

○土地収用法関係手数料等に関する条例

Ordinance on Expropriation of Land Act-Related Fees

平成一二年三月三十一日

March 31, 2000

条例第六九号

Ordinance No. 69

改正 平成一四年七月三日条例第一二一号

Amendment: Ordinance No. 121 of July 3, 2002

平成二〇年七月二日条例第八四号

Ordinance No. 84 of July 2, 2008

平成二六年七月二日条例第一〇二号

Ordinance No. 102 of July 2, 2014

平成三〇年一〇月一五日条例第九四号

Ordinance No. 94 of October 15, 2018

平成三一年三月二九日条例第一六号

Ordinance No. 16 of March 29, 2019

土地収用法関係手数料等に関する条例を公布する。

This Ordinance on Expropriation of Land Act-Related Fees shall be promulgated.

土地収用法関係手数料等に関する条例

Ordinance on Expropriation of Land Act-Related Fees

(通則)

(General Rules)

第一条 土地収用法(昭和二十六年法律第二百十九号)及び所有者不明土地の利用の円滑化等に関する特別措置法(平成三十年法律第四十九号。以下「所有者不明土地法」という。)に基づく事務に係る手数料並びに土地収用法に基づく事業認定等の告示の方法に関しては、この条例の定めるところによる。

Article 1 The Expropriation of Land Act (Act No. 219 of June 9, 1951) and the Act on Special Measures Concerning Facilitation, etc. of Use of Land of Unknown Owner Act No. 49 of 2008; hereinafter referred to as "the Act on Land of Unknown Owner") shall be s provided for in this Ordinance.

(平三一条例一六・一部改正)

(Partial amendment of Ordinance No. 16 of 2019)

(手数料の徴収)

(Collection of Fees)

第二条 地方自治法(昭和二十二年法律第六十七号)第二百二十七条及び第二百二十八条の規定により、土地収用法及び所有者不明土地法に基づく事務に関する手数料を徴収す

る。

Article 2 Fees shall be collected pursuant to the provisions of Articles 227 and 228 of the Local Autonomy Act (Act No. 67 of 1947) concerning affairs under the Land Expropriation Act and the Act on Land of Unknown Owner.

2 手数料を徴収する事務及びその手数料の額は別表に定めるところによるものとし、その徴収時期は申請のときとする。ただし、申請のときに損失補償の見積額が確定していない場合においては、知事の承認を得て、手数料の一部について後納することができる。

2 The affairs for which fees are collected and the amount of such fees shall be as specified in the appended table, and the time of collection shall be upon application. However, if the estimated amount of compensation for loss is not fixed at the time of application, a portion of the fee may be paid later with the approval of the Governor.

(平三一条例一六・一部改正)

(Partial amendment of Ordinance No. 16 of 2019)

(手数料の免除)

(Exemption of Fees)

第三条 前条に規定する手数料は、国若しくは東京都(法令の規定により国の行政機関又は東京都とみなすものを含む。)、生活保護法(昭和二十五年法律第百四十四号)の規定による保護を受けている者若しくはこれに準ずる生活困難者又は中国残留邦人等の円滑な帰国の促進並びに永住帰国した中国残留邦人等及び特定配偶者の自立の支援に関する法律(平成六年法律第三十号)の規定による支援給付を受けている者から申請があるときは、これを免除することができる。

Article 3 The fee prescribed in the preceding article shall be paid by the national government or the Tokyo Metropolitan Government (including those deemed to be the national administrative organs or the Tokyo Metropolitan Government pursuant to the provisions of laws and regulations), a person receiving public assistance under the Public Assistance Act (Act No. 144 of 1950) or a person in equivalent difficulty in living, or a person receiving support benefits under the Act on Measures on Expediting of Smooth Return of Remaining Japanese in China and for Assistance in Self-Support after Permanent Return to Japan (Act No. 30 of 1994).

(平二〇条例八四・平二六条例一〇二・一部改正)

(Partial Amendment of Ordinance No. 84 of 2008, Ordinance No. 102 of 2006)

(手数料の不還付)

(Non-Refunding of Fees)

第四条 既納の手数料は、還付しない。

Article 4 Fees that have already been paid will not be refunded.

