

# **Act on the Promotion of Environmental Conservation Activities through Environmental Education**

(Act No. 130 of July 25, 2003)

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## **Chapter I General Provisions**

(Purpose)

Article 1 The purpose of this Act is, in light of the importance of Environmental Conservation Activities undertaken by businesses, citizens, and private organizations consisting of businesses or citizens (hereinafter referred to as "Citizens and Private Organizations, etc."), motivating participation in environmental conservation and Environmental Education for promoting said activities, and also of the importance of Collaborative Efforts in effectively promoting the aforementioned activities in establishing a sustainable society that realizes sound economic development with reduced environmental burden, while maintaining a healthy and productive environment (hereinafter referred to as a "Sustainable Society"), to provide the basic principles on said Environmental Conservation Activities, motivating participation in environmental conservation and Environmental Education, and Collaborative Efforts, and to clarify the responsibilities of Citizens and Private Organizations, etc., the State, and the local governments, while establishing the basic policy and other necessary particulars for promoting Environmental Conservation Activities, motivating participation in environmental conservation and Environmental Education, and Collaborative Efforts, thereby contributing to ensure healthy and cultured living for both the present and future generations.

(Definitions)

Article 2 (1) The term "Environmental Conservation Activities" as used in this Act means voluntary activities aimed mainly at global environmental conservation, environmental pollution control, and protection and maintenance of the natural environment, such as conservation of biological diversity, formation of a sound material-cycle society, and other environmental conservation (including the creation of a good environment, and hereinafter referred to as "Environmental Conservation").

(2) The term "Motivating Participation in Environmental Conservation" as used in this Act means offering information concerning Environmental Conservation and providing opportunities and accommodation for experiencing Environmental Conservation, which leads to a better understanding of Environmental Conservation and motivation for participation in Environmental Conservation Activities.

(3) The term "Environmental Education" as used in this Act means education and learning about Environmental Conservation at home, school, workplace, a local community, or any other place, with the aim of establishing a Sustainable Society, with the purpose of providing better understanding of the link between environment and society, economy and culture, and other aspects of Environmental Conservation.

(4) The term "Collaborative Efforts" as used in this Act means Environmental Conservation Activities, Motivating Participation in Environmental Conservation, Environmental Education, and other activities for Environmental Conservation conducted under mutual cooperation between Citizens and Private Organizations, etc., the State, or the local governments, with each sharing appropriate roles as equals.

(Basic Principles)

Article 3 (1) Environmental Conservation Activities, Motivating to Participate in Environmental Conservation and Environmental Education are to be carried out under mutual cooperation between various entities in society, where each plays its own role in the establishment of a Sustainable Society, respecting the voluntary intentions of Citizens and Private Organizations, etc., based on the importance of enjoying the blessings of the global environment in a sustainable manner, of establishing a local community that conserves, nurtures, and coexists with fertile nature, of reducing the environmental burden as establishing a sound recycle-oriented society, and promoting Environmental Conservation and the development of an economy and society in an integrated manner with a global point of view.

(2) Environmental Conservation Activities and Motivating Participation in Environmental Conservation and Environmental Education are to be carried out with the aim of nurturing the attitudes of setting a high value on lives,

treasuring nature, and contributing to Environmental Conservation, while making efforts to encourage local residents and other various entities that comprise society in participation and cooperation, as well as on a continuous basis as securing the transparency of the operation, based on the importance of deepening the understanding and interest in Environmental Conservation through nature-based activities and other hands-on experience in forests, the countryside, parks, rivers, lakes, shores, and oceans, etc.

(3) Environmental Conservation Activities and Motivating Participation in Environmental Conservation and Environmental Education are to be carried out by giving necessary consideration to deepen the understanding of the general public concerning the importance of nurturing and maintaining natural environments in locations such as forests, countryside, parks, rivers, lakes, shores, and oceans, etc., by paying attention to the conservation of national land and other public interests, and by considering the harmonization of agriculture, forestry, fishery, and other local industries with the natural environment, the stability of local residents' lives and the maintenance and improvement of their welfare, and the respect for the culture and history of Environmental Conservation in the region to be passed on.

(Responsibilities of Citizens and Private Organizations, etc.)

Article 4 In accordance with the basic principles mentioned in the preceding Article (hereinafter simply referred to as the "Basic Principles"), Citizens and Private Organizations, etc. are to make efforts to voluntarily undertake and cooperate with those who undertake Environmental Conservation Activities, Motivating Participation in Environmental Conservation, Environmental Education, and Collaborative Efforts at home, school, a local community, etc., while making efforts to cooperate with Environmental Conservation Activities, Motivating Participation in Environmental Conservation and Environmental Education, and Collaborative Efforts undertaken by others.

(Responsibilities of the State)

Article 5 (1) In view of the growing importance, along with the changing economy and society, the roles of Environmental Conservation Activities, Motivating Participation in Environmental Conservation, Environmental Education, and Collaborative Efforts undertaken by the Citizens and Private Organizations, etc., for the establishment of a Sustainable Society, the State in pursuant to the Basic Principles is to, give consideration for the appropriate cooperation to be implemented together with the Citizens and Private Organizations, etc., engaged in Environmental Conservation Activities, Motivating Participation in Environmental Conservation, Environmental Education, and Collaborative Efforts when formulating and implementing the

measures for Environmental Conservation.

- (2) In accordance with the Basic Principles, the State is to formulate and implement basic and comprehensive measures for the promotion of Environmental Conservation Activities, Motivating Participation in Environmental Conservation, Environmental Education, and Collaborative Efforts.

(Responsibilities of Local Governments)

Article 6 In accordance with the Basic Principles, concerning the promotion of Environmental Conservation Activities, Motivating Participation in Environmental Conservation, Environmental Education, and Collaborative Efforts, local governments are to make efforts to formulate and implement measures suitable to the natural and social conditions of their jurisdiction, while sharing appropriate roles with the State.

## **Chapter II Basic Policy**

(Basic Policy)

Article 7 (1) The government must establish the basic policy for the promotion of Environmental Conservation Activities, Motivating Participation in Environmental Conservation, Environmental Education, and Collaborative Efforts (hereinafter referred to as the "Basic Policy").

