

# **Act on Promoting the Treatment of Debris that Drift Ashore Concerning the Conservation of Good Coastal Landscapes and Environments as well as Marine Environments to Protect the Beautiful and Abundant Natural Environment**

(Act No. 82 of December 1, 2018)

## Table of Contents

Chapter I General Provisions (Articles 1 through 12)

Chapter II Basic Policy (Article 13)

Chapter III Regional Plans (Articles 14 through 16)

Chapter IV Promotion of Measures against Debris that Drift Ashore

Section 1 Smooth Treatment of Debris that Drift Ashore (Articles 17 through 21-2)

Section 2 Control of Generation of Debris that Drift Ashore (Articles 22 through 24)

Section 3 Other Policies for Promotion of Treatment of Debris that Drift Ashore, etc. (Articles 25 through 31)

Supplementary Provisions

## **Chapter I General Provisions**

(Purposes)

Article 1 In light of the current situation whereby debris that drift ashore, etc. has a serious impact on the conservation of good coastal landscapes and environments and the conservation of the marine environments, and the fact that a large amount of debris that drift ashore, etc. is generated in the case of large-scale natural disasters, the purpose of this Act is to define basic principles for the measures required for the smooth treatment of debris that drift ashore, etc. and the measures required for the control of its generation (hereinafter referred to as "measures against debris that drift ashore"), to clarify the relevant responsibilities of the national government, local governments, business operators and citizens, and also to define necessary matters to promote the basic policy defined by the national government and other measures against debris that drift ashore, thus comprehensively and effectively promote measures against debris that drift ashore, and thereby contribute to securing the wholesome and cultured lives for present and future citizens.

(Definitions)

- Article 2 (1) The term "debris that drift ashore "as used in this Act means trash and other dirty items or discarded articles that drift ashore.
- (2) The term "drifting trash, etc." as used in this Act means trash and other dirty items or discarded articles that are drifting in the ocean areas of Japan or existing on its seabed.
- (3) The term " debris that drift ashore, etc." as used in this Act means debris that drift ashore, trash and other dirty items or discarded articles scattered along the coast and drifting trash.
- (4) The term "coast manager, etc." as used in this Act means a person who is a coast manager as defined in Article 2, paragraph (3) of the Coast Act (Act No. 101 of 1956), and a person who manages facilities pursuant to the provisions of other laws and regulations, that manage coastal land which is owned by the national or local governments and is provided for public use based on the authority of that person or the provisions of other laws and regulations,.

(Conservation and Restoration of the Overall Coastal Environment)

Article 3 Measures against debris that drift ashore must be carried out, with a view to contribute to the conservation and restoration of the overall coastal environment, giving consideration to the conservation of good landscapes as represented by beaches with white sand and green pines and securing biological diversity in reefs, tidelands, etc.

(Clarification of Responsibilities and Promotion of Smooth Treatment)

Article 4 Measures against debris that drift ashore must be carried out with a view to clarify the responsibilities of coast managers, etc. and other relevant persons involved in the treatment of debris that drift ashore, etc., while promoting smooth treatment appropriate to the various characteristics and forms of debris that drift ashore, etc.

(Effective Control of Generation of Debris that Drift Ashore)

Article 5 In light of the fact that debris that drift ashore drift onto coasts via waterways that flow from the mountains to rivers and then to the sea, and that the situation of this occurrence in part reflects the public awareness of environmental conservation in Japan, measures against debris that drift ashore must give sufficient attention to effective control of the generation of debris that drift ashore, etc. with the recognition that problems concerning debris that drift ashore, etc. are a common issue not only for coastal areas but also for all regions, in combination with measures under the Basic Act on Establishing a Sound Material-Cycle Society (Act No. 110 of 2000) and other

related laws.

(Conservation of Marine Environment)

Article 6 (1) Measures against debris that drift ashore must be carried out in consideration of the fact that as a country surrounded by the sea, the conservation of the good marine environment is essential for people's rich and affluent lives of the citizenry.