(過料)

(Civil Fine)

第五条 詐欺その他不正の行為により、手数料の徴収を免れた者は、その徴収を免れた金額の五倍に相当する金額(当該五倍に相当する金額が五万円を超えないときは、五万円とする。)以下の過料に処する。

Article 5 The penalty shall be a fine of any person who has been exempted from the collection of fees by fraud or other wrongful act shall be exempted from the collection of fees by a sum equal to 5 times the amount (exempted if the amount equal to 5 times such amount does not exceed 50,000 yen, the amount shall be 50,000 yen).

(告示の方法)

(Method of public notice)

第六条 土地収用法第二十六条第一項、第三十条第二項及び第三十四条の三の規定によって知事が行う事業認定の告示、事業の廃止又は変更の告示及び手続開始の告示は、東京都公報に登載して行う。

Article 6 Approval, discontinuance or modification and commencement of undertakings for public interest, which shall be made by the Governor pursuant to the provisions of Article 26, paragraph (1), Article 30, paragraph (2) and Article 34-3 of the Expropriation of Land Act, shall be published in the Tokyo Metropolitan Gazette.

(平三一条例一六・一部改正)

(Partial amendment of Ordinance No. 16 of 2019)

附 則

Supplementary Provisions

1 この条例は、平成十二年四月一日から施行する。

1 This ordinance will come into effect on April 1, 2000.

2 この条例の規定は、別表に掲げる事務に係る申請の手続で、この条例の施行の日以後に徴収時期に達するものについて適用する。

2 The provisions of this ordinance will be applied to procedures for applications pertaining to administrative duties listed in the Appended table that are conducted from the date that this ordinance comes into effect up to the timing of collection in the same table.

附 則(平成一四年条例第一二一号)

Supplementary Provisions (Ordinance No. 121 of 2002)

この条例は、平成十四年七月十日から施行する。

This Ordinance will come into effect on July 10, 2002.

附 則(平成二〇年条例第八四号)

Supplementary Provisions (Ordinance No. 84 of 2008)

この条例は、公布の日から施行する。

This Ordinance shall be enforced as from the day of its promulgation.

附 則(平成二六年条例第一〇二号)

Supplementary Provisions (Ordinance No. 120 of 2014)

この条例は、平成二十六年十月一日から施行する。

This Ordinance will come into effect on October 1, 2014.

附 則(平成三〇年条例第九四号)

Supplementary Provisions (Ordinance No. 94 of 2018)

この条例は、公布の日から施行する。

This Ordinance shall be enforced as from the day of its promulgation.

附 則(平成三一年条例第一六号)

Supplementary Provisions (Ordinance No. 16 of 2019)

この条例は、平成三十一年六月一日から施行する。

This Ordinance will come into effect on June 1, 2019.

別表(第二条関係)

Appended table (Related to Article 2)

(平一四条例一二一・平三〇条例九四・平三一条例一六・一部改正)

(Partial amendment of Ordinance No. 121 of 2002, Ordinance No. 94 of 2018, Ordinance No. 16 of 2019)

第一 土地収用法に基づく事務

(i) Administrative duties under the Expropriation of Land Act

事務 Administrative Duties	額 Amount
一 土地収用法第十五条の二の規定に基づくあつせんの申請に対する事務 (i) Administrative duties pertaining to an application for mediation pursuant to the provision of Article 15-2 of the Expropriation of Land Act	九万三千円 93,000 yen
二 土地収用法第十五条の七の規定に基づく仲裁の申請に対する事務 (ii) Administrative duties pertaining to an application for arbitration pursuant to the provision of	十二万六千円 26,000 yen