- (2) The Basic Policy is to address the following particulars, taking into consideration the trend and other factors of Environmental Conservation Activities, Motivating Participation in Environmental Conservation, Environmental Education, and Collaborative Efforts:
  - (i) basic particulars concerning the promotion of Environmental Conservation Activities, Motivating Participation in Environmental Conservation, Environmental Education, and Collaborative Efforts;
  - (ii) basic policy concerning the measures to be implemented by the government concerning the promotion of Environmental Conservation Activities, Motivating Participation in Environmental Conservation, Environmental Education, and Collaborative Efforts; and
  - (iii) other important particulars concerning the promotion of Environmental Conservation Activities, Motivating Participation in Environmental Conservation, Environmental Education, and Collaborative Efforts.
- (3) When establishing the Basic Policy, due consideration must be given to securing international collaboration for the promotion of Environmental Conservation Activities, Motivating Participation in Environmental Conservation, Environmental Education, Collaborative Efforts, and the promotion of economic and social activities contributing to the establishment of

a Sustainable Society.

- (4) The Minister of Environment and the Minister of Education, Culture, Sports, Science and Technology must prepare a draft of the Basic Policy, and seek cabinet approval.
- (5) The Minister of the Environment and Minister of Education, Culture, Sports, Science and Technology are to work with the Minister of Agriculture, Forestry and Fisheries, the Minister of Economy, Trade and Industry, or the Minister of Land, Infrastructure, Transport and Tourism to implement processes for preparing a draft of the Basic Policy, which fall under the jurisdiction of the Ministry of Agriculture, Forestry and Fisheries, the Ministry of Economy, Trade and Industry, or the Ministry of Land, Infrastructure, Transport and Tourism, respectively.
- (6) When preparing a draft of the Basic Policy, the Minister of the Environment and the Minister of Education, Culture, Sports, Science and Technology must consider the opinions of the general public.
- (7) After the cabinet decision is made under the provisions of paragraph (4), the Minister of the Environment and the Minister of Education, Culture, Sports, Science and Technology must publicize the Basic Policy without delay.
- (8) The provisions of paragraph (4) through the preceding paragraph apply *mutatis mutandis* to any revision of the Basic Policy.

(Action Plan of Prefectural and Municipal Governments)

Article 8 (1) The prefectural and municipal governments are to make efforts to formulate an action plan, taking into consideration the Basic Policy concerning the promotion of the Environmental Conservation Activities, Motivating Participation in Environmental Conservation, Environmental Education, and Collaborative Efforts, suitable to the natural and social conditions of the jurisdiction of said prefectural and municipal governments (hereinafter referred to as the "Action Plan").

- (2) The Action Plan is to primarily stipulate the following particulars:
  - (i) basic particulars concerning the promotion of Environmental Conservation Activities, Motivating Participation in Environmental Conservation, Environmental Education, and Collaborative Efforts;
  - (ii) particulars concerning the measures to be implemented, concerning the promotion of Environmental Conservation Activities, Motivating Participation in Environmental Conservation, Environmental Education, Collaborative Efforts; and
  - (iii) other important particulars concerning the promotion of Environmental Conservation Activities, Motivating Participation in Environmental Conservation, Environmental Education, and Collaborative Efforts.
- (3) When formulating the Action Plan, the prefectural and municipal

governments are to make efforts to take necessary measures to reflect on the opinions of the residents and other persons concerned in advance.

- (4) After formulating the Action Plan, the prefectural and municipal governments are to make efforts to publicize the Action Plan without delay.
- (5) The prefectural and municipal governments that formulate the Action Plan are to make efforts to publicize the status of implementation of the measures based on the Action Plan once each year.
- (6) The provisions of the preceding three paragraphs are to apply mutatis mutandis to any revision of the Action Plan.

(Council for Promotion of Environmental Education)

Article 8-2 (1) The prefectural and municipal governments that intend to formulate the Action Plan may organize a council for the promotion of Environmental Education, etc. in order to discuss the formulation of the Action Plan and to coordinate the implementation of it (hereinafter referred to as the "Council"). .

- (2) The Council is to consist of the following members:
  - (i) the prefectural or municipal governments that intend to formulate the Action Plan;
  - (ii) the board of education of said prefectural or municipal government;
  - (iii) persons concerned in school education and social education; and
  - (iv) relevant Citizens and Private Organizations, etc., persons with relevant knowledge and experience, or other persons deemed necessary by said prefectural or municipal government.
- (3) When selecting the members listed in item (iv) of the preceding paragraph, the prefectural or municipal governments are to make efforts to select said members by open recruitment.
- (4) With respect to particulars agreed upon at the Council, the members of the Council are to, while respecting the conclusion of the discussion, cooperate with each other concerning implementing the Action Plan, and make efforts to promote Environmental Conservation Activities, Motivating Participation in Environmental Conservation and Environmental Education, and Collaborative Efforts.
- (5) The competent minister may give necessary advice if requested by any member of the Council, for successful formulation and implementation of the Action Plan.
- (6) Beyond what is provided for in each of the preceding paragraphs, particulars necessary for the operation of the Council are to be prescribed by the Council.

(Proposal for the Creation of the Action Plan)

Article 8-3 (1) The listed persons below may make a proposal for formulating or

revising the Action Plan to the prefectural or municipal government. In this case, said person must prepare and present a rough draft of the Action Plan pertaining to said proposal, conforming to the Basic Policy:

- (i) persons concerned in school education and social education; and
- (ii) citizens and Private Organizations, etc., or persons with relevant knowledge and experience who are involved in the promotion of Environmental Conservation Activities, Motivating Participation in Environmental Conservation and Environmental Education, and Collaborative Efforts.

(2) Upon receipt of the proposal under the provisions of the preceding paragraph, the prefectural or municipal government is to, without delay, make efforts to publicize whether it formulates or revises the Action Plan based on said proposal. In this case, if the prefectural or municipal government decides not to formulate or revise the Action Plan, it must make efforts to provide its reasons for not doing so.

### **Chapter III Promotion of Environmental Conservation Activities by Citizens**

#### **Section 1 Motivating Participation in Environmental Conservation and Environmental Education**

(Support Concerning Environmental Education in School Education)

Article 9 (1) The State and the prefectural and municipal governments are to take necessary measures to promote Environmental Education in school education and social education so that citizens can deepen their understanding and interests in Environmental Conservation, through various opportunities from during childhood, as appropriate for each developmental stage.

