

# Climate Change Adaptation Act

(Act No. 50 of June 13, 2018)

## Table of Contents

Chapter I General Provisions (Articles 1 to 6)

Chapter II Climate Change Adaptation Plan (Articles 7 to 10)

Chapter III Promotion of Climate Change Adaptation (Articles 11 to 15)

Chapter IV Auxiliary Provisions (Articles 16 to 20)

Supplementary Provisions

## Chapter I General Provisions

(Purpose)

Article 1 The purpose of this Act is to promote Climate Change Adaptation through establishing necessary measures such as formulating plans for Climate Change Adaptation and providing information on the Climate Change Impact and Climate Change Adaptation, thereby contributing to the health and cultural life of the Japanese people both at present and in the future in recognition of the impact that global warming (meaning global warming as stipulated in Article 2, paragraph (1) of the Act on Promotion of Global Warming Countermeasures (Act No. 117 of 1998)) and other climate change (hereinafter referred to as "Climate Change") has on daily life, society, economics, and the natural environment, and the risk that this impact will increase over the long term.

(Definitions)

Article 2 (1) The term "Climate Change Impact" as used in this Act shall mean impact by Climate Change which negatively affects human health and the living environment, causes a decline in biodiversity, and impacts daily life, society, economy, and the natural environment in other ways.

(2) The term "Climate Change Adaptation" as used in this Act shall mean reacting to the Climate Change Impact so as to prevent or reduce damage, and to contribute to a stable living environment, sound development of a society and economy, and to preserve the natural environment.

(Responsibility of the National Government)

Article 3 (1) The national government shall promote the enhancement of scientific knowledge on Climate Change, Climate Change Impact, and Climate Change Adaptation (hereinafter referred to as "Climate Change, etc."),

together with the efficient and effective use of this knowledge, and shall comprehensively establish and promote policies for Climate Change Adaptation.

- (2) The national government shall endeavor to set up a system to collect, organize, analyze, and provide information on Climate Change, etc. and take other measures in order to promote policies for Climate Change Adaptation, to promote policies by local governments for Climate Change Adaptation, and to promote Climate Change Adaptation and business activities that contribute to Climate Change Adaptation by businesses, members of the general public or private bodies that they set up (hereinafter referred to as "Businesses, etc.").

(Responsibilities of Local Governments)

Article 4 (1) Local governments shall endeavor to promote policies for Climate Change Adaptation in accordance with natural, economic, and social factors in their region.

- (2) Local governments shall endeavor to provide information on the policies prescribed in the preceding paragraph and take other measures in order to promote Climate Change Adaptation and business activities that contribute to Climate Change Adaptation by Businesses, etc.

(The Role of Businesses)

Article 5 In order to carry out their own business activities smoothly, businesses shall endeavor in Adapting to Climate Change in accordance with the content of their business activities, and in cooperating with national and local governmental programs for Climate Change Adaptation.

(The Role of the General Public)

Article 6 Members of the general public shall endeavor to increase their interest in and understanding of the importance of Climate Change Adaptation and to cooperate with national and local governmental programs for Climate Change Adaptation.

## **Chapter II Climate Change Adaptation Plan**

(Establishment of the Climate Change Adaptation Plan)

Article 7 (1) In order to promote a policy for Climate Change Adaptation comprehensively and systematically, the government shall establish a plan for Climate Change Adaptation (hereinafter referred to as the "Climate Change Adaptation Plan").

- (2) The Climate Change Adaptation Plan shall prescribe the following:
- (i) the period for the plan;
  - (ii) the basic objective of the policy for Climate Change Adaptation;

- (iii) particulars on the improvement and use of scientific knowledge relating to Climate Change, etc.;
  - (iv) particulars on the setting up of a system to collect, organize, analyze, and provide information on Climate Change, etc.;
  - (v) particulars on the role of the National Institute for Environmental Studies, National Research and Development Agency (hereinafter referred to as the "National Institute for Environmental Studies") on promoting Climate Change Adaptation;
  - (vi) particulars on the promotion of policies for Climate Change Adaptation by local governments;
  - (vii) particulars on the promotion of Climate Change Adaptation and business activities that contribute to Climate Change Adaptation by Businesses, etc.;
  - (viii) particulars on securing international partnerships and promoting international cooperation in Climate Change, etc.;
  - (ix) particulars on securing partnership and cooperation between the relevant administrative agencies in promoting policies for Climate Change Adaptation;
  - (x) important particulars for Climate Change Adaptation beyond what is set forth in the previous items.
- (3) The Minister of the Environment shall prepare a proposal for the Climate Change Adaptation Plan, and seek a cabinet decision on this proposal.
- (4) Before preparing a draft of the Climate Change Adaptation Plan, the Minister shall consult in advance with the heads of the related administrative agencies.
- (5) Upon the cabinet decision prescribed by paragraph (3), the Minister of the Environment shall announce the Climate Change Adaptation Plan without delay.