Article 15-7 of the Expropriation of Land Act	
<p>三 土地収用法第十八条(同法第百三十八条第一項において準用する場合を含む。)の規定に基づく事業認定の申請に対する事務</p> <p>(iii) Administrative duties pertaining to approval of undertakings for public interest pursuant to the provision of Article 18 of the Expropriation of Land Act (including the cases where it is applied mutatis mutandis pursuant to Article 138, paragraph (1) of the same Act)</p>	<p>十五万八千円 158,000 yen</p>
<p>四 土地収用法第三十九条第一項(同法第百三十八条第一項において準用する場合を含む。)の規定に基づく収用又は使用の裁決の申請に対する事務</p> <p>(iv) Administrative duties pertaining to application for expropriation or use pursuant to the provision of Article 39, paragraph (1) of the Expropriation of Land Act (including the cases where it is applied mutatis mutandis pursuant to Article 138, paragraph (1) of the same Act)</p>	<p>(一) 損失補償の見積額が十万円以下の場合 五万六千四百円 (i) When the estimated amount of compensation for loss is 100,000 yen or less: 56,400 yen</p> <p>(二) 損失補償の見積額が十万円を超え百万円以下の場合 五万六千四百円に損失補償の見積額の十万円を超える部分が五万円に達するごとに五千七百円を加えた額 (ii) When the estimated amount of compensation for loss exceeds 100,000 yen and does not exceed 1,000,000 yen: 56,400 yen plus 5,700 yen for each 50,000 yen that the estimated amount of compensation for loss exceeds 100,000 yen</p> <p>(三) 損失補償の見積額が百万円を超え五百万円以下の場合 十五万九千五百円に損失補償の見積額の百万円を超える部分が十万円に達するごとに七千七百円を加えた額 (iii) When the estimated amount of compensation for loss exceeds 1,000,000 yen and does not exceed</p>

	<p>5,000,000 yen: 159,4500 yen plus 7,100 yen for each 100,000 yen that the estimated amount of compensation for loss exceeds 1,000,000 yen</p> <p>(四) 損失補償の見積額が五百万円を超え二千万円以下の場合 四十四万三千五百円に損失補償の見積額の五百万円を超える部分が百万円に達するごとに七千百円を加えた額</p> <p>(iv) When the estimated amount of compensation for loss exceeds 5,000,000 yen and does not exceed 20,000,000 yen: 443,500 yen plus 7,100 yen for each 1,000,000 yen that the estimated amount of compensation for loss exceeds 5,000,000 yen</p> <p>(五) 損失補償の見積額が二千万円を超え一億円以下の場合 五十五万円に損失補償の見積額の二千万円を超える部分が四百万円に達するごとに一万円を加えた額</p> <p>(v) When the estimated amount of compensation for loss exceeds 20,000,000 yen and does not exceed 100,000,000 yen: 550,000 yen plus 10,000 yen for each 4,000,000 yen that the estimated amount of compensation for loss exceeds 20,000,000 yen</p> <p>(六) 損失補償の見積額が一億円を超える場合 七十五万円</p> <p>(vi) When the estimated amount of compensation for loss exceeds 100,000,000 yen 750,000 yen</p>
<p>五 土地収用法第九十四条第二項(同法第二百二十四条第二項(同法第百三十八条第一項において準用する場合を含む。)又は同法第百三十八条第一項において準用する場合を含む。 以下同じ。)の規定に基づく損失補償の裁決の申請に対する事務</p> <p>(v)Administrative duties pertaining to application for adjudication of</p>	<p>(一) 損失補償の見積額が五千円以下の場合 三千円</p> <p>(i) When the estimated amount of compensation for loss is 5,000 yen or less: 3,000 yen</p> <p>(二) 損失補償の見積額が五千円を超え五万円以下の場合 三千円に損失補償の見積額の五千円を超える部分が五千円に達するごとに二千六百元を加えた額</p> <p>(ii) When the estimated amount of compensation for loss exceeds 5,000 yen and does not exceed 50,000</p>

<p>compensation for loss pursuant to the provision of Article 94, paragraph (2) (Article 124, Paragraph 2 of the same Act) of the Expropriation of Land Act (including the cases where it is applied mutatis mutandis pursuant to Article 138, paragraph (1) of the same Act)</p>	<p>yen: 3,000 yen plus 2,600 yen for each 5,000 yen that the estimated amount of compensation for loss exceeds 5,000 yen</p> <p>(三) 損失補償の見積額が五万円を超え十万円以下の場合 二万六千四百円に損失補償の見積額の五万円を超える部分が一万円に達するごとに六千円を加えた額</p> <p>(iii) When the estimated amount of compensation for loss exceeds 50,000 yen and does not exceed 100,000 yen: 26,400 yen plus 6,000 yen for each 100,000 yen that the estimated amount of compensation for loss exceeds 50,000 yen</p> <p>(四) 損失補償の見積額が十万円を超える場合 損失補償の見積額に応じた四の項(二)から(六)までに掲げる額</p> <p>(iv) When the estimated amount of compensation for loss exceeds 100,000 yen: The amounts listed in (ii) through (vi) of paragraph (4) according to the estimated amount of compensation for loss</p>
<p>六 土地収用法第百十六条(同法第百三十八条第一項において準用する場合を含む。)の規定に基づく収用委員会の協議の確認の申請に対する事務</p> <p>(vi) Administrative duties pertaining to application for confirmation of the Expropriation Committee discussions pursuant to the provision of Article 160, paragraph (1) of the Expropriation of Land Act (including the cases where it is applied mutatis mutandis pursuant to Article 138, paragraph (1) of the same Act)</p>	<p>二万六千円</p> <p>26,000 yen</p>
<p>七 他の法律の規定(八の項に掲</p>	<p>損失補償の見積額に応じた五の項に掲げる額</p>

<p>げるものを除く。)に基づく収用委員会の裁決の申請に対する事務</p> <p>(vii) Administrative duties pertaining to application for adjudication of the Expropriation Committee pursuant to the provision of Article 39, paragraph (1) of the Expropriation of Land Act (excluding those in item (viii) provisions of other Act excluding those listed in paragraph (8))</p>	<p>The amount listed in paragraph (5) in proportion to the estimated amount of compensation for losses</p>
<p>八 次に掲げる法律の規定に基づく収用委員会の裁決の申請に対する事務</p> <p>(viii) Administrative duties pertaining to application for adjudication of the Expropriation Committee pursuant to the provisions of the following Acts</p> <p>(一) 都市計画法(昭和四十三年法律第百号)第五十二条の四第二項(同法第五十七条の五及び密集市街地における防災街区の整備の促進に関する法律(平成九年法律第四十九号)第二百八十五条において準用する場合を含む。)及び第六十八条第三項において準用する都市計画法第二十八条第三項</p> <p>(i) The area of a building that has been constructed in accordance with Article 52-4, paragraph (2) of the City Planning Act (Act</p>	<p>損失補償の見積額に応じた五の項に掲げる額の二分の一の額</p> <p>One-half of the amount listed in paragraph (5) in proportion to the estimated amount of compensation for losses</p>

No. 100 of 1968 including the cases where it is applied mutatis mutandis under Article 57-5 of the same Act and Article 285 of the Act on Promotion of Improvement of Disaster Control Districts in Populated Urban Districts (Act No. 49 of 1997) and Article 28, paragraph (3) of the City Planning Act as applied mutatis mutandis pursuant to Article 68, paragraph (3)

(二) 都市再開発法(昭和四十四年法律第三十八号)第八十五条第一項

(ii) Paragraph 1 of Article 85 of the Urban Renewal Act (Act No. 38 of 1969)

(三) 新都市基盤整備法(昭和四十七年法律第八十六号)第九条第五項(同法第二十条第六項において準用する場合を含む。)

(iii) Article 9, paragraph (5) of the New Urban Infrastructure Act (Act No. 86 of 1972) (including the cases where it is applied mutatis mutandis pursuant to Article 20, paragraph (6) of the same Act)

(四) 生産緑地法(昭和四十九年法律第六十八号)第十二条第四項において準用する同法第六条第六項

(iv) Article 6, paragraph (6) of the

<p>Productive Green Space Act (Act No. 68 of 1974) as applied mutatis mutandis pursuant to Article 12, paragraph (4) of the same Act</p> <p>(五) 密集市街地における防災 街区の整備の促進に関する法 律第二百十八条第一項</p> <p>(v) Paragraph (1) of Article 218 of the he Act Concerning the Promotion of Disaster Prevention Block Improvement in Concentrated Urban Areas</p>	
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備考