(2) In order to promote systematic Environmental Education for each development stage through each subject or other educational activities in school education for the purpose of a comprehensive understanding of the relationship between the environment and humans, the State is to take necessary measures to enrich Environmental Education in schools such as implementing hands-on learning of Environmental Conservation, to improve the quality of teaching staff involved in Environmental Education such as training of the teaching staff, and to provide information materials, etc. for reference and to develop teaching materials, etc.

(3) In order to utilize school facilities as a structure for Environmental Education and reduce the environmental burden, the State is to promote due consideration to the maintenance of school facilities, including school buildings and playgrounds, and other facilities, and concurrently take necessary measures to promote Environmental Conservation Activities through education

by utilizing said facilities.

- (4) The prefectural and municipal governments are to make efforts to take necessary measures to promote Environmental Education in school education and social education, in accordance with the measures of the State prescribed in the preceding two paragraphs.
- (5) The State is to make efforts to give necessary advice and other assistance to the prefectural and municipal governments, concerning the measures prescribed in paragraph (1) and the measures prescribed in the preceding paragraph.
- (6) In taking the measures mentioned in the preceding paragraph, the State is to give due consideration to ensuring that the prefectural and municipal governments extensively utilize human resources with knowledge, experience, etc. concerning Environmental Conservation in the course of implementing Environmental Education in school education and social education, by the provision of information under the provisions of Article 17 (including the provision of information concerning the registered services of human resource certification, etc. prescribed in Article 11, paragraph (7)) and other provision of information, etc. contributing to the promotion of Environmental Education.
- (7) The State and the prefectural and municipal governments are to conduct research on the content and method of Environmental Education, and make efforts to improve them based on the results of that research.

(Motivating Participation in Environmental Conservation and Environmental Education at the Workplace)

- Article 10 (1) Private organizations organized by businesses or citizens (hereinafter referred to as "Private Organizations" in this Article, Article 21-3, paragraphs (1), (2), and (4), and Article 23, paragraph (1)), businesses, the State, and local governments are to make efforts to undertake any Motivating Participation in Environmental Conservation or Environmental Education necessary for the employees to improve knowledge and skills concerning Environmental Conservation.
- (2) The State and the prefectural and municipal governments are to make efforts to support Private Organizations or businesses that undertake Motivating Participation in Environmental Conservation or Environmental Education for the employees, by offering information concerning human resources who provide instruction or guidance concerning Environmental Conservation, or materials pertaining to the Motivating Participation in Environmental Conservation or Environmental Education, or by providing other necessary support.
  - (3) The Private Organizations, businesses, the State and the prefectural and municipal governments are to make efforts to provide students with



opportunities for gaining work experience and other necessary experiences at their workplaces aimed at the enhancement of knowledge and skills of the citizens concerning Environmental Conservation.

(Supporting Organizations of Environmental Education)

Article 10-2 (1) The competent minister may designate a specified non-profit organization mentioned in Article 2, paragraph (2) of the Act on Promotion of Specified Non-profit Activities (Act No. 7 of 1998), or other non-profit private entity that is found to meet the standards listed in the following items with regard to the services prescribed in the following paragraph (hereinafter referred to as the "Support Services" in this Article and Article 25, paragraph (1), item (i)) as a supporting organization of Environmental Education, etc.

(hereinafter referred to as the "Supporting Organizations" in this Article and Article 25, paragraph (1), item (i)), subject to an application from said entity:

- (i) to conform to the standards specified by the Ordinance of the competent ministry as an entity having sufficient financial basis and technical capability for providing the Support Services in a reliable manner; and
- (ii) beyond what is provided for in the preceding item, to conform to the standards specified by the Ordinance of the competent ministry as an entity capable of performing the Support Services fairly and properly.

(2) The Supporting Organizations are to provide the following services in whole or in part to support Citizens and Private Organizations, etc. engaged in Environmental Conservation Activities, Motivating Participation in Environmental Conservation, Environmental Education, or Collaborative Efforts:

- (i) to collect, organize, and provide information and materials concerning Environmental Conservation Activities, Motivating Participation in Environmental Conservation, Environmental Education, or Collaborative Efforts;
- (ii) to conduct research and studies on Environmental Conservation Activities, Motivating Participation in Environmental Conservation, Environmental Education, or Collaborative Efforts (including those pertaining to relevant policies), and provide the results of said research and studies;
- (iii) to prepare and provide manuals and other materials, etc. for Environmental Conservation Activities, Motivating Participation in Environmental Conservation or Environmental Education, or Collaborative Efforts;
- (iv) to respond to inquiries and requests for consultation, and give necessary advice concerning Environmental Conservation Activities, Motivating Participation in Environmental Conservation, Environmental Education, or Collaborative Efforts;

- (v) to recommend or introduce instructors and other persons necessary for conducting Environmental Conservation Activities, Motivating Participation in Environmental Conservation, Environmental Education, or Collaborative Efforts; and
  - (vi) any services incidental to those services listed in each of the preceding items.
- (3) The competent minister is to provide support to Supporting Organizations, such as providing information concerning Environmental Conservation Activities, Motivating Participation in Environmental Conservation, Environmental Education, or Collaborative Efforts related to Support Services.
- (4) Based on the status of the implementation of the Support Services, the Supporting Organizations may submit their opinions as necessary to the competent minister with regard to the promotion of Environmental Conservation Activities, Motivating Participation in Environmental Conservation, Environmental Education, or Collaborative Efforts.
- (5) If the competent minister finds that it is necessary to improve the state of assets or the operation of Support Services of Supporting Organizations, said competent minister may order said Supporting Organizations to make the necessary improvements.
- (6) If the supporting entity violates the order issued under the provisions of the preceding paragraph, the competent minister may rescind the designation mentioned in paragraph (1).
- (7) Beyond what is provided for in each of the preceding paragraphs, the designation procedures under paragraph (1) and other necessary particulars concerning the Supporting Organizations are to be specified by Ordinance of the competent ministry.