(Changes to the Climate Change Adaptation Plan)

- Article 8 (1) The government shall consider the most recent comprehensive assessment of the Climate Change Impact prescribed in Article 10, paragraph (1), and other situations, and examine the Climate Change Adaptation Plan, and, if deemed necessary, shall promptly change the plan.
- (2) The provisions of paragraphs (3) to (5) of the preceding Article apply mutatis mutandis to changes in the Climate Change Adaptation Plan.

(Developing a Method of Evaluation)

- Article 9 In order to contribute to the study prescribed in paragraph (1) of the preceding Article, the government shall endeavor to understand the progress of Climate Change Adaptation in detail through utilizing the Climate Change Adaptation Plan, and to develop a method of evaluation.

(Assessment of Climate Change Impact)

Article 10 (1) Based on the most recent scientific knowledge in Climate Change and various other fields in the observation, monitoring, projection and assessment of Climate Change Impact, the Minister of the Environment shall receive the opinions of the Central Environment Council approximately every 5 years and make and publicize a report on the comprehensive assessment of the Climate Change Impact. This, however, may be done after a shorter period if it is found to be necessary to do so, due to the improvement of scientific knowledge or other circumstances.

(2) Before preparing a draft as prescribed in paragraph (1) of the preceding Article, the Minister of Environment shall make a draft in advance and consult with the heads of the related administrative agencies.

### **Chapter III Promotion of Climate Change Adaptation**

(The Promotion of Climate Change Adaptation by the National Institute for Environmental Studies)

Article 11 (1) The National Institute for Environmental Studies shall undertake the following operations in accordance with the Climate Change Adaptation Plan:

- (i) collect, organize, analyze, and provide information regarding the Climate Change Impact and Climate Change Adaptation;
- (ii) give technical advice and other technical assistance to Prefectures and Municipalities on the formulation and promotion of local climate change adaptation plans prescribed in the following Article;
- (iii) give technical advice and other technical assistance to the local climate change adaptation centers prescribed in Article 13, paragraph (1);
- (iv) conduct operations incidental to the operations listed in item (iii) above.

(2) The National Institute for Environmental Studies shall give due consideration to the importance of information on the Climate Change Impact affecting the daily lives of individual members of the general public, and shall also endeavor to cooperate with organs of the national government and incorporated administrative agencies carrying out research and studies, and technological development relating to Climate Change, etc. (the incorporated administrative agencies are those referred to in the Act on General Rules for Incorporated Administrative Agencies (Act No. 103 of 1999) in Article 2, paragraph (1)) (referred to as "Research, etc. Institutions" in Article 14, paragraph (2).)

(3) The Minister of the Environment may give advice as necessary to the National Institute for Environmental Studies on the operations set forth in the items in paragraph (1).

(Local Climate Change Adaptation Plans)

Article 12 In view of the Climate Change Adaptation Plan, prefectures and municipalities shall, either independently or in coordination with each other, endeavor to formulate a local climate change adaptation plan (meaning a plan for adapting to climate change suitable to the natural, economic and social circumstances in their region) in order to promote policies regarding Climate Change Adaptation, in accordance with the natural, economic and social circumstances of their local area.

(Local Climate Change Adaptation Centers)

Article 13 (1) Prefectures and municipalities shall, either independently or in coordination with each other, endeavor to establish systems that will function as centers (referred to as "Local Climate Change Adaptation Centers" in the following paragraph and in paragraph (1) of the following Article), to collect, organize, analyze, and provide information regarding the Climate Change Impact and Climate Change Adaptation, and also to give technical advice in order to promote Climate Change Adaptation in their local area.

(2) Local Climate Change Adaptation Centers shall work to share gathered information and the results of organizing and analyzing this information with the National Institute for Environmental Studies.

(Regional Councils on Climate Change Adaptation)

Article 14 (1) Regional environment offices and other local administrative organs, prefectures and municipalities, Local Climate Change Adaptation Centers, Businesses, etc., and other entities engaged in activities in connection with Climate Change Adaptation, may organize Regional Councils on Climate Change Adaptation (hereinafter, in this Article, referred to as "Regional Councils") in order to carry out necessary consultations on Climate Change Adaptation through wide-scale cooperation.

(2) If deemed necessary, Regional Councils may request the National Institute for Environmental Studies and Research, etc. Institutions to provide materials, present opinions, give explanations of these and for other cooperation.

(3) The members of Regional Councils shall respect the results of discussions concerning the matters agreed upon at Regional Council meetings.

(4) General affairs of Regional Councils shall be processed by the Regional Environment Office.

(5) Beyond what is provided for in each of the preceding paragraphs, the particulars necessary for the running of the Regional Council shall be determined by that Council.

(Cooperation in Related Policies)

Article 15 In promoting policies on Climate Change Adaptation, the national and local governments shall endeavor to cooperate with measures to prevent disasters, measures to encourage agriculture, forestry and fisheries, measures to conserve biodiversity, and other related measures.

#### **Chapter IV Auxiliary Provisions**

(Promotion of Observation)

Article 16 In order to promote Climate Change Adaptation based on scientific knowledge, the national government shall endeavor to promote observation, monitoring, projection and assessment of the Climate Change Impact in the field of Climate Change and various other fields, and related research, together with the development of technology in Adaptation to Climate Change.

(Promoting the Understanding of Climate Change in Businesses and the General Public)

Article 17 The national government shall endeavor to take measures to increase the interest and understanding of Businesses and the general public on the importance of Climate Change Adaptation, through publicity activities, educational activities, and in other relevant ways.

(Promotion of International Cooperation)

Article 18 The national government shall develop an international system for sharing information on Climate Change, etc., as well as endeavor to develop international cooperation including technical cooperation for developing areas for Climate Change Adaptation.

(Assistance of the National Government)

Article 19 The national government shall endeavor to provide information and other assistance to help promote policies on Climate Change Adaptation by local governments, and Climate Change Adaptation and business activities that contribute to Climate Change Adaptation by Businesses, etc.

(Cooperation by Relevant Administrative Authorities)

Article 20 The Minister of Environment may ask the heads of the relevant administrative agencies and local governments to provide materials, explanations, and any other cooperation if it finds this necessary in order to achieve the purpose of this Act.

#### **Supplementary Provisions**

(Date of Enforcement)

Article 1 This Act shall come into force on the date prescribed by Cabinet Order within a period not exceeding six months from the date of promulgation; however, the provisions prescribed in the following Article shall come into force as of the date of promulgation.

(Preparations Prior to Enforcement)

Article 2 (1) The government may formulate the Climate Change Adaptation Plan in accordance with the provisions in Article 7 prior to the enforcement of this Act. In this case, the Minister of the Environment may make this plan public in accordance with the provisions in that Article prior to the enforcement of this Act.

(2) The Climate Change Adaptation Plan formulated according to the provisions of the preceding paragraph shall be deemed to be formulated according to the provisions of Article 7 as of the date of enforcement of this Act.

(3) The Minister of the Environment may produce a report regarding a comprehensive assessment of the Climate Change Impact and make this public according to the provisions in Article 10 prior to the enforcement of this Act.

(4) The report prescribed in the preceding paragraph shall be deemed to be produced according to the provisions of Article 10 as of the date of enforcement of this Act.

(Partial Amendment of the Basic Act on the Environment)

Article 3 A part of the Basic Act on the Environment (Act No. 91 of 1993) is amended as follows:

In Article 41, paragraph (2), item (iii), the expression "and Act on Ensuring the Safety of Pet Food (Act No. 83 of 2008)" is revised to read ", Act on Ensuring the Safety of Pet Food (Act No. 83 of 2008), Act on Preventing Environmental Pollution of Mercury (Act No. 42 of 2015), and Climate Change Adaptation Act (Act No. 50 of 2018)".

(Partial Amendment of the Act on the National Institute for Environmental Studies, National Research and Development Agency)

Article 4 A part of the Act on the National Institute for Environmental Studies, National Research and Development Agency (Act No. 216 of 1999) is amended as follows:

The following paragraph is added to Article 11.

(2) The National Institute for Environmental Studies, in addition to the operations in the previous paragraph, shall perform the operations prescribed in Article 11, paragraph (1) of the Climate Change Adaptation Act

(Act No. 50 of 2018).

In Article 13 paragraph (1) "Article 11" is revised to read "Article 11, paragraph (1)".

(Study)

Article 5 If five years have passed since the enforcement of this Act, the government shall study the status of enforcement of this Act, and, if deemed necessary, shall take appropriate measures based on those results.