(2) In light of the facts that microplastics (meaning fine plastics; the same applies to Article 11-2) in sea areas may have serious effects on the marine environment, and that their treatment is difficult, measures against debris that drift ashore must give sufficient consideration to smooth treatment of plastics that are debris that drift ashore, etc. and control of waste plastics emissions, reduction of waste plastics through recycling, etc. and other appropriate treatments of plastics.

(Securing the Appropriate Division of Roles and Coordination among Various Actors)

Article 7 Measures against debris that drift ashore must be carried out to promote active efforts by the citizens for the appropriate treatment of debris that drift ashore, etc. and control of its generation (hereinafter referred to as "treatment, etc. of debris that drift ashore, etc."), while raising public awareness of the treatment, etc. of debris that drift ashore, etc., under the appropriate division of roles of the national government, local governments, business entities, the citizens, and private organizations, etc., and mutual coordination among these various actors.

(Promotion of International Cooperation)

Article 8 In implementing measures against debris that drift ashore, appropriate diplomatic efforts must be taken by the national government, and due consideration must be given to the fact that some debris drift ashore from surrounding countries to the coast of Japan while others drift ashore from Japan to the coasts of surrounding countries, and sufficient consideration must be paid to the promotion of international cooperation for the resolution of the problems, based on the recognition that problems concerning debris that drift ashore are common issues for both Japan and its surrounding countries.

(Responsibilities of the National Government)

Article 9 In accordance with the basic principles for measures against debris that drift ashore prescribed in Articles 3 through 8 (simply referred to as "basic principles" in the following Article and Article 13, paragraph (1)), the national government is to be responsible for formulating and implementing

comprehensive policies for measures against debris that drift ashore.

(Responsibilities of Local Governments)

Article 10 In accordance with the basic principles, the local governments are responsible for formulating and implementing policies for measures against debris that drift ashore that are suitable for the natural and social conditions of their region.

(Responsibilities of Business Operators and Citizens)

Article 11 (1) Business entities must endeavor to prevent the generation of debris that drift ashore, etc., in the course of their business activities and to cooperate in measures against debris that drift ashore taken by the national and local governments.

(2) The citizens must endeavor to deepen their interest in and understanding of the importance of measures against debris that drift ashore and to cooperate in measures against debris that drift ashore taken by the national and local governments.

(3) By appropriately managing or disposing their possessions or by appropriately maintaining and managing their land under their possession or management, business operators and citizens must endeavor to control the generation of debris that drift ashore, etc.

Article 11-2 In order to control microplastics from flowing into sea areas, business entities must endeavor to control the use of microplastics in products which will be released into rivers and other public waterways or sea areas after using the products in an ordinary way, and must endeavor to control the generation of waste plastics.

(Enhancement of Coordination)

Article 12 In light of the fact that measures against debris that drift ashore are soundly promoted when the national government, local governments, business operators, citizens and private organizations, etc. mutually coordinate and cooperate, not only in coastal areas but also in all regions, the national government is to formulate policies required for enhanced coordination among the relevant parties.

## **Chapter II Basic Policy**

Article 13 (1) In accordance with the basic principles, the national government must establish the basic policy for promoting measures against debris that drift ashore both comprehensively and effectively (hereinafter referred to as

- the "basic policy" in this Article and paragraph (1) of the following Article).
- (2) The following matters are to be provided for in the basic policy:
    - (i) basic direction in promoting measures against debris that drift ashore;
    - (ii) basic matters concerning the preparation of regional plans referred to in paragraph (1) of the following Article;
    - (iii) basic matters concerning councils under Article 15, paragraph (1); and
    - (iv) matters to be considered upon the implementation of measures against debris that drift ashore and other important matters required for the promotion of measures against debris that drift ashore.
  - (3) The Minister of the Environment must prepare a draft of the basic policy after prior consultation with the Minister of Agriculture, Forestry and Fisheries, the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transportation and Tourism, and must seek a cabinet decision.
  - (4) The Minister of the Environment must hear the general public opinion in advance when preparing a draft of the basic policy.
  - (5) When the cabinet decision is made as described in paragraph (3) of this Article, the Minister of the Environment must publish the basic policy without delay.
  - (6) The provisions of the preceding three paragraphs apply mutatis mutandis to any revision of the basic policy.

### **Chapter III Regional Plans**

(Regional Plan)

- Article 14 (1) When a prefecture finds it necessary for the comprehensive and effective promotion of measures against debris that drift ashore, based on the basic policy, either independently or with other prefectures, it is to prepare a plan for promoting measures against debris that drift ashore (hereinafter referred to as a "regional plan" in this Article and paragraph (2), item (i) of the following Article).
- (2) The following matters are to be provided for in a regional plan:
    - (i) the areas where measures against debris that drift ashore are to be specifically promoted and particulars thereof;
    - (ii) matters concerning division of roles and mutual cooperation among relevant parties; and
    - (iii) matters to be considered upon the implementation of measures against debris that drift ashore and other matters required for the promotion of measures against debris that drift ashore.
  - (3) When a prefecture intends to prepare its regional plan, it is to take necessary measures to reflect the opinions of residents and other interested parties in

advance.

- (4) When a prefecture intends to prepare its regional plan, it must hear the opinions of relevant local governments and coast managers, etc. in advance.
- (5) In the case where a prefecture intends to prepare its regional plan, and a council is organized as described in paragraph (1) of the following Article, the prefecture must submit the matters to be specified in the regional plan to the council for advance consultation.
- (6) When a prefecture has prepared its regional plan, it must publish the same without delay.
- (7) The provisions of paragraphs (3) through (6) apply mutatis mutandis to any revision of the regional plan.

(Council for Promotion of Measures against Debris that Drift Ashore)

Article 15 (1) To carry out the following administrative affairs referred to in the following paragraph, either independently or with other prefectures, a prefecture may organize a council for the promotion of measures against debris that drift ashore consisting of prefectures, residents, private organizations and relevant administrative agencies and local governments (hereinafter referred to as "council" in this Article).

- (2) The council is to undertake the following administrative affairs:
  - (i) discuss the preparation or revision of a prefecture's regional plan; and
  - (ii) communicate and make arrangements concerning the promotion of measures against debris that drift ashore.
- (3) Beyond what is provided for in the preceding two paragraphs, matters necessary for the organization and operation of the council are determined by the council.

(Promoters of Measures against Debris that Drift Ashore)

Article 16 (1) A prefectural governor may delegate to any person who is committed to and has insight into activities supporting the promotion of measures against debris that drift ashore as a promoter of measures against debris that drift ashore.

- (2) A prefectural governor may designate a private organization that engages in activities supporting the promotion of measures against debris that drift ashore as a promoting organization of measures against debris that drift ashore.
- (3) Promoters and promoting organizations of measures against debris that drift ashore are to conduct the following activities:
  - (i) develop a deeper understanding of the importance of measures against debris that drift ashore among residents;
  - (ii) upon request from any resident or private organization, provide them with

- advice required for the treatment, etc. of debris that drift ashore, etc.;
- (iii) provide any resident or private organization that engages in activities supporting the promotion of measures against debris that drift ashore with information and other cooperative support concerning the relevant activities; and
  - (iv) give necessary cooperation to measures against debris that drift ashore implemented by the national government or local governments.

## **Chapter IV Promotion of Measures against Debris that Drift ashore**

### **Section 1 Smooth Treatment of Debris that Drift Ashore**

#### (Responsibility for Treatment)

- Article 17 (1) Coast managers, etc., must take measures required for the treatment of debris that drift ashore, etc. (Drifting trash is excluded; the same applies hereinafter to this Article and the following Article.) so as to maintain the cleanliness of coastal land under their management.
- (2) Any possessor of coastal land who is not a coast manager, etc. (if there is no possessor, a manager; the same applies hereinafter to this Article) must endeavor to maintain the cleanliness of coastal land under possession or management.
  - (3) With regard the treatment of debris that drift ashore, etc., municipalities must cooperate as necessary with coast managers, etc. or the possessors of coastal land referred to in the preceding paragraph.
  - (4) Prefectures may provide coast managers, etc. or possessors of coastal land referred to in paragraph (2) with technical advice and other support required in promoting their smooth treatment of debris that drift ashore, etc.

#### (Request by Municipality)

- Article 18 When it finds that the presence of debris that drift ashore, etc. on coastal land under the management of any coast manager is causing problems in the lives of residents or economic activities, a municipality may request that the coast manager, etc. take measures required for the treatment of the relevant debris that drift ashore, etc.

#### (Request for Cooperation)

- Article 19 (1) When a prefectural governor finds it evident that most debris that drift ashore flow in from a region of another prefecture, pursuant to a request from coast managers, etc. or upon hearing their opinion, the prefectural governor may request that the governor of the relevant other prefecture cooperate in the treatment of the debris that drift ashore or other necessary matters.

(2) When the Ministry of the Environment finds it necessary to ensure smooth cooperation between prefectures pursuant to the provisions of the preceding paragraph, the Minister of the Environment may conduct mediation concerning the relevant cooperation.

Article 20 When it is found that the presence of debris that drift ashore are likely to cause substantial problems in conservation of the region's environment, if the prefectural governor finds it specifically necessary, the prefectural governor may request that the Minister of the Environment and the heads of other relevant administrative agencies cooperate in the treatment of the relevant debris that drift ashore.

(Appropriate Diplomatic Efforts)

Article 21-1 When the Minister of Foreign Affairs finds that the presence of articles that drift ashore from abroad are causing problems in the conservation of any region's environment, the Minister is to take appropriate diplomatic steps where necessary, in coordination with relevant administrative organs.

(Promotion of Smooth Treatment of Drifting trash)

Article 21-2 The national and local governments must endeavor to promote smooth treatment of drifting trash that affects the living or economic activities of local residents.

## **Section 2 Control of Generation of Debris that Drift Ashore, etc.**

(Investigation of Actual Circumstances and Causes of Generation)

Article 22 The national and local governments must endeavor to periodically conduct investigations into the circumstances and causes of generation of debris that drift ashore, etc. in order to promote effective policies required for the control of generation of debris that drift ashore, etc.

(Prevention of Waste Dumping)

Article 23 Based on a combination of regulations based on the provisions of the Act on Waste Disposal and Public Cleansing (Act No. 137 of 1970) and other laws and regulations, the national and local governments must endeavor to take necessary measures to prevent the illegal dumping of waste and other dirty items or discarded articles in areas such as forests, agricultural land, urban areas, rivers, coasts, etc.

(Advice on and Instructions for Appropriate Land Management)

Article 24 (1) The national and local governments must endeavor to give



necessary advice and instructions to enable possessors or managers of land to appropriately manage the land under their possession or management so that no articles that may become debris that drift ashore or drifting trash, etc. flow from the land into or become scattered in rivers or other public waterways or ocean areas.

- (2) A possessor or manager of land must endeavor to make necessary requests to any person who operates temporary business activities or any other activities on the relevant land so that no articles that may become debris that drift ashore or drifting trash, etc. in the course of the relevant business activities flow into or become scattered in rivers or other public waterways or ocean areas.

### **Section 3 Other Policies for Promotion of Treatment of Debris that Drift Ashore**

(Ensuring Close Cooperation with Private Organizations)

Article 25 (1) In consideration of the importance of the role played by private organizations, etc. that engage in activities for the treatment, etc. of debris that drift ashore, etc., the national and local governments are to endeavor to ensure close coordination with the private organizations, etc. and support their activities.

- (2) When providing support referred to in the preceding paragraph, the national and local governments are to endeavor to pay sufficient attention to ensuring the safety of activities undertaken by private organizations, etc. as stipulated in the relevant paragraph.

- (3) The national governments is to endeavor to commend private organizations and individuals who have contributed to the promotion of treatment, etc. of debris that drift ashore, etc..

(Promotion of Environmental Education on Issues Concerning Debris that Drift Ashore)

Article 26 The national and local governments must endeavor to implement policies required for the promotion of environmental education on issues concerning debris that drift ashore, etc., in accordance with the purpose of the provisions of Article 9, paragraph (1) of the Act on the Promotion of Environmental Conservation Activities through Environmental Education (Act No. 130 of 2003).

(Promotion of Public Awareness Concerning Treatment of Debris that Drift Ashore)

Article 27 The national and local governments must endeavor to promote public

awareness concerning the treatment, etc. of debris that drift ashore, etc. through public relations activities, etc.

(Promotion of Technical Development, Research and Study)

Article 28-1 To effectively promote measures against debris that drift ashore, the national government must endeavor to promote technical development, research and study, etc. concerning the efficient treatment, recycling, and investigation of cause of generation, etc. of debris that drift ashore, etc., and to disseminate the results thereof.

(Ensuring International Coordination and Promotion of International Cooperation)

Article 28-2 In light of the importance of promoting measures against debris that drift ashore under international cooperation, the national government is to take necessary measures for ensuring international coordination on the promotion of measures against debris that drift ashore and the promotion of technical cooperation on the treatment, etc. of debris that drift ashore, etc. and other related international cooperation.

(Financial Measures)

Article 29 (1) The national government must take necessary financial measures required for the promotion of measures against debris that drift ashore.

(2) When taking financial measures referred to in the preceding paragraph, the national government is to give special consideration to expenses incurred by a local government for the treatment of debris that drift ashore on remote islands and in other regions where large quantities of debris that drift ashore flow in from abroad or areas of other local governments.

(3) In consideration of the importance of the role played by private organizations, etc. in promoting measures against debris that drift ashore, the national government is to endeavor to give consideration for financial support to promote their activities.

(Conference for Promotion of Measures against Debris that Drift Ashore)

Article 30 (1) The national government is to establish a conference for promotion of measures against debris that drift ashore consisting of officials from the Ministry of the Environment, the Ministry of Agriculture, Forestry and Fisheries, the Ministry of Economy, Trade and Industry, the Ministry of Land, Infrastructure, Transportation and Tourism and other relevant administrative agencies, and is to communicate with and coordinate the relevant agencies to support the comprehensive, effective and efficient promotion of measures against debris that drift ashore.

- (2) An expert conference for measures against debris that drift ashore consisting of persons with specialized knowledge of measures against debris that drift ashore is to be established within the conference for promotion of measures against debris that drift ashore.
- (3) The expert conference for measures against debris that drift ashore is to offer opinions concerning the promotion of measures against debris that drift ashore to the conference for promotion of measures against debris that drift ashore.

(Preparation for Legislation)

Article 31 The national government must promptly streamline the legislation required for the implementation of financial measures and other comprehensive support measures to promote measures against debris that drift ashore.

### **Supplementary Provisions**

(Effective Date)

- (1) This Act comes into effect as of the date of promulgation.

(Review)

- (2) When 3 years have passed from the enactment of this Act, the national government is to review the provisions of this Act and take necessary measures based on the results thereof if it deems it necessary upon consideration of the status of debris that drift ashore, etc. or other circumstances surrounding the enforcement of this Act.

### **Supplementary Provisions [Act No. 67 of June 15, 2011] [Extract]**

(Effective Date)

Article 1 This Act comes into effect as of October 1, 2011.

### **Supplementary Provisions [Act No. 64 of June 22, 2018]**

(Effective Date)

- (1) This Act comes into effect as of the date of promulgation.

(Review)

- (2) The national government, taking into account the latest scientific knowledge and international trends, is to promptly review the role of measures for controlling microplastics (meaning microplastics prescribed in Article 6, paragraph 2 of the Act on Promoting the Treatment of Debris that Drift Ashore

Concerning the Conservation of Good Coastal Landscapes and Environments as well as Marine Environments to Protect the Beautiful and Abundant Natural Environment amended by this Act: referred to as "New Act " in the following paragraph) in ocean areas, and take necessary measures based on the results.

(Transitional Measures)

- (3) