

Law for Enhancing Motivation on Environmental Conservation and Promoting of Environmental Education

(Law No.130, Effective on July 25, 2003)

(Tentative Translation)

(Purpose)

Article 1

The purpose of this law is, in view of the importance of environmental conservation activities, encouragement of willingness for environmental conservation and environmental education by corporations, citizens, and private bodies organized by these entities (hereinafter referred to as “citizens and private bodies etc.) for establishing a sustainable society that realizes sound economic development with reduced the environmental loads while maintaining a healthy and productive environment (hereinafter referred to as a “sustainable society”), providing a basic principle on environmental conservation activities, encouragement of willingness for environmental conservation and environmental education, clarifying the responsibilities of citizens and private bodies etc., the State, local governments, establish a basic policy and other necessary matters to encourage their willingness for environmental conservation and promote environmental education, thereby contributing to ensure healthy and cultured living for both the present and future generations of the nation.

(Definitions)

Article 2

For the purpose of this law,

1. “Environmental conservation activities” means voluntary activities aimed mainly at global environmental conservation, environmental pollution control, conservation or maintenance of the natural environment, and other environmental conservation (including the creation of a good environment; hereinafter simply referred to as “environmental conservation”), particularly those activities that have a direct influence on the environment.
2. “Encouragement of willingness for environmental conservation” means providing information on environmental conservation and offering opportunities and convenience to experience environmental conservation activities that, in their performance, lead to a deepened understanding of environmental conservation and encourage their willingness for environmental conservation activities.
3. “Environmental education” means education and learning conducted to deepen understanding of environmental conservation.

(Basic Principle)

Article 3

1. Recognizing the importance of enjoying the blessings of global environment in a sustainable manner, of establishing a local community that conserve, nurtures and coexists with plentiful nature, of establishing the recycling-based Society and reducing the environmental loads, environmental conservation activities, encouragement of willingness for environmental conservation and environmental education that will involve honoring the voluntary mind of the citizens and the private bodies etc. who participate in these activities, while ensuring that the various entities who comprise society can play

- appropriate roles by which to establish a sustainable society; and
2. Recognizing the importance of deepening understanding and interest in environmental conservation through nature-based and other hands-on experience activities in natural environments such as forests, the countryside, parks, rivers, lakes, shores, oceans, and the like, as well as through environmental conservation activities, encouragement of willingness for environmental conservation and environmental education that will be undertaken by encouraging the participation and cooperation of local residents and the other various entities who comprise society, while securing transparency of operation in a continuous manner;
 3. Environmental conservation activities, encouragement of willingness for environmental conservation and environmental education will be carried out by attracting necessary attention to its aims so that citizens may deepen their understanding of the importance of nurturing, sustainable utilizing and maintaining a natural environment in locations such as forests, the countryside, parks, rivers, lakes, shores, oceans, and the like, while considering the conservation of national land and other the public interest, together with a consideration of how agriculture, forestry and fishery and other local industries can harmonize with the natural environment, while also considering the stability of local people's lives and improvements to the general welfare, along with the issue of inheritance of culture and history of environmental conservation in the region.

(Responsibilities of Citizens and Private bodies etc.)

Article 4

Pursuant to the basic principle provided in the preceding article (hereinafter simply referred to as the "basic principle"), citizens and private bodies etc. shall make efforts to undertake environmental conservation activities and environmental education on a voluntary basis, and thereby, through the encouragement of willingness for environmental conservation and other environmental conservation activities, shall make efforts to cooperate with other people environmental conservation activities, encouragement of willingness for environmental conservation and environmental education

(Responsibilities of the State)

Article 5

Pursuant to the basic principle,

1. In view of the growing importance of the role of environmental conservation activities, encouragement of willingness for environmental conservation and environmental education carried out by citizens and private bodies etc. with a view to constructing a sustainable society, the state shall strive to appropriately cooperate with citizens and private bodies etc. that carry out environmental conservation activities, encouragement of willingness for environmental conservation and environmental education , when the state formulate and implement of the measures for environmental conservation.
2. The state shall make efforts to formulate and implement basic and comprehensive measures for the encouragement of willingness for environmental conservation and the promotion of environmental education.

(Responsibilities of Local Governments)

Article 6

Pursuant to the basic principle, the local government shall, recognizing its appropriate role, which it shares with the state, make efforts to formulate and implement measures for the encouragement of willingness for environmental conservation and the promotion of environmental education in accordance with the natural and social conditions of the local

governments' jurisdiction.

