, or a person authorized by the Director General, after having obtained permission or consent of the owner or occupant, may cut or take down plants, trees, fences, palisades, and the like, when he finds it indispensable to remove them in order to conduct Basic Surveys.

(Act 115 of July 1960 and Act 106 of June 1961 (partial revision))

Article 17 To conduct a Basic Survey in such areas as forested mountains, fields, or land with similar configurations, the Director General of the Geospatial Information Authority of Japan, or a person authorized by the Director General, notwithstanding the provisions in Article 16, may cut down or remove plants, trees, fences, palisades, or the like without the consent of the owner or occupant, provided that it is difficult to obtain the owner's prior permission or consent, and that overall arrangement of those things will not be greatly altered. In this case, the owner or occupant shall be notified of the effect of the action, without delay.

(Act 115 of July 1960 and Act 106 of June 1961 (partial revision))

(Temporary Occupant of Lands)

Article 18 The Director General of the Geospatial Information Authority of Japan, or a

person authorized by the Director General, when necessary for placement of provisional markers for Basic Surveys, may temporarily use land, trees, or structures, after notifying their owner or their occupant in advance of the intended entry. However, this may be exempted when it is difficult to notify the owner or occupant of such action in advance.

(Act 115 of July 1960 and Act 106 of June 1961 (partial revision))

(Expropriation or Use of Land)

Article 19 The Government may expropriate or use land, trees, or structures, when necessary, in order to conduct Basic Surveys.

2. Expropriation or use of land stipulated in the preceding Paragraph shall be under application of the Eminent Domain Act (1951, Act 219).

(Act 220 of June 1951 and Act 75 of July 1967 (partial revision))

(Compensation for Losses)

Article 20 When a person suffers a loss from cutting down of a plant or removal of a palisades, fence, etc., or from temporal use of land, a tree, or a structure as stipulated in Article 16 to 18, the Government shall compensate the person who suffers the loss for the loss that should normally arise from such acts.

2. When any person entitled to compensation under the preceding Paragraph objects to the amount of compensation payable, he/she may submit the matter, as prescribed in the appropriate Government Ordinance, for review by the Land Acquisition Committee, as stipulated in Article 94 Paragraph 2 of the Eminent Domain Act. The request for review shall be submitted not later than one month from the date of receiving the notice of the amount of compensation.

(Act 220 of June 1951 and Act 55 of May 2007(partial revision))

(Notice Concerning Permanent Monuments and Temporary Markers)

Article 21 When the Director General of the Geospatial Information Authority of Japan establishes permanent monuments or temporary markers in a Basic Survey, he/she shall notify without delay the prefectural governor concerned as to the kinds and locations of those monuments and markers, and other matters stipulated in the Land, Infrastructure, Transport and Tourism Ministry Ordinance, and shall also publish such information by means of the Internet and other proper means.

2. When a prefectural governor has received such a notice as described in the preceding Paragraph, he/she shall notify without delay the heads of the municipalities concerned (including heads of the special wards, also applicable to the subsequent Paragraph and

Article 37 Paragraph 2) of such notice.

3. When heads of municipalities learn of destruction of, a damage to, or any other abnormality of permanent monuments or temporary markers for the Basic Survey, they shall notify the Director General of the Geospatial Information Authority of Japan of such findings, without delay.

(Act 115 of July 1960 and Act 55 of May 2007(partial revision))

(Maintenance of Survey Markers)

Article 22 No person shall move, stain, or otherwise impair the effectiveness of a survey monument and marker established for a basic survey without obtaining a prior approval of the Director General of the Geospatial Information Authority of Japan.

(Act 55 of May 2007 (partial revision))

(Transfer, Removal, and Nullification of Permanent Monuments or Temporary Markers)

Article 23 When the Director General of the Geospatial Information Authority of Japan has relocated, removed, or nullified a permanent monument or temporary marker for a basic survey, he/she shall notify without delay the prefectural governor concerned, and the owner or occupant of the land of the kind, former location of the item and the matters stipulated in the Land, Infrastructure, Transport and Tourism Ministry Ordinance, and shall also publish such information by means of the Internet and other proper means.

2. The provision in Article 21, Paragraph 2, shall also apply to the case stipulated in the preceding Paragraph.

(Act 115 of July 1960 and Act 55 of May 2007 (partial revision))

(Request for Relocation of Survey Monuments and Markers)

Article 24 If a person or an organization intends to execute an act which may stain or otherwise impair the effectiveness of a permanent monument or a temporary marker for a basic survey at or near the site of the concerned permanent monument or temporary marker, the person or an organization may file a request with the Director General of the Geospatial Information Authority of Japan for relocation of the permanent monument or temporary marker by means of a written statement detailing the reason for the necessity of such an act.

2. The request of the preceding Paragraph (excepting requests concerning acts done by the National or Prefectural Governments) shall be made through the prefectural governor having jurisdiction over the site of the permanent monument or temporary marker. When such a request is filed, the prefectural governor shall forward the

request to the Director General of the Geospatial Information Authority of Japan, with his/her opinion on the requested items attached.

3. When the Director General of the Geospatial Information Authority of Japan finds an application submitted under the provisions in Paragraph 1 to be well-grounded, he/she shall relocate the concerned permanent monument or temporary marker. However, when he/she finds the request ill-grounded, he/she shall so notify the claimant.
4. Expenses for relocating such permanent monuments or temporary markers as prescribed in the preceding Paragraph shall be borne by the claimant.
(Act 115 of July 1960 and Act 55 of May 2007 (partial revision))

Article 25 When the Director General of the Geospatial Information Authority of Japan has received a claim to relocate a provisional marker established for a Basic Survey, and when he finds the claim well-grounded, he shall relocate the concerned temporary marker.
(Act 115 of July 1960, Act 106 of June 1961 and Act 55 of May 2007 (partial revision))

(Use of Survey Monuments and Markers)

Article 26 A person who plans to conduct a survey other than Basic Survey may use survey monuments and markers established for Basic Surveys, after receiving approval by the Director General of the Geospatial Information Authority of Japan.
(Act 115 of July 1960 and Act 55 of May 2007 (partial revision))

Section 2 Survey Results

(Publication and Safekeeping of Survey Results)

- Article 27 When the Minister of Land, Infrastructure, Transport and Tourism has obtained survey results of a Basic Survey, he shall give public notice in the Official Gazette as to the kind, the degree of accuracy, the time period, the district, or other necessary matters of the Basic Survey concerned.
2. Of survey results of Basic Surveys, the Minister of Land, Infrastructure, Transport and Tourism shall publish maps and other results that should be made available for use by the general public, and he/she shall take measures to keep the information that constitutes such results by means of electromagnetic methods (methods that use electronic information processing systems or other methods that use information and communication technologies, hereinafter the same) stipulated in the Land, Infrastructure, Transport and Tourism Ministry Ordinance, whereby a number of unspecified people can obtain such information.

3. The Director General of the Geospatial Information Authority of Japan shall be responsible for safekeeping the survey results and survey records of Basic Surveys, and for keeping them available for public perusal as stipulated in the Land, Infrastructure, Transport and Tourism Ministry Ordinance.
(Act 282 of July 1952, Act 115 of July 1960, Act 160 of December 1999 and Act 55 of May 2007 (partial revision))

(Access to Survey Results)

- Article 28 Any person wishing to obtain the transcript or the abridgement of the result and the survey record a Basic Survey shall apply to the Director General of the Geospatial Information Authority of Japan as stipulated in the Land, Infrastructure, Transport and Tourism Ministry Ordinance.
2. Any person applying for issuance of the transcript or abridgment shall pay fees that are established based on actual costs of document duplication and stipulated in the appropriate Government Ordinance.
(Act 23 of May 1984, Act 160 of December 1999 and Act 55 of May 2007 (partial revision))

(Duplication of Survey Results)

- Article 29 A person wishing to duplicate a map, diagram, final result table, photograph, or document (in case these items are prepared by means of an electromagnetic method (electronic method, magnetic method, or a method by which the document is not recognized by other persons' senses, and subjected to information processing by computers, hereinafter the same), these electromagnetic records are included, and referred to as "diagrams, etc." in Article 43) recording a survey result to use such a material for surveying, to publish, or to take measures to keep such a material under a condition whereby a number of unspecified people can obtain information on such a material by means of electromagnetic methods that are stipulated in the Land, Infrastructure, Transport and Tourism Ministry Ordinance shall obtain a permission from the Director General of the Geospatial Information Authority of Japan as stipulated in the Land, Infrastructure, Transport and Tourism Ministry Ordinance.
(Act 115 of July 1960 and Act 55 of May 2007 (partial revision))

(Use of Survey Results)

- Article 30 A person wishing to execute a survey other than the Basic Survey using the Survey Results of a Public Survey shall obtain beforehand approval of the Director General of Geospatial Information Authority of Japan as stipulated in the Land,

Infrastructure, Transport and Tourism Ministry Ordinance.

2. The Director General of the Geospatial Information Authority of Japan shall approve such a request when such a request is filed, provided that the request is recognized as not falling under any of the subsequent items.
 - (1) The procedure by which the request is filed does not comply with concerned acts.
 - (2) Use of the concerned survey result is not proper in assuring accuracy of the concerned survey.
3. A person who has executed a survey after having obtained the permission provided in Paragraph 1 shall clearly indicate in the survey results thus obtained the fact of using the survey result of the Basic Survey.
4. A person who intends to issue a publication (including the concerned electromagnetic record in case the publication is prepared by means of an electromagnetic record, also applicable hereinafter in this Paragraph and to Article 44 Paragraph 4) or to take measures to keep the information, which is the content of such a publication, under a condition whereby a number of unspecified people can obtain the information by means of an electromagnetic method as stipulated in the Land, Infrastructure, Transport and Tourism Ministry Ordinance shall indicate on the concerned publication to that effect.

(Act 115 of July 1960 and Act 55 of May 2007 (partial revision))

(Updating of Survey Results)

Article 31 The Director General of the Geospatial Information Authority of Japan shall update survey data of Basic Surveys without delay, if the present survey data no longer represent the reality accurately due to any changes in the earth crust, land forms, planimetric features or to other causes.

(Act 115 of July 1960 (partial revision))

CHAPTER 3 PUBLIC SURVEYS

Section 1 Planning and Execution

(Standards for Public Surveys)

Article 32 A Public Survey shall be conducted based on the survey results obtained from Basic Surveys or other Public Surveys.

(Operation Specifications)

Article 33 A Survey Planning Organization, when carrying out a Public Survey, shall establish operation specifications concerning the types of surveying instruments, methods of observation and computation method, and other items specified in the

Land, Infrastructure, Transport and Tourism Ministry Ordinance for the concerned Public Survey, and shall beforehand receive approval from the Minister of Land, Infrastructure, Transport and Tourism. The same formality shall be adopted when the operation specifications are to be changed.