(Registration of Services of Human Resource Certification)

Article 11 (1) Enterprises, persons who establish universities or other businesses, citizens, and private organizations comprised of these persons or organizations (hereinafter referred to as the "Private Organization, etc." in paragraph (7) and Article 17) engaged in services for training or certifying persons or entities with knowledge and instructional ability concerning Environmental Conservation, or persons or entities with necessary capabilities to promote Collaborative Efforts (excluding the services pertaining to the granting of an academic degree prescribed in Article 104 of the School Education Act (Act No. 26 of 1947)), or services for developing and providing educational materials concerning Motivating Participation in Environmental Conservation or Environmental Education (hereinafter referred to as the "Services of Human Resource Certification, etc.") that are specified by Ordinance of the competent ministry, may be registered by the competent minister for said Services of

Human Resource Certification, etc.

- (2) Persons or entities who intend to apply for the registration mentioned in the preceding paragraph (hereinafter simply referred to as the "Registration" in this Article and Articles 13 through 15) must submit application forms describing the following particulars to the competent minister, as specified by Ordinance of the competent ministry:
  - (i) the names and addresses of the persons or entities and, if the applicant is a corporation or other organization, the name of its representative;
  - (ii) the content of the Services of Human Resource Certification, etc.; and
  - (iii) other particulars specified by Ordinance of the competent ministry.
- (3) Persons or entities who fall under either of the following items may not apply for the Registration:
  - (i) persons who have committed an offense prescribed in Article 26 and have been punished, where two years have not elapsed since the day on which the execution of the sentence was completed, or since the day on which said persons ceased to be subject to the execution of said sentence;
  - (ii) persons or entities whose Registration have been rescinded pursuant to the provisions of paragraph (1) of Article 14, where two years have not elapsed since the day on which said rescission was made; or
  - (iii) corporations or other organizations with an officer (or representative in the case of an organization without legal personality) who falls under either of the preceding two items.
- (4) If the competent minister finds that said services as applied for the Registration conforms to each of the following items, said competent minister must register the Services of Human Resource Certification, etc.:
  - (i) the services are appropriate in light of the Basic Policy;
  - (ii) the services conform to the standards specified by Ordinance of the competent ministry, as having sufficient financial basis and technical capability for performing the Services of Human Resource Certification, etc. in an appropriate and reliable manner.
- (5) If the competent minister grants the Registration, said competent minister must, without delay, notify the applicant to that effect and publicly notify to that effect.
- (6) If the competent minister finds that the Services of Human Resource Certification, etc. as applied for the Registration fail to conform to the requirements listed in each item of paragraph (4), said competent minister must, without delay, notify the applicant to that effect by indicating the reason.
- (7) If the Private Organizations, etc. engaged in the Services of Human Resource Certification, etc. that have been registered (hereinafter referred to as the "Registered Services of Human Resource Certification, etc.") (said Private Organizations, etc. are to be hereinafter referred to as the "Registered Private

Organizations, etc.") have made any change in the particulars listed in each item of paragraph (2) or have abolished the Registered Services of Human Resource Certification, etc., said organizations must notify the competent minister to that effect without delay, as specified by Ordinance of the competent ministry.

(8) If the competent minister receives the notification under the provisions of the preceding paragraph, said competent minister must, without delay, notify the public to that effect.

(Reports and Advice)

Article 12 The competent minister may require the Registered Private Organizations, etc. to submit reports or materials concerning the Registered Services of Human Resource Certification, etc. performed by said organizations, etc. to the extent necessary for securing proper performance of the Registered Services of Human Resource Certification, etc., or give necessary advice to the Registered Private Organizations, etc. to facilitate proper operation of their Registered Services of Human Resource Certification, etc.

(Restrictions on Displays)

Article 13 Persons or entities engaged in Services of Human Resource Certification, etc., must not use any displays in connection with said Services of Human Resource Certification, etc., that are likely to be mistaken as a person or entity engaged in the registered Services of Human Resource Certification, etc., where said Registration has not been granted.

(Rescission of Registration)

Article 14 (1) The competent minister may rescind the Registration if either of the following items is applicable:

- (i) if the Registered Services of Human Resource Certification, etc. do not conform to the requirements listed in each item of paragraph (4) of Article 11;
- (ii) if the Registered Private Organizations, etc. fall under either of the items described in Article 11 (3);
- (iii) if the Registered Private Organizations, etc. fail to submit reports or materials or submit false reports or materials in response to the requirement of reports or materials under the provisions of Article 12; or
- (iv) if the Registered Private Organizations, etc., have been registered by deception or other illicit means.

(2) If the competent minister rescinds a Registration pursuant to the provisions of the preceding paragraph, said competent minister must, without delay, notify the person or entity whose said Registration has been rescinded to that

effect, by indicating the reason, and issuing a public notification to that effect.

(Delegation to Ordinance of the Competent Ministry)

Article 15 Beyond what is provided for in Article 11 through the preceding Article, particulars necessary for the Registration are to be specified by Ordinance of the competent ministry.

(Provision of Information for Activities of Prefectural or Municipal Governments for Training or Certification of Human Resources)

Article 16 If the competent minister finds that it is necessary for the prefectural or municipal governments to engage in activities to train or certify human resources for Environmental Conservation or develop and provide educational materials concerning Environmental Conservation, said competent minister is to provide information, give advice or take other necessary steps.

(Collection, Provision of Information Concerning Activities to Train or Certify Human Resources)

Article 17 The competent minister is to collect, organize and analyze information concerning the activities of Private Organizations, etc. to train or certify human resources for Environmental Conservation, or develop and provide educational materials concerning Environmental Conservation, and provide the results thereof.

(Enhancement of Quality of Manuals and Other Materials for Training of Human Resources)

Article 18 (1) The competent minister is to give necessary advice at the request of Citizens and Private Organizations, etc. engaged in the production and provision, etc. of manuals and other materials for the training of human resources for Environmental Conservation.

(2) For enhancement of the quality of the manuals and other materials mentioned in the preceding paragraph, the competent minister is to collect, organize, and analyze information related to said materials, and provide the results thereof.

(Development of System with Functions as the Base for Motivating Participation in Environmental Conservation)

Article 19 (1) The State is to make efforts to develop the system equipped with the following functions as the base to promote the activities of Citizens and Private Organizations, etc. for Environmental Conservation effectively, in concert with Environmental Conservation Activities, Motivating Participation in Environmental Conservation, Environmental Education and Collaborative

Efforts undertaken by the Citizens and Private Organizations, etc., as well as the activities of the prefectural and municipal governments to promote the same:

- (i) to collect and provide information concerning Environmental Conservation Activities, Motivating Participation in Environmental Conservation, Environmental Education, Collaborative Efforts and other information and materials concerning Environmental Conservation undertaken by the Citizens and Private Organizations, etc.;
  - (ii) to give advice on the manuals and other materials for training human resources for Environmental Conservation, or to respond to inquiries and requests for consultation and give necessary advice concerning Environmental Conservation;
  - (iii) to provide opportunities and other accommodations for information exchange and mutual communication among Citizens and Private Organizations, etc. engaged in Environmental Conservation Activities, Motivating Participation in Environmental Conservation, Environmental Education, or Collaborative Efforts; and
  - (iv) to further promote Environmental Conservation Activities, Motivating Participation in Environmental Conservation, Environmental Education, and Collaborative Efforts.
- (2) The prefectural and municipal governments are to make efforts to develop a system designed to function as the base for promoting the activities of Citizens and Private Organizations, etc. for Environmental Conservation effectively (referred to as the "Base Functions Development" in the following paragraph) according to the natural and social conditions of the jurisdiction of said prefectural and municipal governments, in concert with Environmental Conservation Activities, Motivating Participation in Environmental Conservation, Environmental Education, and Collaborative Efforts undertaken by the Citizens and Private Organizations, etc. as well as the activities of the State to promote the same.
- (3) The State is to make efforts to provide necessary support for the Base Functions Development undertaken by the prefectural and municipal governments.

(Certification of Place for Nature-Based Experiences)

Article 20 (1) In light of the importance of deepening the understanding and interest in Environmental Conservation through nature-based activities and other hands-on experiences, if land or building owners, or persons or entities (limited to Citizens and Private Organizations, etc.) who have the right to make use of and reap the profits of said lands or buildings (excluding the rights clearly created for the purpose of using any temporary facilities or for any

temporary use) provide said lands or buildings as a place for nature-based hands-on experiences or other places for hands-on experience opportunities for Motivating Participation in Environmental Conservation suitable for being provided to many persons (hereinafter referred to as a "Place for Nature-Based Experiences"), said owners, persons or entities may receive the certification of the prefectural governor that the content and other elements of the services provided at said Place for Nature-Based Experiences meets each of the requirements listed in the following items:

- (i) the content of the services are appropriate in light of the Basic Policy;
  - (ii) the content of the services are appropriate in light of the Action Plan in the case of a prefectural government that has formulated said Action Plan;
  - (iii) the content of the services provided at said Place for Nature-Based Experiences, concerning the Motivating Participation in Environmental Conservation, conforms to the standards specified by the Ordinance of the competent ministry; and
  - (iv) said land or building conforms to the standards specified by Ordinance of the competent ministry.
- (2) If prefectural governments find that it is necessary in view of their natural and social conditions for effectively promoting the Motivating Participation in Environmental Conservation, said prefectural governments may prescribe in its ordinance that the requirement be applicable in addition to the requirements listed in each item of the preceding paragraph, taking the Basic Policy into consideration.
- (3) Persons or entities that intend to apply for the certification mentioned in paragraph (1) (hereinafter simply referred to as the "Certification" in this Article through Article 20-3, and Articles 20-5, 20-6, 20-9, and 20-10) must submit application forms describing the following particulars to the prefectural governor, as specified by the Ordinance of the competent ministry:
- (i) the names and addresses of the persons or entities and, if the applicant is a corporation or other organization, the name of its representative;
  - (ii) the name and location of the Place for Nature-Based Experiences;
  - (iii) the content of the services provided at said Place for Nature-Based Experiences, concerning the Motivating Participation in Environmental Conservation; and
  - (iv) other particulars specified by the Ordinance of the competent ministry.
- (4) Persons or entities falling under either of the following items may not apply for the Certification:
- (i) persons or entities whose Certification has been rescinded pursuant to the provisions of Article 20-6, paragraph (1), and two years have not elapsed since the day on which said rescission was made; or
  - (ii) corporations or other organizations with an officer (or representative, in the

case of an organization without legal personality) who falls under the preceding item.

- (5) If prefectural governors intend to grant the Certification, said prefectural governors must consult with the prefectural board of education in advance.
- (6) If prefectural governors grant the Certification, said prefectural governors must, without delay, notify the applicant to that effect.
- (7) If prefectural governors find that the content and other elements of the services provided at the Place for Nature-Based Experiences, as applied for the Certification, fail to conform to the requirements listed in each item of paragraph (1) (including the requirements of the prefectural ordinance, if said requirements are specified pursuant to the provisions of paragraph (2)), said prefectural governors must, without delay, notify the applicant to that effect by indicating the reason.
- (8) If the Citizens and Private Organizations, etc. providing a Place for Nature-Based Experiences that has been certified (hereinafter referred to as the "Certified Place for Nature-Based Experiences") (said Citizens and Private Organizations, etc. are to be hereinafter referred to as the "Certified Private Organizations, etc.") make any changes in the particulars listed in each item of paragraph (3) or discontinue the provision of said place, said Citizens and Private Organizations, etc. must, without delay, notify the prefectural governor to that effect, as specified by Ordinance of the competent ministry.

(Effective Period of Certification)

- Article 20-2 (1) In granting the Certification, prefectural governors are to fix the effective period thereof not exceeding five years from the day on which said certification was granted.
- (2) Persons or entities who intend to apply for the renewal of the effective period mentioned in the preceding paragraph must submit complete application forms to the prefectural governor, as specified by the Ordinance of the competent ministry.

(Dissemination of the Certified Place for Nature-Based Experiences)

- Article 20-3 (1) If prefectural governors grant the Certification, said prefectural governors are to make efforts to make public the particulars listed in each item of paragraph (3) of Article 20 through the use of the Internet, distribution of printed material, or by other appropriate means.
- (2) The Certified Private Organizations, etc. may indicate that the land or building of concern is a Certified Place for Nature-Based Experiences.

(Reports and Advice)

- Article 20-4 (1) The Certified Private Organizations, etc. must report the status



of their operation to the prefectural governor every year, as specified by the Ordinance of the competent ministry.

- (2) Prefectural governors may require the Certified Private Organizations, etc. to submit reports or materials to the extent necessary for securing proper provision of said Certified Place for Nature-Based Experiences, or give necessary advice to the Certified Private Organizations, etc. to facilitate proper operation of said Certified Place for Nature-Based Experiences.

(Restrictions on Displays)

Article 20-5 Persons or entities providing a Place for Nature-Based Experiences, must not make any displays that are likely to be mistaken for a land or building provided as a Place for Nature-Based Experiences that has been certified, where it has not been granted said Certification.

(Rescission of Certification)

Article 20-6 (1) Prefectural governors may rescind the Certification if any of the following items are applicable:

- (i) if the content and other elements of the services performed at the Certified Place for Nature-Based Experiences do not conform to the requirements listed in each item of paragraph (1) of Article 20 (including the requirements of the prefectural ordinance, if said requirements are specified pursuant to the provisions of paragraph (2) of the same Article);
  - (ii) if the Certified Private Organizations, etc. fail to make notification under the provisions of Article 20, paragraph (8) or make false notifications;
  - (iii) if the Certified Private Organizations, etc. fail to submit reports or materials or submit false reports or materials in response to the requirements of reports or materials under the provisions of Article 20-4, paragraph (2); or
  - (iv) if the Certified Private Organizations, etc., receive the Certification by deception or other illicit means.
- (2) If prefectural governors rescind the Certification based on the provisions of the preceding paragraph, said prefectural governors must, without delay, notify the person or entity whose Certification has been rescinded to that effect by indicating the reason.

(Special Provisions for Large Cities)

Article 20-7 (1) In the case of processes that are specified as being under the authority of the prefectural governors, pursuant to the provisions of Article 20, Article 20-2, Article 20-3, paragraph (1), Article 20-4, and the preceding Article, to the extent that the entire land or building provided as the Place for Nature-Based Experiences is located in the jurisdiction of a designated city defined in

- Article 252-19, paragraph (1) of the Local Autonomy Act (Act No. 67 of 1947) (referred to as the "Designated City" in Article 21-5, paragraph (6)), the core city defined in Article 252-22, paragraph (1) of the same Act (referred to as the "Core City " in Article 21-5, paragraph (6)) or a municipality whose head has consulted with the prefectural governor concerned in advance to handle said processes on behalf of the prefecture (hereinafter said municipality to be referred to as the "Designated City, etc." in this Article and Article 20-9), said processes are to be implemented by the head of said Designated City, etc. In this case, the provisions concerning the prefectural government or prefectural governor in Article 20, Article 20-2, Article 20-3, paragraph (1), Article 20-4, and the preceding Article are to apply to the Designated City, etc. or the head of the Designated City, etc., as if they were the provisions concerning the Designated City, etc., or the head of the Designated City, etc., as appropriate.
- (2) In the case referred to in the preceding paragraph, the phrase "the prefectural board of education" in Article 20, paragraph (5) is to be replaced with "the board of education of the designated city, etc."
- (3) The municipalities that have consulted with the prefectural governor to handle the processes prescribed in the same paragraph on behalf of the prefecture, pursuant to the provisions of paragraph (1), are to publicly notify to that effect and the date of commencement of handling of said processes, as specified by the Ordinance of the competent ministry.

(Certification in a Case Where the Land or Building Provided as Place for Nature-Based Experiences Extends Over Two or More Prefectures)

Article 20-8 For the application of the provisions of Article 20 (excluding paragraphs (2) and (5)), Article 20-2, Article 20-3, paragraph (1), Article 20-4, and Article 20-6, where the land or building provided as the Place for Nature-Based Experiences extends over two or more prefectures, the phrase "the prefectural governor" in these provisions is to be replaced with "the competent minister"; the phrase "the following items" in Article 20, paragraph (1) is to be replaced with "the following items (excluding item (ii))"; the phrase "the applicant" in paragraph (6) of the same Article is to be replaced with "the applicant and the governor of the prefecture where the land and building pertaining to said certification is located"; the phrase "the requirements listed in each item of paragraph (1) (including the requirements of the prefectural ordinance if said requirements are prescribed pursuant to the provisions of paragraph (2))" in paragraph (7) of the same Article is to be replaced with "the requirements listed in each item of paragraph (1) (excluding item (ii))"; the phrase "the requirements listed in each item of paragraph (1) of Article 20 (including the requirements of the prefectural ordinance if said requirements are prescribed pursuant to the provisions of paragraph (2) of the same Article)"

in Article 20-6, paragraph (1), item (i) is to be replaced with "the requirements listed in each item of Article 20, paragraph (1) (excluding item (ii))." In this case, the provisions of Article 20, paragraphs (2) and (5) are not to apply.

(Provision of Information by the State for Certification)

Article 20-9 If the State finds that it is necessary when a prefectural governor or the head of a Designated City, etc., grants a Certification, the State is to provide information, give advice, or take other necessary measures and take necessary measures to promote the provision and utilization of a Place for Nature-Based Experiences.

(Delegation to Ordinance of Ministry)

Article 20-10 Beyond what is stipulated in Article 20 through the preceding Article, particulars necessary for Certification is to be specified by the Ordinance of the competent ministry.

## **Section 2 Promotion of Collaborative Efforts**

(Dissemination of Roles of Collaborative Efforts)

Article 21 The State is to make efforts to take necessary measures to publicize the roles of Collaborative Efforts, the effective and appropriate way to implement said efforts, and the roles for mutual cooperation among said efforts.

(Reflection of Public Opinions on Policy Formation)

Article 21-2 (1) For the purpose of reflecting public opinion concerning the formation of policies concerning Environmental Conservation Activities, Motivating Participation in Environmental Conservation, and Environmental Education, and Collaborative Efforts, the State and the local governments are to actively publicize information concerning the formation of policies, while soliciting opinions of the Citizens and Private Organizations, etc. and other diversified bodies, and make efforts to facilitate the development and utilization of a system for forming policies after thoroughly considering said opinions.

(2) The Citizens and Private Organizations, etc. may make proposals to the State or the local governments concerning policies to contribute to the formulation of policies prescribed in the preceding paragraph.