(Basic Policy)

Article 7

1. The government shall establish the basic policy for the encouragement of willingness for environmental conservation and the promotion of environmental education (hereinafter referred to as the “basic policy”).
2. The basic policy shall stipulate the following matters, taking into consideration the trend of environmental conservation activities, encouragement of willingness for environmental conservation and environmental education.
 - (1) Basic matters on the encouragement of willingness for environmental conservation and the promotion of environmental education.
 - (2) Basic policies on measures that the government should implement for the encouragement of willingness for environmental conservation and the promotion of environmental education.
 - (3) Other important matters on the encouragement of willingness for environmental conservation and the promotion of environmental education.
3. The Environment Minister and the Minister of Education, Culture, Sports, Science and Technology shall prepare a draft of the basic policy, ask the Cabinet to approve it.
4. The Environment Minister and the Minister of Education, Culture, Sports, Science and Technology shall collaborate with the Minister of Agriculture, Forestry and Fisheries, the Minister of Economy, Trade and Industry, or the Minister of Education, Culture, Sports, Science and Technology, respectively on the tasks preparing a draft of the basic policy, that concerns the Ministry of Agriculture, Forestry and Fisheries of Japan, or the Ministry of Economy, Trade and Industry, or the Ministry of Land, Infrastructure and Transportation,
5. The Environment Minister and the Minister of Education, Culture, Sports, Science and Technology shall listen to the general public’s opinions in preparing a draft of the basic policy.
6. After the cabinet has approved the plan in accordance with the Paragraph 3, the Environment Minister and the Minister of Education, Culture, Sports, Science and Technology shall publicize the basic policy without delay,
7. The provisions of paragraphs of 3 to the previous Paragraph shall also be applied to changes in the basic policy.

(Policies and Plans of Prefectures and Cities, towns and villages)

Article 8

Taking into consideration the basic policy, prefectures and cities, towns and villages shall make efforts to formulate and publicize policies and plans etc. concerning the encouragement of willingness for environmental conservation and the promotion of environmental education, in accordance with the natural and social conditions of jurisdiction of prefectures and cities, towns or villages.

(Support etc. for Environmental Education within and without School Education)

Article 9

1. The state, prefectures, cities, towns and villages shall take necessary measures to promote environmental education within school education and social education so that the people can deepen their understanding and interest in environmental conservation by making use of every opportunity that presents itself, according to their physical or mental developmental stages.

2. The state, prefectures, cities, towns and villages shall make efforts to take measures for the enhancement of environmental education in schools, e.g. through hands-on study of environmental conservation, measures for the improvement of the quality of the teaching staff in charge of environmental education and other necessary measures.
3. Concerning the measures provided in the first Paragraph and the measures in the previous Paragraph, the state shall make efforts to provide prefectures, cities, towns and villages with necessary advice, guidance, and other measures.
4. In taking the measures prescribed in the previous Paragraph, the state shall make efforts to give due consideration to ensuring that prefectures, cities, towns and villages extensively utilizes human resources with appropriate knowledge, experience, and the like, on environmental conservation for purposes of environmental education within school education and social education, by offering information prescribed in Article 17 (including information on registered human resource accreditation etc. enterprise prescribed in the Paragraph 7, Article 11) and other information in order to promote environmental education etc.
5. The state, prefectures, cities, towns and villages shall make efforts to perform studies on the content of environmental education and its methods, and make improvements on the basis of these studies.

(Encouragement of Willingness for Environmental Conservation and Promotion of Environmental Education in the Workplace)

Article 10

1. Private bodies organized by corporations and citizens (in the next paragraph and Paragraph 1, Article 23 referred to as “private bodies”), corporations, the state, and local governments shall make efforts to encourage their employees’ willingness for environmental conservation, and to provide them with environmental education, as is necessary, to improve their knowledge and skill with respect to environmental conservation.
2. The state, prefectures, cities, towns and villages shall make efforts to support private bodies or corporations who encourage their employees’ willingness for environmental conservation or provide them with environmental education, by offering information on human resources who can instruct the public about environmental conservation, documents etc. concerning the encouragement of willingness for environmental conservation or environmental education, or by providing other necessary support.

(Registration of Human Resource Accreditation etc. Enterprises)

Article 11

1. Citizens and private bodies engaged in enterprises that train and accredit human resources with knowledge or instructional ability on environmental conservation (hereinafter referred to as “human resource accreditation etc. enterprises”) provided in the ministerial regulations, may be registered by the competent minister for this human resource accreditation **etc.** enterprise.
2. The entity applying for the registration provided in the previous Paragraph (hereinafter in this Article and from Article 13 to Article 15, referred to simply as “registration”), pursuant to ministerial regulations, must submit an application form on which the following information is to be provided.
 - (1) The name of the person or body, the address, and if it is a corporate body; or other body, the name of its representative.
 - (2) The content of the human resource accreditation **etc.** enterprise.
 - (3) Other matters provided in the ministerial regulations.

3. A person or persons cannot apply for registration if the following provisions pertain.
 - (1) Two years have not passed since he or she committed a crime as provided in Article 26, accepted a sentence, served out his or her sentence, or since the date he or she has no longer accepted a sentence.
 - (2) The registration was rescinded, and two years have not passed since the registration was rescinded, according to the provision of Paragraph 1, Article 14.
 - (3) In the case of a corporate body or other body, the provisions of the previous Paragraph 2 apply to one of its board members (or its representative if the body is not corporate).
4. If the competent minister recognizes that the human resource accreditation etc. enterprise meets the criteria in any of the following provisions, he or she must register the enterprise.
 - (1) The enterprise is appropriate in view of the basic policy.
 - (2) The enterprise complies with the standards provided in the ministerial regulations, which are appropriate and ensure that an enterprise trains and accredits human resources with knowledge and instructional ability on matters of environmental conservation.
5. After the competent minister has registered the enterprise, he or she shall notify the applicant without delay, and shall publicize it.
6. Should the competent minister find that the applicant for the registered human resource accreditation etc. enterprise does not comply with any of the requirements provided in Paragraph 4, he or she must indicate the reason, and notify the applicant without delay.
7. The citizens and private bodies (hereinafter referred to as “private registration bodies etc.”) who operate a registered human resource accreditation etc. enterprise (hereinafter referred to as “registered human resource accreditation etc. enterprise”) shall notify the competent minister without delay, pursuant to ministerial regulations, if the private registration bodies etc. alters the matters provided in Paragraph 2 or abolishes their registered human resource accreditation etc. enterprise.
8. The competent minister shall, after such notification provided in the previous Paragraph, publicize it without delay.

(Reports and Advice etc.)

Article 12

The competent minister shall request private registration bodies etc. to report or submit documents concerning their registered human resource accreditation etc. enterprises, to the extent that they are necessary to ensure the appropriate implementation of a registered human resource accreditation etc. enterprises, or may give necessary advice so that they may appropriately operate their registered human resource accreditation etc. enterprise.

(Restrictions on Displays)

Article 13

Those who are engaged in the activities of a human resource accreditation etc. enterprise, but are not yet registered, shall not use a display that may be misunderstood obviously to mean that they are engaged in the activities of a registered human resource accreditation etc. enterprise.

(Rescindment of Registration)

Article 14

1. The competent minister may rescind registration if and when any of the following provisions apply.
 - (1) The registered human resource accreditation etc. enterprise does not comply with any requirements provided in Paragraph 4, Article 11.

- (2) Any provision of Paragraph 3, Article 11 applies to a private registration bodies etc.
 - (3) When a private registration bodies etc. required to report or submit documents as provided in Article 12, they does not reports or submit documents, or reports false or submits false documents.
 - (4) A private registration bodies etc. has been registered by false or other illegal means.
2. The competent minister shall, after rescinding the registration as provided in the previous Paragraph, indicate the reason and notify the person or persons whose registration has been rescinded of that, and publicize that.

(Commission to the Ministerial regulations)

Article 15

Other than provisions provided in Article 11 through Article 14, necessary matters for registration shall be provided in the ministerial regulations.

(Provision Information etc. on the Training or Accreditation of Human Resources Carried Out by Prefectures, Cities, Towns or Villages)

Article 16

The competent minister shall make efforts to provide information, advice and guidance, or take other necessary measures, if he or she finds it necessary to do it when prefectures, cities, towns or villages trains or accredits human resources for purposes of environmental conservation.

(Collection and Provision of Information etc. on the Training or Accreditation of Human Resources)

Article 17

The competent minister shall collect, arrange, and analyze information and provide inspection results concerning the training and accreditation of human resources for environmental conservation that has been undertaken by citizens and private bodies etc..

(Improvement of Guidance and Other Documents etc. for the Training of Human Resources)

Article 18

1. The competent minister shall make efforts to give necessary advice, as requested by citizens and private bodies etc., who prepare guidance or other documents etc. for the training of human resources on environmental conservation.
2. To improve the quality of the guidance and other documents etc. as specified in the previous Paragraph, the competent minister shall collect, arrange, and analyze the related information, and present the results.

(Preparation of a System with Functions as the Base for Encouragement of Willingness for Environmental Conservation)

Article 19

1. The state shall make efforts to prepare a system with functions as the base to provide the following to effectively promote encouragement of willingness for environmental conservation in cooperation with encouragement of willingness for environmental conservation by citizens and private bodies etc. and prefectures, cities, towns and villages.
 - (1) To collect and provide information on the encouragement of willingness for environmental conservation undertaken by citizens and private bodies etc. and other information and documents on environmental conservation.

- (2) To provide necessary advice concerning guidance or other documents etc. for the training of human resources on environmental conservation, and to refer to, consult and provide necessary advice concerning environmental conservation
 - (3) To provide opportunities and other conveniences concerning the exchange of information and mutual communication between citizens and private bodies etc. engaged in the encouragement of willingness for environmental conservation.
 - (4) To encourage willingness for environmental conservation..
2. Prefectures, cities, towns and villages shall make efforts to prepare a system with functions as base to effectively promote encouragement of willingness for environmental conservation (referred to in the next Paragraph as “preparation functions as base”), in cooperation with promoted by prefectures, cities, towns and villages .in cooperation with encouragement of willingness for environmental conservation by citizens and private bodies etc. and the state, in accordance with the natural and social conditions of their jurisdiction.
 3. The state shall make efforts to support the preparation functions as base carried out by local governments.

(Measures to Offer Land etc. by Citizens and Private Bodies etc.)

Article 20

The state shall make efforts to take necessary measures in order to promote that the owner, or the person who has a right of use or profit for a property (except for property that has functioned as a temporary facility or for a provisional use) of a land or building (limited to citizens and private bodies etc.) may offer the land or building as a place for nature-based experience activities, or to voluntarily offer the land or building as a place in which many individuals may experience for encouragement of willingness for environmental conservation.

(Publicity on the Ideal etc. of Partnership Approaches)

Article 21

Concerning partnership approaches (approaches for the encouragement of willingness for environmental conservation and other environmental conservation carried out by two or more citizens and private bodies etc. through appropriate role sharing and on even ground. The same shall apply in this Article.), the state shall make efforts to take necessary measures to publicize the ideal of a partnership approach, the method to appropriately and effectively implement it, and the ideal of mutual cooperation of partnership approaches.

(Financial Measures etc.)

Article 22

The state and local governments shall make efforts to take financial, tax, or other measures required to encourage willingness for environmental conservation promote environmental education. .

(Disclosing Information Willingly etc.)

Article 23

1. The state and local governments, private bodies and corporations shall make efforts to willingly disclose information on the encouragement of willingness for environmental conservation, and other information concerning environmental conservation, to facilitate the participation of citizens and private bodies etc. in activities concerning the encouragement of willingness for environmental conservation and other environmental conservation activities.
2. The state shall make efforts to collect, arrange and analyze information prescribed in the

previous Paragraph, and present the results.

(Consideration etc.)

Article 24

The state and local governments, in implementing measures based on this law, shall give due consideration to not inhibiting the independence of citizens and private bodies etc. engaged in the encouragement of willingness for environmental conservation and the environmental education, and take necessary measures to ensure the fairness and transparency of these measures.

(The Competent Minister etc.)

Article 25

1. The competent ministers under this law shall be: the Environment Minister, the Minister of Education, Culture, Sports, Science and Technology, the Minister of Agriculture, Forestry and Fisheries, the Minister of Economy, Trade and Industry, and the Minister of Land, Infrastructure and Transportation.
2. The ministerial regulations in this law shall mean an order issued by: the Environment Minister, the Minister of Education, Culture, Sports, Science and Technology, the Minister of Agriculture, Forestry and Fisheries, the Minister of Economy, Trade and Industry, and the Minister of Land, Infrastructure and Transportation.

(Penalty)

Article 26

Any person who becomes subject to any one of the following shall be liable to a fine not exceeding 300,000 yen:

1. Any person who has been registered according to Paragraph 1, Article 11 by false or other illegal means;
2. Any person who does not reports or submits documents, or reports false or submits false documents.

Article 27

When a representative of a juridical person or an agent or a worker or any other employee of a juridical person or of a natural person commits any of the violations mentioned in the previous Articles in connection with the business of such juridical person or natural person, the person who committed the act shall be punished and, in addition, the penalty prescribed in the same Articles shall be imposed on such juridical person or natural person.

Article 28

Any person who becomes subject to any one of the following shall be liable to a fine not exceeding 100,000 yen:

1. Any person who fails to report as provided in Paragraph 7, Article 11, or make a false report;
2. Any person who violate the provisions of Article 13.

Supplementary Provisions

(Date This Law Takes Effect)

1. This law shall come into force on October 1, 2003. However, the provisions from Article 11 to Article 16 and from Article 26 to Article 28 shall come into force on October 1, 2004.

(Review)

2. Within five years from the effective date of this law, the government shall review the state of implementation of this law, and take necessary measures based on those results.