2. A Public Survey shall be executed in accordance with the specifications approved as provided the preceding Paragraph.

(Act 160 of December 1999 and Act 55 of May 2007 (partial revision))

(Working Rules for Operation Specifications)

Article 34 The Minister of Land, Infrastructure, Transport and Tourism may define working rules for the operation specifications.

(Act 282 of July 1952 and Act 160 of December 1999 (partial revision))

(Coordination for Public Surveys)

Article 35 For any Public Survey, the Minister of Land, Infrastructure, Transport and Tourism may give necessary advice on the plan for or execution of the Public Survey to the Survey Planning Organization, or he/she may require the Survey Planning Organization to submit reports on long-term plans or annual plans for the Public Survey, if such advice or reports are deemed necessary to assure accuracy of the survey, to avoid overlapping among surveys, or for other reasons.

(Act 282 of July 1952, Act 160 of December 1999 and Act 55 of May 2007 (partial revision))

(Advice on Survey Plan)

Article 36 A Survey Planning Organization that plans to execute a Public Survey, shall submit beforehand a survey plan that specifies the subsequent items, and ask the Director General of the Geospatial Information Authority of Japan for technical advice. The same procedure shall be taken when the survey plan is to be modified.

- (1) Purpose, district, and period
- (2) Degree of accuracy and methods to be used

(Act 115 of July 1960 and Act 55 of May 2007 (partial revision))

(Indication of Public Surveys)

Article 37 A person who executes a Public Survey shall indicate, on survey markers, a sign showing that the markers concerned are established for a Public Survey, and the name of the Survey Planning Organization.

2. A person who executes a Public Survey may ask the head of the municipality

concerned to provide him/her with information necessary to execute the survey concerned.

3. When establishing a permanent monument for a Public Survey, the Survey Planning Organization concerned shall notify the Director General of the Geospatial Information Authority of Japan of the kind, location and other items specified in the Land, Infrastructure, Transport and Tourism Ministry Ordinance of the permanent monument without delay.
4. When a Survey Planning Organization relocates, removes or nullifies a permanent monument for a Public Survey which the organization has executed, the Survey Planning Organization shall notify the Director General of Geospatial Information Authority of Japan of the kind, former location and other items specified in the Land, Infrastructure, Transport and Tourism Ministry Ordinance without delay.

(Act 115 of July 1960 and Act 55 of May 2007 (partial revision))

(Public Surveys executed by the Geospatial Information Authority of Japan)

Article 38 The provisions in Articles 33, 35, and 36, and Paragraphs 3 and 4 of the preceding Article shall not apply to such matters of a Public Survey executed by the Geospatial Information Authority of Japan.

(Act 115 of July 1960 and Act 55 of May 2007 (partial revision))

(Application of the provisions concerning Basic Surveys)

Article 39 The provisions of Articles 14 to 26 shall also apply to Public Surveys. In this case, the following interpretation shall be done: the term “the Director General of the Geospatial Information Authority of Japan” in Article 14 to 18, Article 21 Paragraph 1 and Article 23 and “the Government” in Articles 19 and 20 to “the Survey Planning Organization;” the term “Director General of the Geospatial Information Authority of Japan” in Article 21 Paragraph 3, Article 24 Paragraphs 1 and 2 to “the Survey Planning Organization that has installed the concerned permanent monument or the temporary marker;” the term “the Director General of Geospatial Information Authority of Japan” in Articles 22 and 26 to “the Survey Planning Organization that has installed the survey marker in a Public Survey;” the term “without obtaining” in Article 22 to “without obtaining the concerned;” the term “the Director General of Geospatial Information Authority of Japan” in Article 24 Paragraph 3 to “the Survey Planning Organization that has installed the permanent monument or temporary marker in the Public Survey;” the term “the Director General of Geospatial Information Authority of Japan” in Article 25 to “the Survey Planning Organization that has installed the temporary marker in the Public Survey ... concerned;” and the

terms “a survey other than Basic Survey” and “use the survey monument ... after receiving” in Article 26 to “a survey” and “use the concerned survey monument ... after receiving,” respectively.

(Act 115 of July 1960, Act 106 of June 1961 and Act 55 of May 2007 (partial revision))

Section 2 Survey Results

(Submission of a Copy of Survey Results)

Article 40 When a Survey Planning Organization has obtained survey results from a Public Survey, it shall send a copy of the results to the Director General of the Geospatial Information Authority of Japan, without delay.

2. In the above case, the Director General of the Geospatial Information Authority of Japan, if deemed necessary, may require the Survey Planning Organization to send a copy of the survey records.

(Act 115 of July 1960 (partial revision))

(Inspection of Survey Results)

Article 41 Upon receipt of a copy of the survey results under the provisions in the preceding Article, the Director General of the Geospatial Information Authority of Japan shall inspect them and notify the Survey Planning Organization of the results of inspection, as soon as possible.

2. When, after the inspection performed in accordance with the provisions in the preceding Paragraph, the Director General of the Geospatial Information Authority of Japan judges the survey results submitted to be sufficiently accurate, he shall also make public notification of the kind, the period, and the area of the survey, the names of the Survey Planning Organization and the Survey Operation Organization, and his opinion on the accuracy of the survey concerned.

(Act 115 of July 1960 (partial revision))

(Safekeeping and Perusal of a Copy of Survey Results)

Article 42 The Director General of Geospatial Information Authority of Japan shall safekeep the copy of the survey results provided in Article 40 Paragraph 1 and the copy of survey records provided in Paragraph 2 of the same Article and make them available for public perusal as stipulated in the Land, Infrastructure, Transport and Tourism Ministry Ordinance.

2. Any person wishing to obtain the transcript or the abridgment of the copy of a survey result or that of a survey record provided in the preceding Paragraph shall file an

application with the Director General of the Geospatial Information Authority of Japan as stipulated in the Land, Infrastructure, Transport and Tourism Ministry Ordinance. In this case the provisions of Article 28 Paragraph 2 applies.

3. A Survey Planning Organization may entrust the Director General of the Geospatial Information Authority of Japan with safekeeping of the survey results and survey records obtained in a survey executed by the Survey Planning Organization and works relating to acceptance of the application for approval concerning the survey result provided in the subsequent Article and Article 44 Paragraph 1.
(Act 115 of July 1960 and Act 55 of May 2007 (partial revision))

(Duplication of Survey Results)

- Article 43 A person wishing to use diagrams, etc. for a survey, to publish it, or to duplicate it to take measures to keep it under a condition whereby a number of unspecified people can obtain the information thereof by means of electromagnetic methods that are specified in the Land, Infrastructure, Transport and Tourism Ministry Ordinance shall obtain beforehand a permission from the Survey Planning Organization that has developed the concerned survey result.
(Act 55 of May 2007 (partial revision))

(Use of Survey Results)

- Article 44 A person wishing to execute a survey using the Survey Result of a Public Survey shall obtain beforehand approval of the Survey Planning Organization that has developed the concerned Survey Result.
2. The Survey Planning Organization shall approve such a request when such a request is filed, provided that the request is recognized as not falling under any of the subsequent items.
 - (1) The procedure by which the request is filed does not comply with concerned acts.
 - (2) Use of the concerned survey result is not proper in assuring accuracy of the survey.
 3. A person who has executed a survey after having obtained the permission provided in Paragraph 1 shall clearly indicate in the survey result thus obtained the fact of using the Survey Result of the Public Survey.
 4. A person wishing to issue a publication that uses, directly or indirectly, results of a Public Survey or to take measures to keep the information, which is the content of such a publication, under a condition whereby a number of unspecified people can obtain the information by means of an electromagnetic method as stipulated in the Land, Infrastructure, Transport and Tourism Ministry Ordinance shall indicate on the concerned publication to that effect.

(Act 55 of May 2007 (partial revision))

(Survey Results of Public Survey Executed by the Geospatial Information Authority of Japan)

Article 45 The provisions in Article 27 Paragraph 1 shall apply to the Survey Results of the Public Survey executed by Geospatial Information Authority of Japan, and the provisions in Paragraph 3 of the same Article and Article 28 shall apply to the Survey Results and Survey Record of the Public Survey executed by the Geospatial Information Authority of Japan. In these cases the following interpretations shall be done: the term “the Minister of Land, Infrastructure, Transport and Tourism” in Article 27 Paragraph 1 to “the Director General of the Geospatial Information Authority of Japan;” the term “shall give public notice in the Official Gazette” to “shall give public notice by means of the Internet and other proper means.”

2. The provisions in Articles 40 to 42 shall not apply to the Survey Result and Survey Record of Public Survey executed by the Geospatial Information Authority of Japan.

(Act 55 of May 2007 (addition))

HAPTER 4 SURVEYS OTHER THAN BASIC SURVEYS OR PUBLIC SURVEYS

(Notification, etc.)

Article 46 A person planning to execute a survey other than the Basic Survey and Public Survey shall notify the Minister of Land, Infrastructure, Transport and Tourism, prior to execution of the survey as stipulated in the Land, Infrastructure, Transport and Tourism Ministry Ordinance to this effect.

- 2 When an application provided in the preceding Paragraph is filed, the Minister of Land, Infrastructure, Transport and Tourism may give necessary advice to the person who have filed the application on execution of the survey other than the Basic Survey and Public Survey, if such advice is deemed necessary to assure accuracy of the survey.
- 3 In giving the advice provided in the preceding Paragraph the Minister of Land, Infrastructure, Transport and Tourism shall give particular considerations to the content of advice so that the advice may not unduly disrupt execution of the concerned survey other than the Basic Survey and Public Survey for which the application has been filed.

(Act 115 of July 1960, Act 160 of December 1999 and Act 55 of May 2007 (partial revision))

(Submission, etc. of Survey Results or Survey Records)

Article 47 When the Minister of Land, Infrastructure, Transport and Tourism considers a survey as notified under Paragraph 1 of the preceding Article to be of public nature and so designates, the Director General of the Geospatial Information Authority of Japan may require the person executing the survey to subject the survey result or survey record to public perusal or to submit copies of them. In these cases, if the minister requires submission of the copies of survey result or survey record, the cost of preparation of the copies shall be borne by the Government.

2. The person having executed the survey provided in the preceding Paragraph can refuse to subject the survey result or survey record to public perusal or to submit their copies if the person has a legitimate reason to do so.

(Act 282 of July 1952, Act 115 of July 1960, Act 160 of December 1999 and Act 55 of May 2007 (partial revision))

CHAPTER 5 SURVEYORS AND ASSISTANT SURVEYORS

(Surveyors and Assistant Surveyors)

Article 48 A technical person engaged in a Basic Survey or a Public Survey shall be a registered surveyor or a registered assistant surveyor as stipulated in Article 49.

2. A surveyor prepares or executes a survey plan.
3. An assistant surveyor executes a survey based on the plan made by a surveyor.

(Registration of Surveyors and Assistant Surveyors)

(Provision of Financial Statements, etc. and Public Perusal, etc.)

Article 49 If a person qualified to be a surveyor or an assistant surveyor based on the provisions of the following Article or Article 51, wishes to be a surveyor or an assistant surveyor, the person shall apply to the Director General of the Geospatial Information Authority of Japan, for registration as a surveyor or an assistant surveyor. The application must be accompanied by certified qualification documents that prove such qualification.

2. A register of all surveyors and assistant surveyors shall be held for safekeeping at the Geospatial Information Authority of Japan.

(Act 115 of July 1960, Act 45 of May 1981, Act 23 of May 1984 and Act 10 of March 2006 (partial revision))

(Qualification for Surveyors)

Article 50 A person falling under any one of the following items is entitled to be a surveyor.

- (1) A person who has acquired required credits of the subjects concerning the survey in a college or a university authorized by the Minister of Education, Culture, Sports, Science, and Technology (excepting junior colleges but including the universities authorized by the old University Order (Imperial Ordinance No. 388, 1918) (hereinafter referred to as “University” in this Item, the subsequent Article, Article 51-5 and Article 51-6) and has graduated therefrom, and has practical experience in surveying for one year or longer.
- (2) A person who has acquired required credits of the subjects concerning the survey in a junior college or a technical college (which may be a former professional school as stipulated in the Technical College Order (Imperial Ordinance No. 61, 1903)) authorized by the Minister of Education, Culture, Sports, Science, and Technology (hereinafter referred to as “Junior college, etc.” in this Item, the subsequent Article,

Article 51-5 and Article 51-6) and has graduated therefrom and has practical experience in surveying for three years or longer.

- (3) A person who has obtained professional knowledge and skills necessary for assistant surveyor after studying for one year or longer at a survey technical training school that has obtained registration from the Minister of Land, Infrastructure, Transport and Tourism according to the provisions of Article 51-2 to Article 51-4 and has practical experience in surveying for two years or longer.
- (4) An assistant surveyor who has acquired advanced knowledge and skills in surveying at a survey technical training school which has obtained registration from the Minister of Land, Infrastructure, Transport and Tourism according to the provisions of Article 51-2 to Article 51-4.
- (5) A successful candidate for the examination for surveyors conducted by the Director General of the Geospatial Information Authority of Japan.

(Act 115 of July 1960, Act 145 of June 1961, Act 160 of December 1999 and Act 96 of June 2003 (partial revision))

(Qualification for Assistant Surveyors)

Article 51 A person falling under any of the subsequent items is entitled to be an assistant surveyor.

- (1) A person who has acquired required credits of the subjects concerning the survey in a University and has graduated from the same University.
- (2) A person who has acquired required credits of the subjects concerning the survey in a Junior college, etc. and has graduated from the same Junior college, etc.
- (3) A person who has obtained professional knowledge and skills necessary for assistant surveyor after studying for one year or longer at a survey technical training school that has obtained the registration of Item 3 of the preceding Article.
- (4) A successful candidate for the examination for assistant surveyors conducted by the Director General of the Geospatial Information Authority of Japan.

(Act 115 of July 1960, Act 145 of June 1961, Act 160 of December 1999 and Act 96 of June 2003 (partial revision))

(Registration of Survey Technical Training School)

Article 51-2 The registration mentioned in Item 3 or Item 4 of Article 50 shall be done in response to the application by a person who intends to start a service to develop persons with professional knowledge and skills on the survey (hereinafter referred to as “training service”).

(Act 96 of June 2003 (addition))

(Disqualification Clause)

Article 51-3 A person falling under any of the following Items is not qualified to obtain registration of Item 3 and Item 4 of Article 50.

- (1) A person who has violated this Act or an order according to this Act and has been subjected to a punishment of a fine of heavier and two years have not passed since completion or termination of the punishment.
- (2) A person who has had the registration of Item 3 or Item 4 of Article 50 repealed in accordance with the provisions of Article 51-15 and two years have not passed since the date of repeal of the registration.
- (3) A juridical person of whom the board of directors administering the training service includes a person falling under one of the preceding two Items.

(Act 96 of June 2003 (addition))

(Requirement, etc. for Registration)

Article 51-4 The Minister of Land, Infrastructure, Transport and Tourism shall execute the registration in case the application for registration according to the provision of Article 51-2 complies with all requirements indicated below. In this case, the procedure for registration is specified by a the Ministry of Land, Infrastructure, Transport and Tourism Ordinance.

- (1) The survey technical training school filing application for registration of technical training school mentioned either in Article 50 Item 3 or in Article 50 Item 4 shall give lectures and practices on the survey-related subjects indicated in either Space 1 or Space 2, respectively. of Attached Table 1.
- (2) The survey technical training school shall be in possession of the training instruments shown in the upper space of Attached Table 2, of which the numbers shall not be less than indicated in the lower space of the same table.
- (3) The survey technical training school shall have teachers to teach the survey-related subjects shown in the Attached Table 1, of whom the number of full-time teachers (hereinafter referred to as “Full-time teacher”) shall be three or more for application for registration of Item 3 of Article 50 (in case of a survey technical training school whose enrollment exceeds 150, one additional Full-time teacher for each 100 incremental enrollment), or shall be six or more for application for registration of Item 4 of the same Article (in case of a survey technical training school whose enrollment exceeds 150, two additional Full-time teachers for each 100 incremental enrollment).
- (4) Of the Full-time teachers, the survey technical training school shall have one or more Full-time teachers who can teach professional fields (the field concerning the

geodesy-related subjects (the subjects indicated in 5 to 8 of Space 1 of Attached Table 1) (hereinafter referred to as “Geodesy field”) and the field concerning map-related subjects (the subjects indicated in 9 to 11 of the same space) (hereinafter referred to as “Map field”) (both terms hereinafter applicable), for each of the Geodesy field and the Map field.

- (5) One of the Full-time teachers shall be the Senior Full-time teacher (the Senior Full-time teacher hereinafter meaning a person who manages the professional fields and has advanced surveying skills on survey-related subjects shown in Attached Table 1).
2. The act of registration is to fill in the following Items in the registered survey technical training school registration form.
- (1) Date of registration (year, month, day) and registration number.
 - (2) The personal name or corporate name and the address of the person who has obtained registration of Item 3 or Item 4 of Article 50 (hereinafter referred to as “proprietor of the registered survey technical training school”), or the name the representative in case of juridical person.
 - (3) The name, address and the name of the subjects or matters corresponding to the subjects of the registered survey technical training school on surveying in which the proprietor of the registered survey technical training school has obtained the registration of Item 3 or Item 4 of Article 50 for conducting training service (hereinafter referred to as “registered survey technical training school”).
 - (4) Classification of the registered survey technical training school (distinction between Item 3 and Item 4 of Article 50 for which the registration has been done).
 - (5) Matters specified by the Ministry of Land, Infrastructure, Transport and Tourism other than indicated above.
- (Act 96 of June 2003 (addition))

(Qualification of Full-time Teacher)

Article 51-5 The Full-time teacher shall be a person who falls under any one of the following Items.

- (1) A person who has acquired required credits of the subjects concerning the survey in a University and has graduated therefrom, and who has been engaged in education of a professional field in a University, a junior college, etc. or a registered survey technical training school for five years or longer, and who has been registered as surveyor specified in Article 49 Paragraph 1 (hereinafter referred to as “surveyor’s registration”).
- (2) A person who has acquired required credits of the subjects concerning the survey in

a junior college, etc. and has graduated therefrom, and who has been engaged in education of a professional field in a University, a junior college, etc. or a registered survey technical training school for eight years or longer, and who has obtained the surveyor's registration.

(3) A person who has competence equal to or superior to those indicated in the preceding two Items.

2. A Full-time teacher of a registered survey technical training school shall not become a Full-time teacher of another survey technical training school.

(Act 96 of June 2003 (addition))

(Qualification of Senior Full-time Teacher)

Article 51-6 The Senior Full-time teacher shall be a person who falls under any one of the following Items.

(1) A person who has acquired required credits of the subjects concerning the survey in a University and has graduated therefrom, and who has been engaged in education in the Geodesy field or the Map field which fields the person is specified to teach according to the provisions of Item 4, Paragraph 1 of Article 51-4 (hereinafter referred to as "Field in charge" in this Item and the subsequent Item) in a University, a junior college, etc. or a registered survey technical training school for eight years or longer, or for five years or longer in the Field in charge and three years or longer in a professional field other than the Field in charge, and has obtained the surveyor's registration.

(2) A person who has acquired required credits of the subjects concerning the survey in a junior college, etc. and has graduated therefrom, and has been engaged in education in a University, junior college, etc. or a registered survey technical training school for 11 years or longer in the Field in charge, or for eight years or longer in the Field in charge and for three years or longer in a professional field other than the Field in charge, and has obtained the surveyor's registration.

(3) A person who has competence equal to or superior to those indicated in the preceding 2 Items.

(Act 96 of June 2003 (addition))

(Renewal of registration)

Article 51-7 The registration according to Item 3 or Item 4 of Article 50 shall expire after a lapse of five years unless the registration is renewed every five years.

2. The provisions of Article 51-2 to Article 51-4 are applied to the renewal of registration of the preceding Paragraph.

(Act 96 of June 2003 (addition))

(Obligation concerning Training Service)

Article 51-8 The proprietor of a registered survey technical training school shall execute the training service fairly and in a manner complying with the requirements indicated in Items of Paragraph 1 Article 51-4 and the standards specified by the Ministry of Land, Infrastructure, Transport and Tourism Ordinance.

(Act 96 of June 2003 (addition))

(Notification of Alteration)

Article 51-9 The proprietor of a registered survey technical training school shall notify to the Minister of Land, Infrastructure, Transport and Tourism by the date two weeks before the date of the alteration, in case the proprietor intends to make an alteration of a matter indicated in Item 2, Item 3 or Item 5 of Paragraph 2 Article 51-4.

(Act 96 of June 2003 (addition))

(Service Rule)

Article 51-10 The proprietor of a registered survey technical training school shall formulate the service rule for the training service (hereinafter referred to as “service rule”), and shall submit the service rule to the Minister of Land, Infrastructure, Transport and Tourism before starting the training service. The same procedure shall apply in case the proprietor intends to amend the service rule.

2. The service rule shall indicate the method of executing the training service, fee for the training service and matters specified by the Ministry of Land, Infrastructure, Transport and Tourism Ordinance.

(Act 96 of June 2003 (addition))

(Suspension and Termination of the Service)

Article 51-11 The proprietor of the registered survey technical training school shall make a prior notification to the Minister of Land, Infrastructure, Transport and Tourism in case the proprietor intends to suspend or terminate part or the whole of the training service, as specified by the Ministry of Land, Infrastructure, Transport and Tourism Ordinance.

(Act 96 of June 2003 (addition))

(Provision of Financial Statements, etc. and Public Perusal, etc.)

Article 51-12 The proprietor of a registered survey technical training school

(excluding the central government and local governments and equivalents, applicable also to the subsequent Paragraph) shall prepare, within three months from the end of every fiscal year, the inventory of property, balance sheet, profit and loss statement and account of business or business report for the past fiscal year (including electromagnetic records if prepared in place of the above-mentioned paper-based financial statements, referred to as “financial statements, etc.” in the above-mentioned Paragraph and Article 65-2). The proprietor shall retain the financial statements, etc. in the business establishment for five years.

2. A person intends to acquire the professional knowledge and skills specified in Item 3 of Article 50 and Item 3 of Article 51 and advanced knowledge and skills specified in Item 4 of Article 50 and other stakeholders are entitled to make the following claims to the proprietor of a registered survey technical training school any time during the proprietor’s business hour. However, the person making such a claim shall pay the fee prescribed by the proprietor of the registered survey technical school for the claim on the following Item 2 and Item 4.
 - (1) Claim to read the financial statements, etc. if they are made in paper form, or to obtain a copy thereof.
 - (2) Claim for a transcript or an abridgment of the document provided in the preceding Item.
 - (3) Claim to watch or to obtain a copy of the displays shown in the forms specified by the Ministry of Land, Infrastructure, Transport and Tourism Ordinance of items recorded on the electromagnetically prepared financial statements, etc.
 - (4) Claim for transfer of items recorded on the electromagnetic record of the preceding Item in an electromagnetic manner specified by the Ministry of Land, Infrastructure, Transport and Tourism Ordinance or in documents recording the concerned items.
(Act 96 of June 2003 (addition), Act 87 of July 2005 and Act 55 of May 2007(partial revision))

(Compliance Order)

Article 51-13 In case a registered survey technical training school is found not conforming to any Items of Paragraph 1 of Article 51-4, the Minister of Land, Infrastructure, Transport and Tourism can order the proprietor of a registered survey technical training school to take necessary measures to make the registered survey technical training school conform to the requirements indicated in these Items.

(Act 96 of June 2003 (addition))

(Improvement Order)

Article 51-14 In case the proprietor of a registered technical training school is found to be violating the provisions of Article 51-8, the Minister of Land, Infrastructure, Transport and Tourism can order the proprietor of the registered survey technical training school to execute training service according to the provisions of the same Article, or to take necessary measures concerning improvement of the methods of training service or methods of other operations.

(Act 96 of June 2003 (addition))

(Repealing of Registration, etc.)

Article 51-15 In case a registered survey technical training school comes under any one of the following Items, the Minister of Land, Infrastructure, Transport and Tourism can repeal the registration according to Item 3 or Item 4 of Article 50, or can suspend or terminate part or the whole of the training service for a definite period of time.

- (1) The proprietor of the registered survey technical training school comes under Item 1 or Item 3 of Article 51-3.
- (2) The proprietor of the registered technical training school violates provisions of Article 51-9 to Article 51-11, Paragraph 1 of Article 51-12, or the subsequent Article.
- (3) The proprietor of the registered technical training school refuses the claim of any Item of Paragraph 2 of Article 51-12 with no good reason.
- (4) The proprietor violates an order according to the provision of preceding two Articles.
- (5) The proprietor obtains registration of Item 3 or Item 4 of Article 50 by improper means.

(Act 96 of June 2003 (addition))

(Preparation of Book)

Article 51-16 The proprietor of a registered survey technical training school shall prepare a book and record in such book the matters specified by the Ministry of Land, Infrastructure, Transport and Tourism Ordinance concerning the training service and keep such book as specified by the same ministry ordinance.

(Act 96 of June 2003 (addition))

(Collection of Report)

Article 51-17 The Minister of Land, Infrastructure, Transport and Tourism can have the proprietors of a registered survey technical training schools submit reports, limited

to the extent necessary for enforcement of this Act, their status of services and accounts.

(Act 96 of June 2003 (addition))

(Onsite Inspection)

Article 51-18 The Minister of Land, Infrastructure, Transport and Tourism can have his/her staff enter the offices or business establishments of the registered technical training schools and examine conditions of their services, books, documents, and other articles, limited to the extent necessary for enforcement of this Act.

2. In case the said staff executes an onsite inspection according to the provision of the preceding Paragraph, the staff shall bear certificate of identification and shall present it to the concerned persons.
3. The authority for onsite inspection according to the provision of Item 1 shall not be interpreted as being recognized for the purpose of criminal investigation.

(Act 96 of June 2003 (addition))

(Notification)

Article 51-19 The Minister of Land, Infrastructure, Transport and Tourism shall make an official announcement on the official gazettes in case any of the following Item occurs.

- (1) A registration of Item 3 or Item 4 of Article 50 is made.
- (2) A notification is made according to the provision of Article 51-9.
- (3) A notification is made according to the provision of Article 51-11.
- (4) A registration of Item 3 or Item 4 of Article 50 is repealed or suspension of training service is ordered according to the provision of Article 51-15.

(Act 96 of June 2003 (addition))

(Revocation of Registration)

Article 52 If any of the provisions in the following items applies to a surveyor or an assistant surveyor, the Director General of the Geospatial Information Authority of Japan shall revoke his registration.

- (1) When a surveyor or an assistant surveyor dies.
- (2) When a surveyor or an assistant surveyor is subject to a fine or heavier penalty for an offense against any provision of this Act.
- (3) When a surveyor or an assistant surveyor is found to be unqualified.

(Act 115 of July 1960 and Act 106 of June 1961 (partial revision))

(Examination Fees)

Article 53 A person wishing to take the surveyors' examination under the provision in Article 50, Item 5, or the assistant surveyors' examination under Article 51, Item 4, shall pay a handling fee as stipulated in the appropriate Government Ordinance, which is set up taking actual costs into account.

(Act 27 of April 1978, Act 45 of May 1981, Act 23 of May 1984 and Act 55 of May 2007 (partial revision))

(Enforcement Regulations)

Article 54 Except where otherwise stipulated in this Act, the necessary procedures for registration as a surveyor or assistant surveyor, the subjects of examination, or other necessary procedures concerning examinations, for surveyors or assistant surveyors, shall be defined by the appropriate Government Ordinance.

CHAPTER 6 SURVEY COMPANIES

(Act 106 of June 1961 (total revision))

Section 1 Registration

(Registration of Survey Companies and Validity Term of Registration)

Article 55 A person wishing to engage in survey business shall register as a survey company under the provisions of this Act.

2. Registration stipulated in Paragraph 1 above shall be valid for five years.
3. A person wishing to continue survey business after expiration of the validity term stipulated in Paragraph 1 above, shall renew his registration.
4. If a person wishing to renew registration required in Paragraph 3 above has applied for a registration stipulated in Article 55-2, Paragraph 1, but neither registration under the provision in Article 55-5, Paragraph 1, nor refusal of registration under the provision in Article 55-6, Paragraph 1, has been decided on before the expiration of the validity term stipulated in Paragraph 1 above, the registration stipulated in Paragraph 1 above shall still be effective until such a decision is made, regardless of the provisions of Paragraph 2 above.

(Act 106 of June 1961 (total revision) and Act 102 of December 1985 (partial revision))

(Application for Registration)

Article 55-2 A person wishing to register under the provisions of Article 55, Paragraph 1 (who may be a person applying for re-registration under the provisions in Article 55, Paragraph 3, hereinafter referred to as a “registration applicant”) shall submit a registration application containing the following information, to the Minister of Land, Infrastructure, Transport and Tourism, in accordance with the Land, Infrastructure, Transport and Tourism Ministry Ordinance.

- (1) Title or name.
- (2) The name and location of the business office (which, here and hereinafter, shall be the head office, a branch office, or other office as stipulated by Government Ordinance).
- (3) The capital, or the amount of investment, and the names of directors, when the person is a juridical person.
- (4) The name of the person, when the person is an individual.
- (5) The kinds of surveys to be mainly conducted for the contract concerned, and — where the person is engaged in businesses or enterprises besides survey business — the types of other businesses or enterprises the person is engaged in.

(Act 106 of June 1961 (total revision), Act 160 of December 1999 and Act 87 of July 2005 (partial revision))

(Documents to Be Submitted with a Registration Application)

Article 55-3 A registration application to be made under the provisions of Article 55-2 shall be accompanied by the documents stipulated in the following items, in accordance with the Land, Infrastructure, Transport and Tourism Ministry Ordinance.

- (1) Business record and the articles of incorporation (where the applicant is a corporation).
- (2) Documents that specify the yearly income from surveying in the latest two business years.
- (3) Documents that specify the financial results of the applicant for the latest business year in accordance with the Land, Infrastructure, Transport and Tourism Ministry Ordinance.
- (4) Documents that specify the number of employees, as well as the number of surveyors and the number of assistant surveyors in each business office.
- (5) A sworn statement showing that none of Items 1 through 5, Paragraph 1 of Article 55-6, are applicable to the registration applicant (including directors, in case where the applicant is a corporation) and his legal representatives.
- (6) A sworn statement showing that the registration applicant satisfies the requirements stipulated in Article 55-13.

(Act 106 of June 1961 (total revision), Act 102 of December 1985 and Act 160 of December 1999 (partial revision))

(Registration Tax and Registration Handling Fee)

Article 55-4 A person wishing to register his name under the provisions in Article 55, Paragraph 1, (who is not a surveyor registered based on the provisions of Article 49) shall pay registration tax in accordance with the Registration Tax Act (1967 Act 35).

2. A person wishing to register his name under the provisions in Article 55, Paragraph 1, (who is a surveyor registered based on the provisions of Article 49) and a person wishing to renew a registration under the provisions in Article 55, Paragraph 3, shall respectively pay a re-registration handling fee, established taking actual costs into account and stipulated in the appropriate Government Ordinance.

(Act 106 of June 1961 (total revision), Act 36 of June 1967 , Act 23 of May 1984 and Act 10 of March 2006 (partial revision))

(Registration and Its Notice)

Article 55-5 Upon receipt of a registration application under the provisions of Article 55-2, the Minister of Land, Infrastructure, Transport and Tourism shall register the date of registration, and the registration number, as well as other items stipulated in Article 55-2, in the Survey Company Register (hereinafter referred to as the Register), without delay, except when he refuses the registration application under the provisions in Article 55-6, Paragraph 1.