Remarks

- 一 同一の起業者(土地収用法第八条第一項に規定する者をいう。)が行う同一の事業に関して、同法第二条又は同法第五条から第七条までの規定のうちいずれか二以上の規定による収用又は使用のために事業の認定の申請、収用又は使用の裁決の申請若しくは協議の確認の申請を一の申請書によって行う場合又は同法第九十四条第二項の規定によって損失補償の裁決を申請する場合は、それぞれ一件の申請とみなす。
- (i) With respect to the same project undertaken by the same entrepreneur (meaning a person prescribed in Article 8, paragraph (1) of the Land Expropriation Act; the same shall apply hereinafter), when an application for recognition of the project, an application for determination of expropriation or use, or an application for confirmation of consultation is filed in a single application form for expropriation or use under any two or more of the provisions of Article 2 or Articles 5 to 7 of the same Act, or when an application for determination of compensation for loss is filed under Article 94, paragraph 2 of the same Act, each shall be deemed to be a single application.
- 二 土地収用法第四十四条の特例により同法第四十条第一項第二号ホの損失補償の見積りを省略して裁決を申請する場合は、裁決申請時に四の項(一)に掲げる額を納付し、同法第四十四条第二項による添付書類の補充によって手数料の額が確定した時点で、当該手数料の額から納付済の額を減じた額を納付する。
- (ii) In the case of applying for a determination by omitting the estimate of compensation for loss set forth in Article 40, paragraph (1), item (ii)(e) of the Land Expropriation Act in accordance with the special provisions of Article 44 of the Act, the amount listed in

paragraph (4), (i) shall be paid at the time of application for determination, and when the amount of fee is fixed by supplementing the attached documents pursuant to Article 44, paragraph (2) of the Act, the amount of the fee less the amount already paid.

第二 所有者不明土地法に基づく事務

(ii) Administrative duties under the Act on Land of Unknown Owner

事務 Administrative Duties	額 Amount
一 所有者不明土地法 第二十七条第一項又は 第三十七条第一項 の規定に基づく裁定 の申請に対する事務 (i) Administrative Duties pertaining to an application for a ruling pursuant to the provision of Article 27, paragraph (1) or Article 37, paragraph (1) of the Act on Land of Unknown Owner	<p>(一) 損失補償の見積額が十万円以下の場合 二万七千円 (i) When the estimated amount of compensation for loss is 100,000 yen or less: 27,000 yen</p> <p>(二) 損失補償の見積額が十万円を超え百万円以下の場合 二万七千円に損失補償の見積額の十万円を超える部分が 五万円に達するごとに二千七百円を加えた額 (ii) When the estimated amount of compensation for loss exceeds 100,000 yen and does not exceed 1,000,000 yen: 27,000 yen plus 2,700 yen for each 50,000 yen that the estimated amount of compensation for loss exceeds 100,000 yen</p> <p>(三) 損失補償の見積額が百万円を超え五百万円以下の場合 七万五千六百円に損失補償の見積額の百万円を超える部 分が十万円に達するごとに三千四百円を加えた額 (iii) When the estimated amount of compensation for loss exceeds 1,000,000 yen and does not exceed 5,000,000 yen: 75,600 yen plus 3,400 yen for each 100,000 yen that the estimated amount of compensation for loss exceeds 1,000,000 yen</p> <p>(四) 損失補償の見積額が五百万円を超え二千万円以下の場 合 二十一万一千六百円に損失補償の見積額の五百万円 を超える部分が百万円に達するごとに三千五百円を加え た額 (iv) When the estimated amount of compensation for loss exceeds 5,000,000 yen and does not exceed 20,000,000 yen: 211,600 yen plus 3,500 yen for each 1,000,000 yen that the estimated amount of compensation for loss exceeds 5,000,000 yen</p> <p>(五) 損失補償の見積額が二千万円を超え一億円以下の場合 二十六万四千百円に損失補償の見積額の二千万円を超え る部分が四百万円に達するごとに四千八百円を加えた額 (v) When the estimated amount of compensation for loss exceeds 20,000,000 yen and does not exceed 100,000,000 yen: 264,000 yen plus 4,800 yen for each 1,000,000 yen that the estimated amount of compensation for loss exceeds 20,000,000 yen</p>

(v) When the estimated amount of compensation for loss exceeds 20,000,000 yen and does not exceed 100,000,000 yen: 264,100 yen plus 4,800 yen for each 4,000,000 yen that the estimated amount of compensation for loss exceeds 20,000,000 yen

(六) 損失補償の見積額が一億円を超える場合 三十六万百円

(vi) When the estimated amount of compensation for loss exceeds 100,000,000 yen 360,100 yen