(Expansion of Opportunities of Private Organizations to Enter the Public Service Sector)

Article 21-3 (1) The State and incorporated administrative agencies, etc. (referring to incorporated administrative agencies, etc., prescribed in Article 2,

paragraph (3) of the Act on Promotion of Contracts Considering Reduction of Emissions of Greenhouse Gases and Others by the State and Other Entities (Act No. 56 of 2007); hereinafter the same is to apply in this Article), are to, in carrying out public services for Environmental Conservation (meaning the provision of services for the Citizens and Private Organizations, etc., concerning Environmental Conservation or other services contributing to the promotion of Environmental Conservation, implemented as the processes or services of the State and incorporated administrative agencies, etc., such as the operation or management of facilities for promoting the activities of the Citizens and Private Organizations, etc. concerning Environmental Conservation, research, and studies on the activities for Environmental Conservation (including those pertaining to the policies concerning said activities); hereinafter the same is to apply in this Article), make efforts to facilitate the expansion of opportunities for the Private Organizations to enter the public service sector in the fields where said Private Organizations are able to make use of their expert knowledge or the regional characteristics.

- (2) If it is deemed effective to carry out public services concerning Environmental Conservation in the fields where the Private Organizations are able to make use of their expert knowledge or the regional characteristics through Collaborative Efforts, the State and incorporated administrative agencies, etc. are to make efforts to promote contracts under which the effect of said public services conducted through Collaborative Efforts is thoroughly demonstrated, while considering economic efficiency as well as elements other than cost.
- (3) Particulars to be considered when implementing the processes concerning the execution and performance of contracts prescribed in the preceding paragraph and other particulars necessary for the promotion of said contracts are to be specified by Ordinances of the Ministry of the Environment.
- (4) The local governments are to, in accordance with the measures prescribed by paragraphs (1) and (2), make efforts to promote contracts under which the effect of the expansion of opportunities for Private Organizations to enter the public service sector and of said public services conducted through Collaborative Efforts is thoroughly demonstrated.

(Execution of Agreements on Environmental Conservation)

Article 21-4 (1) The State or the local governments and the Citizens and Private Organizations, etc. may establish a council for the execution of an agreement, providing for the sharing of roles for promoting Collaborative Efforts, and for discussion concerning the preparation of said agreement and for liaison and coordination pertaining to the performance thereof.

- (2) In the case of executing an agreement under the provisions of the preceding paragraph, the State is to publicize the contents of the agreement and other

particulars specified by the Ordinance of the competent ministry through the use of the Internet or by other appropriate means.

- (3) In the case of executing an agreement under the provisions of paragraph (1), the State and the Citizens and Private Organizations, etc. are to faithfully perform the particulars provided for in the said agreement, while evaluating the status of the performance of the particulars provided for in the said agreement and publicizing the results of said evaluation.
- (4) In the case of executing an agreement under the provisions of paragraph (1), the local governments are to make efforts to take the necessary measures, in accordance with the measures of the State as prescribed in the preceding two paragraphs.
- (5) The Citizens and Private Organizations, etc. may make a proposal to the State or the local government, as specified by Ordinance of the competent ministry, that they engage in Collaborative Efforts with the State or the said local government, if said Collaborative Efforts are necessary.
- (6) If the State or the local governments receive a proposal under the provisions of the preceding paragraph, and such a proposal is deemed appropriate in light of the standards specified by the Ordinance of the competent ministry, the State or the local governments are to make efforts to engage in Collaborative Efforts.

(Notification of Agreements by the Citizens and Private Organizations, etc.)

Article 21-5 (1) If the Citizens and Private Organizations, etc. execute an agreement concerning the promotion of Collaborative Efforts, said Citizens and Private Organizations, etc. may notify the prefectural governor (or the competent minister, if the said Collaborative Efforts extend over two or more prefectures; hereinafter the same is to apply in this Article, excluding paragraphs (3), (6), and (7)) of said agreement.

- (2) Prefectural governors are to make efforts to publicize the contents of agreement that has been notified under the provisions of the preceding paragraph (said notifications are to be hereinafter simply referred to as "Notification" in this Article) and other particulars specified by the Ordinance of the competent ministry, through the use of the Internet or by other appropriate means, if the prefectural governor finds that the contents of the agreement are effective for Environmental Conservation and do not violate laws and regulations.
- (3) If prefectural governors receive prior notification from said Citizens and Private Organizations, etc. or otherwise find it necessary at the time of the execution of the agreement prescribed in paragraph (1), such prefectural governors may request the competent minister to confirm with the head of the administrative agency concerned whether said agreement complies with laws

and regulations.

- (4) The Citizens and Private Organizations, etc. that have made the Notification are to faithfully perform the particulars provided for in said agreement.
- (5) Prefectural governors are to make efforts to give advice or instructions to the Citizens and Private Organizations, etc. when necessary that have made the Notification so that the particulars provided for in the agreement notified are implemented smoothly.
- (6) In the case of processes that are pursuant to the provisions of each preceding paragraph (excluding paragraph (4)) as being under the authority of the prefectural governors, to the extent that Collaborative Efforts prescribed by paragraph (1) are limited within the jurisdiction of the Designated City, the Core City, or the municipality whose head has consulted in advance with the prefectural governor concerned to handle said processes on behalf of the prefecture, said processes are to be implemented by the head of said Designated City, Core City, or municipality.
- (7) The provisions of Article 20-7, paragraph (3) are to apply mutatis mutandis to any municipality that has consulted with the prefectural governor to handle the processes prescribed in the same paragraph on behalf of the prefecture pursuant to the provisions of the preceding paragraph.
- (8) Beyond what is provided for in each preceding paragraph, particulars necessary for the Notification and the abolishment of agreements prescribed in paragraph (1) are to be specified by an Ordinance of the competent ministry.

(Provision of Information for Collaborative Efforts)

Article 21-6 (1) The Minister of the Environment is to collect, organize, and analyze information concerning Collaborative Efforts, and provide the results thereof.

- (2) The Minister of the Environment may request the head of the administrative agency concerned to cooperate, if the Minister finds that said cooperation is necessary to facilitate further promotion of Collaborative Efforts.

#### **Chapter IV Miscellaneous Provisions**

(Promotion of Public Action Giving Consideration to Environmental

Conservation through a System under Which Economic Value Is Added)

Article 22 The State and the local governments are to make efforts to promote the actions of citizens giving due consideration to Environmental Conservation, through the dissemination of a structure under which economic value is added to said action.

(Financial Measures)

Article 22-2 (1) The State and the local governments are to make efforts to take financial, taxation, or other measures for effectively implementing the provisions of the Certified Place for Nature-Based Experiences, the establishment of activities contributing to Environmental Conservation as consistent services, the development of human resources for Environmental Conservation, and other activities that are important for promoting Environmental Conservation Activities, Motivating Participation in Environmental Conservation, Environmental Education, and Collaborative Efforts.

(2) The competent minister may commend Citizens and Private Organizations, etc. that are engaged in Environmental Conservation Activities, Motivating Participation in Environmental Conservation, Environmental Education, or Collaborative Efforts that are found to have made remarkable contribution specifically to the establishment of a Sustainable Society.

(Active Publication of Information)

Article 23 (1) The State, local governments, Private Organizations, and businesses are to make efforts to actively publicize information concerning the content of their Motivating Participation in Environmental Conservation, and other information concerning Environmental Conservation, to promote the participation of Citizens and Private Organizations, etc. in activities concerning the Motivating Participation in Environmental Conservation and other Environmental Conservation Activities.

(2) The State is to make efforts to collect, organize, and analyze information mentioned in the preceding paragraph, and provide the results thereof.

(Consideration)

Article 24 In implementing the measures based on this Act, the State and local governments are to give due consideration so that said measures do not obstruct the autonomy of the Citizens and Private Organizations, etc. engaged in Environmental Conservation Activities, Motivating Participation in Environmental Conservation, Environmental Education, or Collaborative Efforts, while taking necessary measures to ensure the fairness and transparency of said measures.

(Conference for Promotion of Environmental Education)

Article 24-2 (1) The government is to establish a conference for the promotion of Environmental Education, etc. whose participants are to include officials from the Ministry of the Environment; Ministry of Education, Culture, Sports, Science and Technology; Ministry of Agriculture, Forestry and Fisheries; Ministry of Economy, Trade and Industry; Ministry of Land, Infrastructure,

Transport and Tourism; and other administrative agencies concerned, and liaise and coordinate to facilitate comprehensive, effective, and efficient promotion of Environmental Conservation Activities, Motivating Participation in Environmental Conservation, Environmental Education, and Collaborative Efforts.

- (2) The conference for the promotion of Environmental Education, etc. is to establish an expert committee to promote Environmental Education, etc., consisting of persons with expert knowledge concerning the promotion of Environmental Conservation Activities, Motivating Participation in Environmental Conservation, Environmental Education, and Collaborative Efforts.
- (3) The expert committee for the promotion of Environmental Education, etc., are to give advice and make proposals to the conference for the promotion of Environmental Education, etc. concerning the particulars pertaining to the promotion of Environmental Conservation Activities, Motivating Participation in Environmental Conservation, Environmental Education, and Collaborative Efforts.

(Competent Minister)

Article 25 (1) The competent ministers under this Act, are to be the Minister of the Environment; Minister of Education, Culture, Sports, Science and Technology; Minister of Agriculture, Forestry and Fisheries; Minister of Economy, Trade and Industry; and Minister of Land, Infrastructure, Transport and Tourism; provided, however, that for the particulars listed in each of the following items, the competent ministers are to be the ministers listed in each items concerned:

- (i) particulars pertaining to the Supporting Organizations: the Minister of Agriculture, Forestry and Fisheries; Minister of Economy, Trade and Industry; or the Minister of Land, Infrastructure, Transport and Tourism, who has jurisdiction over the Support Services provided by the entities to be subject to the designation under the provisions of Article 10-2, paragraph (1), and the Minister of the Environment and Minister of Education, Culture, Sports, Science and Technology;
- (ii) particulars pertaining to the Services of Human Resource Certification, etc.: the Minister of Education, Culture, Sports, Science and Technology; Minister of Agriculture, Forestry and Fisheries; Minister of Economy, Trade and Industry; or Minister of Land, Infrastructure, Transport and Tourism, who has jurisdiction over the Services of Human Resource Certification, etc. provided by the entities to be subject to the registration under the provisions of Article 11, paragraph (1), and the Minister of the Environment;
- (iii) particulars pertaining to the provisions of the Place for Nature-Based



Experiences: the Minister of Agriculture, Forestry and Fisheries; the Minister of Economy, Trade and Industry; or the Minister of Land, Infrastructure, Transport and Tourism, who has jurisdiction over the services provided at the Place for Nature-Based Experiences, to be subject to the certification under the provisions of Article 20, paragraph (1), and the Minister of the Environment and Minister of Education, Culture, Sports, Science and Technology; and

(iv) particulars pertaining to agreements concerning the promotion of Collaborative Efforts: the Minister of Education, Culture, Sports, Science and Technology; Minister of Agriculture, Forestry and Fisheries; Minister of Economy, Trade and Industry; or the Minister of Land, Infrastructure, Transport and Tourism, who has jurisdiction over particulars provided in the agreements prescribed in Article 21-5, paragraph (1), and performed by the entities executing said agreements, and the Minister of the Environment.

(2) Each competent minister is to make efforts to maintain close contact and cooperation with the others to facilitate precise and smooth implementation of the provisions of this Act.

(3) The Ordinance of the competent ministry under this Act is to be an order issued jointly by the Minister of the Environment; Minister of Education, Culture, Sports, Science and Technology; Minister of Agriculture, Forestry and Fisheries; Minister of Economy, Trade and Industry; and Minister of Land, Infrastructure, Transport and Tourism.

#### (Penal Provisions)

Article 26 Persons who fall under either of the following items are to be punished with a fine of not more than 300,000 yen:

- (i) persons who have obtained Registration under Article 11, paragraph (1), by deception or other illicit means; or
- (ii) persons who have failed to submit reports or materials under the provisions of Article 12, or submitted false reports or materials.

Article 27 If representatives of corporations, or agents, employees, or any other workers of corporations or of individuals commit a violation under the preceding Article, with regard to the businesses of the corporations or the individuals, not only the offender, but the corporations or the individuals are also to be punished and must pay the fine prescribed in the preceding Article.

Article 28 Persons who fall under either of the following items are to be punished by a non-criminal fine of not more than 100,000 yen:

- (i) persons who have failed to make notification under the provisions of Article 11, paragraph (7) or Article 20, paragraph (8), or made false notification;

- (ii) persons who have violated the provisions of Article 13 or Article 20-5;
- (iii) persons who have obtained certification under Article 20, paragraph (1), by deception or other illicit means; or
- (iv) persons who have failed to submit reports or materials under the provisions of Article 20-4, paragraph (2), or has submitted false reports or materials.