2. When registration has been completed in accordance with the preceding Paragraph, the Minister of Land, Infrastructure, Transport and Tourism shall notify the applicant of the fact, without delay.

(Act 106 of June 1961 (total revision) and Act 160 of December 1999 (partial revision))

(Refusal of Registration)

Article 55-6 The Minister of Land, Infrastructure, Transport and Tourism shall refuse a registration if any of the following items applies to a registration applicant, if any of the important items on the registration application or on its attached documents are falsified, or if important information has not been provided.

- (1) An insolvent who has not been reinstated.
- (2) A person who has had his registration revoked under the provisions of Item 1 or 3 in Paragraph 1 of Article 57, or any Item in Paragraph 2 of the same Article, provided that not more than two years have passed since the revocation. (When a corporation engaged in survey business has its registration revoked, such persons also include those who were representatives of the corporation at a time point 30 or less days prior to the revocation, provided that not more than two years have passed since the revocation.)
- (3) A person who has been penalized for violating the provision of Article 55-14, provided that not more than two years have passed since completion or discontinuance of the execution of the sentence. (Where a corporation is given a penalty, such persons include those who were representatives of the corporation at a time point 30 or less days prior to the penalization, provided that not more than two years have passed since the completion or discontinuance of the execution of the sentence.)
- (4) A minor or an incompetent adult person, who is inferior to ordinary adults in conducting business and whose legal representative falls under any of the preceding Items or the next Item.
- (5) A corporation having a director who falls under any of the preceding Items 1 to 3.
- (6) A person who has a business office that fails to meet the requirements stipulated in

Article 55-13.

2. When the Minister of Land, Infrastructure, Transport and Tourism has refused an application for registration in accordance with the provisions of the preceding Paragraph, he shall notify the applicant of the fact, and the related reasons for his decision, without delay.

(Act 106 of June 1961 (total revision), Act 151 of December 1999, Act 160 of December 1999 and Act 147 of December 2006 (partial revision))

(Application for Change in Registration)

Article 55-7 When a person engaged in survey business has made any change in the matters stipulated in Items 1 to 4 of Article 55-2, or any change in the types of surveys conducted as main business, the person shall apply for a change of registration in accordance with the Land, Infrastructure, Transport and Tourism Ministry Ordinance, to the Minister of Land, Infrastructure, Transport and Tourism, without delay.

2. When a person engaged in survey business wishes to apply for such a change in registration, he shall submit an application specifying the change concerned, to the Minister of Land, Infrastructure, Transport and Tourism. When there are any changes concerning an increase or a replacement of representatives of a survey company, or concerning the establishment of a new business office, the application shall be accompanied by documents as stipulated in Article 55-3, Item 5 or 6.
3. The provisions of Article 55-5 and 55-6 shall apply correspondingly to applications for a change in registration as stipulated in Item 1 above.

(Act 106 of June 1961 (total revision), Act 102 of December 1985 and Act 160 of December 1999 (partial revision))

(Obligation to Submit Documents)

Article 55-8 A person engaged in survey business shall submit, to the Minister of Land, Infrastructure, Transport and Tourism, a business report for each business year, and the document stipulated in Item 3 of Article 55-3, within three months of the last day of a business year.

2. Whenever a corporation engaged in survey business has made a change in its articles, it shall submit, to the Minister of Land, Infrastructure, Transport and Tourism, a document stating the changes concerned, in accordance with the Land, Infrastructure, Transport and Tourism Ministry Ordinance. If any changes in the particulars stipulated in Article 55-3, Item 4, exist at the end of a business year, the corporation shall submit, to the Minister of Land, Infrastructure, Transport and Tourism, a document stating the changes concerned, as soon as possible after the end of the

business year, in accordance with the Land, Infrastructure, Transport and Tourism Ministry Ordinance.

(Act 106 of June 1961 (total revision), Act 90 of December 1975 and Act 160 of December 1999 (partial revision))

(Notification of Closing Business)

Article 55-9 When a person or a corporation engaged in survey business falls under any of the following items, the person stipulated in that item below shall notify the Minister of Land, Infrastructure, Transport and Tourism of the fact, within 30 days of that day.

- (1) When a person engaged in a survey business has died, a successor.
 - (2) When a corporation engaged in a survey business has dissolved due to merger, a representative director of the dissolved corporation.
 - (3) When a corporation engaged in a survey business dissolves due to a decision on commencement of the bankruptcy procedure, a liquidator.
 - (4) When a corporation engaged in a survey business has dissolved from causes other than a merger and a decision on commencement of the bankruptcy procedure, a liquidator.
 - (5) When a person or a corporation has ceased conducting survey business, the individual who was conducting the business, or a representative director of the corporation.
2. When a person engaged in survey business falls under the provisions of Article 55-6, Paragraph 1, Items 1 and Items 3 to 6, he shall notify the Minister of Land, Infrastructure, Transport and Tourism of the concerned matters, without delay, in accordance with the Land, Infrastructure, Transport and Tourism Ministry Ordinance. (Act 106 of June 1961 (total revision), Act 160 of December 1999 and Act 76 of June 2004 (partial revision))

(Deletion or Revocation of Registration)

Article 55-10 If any of the following provisions applies to a person engaged in survey business, the Minister of Land, Infrastructure, Transport and Tourism shall delete his registration from the surveyors' Register.

- (1) A notification is submitted in accordance with the provisions in Article 55-9, Paragraphs 1 and 2.
- (2) A renewal application is not submitted before the expiration date of the current Registration.
- (3) Registration is revoked in accordance with the stipulation in Article 57, Paragraph 1

or 2.

2. The provision in Article 55-6, Paragraph 2, shall also apply to registration deleted under the stipulation in the above Paragraph.

(Act 106 of June 1961 (total revision) and Act 160 of December 1999 (partial revision))

(Measures Applied to a Survey upon Revocation of a Company Registration)

Article 55-11 When registration of a person engaged in survey business is revoked under the provisions in Article 55-10, Paragraph 1, that person or his successor may continue to execute survey projects contracted before the revocation, notwithstanding the provisions of Article 55-14. However, the above person or his successor shall notify the owners of the survey projects of the revocation concerned, without delay.

2. The owners of the survey projects stipulated in the preceding Paragraph, when notified as stipulated in the preceding Paragraph, may cancel the contract, provided that the cancellation of the contract is done within 30 days of receiving the notification or of his gaining knowledge about the revocation of the contractor's registration.

(Act 106 of June 1961 (total revision))

(Public Perusal of Register and other documents)

Article 55-12 The Minister of Land, Infrastructure, Transport and Tourism, or a prefectural governor concerned, shall offer documents as listed below, or documents forwarded from the Minister of Land, Infrastructure, Transport and Tourism in accordance with the following Paragraph, for public perusal in accordance with a Government Ordinance.

- (1) Register
 - (2) Documents stipulated in Article 55-3
 - (3) Documents stipulated in the latter part of Paragraph 2 in Article 55-7, when a change in registration is submitted under the provisions in Article 55-7.
 - (4) Documents stipulated in Article 55-8, Paragraphs 1 and 2.
2. If any of the following items applies, the Minister of Land, Infrastructure, Transport and Tourism shall forward the documents stipulated in each item to the prefectural governor who has jurisdiction over the area where the survey company's office concerned is located.
 - (1) Copies of the documents stipulated in Items 1 and 2 of the preceding Paragraph, when the survey company has been registered in accordance with the provisions in Article 55-5, Paragraph 1.

- (2) Copies of the documents stipulated in Items 1 and 3 of the preceding Paragraph, when a change in registration has been made in accordance with the provisions in Article 55-7.
 - (3) Copies of the documents concerned, when the documents stipulated in Article 55-8, Paragraph 1 or 2, have been submitted by a survey company.
3. When the Minister of Land, Infrastructure, Transport and Tourism has revoked the registration of a survey company under the provisions in Article 55-10, he shall notify, without delay, the prefectural governor who has jurisdiction over the area where the office of the company concerned is located, of the revocation of registration.
(Act 106 of June 1961 (total revision) and Act 160 of December 1999 (partial revision))

(Placement of Surveyor)

Article 55-13 Each office of a survey company shall have at least one surveyor.

2. If the person conducting the survey business (or any of the directors of the corporation conducting the survey business) is a surveyor, the preceding Paragraph shall not apply to the office where that person is mainly engaged in the survey business.
(Act 106 of June 1961 (total revision))

(Prohibition of Survey Business by a Non-Registered Person or Company)

Article 55-14 No person shall be engaged in survey business unless he has been registered under the provisions in Article 55-5, Paragraph 1.
(Act 106 of June 1961 (total revision))

Section 2 Survey Business

(June 1961, Act 106 (total revision))

(Principles of Survey Operations)

Article 56 A person engaged in survey business shall faithfully conduct surveys and always make efforts to assure accuracy of survey results.
(Act 106 of June 1961 (total revision))

(Prohibition of Entire-Project Subcontracting)

Article 56-2 A person engaged in survey business shall not award an entire-project subcontract of a survey contract awarded to him/her, to another person, or shall not be awarded an entire-project subcontract of a survey contract awarded to another person, irrespectively of the method used.

2. The provision of the preceding Paragraph shall not apply, in the case where the contractor obtains the consent of the orderer in advance in writing.
3. The orderer can notify to the effect that he/she makes the consent of the preceding Paragraph by an electromagnetic method prescribed in the appropriate Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism, subject to the consent of the contractor of the preceding Paragraph, as prescribed in the appropriate Government Ordinance, instead of the consent in writing according to the provision of the preceding Paragraph. In this case, it shall be deemed that the orderer has consented by means of the said writing.

(Act 106 of June 1961 (total revision), Act 126 of November 2000 (partial addition) and Act 55 of May 2007 (partial revision))

(Prohibition of Subcontracting to a Company Not Registered as a Survey Company)

Article 56-3 A survey company shall not subcontract a contracted survey out to a non-registered survey company. (“Survey” here refers only to surveys stipulated in Articles 4 through 6. “Survey” in Article 57, Paragraph 2, Item 4 and Article 59 also refers to such surveys.)

(Act 106 of June 1961 (total revision) and Act 55 of May 2007 (partial revision))

(Claim for a Change of Subcontractor)

Article 56-4 The orderer can claim that the person engaged in survey business should change any subcontractor who is considered to be remarkably inappropriate in the execution of surveying: provided that this does not apply to the subcontractor who has been selected with the consent of the orderer in writing in advance.

2. The orderer can notify to the effect that he/she makes the consent of the proviso of the preceding Paragraph by an electromagnetic method stipulated in the appropriate Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism, subject to the consent of the person selecting the subcontractor according to the provision of the proviso of the same Paragraph, as prescribed in the appropriate Government Ordinance, instead of the consent in writing according to the provision of the proviso of the same Paragraph. In this case, it shall be deemed that the orderer has approved by means of the said writing.

(Act 106 of June 1961 (total revision), Act 126 of November 2000 (partial addition) and Act 55 of May 2007 (partial revision))

(Notification of a Company Title Placard)

Article 56-5 Each office of a survey company shall display a company title placard, as

stipulated in the Land, Infrastructure, Transport and Tourism Ministry Ordinance, to enable easy recognition by the public.

(Act 106 of June 1961 (total revision) and Act 160 of December 1999 (partial revision))

(Advice from the Minister of Land, Infrastructure, Transport and Tourism)

Article 56-6 A survey company may request advice from the Minister of Land, Infrastructure, Transport and Tourism, when it finds such advice needed to improve its survey operations or survey techniques.

(Act 106 of June 1961 (total revision) and Act 160 of December 1999 (partial revision))

Section 3 Supervision

(Act 106 of June 1961 (total revision))

(Revocation of Registration or Suspension of Survey Business)

Article 57 If any of the following items applies to a survey company, the Minister of Land, Infrastructure, Transport and Tourism shall revoke its registration.

- (1) A registration, as stipulated in Article 55-5, Paragraph 1, is unlawfully made by a survey company.
 - (2) Any notification, as stipulated in Article 55-9, Paragraph 1, has not been submitted, and it has been found that the survey company concerned falls under an item of the same Paragraph.
 - (3) Any notification, as stipulated in Article 55-9, Paragraph 2, has not been submitted, and it has been found that the survey company concerned falls under one of Items 1 and 3 through 6, Paragraph 1, Article 55-6.
2. If any of the following provisions applies to a survey company or a person conducting survey business, the Minister of Land, Infrastructure, Transport and Tourism may revoke its registration, or suspend all or part of the operation of the survey business, for a fixed period not longer than 6 months.
- (1) A survey company has failed to apply for a registration change as stipulated in Article 55-8, Paragraph 1, or has made a falsified application.
 - (2) A survey company has neglected to submit documents as stipulated in Article 55-8, Paragraphs 1 and 2, without any well-grounded reasons, or has submitted falsified documents.
 - (3) A survey company has subcontracted out the entire survey project to another survey company, or received the entire survey project as a subcontract from another survey

company, in violation of the provisions in Article 56-2, Paragraph 2.

- (4) A survey company has subcontracted out a survey project to a non-registered survey company, in violation of the provisions in Article 56-3.
 - (5) A person engaged in survey business (or any of the directors of a survey company) is sentenced to imprisonment or strong punishment, or he is penalized in violation of the Survey Act or some other act related to surveying.
 - (6) A survey company or a person engaged in survey business has violated any decision that the Minister of Land, Infrastructure, Transport and Tourism has made according to this Act.
 - (7) A survey company or a person engaged in survey business committed extremely unlawful action concerning survey business.
3. The provisions in Article 55-6, Paragraph 2, shall also apply when the Minister of Land, Infrastructure, Transport and Tourism has revoked a registration or suspended survey business in accordance with provisions in Paragraphs 1 and 2 above. The provisions in Article 55-11, Paragraph 1, shall apply to a case in which the business of a survey company is suspended under the preceding Paragraph.
(Act 106 of June 1961 (total revision) and Act 160 of December 1999 (partial revision))

(Hearing)

Article 57-2 The person who holds a hearing regarding a registration revoked in accordance with Article 57, Paragraph 1 or 2, shall hear opinions of expert witnesses, if deemed necessary.

2. The provision in the preceding Paragraph shall also apply when the Minister of Land, Infrastructure, Transport and Tourism offers a chance of defense against an order for suspension of business according to Article 57, Paragraph 2.

(Act 106 of June 1961 and Act 89 of November 1993 (total revision), and Act 160 of December 1999 (partial revision))

(Reports and Inspection)

Article 57-3 If the Minister of Land, Infrastructure, Transport and Tourism deems it necessary to secure proper operations of survey business of a survey company, he may order the survey company to report to him on its business, property, or the state of survey operations, or he may authorize his official staff to enter an office or other places related to the company's business, to inspect account books, documents, or the like.

2. The authorized staff, when making an on-the-spot inspection according to the

provisions of the above Paragraph, shall carry an authorization certificate and present it to persons concerned.

3. The power to conduct on-the-spot inspection prescribed in Paragraph 1 above shall not be interpreted as power to conduct a criminal investigation.

(Act 106 of June 1961 (total revision) and Act 160 of December 1999 (partial revision))

Section 4 Miscellaneous Provisions

(Act 106 of June 1961 (total revision))

(Expenses for a Witness)

Article 58 A witness presenting himself at a hearing stipulated in Article 57-2 may claim traveling expenses and allowances as prescribed in the appropriate Government Ordinance.

(Act 106 of June 1961 (total revision))

(Business to be Considered Survey Business)

Article 59 Regardless of the type of contract (entrusting, etc.), any agreement to complete a survey for remuneration shall be considered a contract, and business to conduct a survey based on such a contract shall be considered survey business. This Act shall apply to all such activities as mentioned above.

(Act 106 of June 1961 (total revision))

CHAPTER 7 SUPPLEMENTARY STIPULATIONS

(Act 161 of September 1962 (deletion), Act 87 of July 1999 and Act 160 of December 1999 (addition))

(Delegation of Power)

Article 59-2 The power of the Minister of Land, Infrastructure, Transport and Tourism stipulated in the preceding Chapter may be delegated, partly or entirely, to the Director of a Regional Development Bureau or the Director of the Hokkaido Development Bureau, in accordance with the appropriate Land, Infrastructure, Transport and Tourism Ministry Ordinance.

(Act 160 of December 1999 (addition))

(Classification of Affairs)

Article 60 Affairs to be conducted by prefectural governments in accordance with the provisions in Article 14, Paragraph 3 (including its application under Article 39),

Article 21, Paragraph 2 (including its application under Article 23, Paragraph 2, or under Article 39), Article 24, Paragraph 2 (including its application under Article 39), or Article 55-12, Paragraph 1, and affairs to be conducted by city, town, or village governments (including special ward governments, also applicable to the subsequent Paragraph) in accordance with the provisions in Article 21, Paragraph 3 (including its application under Article 39 regarding Public Surveys for which the Survey Planning Organization is the National Government), shall be conducted as Type-1 statutory trusts, as stipulated in Article 2, Paragraph 9, Item 1, of the Local Autonomy Act.

2. Affairs to be conducted by city, town, or village governments in accordance with the provisions in Article 21, Paragraph 3 applied under Article 39 (limited to Public Surveys for which the Survey Planning Organization is a prefectural government), shall be conducted as Type-2 statutory trusts, as stipulated in Article 2, Paragraph 9, Item 2, of the Local Autonomy Act.

(Act 161 of September 1962 (deletion), Act 87 of July 1999 (addition) and Act 55 of May 2007 (partial revision))

CHAPTER 8 PENAL PROVISIONS

Article 61 A person who violated the provision of Article 22 (including the case where this article is applied mutatis mutandis in Article 39) shall be liable to penal servitude for up to two years or a fine not exceeding one million yen.

(Act 53 of June 2001 (partial revision))

Article 61-2 A person who falls under any of the following items shall be liable to penal servitude for up to one year or a fine not exceeding one million yen.

- (1) A person who was engaged in survey business without being registered, in violation of the provision of Article 55-14.
- (2) A person who was engaged in survey business in violation of the punishment of business suspension stipulated in Article 57, Paragraph 2.
- (3) A person who was registered according to the provision of Article 55-5, Paragraph 1 by an illegal means.

(Act 106 of June 1961 (addition) and Act 53 of June 2001 (partial revision))

Article 62 A person falling under any of the subsequent items shall be punished by penal servitude not exceeding one year or a fine not exceeding 500,000 yen.

- (1) A person engaged in a Basic Survey or a Public Survey or any other person who falsified the data of a Basic Survey or a Public Survey.

- (2) A person who violated the provision of Article 48, Paragraph 1.
- (3) Director or employee of a registered survey technical training school who has violated the order for suspension or termination of training service provided in Article 51-15.

(Act 53 of June 2001 (partial revision) and Act 96 of June 2003 (partial addition))

Article 63 A person who falls under any of the following items shall be liable to penal servitude for up to 6 months or a fine not exceeding 300,000 yen.

- (1) A person who obstructed the execution of a Basic Survey or a Public Survey without good reason.
- (2) A person who refused or obstructed the entry into land stipulated in Article 15, Paragraph 1 (including the case where this paragraph is applied mutatis mutandis in Article 39).
- (3) A person who refused or obstructed the temporary use of land, trees or structures stipulated in Article 18 (including the case where this article is applied mutatis mutandis in Article 39).

(Act 53 of June 2001 (partial revision))

Article 63-2 A person falling under any of the following items shall be punished by a fine not exceeding 300,000 yen.

- (1) The proprietor of a registered survey technical training school who has terminated the whole of the training service without having submitted the notification provided in Article 51-11.
- (2) A person who has not prepared the book, not recorded in the book as provided in Article 51-16, and in violation thereof, or made a false entry, or not kept the book.
- (3) A person who has not submitted the report provided in Article 51-17, or submitted a false report.
- (4) A person who has refused, interrupted or shirked the onsite inspection provided in Item 1 of Article 51-18.
- (5) A person who has not filed the application for alteration provided in Article 55-7 Paragraph 1, or filed a false application.
- (6) A person who has neglected submission of the documents specified in Article 55-8 Paragraph 1 or Paragraph 2, or submitted these documents in which he/she has made a false entry with no good reason.
- (7) A person who has not submitted the notification specified in Article 55-9 Paragraph 2.
- (8) A person who has not made the notification provided in the latter half of Article

55-11 Paragraph 1.

- (9) A person who has not presented the report provided in Article 57-3 Paragraph 1, or presented a false report, or refused, interrupted, or shirked the onsite inspection specified in the said Paragraph.

(Act 106 of June 1961 (addition), Act 53 of June 2001 (partial revision) and Act 96 of June 2003 (partial addition))

Article 64 A person who falls under any of the following items shall be liable to a fine not exceeding 300,000 yen.

- (1) A person who used a survey monument or marker in violation of the provision of Article 26 (including the case where this article is applied mutatis mutandis in Article 39).

(2) A person who violated the provision of Article 29.

(3) A person who violated the provision of Article 30, Paragraph 1.

(Act 53 of June 2001 and Act 55 of May 2007 (partial revision))

Article 65 When a representative of a corporation, or a proxy or any other employee of a corporation or a person committed an offense against any of the provisions of Article 61 through the preceding Article, with respect to the business of the corporation or the person, not only the offender himself/herself but also the corporation or the person shall be liable to the fine of the Article concerned.

(Act 106 of June 1961 and Act 53 of June 2001 (partial revision))

Article 65-2 A person who has not prepared financial statements provided in Article 51-12 Paragraph 1, not entered matters that should have been entered in the financial statements, in violation of the same, or has made a false entry, or refused the claims provided in Paragraph 2 of the same Article shall be liable to a correctional fine not exceeding 200,000 yen.

(Act 96 of June 2003 (addition))

Article 66 A person who falls under any of the following items shall be liable to a fine not exceeding 100,000 yen.

(1) A person who failed to notify as stipulated in Article 55-9, Paragraph 1.

(2) A person who failed to display a company title placard as stipulated in Article 56-5.

(3) A person who failed to notify as stipulated in the latter part of Paragraph 1 of Article 55-11 which is applied mutatis mutandis as stipulated in Article 57, Paragraph 3.

(Act 106 of June 1961 (addition) and Act 53 of June 2001 (partial revision))

SUPPLEMENTARY PROVISIONS

(Act 160 of December 1999 (partial revision))

(Date of enforcement – September 1, 1949)

(Date of Enforcement)

1. This Act shall come into force on the 90th day following its promulgation.

(Abrogation of Land Survey Monument Regulations and Other Related Regulations)

2. The Land Survey Monument Regulations (1890 Act 23) and the Land Survey Monument Regulation Enforcement Act (1895 Ministry of Defense Ordinance 17) shall be abrogated.
3. Any offense against the Land Survey Monument Regulations committed before enforcement of this Act shall be penalized in accordance with the Land Survey Monument Regulations.

(Temporary Measure Concerning a Surveyor or an Assistant Surveyor)

4. An unqualified surveyor or assistant surveyor, irrespective of the provisions in Article 48, may engage in a Basic or Public Survey not longer than one year from the date of enforcement of this Act.

(Survey Results and Survey Records Obtained, and Survey Monuments Established, Before Enforcement of This Act)

5. If a survey carried out before enforcement of this Act in accordance with the Land Survey Monument Regulations, is within the scope of a Basic Survey, the survey results and survey records obtained and the survey monuments established shall be regarded as survey results and survey records obtained from, and survey monuments established for, a Basic Survey conducted under this Act.
6. The survey results and survey records obtained from, and the survey monuments established for, a survey carried out before enforcement of this Act and newly designated by the Minister of Land, Infrastructure, Transport and Tourism, shall be considered as having been obtained from or established for a Public Survey. In this case, the term “Survey Planning Organization” stipulated in Article 40, and Article 41, Paragraph 1, shall be interpreted as “a person who planned the survey concerned.”
7. The Minister of Land, Infrastructure, Transport and Tourism may require, when deemed necessary, the person concerned to forward the survey results or certified survey records of a Public Survey, or their copies, to the Director General of the

Geospatial Information Authority of Japan.

(Measures for Public Surveys Under Execution at the Time of Enforcement of This Act)

8. The provisions of Articles 32, 33, and 36 shall not apply to surveys that are considered Public Surveys and that are being executed at the time of enforcement of this Act. This provision, however, does not apply to the part of a survey that is executed after one year from the date of enforcement of this Act, provided that the survey concerned cannot be completed within one year of the date of enforcement of this Act.
9. If the above Paragraph is applicable to a survey, the Survey Planning Organization concerned shall submit survey operation specifications, as stipulated in Article 33, and a survey operation plan, as stipulated in Article 36, to the Director General of the Geospatial Information Authority of Japan, as soon as the survey concerned is designated as a Public Survey.

SUPPLEMENTARY PROVISIONS (June 9, 1951, Act 220)

This Act shall come into force on the date of enforcement.

SUPPLEMENTARY PROVISIONS (July 31, 1952, Act 282), Extract

This Act shall come into force on August 1, 1952, except for Paragraph 4 of the Supplementary Provisions, which shall come into force on April 1, 1953.

SUPPLEMENTARY PROVISIONS (July 1, 1960, Act 115), Extract

(Date of Enforcement)

This Act shall come into force on the date of proclamation.

SUPPLEMENTARY PROVISIONS (June 1, 1961, Act 106), Extract

(Date of Enforcement)

1. This Act shall come into force on a day specified in the appropriate Government Ordinance, which shall be within six months of the date of proclamation, except for the revised provisions in Articles 15 to 18, 25, and 39, which shall come into force on the date of proclamation.

(put in force November 30, 1961, in accordance with 1961 Government Ordinance 333)

(Transitional Measures)

2. The provisions in Paragraph 14 of Article 55 shall not be applied to persons who are engaged in survey business on the date of enforcement of this Act, provided that they come under any of the following items:

- (1) The survey business is conducted during the 60-day period following the date of enforcement of this Act (or until registration is completed or refused, when registration is applied for during the 60-day period according to the provisions of Article 55-2, but the registration is not completed or refused within the period according to Paragraph 1 of Article 55-5, or according to the provisions of Paragraph 1 of Article 55-6, respectively).
- (2) The survey business is performed after the above-mentioned period, with the aim of completing the survey work that is covered by a contract signed before the date of enforcement of this Act.
3. If a person engaged in survey business on the date of enforcement of this Act applies for registration within 60 days of the date of enforcement of this Act according to Article 55-2, and the registration applied for is refused according to Paragraph 1 of Article 55-6, that person shall be regarded as a private survey company whose registration has been revoked according to Paragraph 1 of Article 55-10 in performing survey work under a contract, if any, signed during the period after the date of enforcement of this Act until the registration is refused, and provisions of this Act shall be applied to the person as such.

SUPPLEMENTARY PROVISIONS (June 17, 1961, Act 145), Extract

This Act shall come into force on the date of enforcement of the Act for Partial Revision of the School Education Act (1961 Act 144).

(Date of enforcement - June 17, 1961)

SUPPLEMENTARY PROVISIONS (September 15, 1962, Act 161), Extract

1. This Act shall come into force on October 1, 1962.
2. The provisions resulting from revision of this Act, if not specified otherwise in the Supplementary Provisions, shall also be applied to dispositions made by an administrative office before the date of enforcement of this Act, and to inaction of an administrative office concerning an application filed before the date of enforcement of this Act, and to other incidents taking place before the date of enforcement of this Act, provided that effects resulting from provisions of this Act before its revision shall not be affected.
3. Petitions, requests for examination, objections, and other complaints (hereinafter referred to as “petitions, etc.”) raised before the date of enforcement of this Act, shall be disposed of according to previous cases, even after the date of enforcement of this Act. The same shall apply to petitions, etc., that appeal adjudications, decisions, and other dispositions (hereinafter referred to as “adjudications, etc.”) regarding petitions,

etc., made before the date of enforcement of this Act, and it shall also apply to petitions, etc., that appeal adjudications, etc., made after the date of enforcement of this Act, regarding petitions, etc., raised before the date of enforcement of this Act.

4. If petitions, etc., as specified in the preceding Paragraph, are filed against dispositions that, after the date of enforcement of this Act, can be appealed under the Administrative Appeal Act, such petitions, etc., shall be regarded as being filed under the Administrative Appeal Act, provided that the application of an act other than this Act is appropriate.
5. Adjudications, etc., for requests for examination, objections, or other complaints made after the date of enforcement of this Act according to Paragraph 3, may not be appealed under the Administrative Appeal Act.
6. In cases in which a person is to appeal dispositions made by an administrative office before the date of enforcement of this Act, against which petitions, etc., may be filed based on provisions before the revision of this Act, and for which no specific period is specified for filing petitions, etc., the period for filing such petitions, etc., under the Administrative Appeal Act, shall be reckoned from the date of enforcement of this Act.
7. Of the provisions of the Public Offices Election Act revised according to this Act, those provisions regarding appeals against electoral registers shall be applied to appeals against electoral registers adjusted after the date of enforcement of this Act (hereinafter referred to as “the date of enforcement”), and those provisions regarding appeals against elections shall be applied to appeals against elections whose election day is announced or proclaimed after the date of enforcement. Appeals against electoral registers adjusted before the date of enforcement, and appeals against elections whose election day is announced or proclaimed before the date of enforcement, shall be disposed of according to previous cases.
8. Penalties for acts conducted before the date of enforcement of this Act shall be disposed of according to previous cases.
9. Transitional measures required for enforcement of this Act, including those described in Paragraph 8, shall be specified in Government Ordinances.

SUPPLEMENTARY PROVISIONS (June 12, 1967, Act 36)

1. This Act shall come into force on the date of enforcement of the Act for Registration and License Tax.

(Date of enforcement — August 1, 1967)

2. If a person who has filed an application for registration or a license (hereinafter referred to as “registration, etc.”) as specified in Tables 1-23 (3), (13), (16), and (17),

1-31, 1-43 to 1-46, or 1-48 of the Act for Registration and License Tax, with an appropriate public office responsible for such registration, etc. (hereinafter referred to as “registration office”), before the date of announcement of this Act, is to be registered in response to that application on or before December 31, 1967, the charges for the registration shall be according to previous cases.

3. If a person, after filing an application for registration, etc., on or between the date of announcement of the Act for Registration and License Tax and July 31, 1967, with an appropriate registration office, is to be registered in response to that application after the day, or if a person, after filing an application for registration, etc., before the date of announcement of this Act, with an appropriate registration office, is to be registered in response to that application after July 31, 1967, the charges for the registration paid at the time of filing the application for registration, if any, shall be regarded as a part of the registration and license tax to be paid in accordance with the Act for Registration and License Tax.

SUPPLEMENTARY PROVISIONS (July 21, 1967, Act 75)

This Act (excluding Article 1) shall come into force on the date of enforcement of the revised act.

(Date of enforcement — January 1, 1968)

SUPPLEMENTARY PROVISIONS (December 26, 1975, Act 90), Extract

(Date of enforcement)

1. This Act shall come into force on the date of announcement.
3. Penalties for acts conducted before the date of enforcement of this Act (or of the proviso added to Paragraph 1 of the Supplementary Provisions) shall be imposed according to previous cases.

SUPPLEMENTARY PROVISIONS (April 24, 1978, Act 27), Extract

(Date of enforcement)

1. This Act shall come into force on the date of announcement.

SUPPLEMENTARY PROVISIONS (May 19, 1981, Act 45), Extract

(Date of enforcement)

1. This Act shall come into force on the date of announcement.

SUPPLEMENTARY PROVISIONS (May 1, 1984, Act 23), Extract

(Date of enforcement)

1. This Act shall come into force on the 20th day following the date of announcement, except for Articles 24 to 27 of this Act and Paragraphs 3 and 4 of the Supplementary Provisions, which shall come into force on August 1, 1984.

SUPPLEMENTARY PROVISIONS (December 24, 1985, Act 102), Extract

(Date of enforcement)

Article 1 This Act shall come into force on the date of announcement, except for the following Paragraphs, which shall come into force on the days specified in the Paragraphs.

- (1) Article 22 of this Act, and Articles 6, 10, and 11 of the Supplementary Provisions, shall come into force in one month following the date of announcement.
- (2) Article 23 shall come into force in three months following the date of announcement.

SUPPLEMENTARY PROVISIONS (November 12, 1993, Act 89), Extract

(Date of enforcement)

Article 1 This Act shall come into force on the date of enforcement of the Administrative Procedures Act (1993 Act 88).

(put into force on October 1, 1994, according to September 1994 Government Ordinance 302)

SUPPLEMENTARY PROVISIONS (July 16, 1999, Act 87), Extract

(Date of enforcement)

Article 1 This Act shall come into force on April 1, 2000, except for the following Paragraphs, which shall come into force on the days specified in the Paragraphs. (The Paragraphs are omitted.)

SUPPLEMENTARY PROVISIONS (December 8, 1999, Act 151), Extract

(Date of enforcement)

Article 1 This Act shall come into force on April 1, 2000.

SUPPLEMENTARY PROVISIONS (December 22, 1999, Act 160), Extract

(Date of enforcement)

Article 1 This Act (excluding Articles 2 and 3) shall come into force on January 6, 2001.

SUPPLEMENTARY PROVISIONS (November 27, 2000, Act 126), Extract

(Date of enforcement)

Article 1 This Act shall come into force on the date prescribed in the appropriate Government Ordinance within a period not exceeding 5 months from the date of its promulgation. (The other articles are omitted.)

(put into force on April 1, 2001, according to January 2001 Government Ordinance 3)

SUPPLEMENTARY PROVISIONS (June 20, 2001, Act 53), Extract

(Date of enforcement)

Article 1 This Act shall come into force on the date prescribed in the appropriate Government Ordinance within a period not exceeding one year from the date of its promulgation.

(put into force on April 1, 2002, according to December 2001 Government Ordinance 432)

(Interim measure relating to the standards of surveys concerned with Public Surveys, etc.)

Article 2 The standards of surveys concerning the Public Surveys, and other surveys than Basic Surveys and Public Surveys (limited to those designated according to the provision of Article 47 of the Survey Act) that are being executed when this Act comes into force shall be as stipulated in the previous Act.

Article 3 (Omitted)

(Interim measure concerning penal provisions)

Article 4 The application of penal provisions against the offenses committed before this Act comes into force shall be as stipulated in the previous Act.

(The other articles are omitted.)

SUPPLEMENTARY PROVISIONS (Act No. 96; June 18, 2003), Extract

(Date of enforcement)

Article 1 This Act is enforced on March 1, 2004.

(Temporal measure associated with partial amendment of the Survey Act)

Article 4

1 If a person or an organization intends to obtain registration as provided in Article 50, Item 3 or Item 4 of the Survey Act amended as provided in Article 3 (hereinafter in this article referred to as “New Survey Act”), the person or the organization can submit application therefor before enforcement of the provision of Article 3. The same shall apply to the notification on the service rule according to the provision of

Article 51-10 Paragraph 1 of the New Survey Act.

- 2 Survey technical training schools (hereinafter in this Article referred to as “training school”) that are already designated under the provision of Article 50 Item 3 or Article 51 Item 3 of the Survey Act before the amendment of the said Article (hereinafter in this Article referred to as “Old Survey Act”) or training schools that are designated under the provision of Article 50 Item 4 at the time of enforcement of the provision of Article 3 shall be regarded as training schools registered under the provision of Article 50 Item 3 or as training schools registered under the provision of the same Article Item 4 of the New Survey Act, respectively, for a period of six months counted from the date of the enforcement of the provision of Article 3.
- 3 The professional knowledge and skills acquired, at training schools designated according to Article 50 Item 3 or Article 51 Item 3 the Old Survey Act, and as specified by Article 50 Item 3 or Article 51 Item 3 the Old Survey Act, or the advanced professional knowledge and skills acquired, at training schools designated according to Article 50 Item 4 of the Old Survey Act, and as specified by the same Item of the Old Survey Act, before enforcement of the provision of Article 3, shall be respectively regarded as the professional knowledge and skills acquired, at training schools registered according to Article 50 Item 3, and as specified by the same Item or Article 51 Item 3 of the New Survey Act, or the advanced professional knowledge and skills acquired, at training schools registered according to Article 50 Item 4, and as specified by the same Item of the New Survey Act.

(Temporal measure for effectiveness of the decision, procedure, etc.)

Article 14 In addition to the provisions of Article 2 to the preceding Article of the Supplementary Provisions, those decisions, procedures and other actions taken before enforcement of this Act according to provisions of concerned Acts (including Orders based thereon) of this Act before the amendment which come under corresponding provisions of the respective concerned Acts (including Orders based thereon) of the amended Act shall be regarded as decisions, procedures, and other actions taken according to the latter provisions.

(Temporal measure concerning application of penalty)

Article 15 The provisions then in force remain applicable to the penalties to actions committed before enforcement of this Act and also to those actions committed after enforcement of this Act to which “the provisions then in force remain applicable” was adopted according to the provisions of Supplementary Provision.

(Delegation to a Government Ordinance of other temporal measures)

Article 16 In addition to the temporal measures specified in Article 2 to the preceding Article of the Supplementary Provision, temporary measures (including the temporal measures concerning penalty) deemed necessary for enforcement of this Act shall be specified by the Government Ordinance.

SUPPLEMENTARY PROVISIONS (Act No. 76, June 2, 2004), Extract

(Date of enforcement)

Article 1 This Act is enforced on the day of enforcement of the Bankruptcy Act (Act No. 75; 2004, although referred to as “New Bankruptcy Act” in the subsequent Article Paragraph 8, and Article 3 Paragraph 8, Article 5 Paragraphs 8, 16 and 21, Article 8 Paragraph 3 and Article 13).

(Delegation to a Government Ordinance)

Article 14 In addition to the provisions of Article 2 to the preceding Article of the Supplementary Provisions, the temporal measures necessary for enforcement of this Act shall be specified by a Government Ordinance.

SUPPLEMENTARY PROVISIONS (Act No. 147; December 1, 2004), Extract

(Date of enforcement)

Article 1 This Act is enforced on a day specified by a Government Ordinance but not exceeding six months counted from the day of promulgation.

SUPPLEMENTARY PROVISIONS (Act No. 87; June 26, 2005), Extract

The Act is enforced on the date the Companies Act becomes effective.

SUPPLEMENTARY PROVISIONS (Act No. 10; March 31, 2006), Extract

(Date of enforcement)

Article 1 This Act is enforced on April 1, 2006.

(Temporal measure for partial amendment of the Survey Act)

Article 172

1 The provision of Article 55-4 of the Survey Act amended according to the provision of the preceding Article (hereinafter in this Article referred to as “New Survey Act”) is applied to a person or an organization who desires to obtain registration according to the provision of Article 55 Paragraph 1 and a person and an organization who intends to have the registration renewed according to the provision of Paragraph 3 of

the same Article of the New Survey Act after the date of enforcement. The provisions then in force remain applicable to a person or an organization who was registered according to the provision of Article 55 Paragraph 1 and who had their registrations renewed according to the provision of the same Article Paragraph 3 of the Survey Act before the enforcement according to the provision of the preceding Article.

- 2 In case a surveyor who was registered according to the provision of Article 49 of the Survey Act before amendment as prescribed in the preceding Article and the same surveyor desires to obtain registration according to the provision of Article 55 Paragraph 1 of the New Survey Act after enforcement thereof, application of the provision of Article 55-4 of the New Survey Act follow the provisions prescribed in each of the following Items.
 - (1) The term “a person or an organization who desires to obtain registration (excepting the surveyor registered according to the provision of Article 49)” of Article 55-4 Paragraph 1 of the New Survey Act should read “a person or an organization who intends to obtain registration.”
 - (2) The provision of Article 55-4 Paragraph 2 of the New Survey Act shall not apply.

(Temporal measure concerning penalty)

Article 211 With regard to application of penalty, the provisions then in force remain applicable to actions committed before enforcement of this Act (or the respective provision listed in each Item of Article 1 of the Supplementary Provision, hereinafter the same) and cases where provisions then in force remain applicable under the provisions of this Supplementary provision.

(Delegation to a Government Ordinance of other temporal measures)

Article 212 In addition to the temporal measures specified in this Supplementary Provision, temporary measures deemed necessary for enforcement of this Act shall be specified by the Government Ordinance.

SUPPLEMENTARY PROVISIONS (Act No. 55; May 23, 2007), Extract

(Date of enforcement)

Article 1 This Act is enforced on a day specified by a Government Ordinance but not exceeding one year counted from the day of promulgation.

(Temporal measure for surveys, etc. designated as public survey)

Article 2

1 The provisions then in force remain applicable to the compensations to the damages

prescribed in Article 20 of the Survey Act occurring before amendment by this Act (hereinafter in this Article referred to as “Old Act”).

- 2 The surveys that are already designated under the provision of Article 47 of the Old Act at the time of enforcement of this Act shall be regarded as being designated on the day of enforcement of this Act under the provision of Article 5 Item 2 of the Survey Act amended by this Act (hereinafter referred as “New Act”).
- 3 Those decisions, procedures and other actions taken according to the provisions of the Old Act before enforcement of this Act which come under corresponding provisions of the New Act shall be regarded as decisions, procedures and other actions taken under the latter provisions.

(Temporal measure concerning penalty)

Article 3 The provisions then in force remain applicable to penalties to actions committed before enforcement of this Act.

(Delegation to a Government Ordinance)

Article 4 In addition to the temporal measures specified in the preceding two Articles, temporary measures (including the temporal measures concerning penalty) deemed necessary for enforcement of this Act shall be specified by the Government Ordinance.

(Review)

Article 5 When five years have elapsed since the enforcement of this Act, the central government shall review the status of enforcement of the New Act, and take any necessary measures which the central government find necessary based on the review results.

Attached Table No. 1 (concerning Article 51-4)

Column	Subject concerning the survey
1	<ol style="list-style-type: none"> 1 Acts concerning the survey 2 Mathematics concerning the survey 3 Information processing concerning the survey 4 Surveying principle 5 Triangulation 6 Polygonal surveying 7 GPS survey 8 Leveling 9 Topographic survey 10 Photogrammetry 11 Cartographic compilation 12 Applied surveying 13 Other survey-related subjects
2	<ol style="list-style-type: none"> 1 Acts concerning the survey, and related international treaties 2 Basic science on surveying 3 Basic engineering on surveying 4 geodetic survey 5 Topographic survey 6 photogrammetry 7 Cartographic compilation 8 Applied surveying 9 Geographical information system 10 Study of themes on surveying 11 Expression technology on surveying 12 Practical surveying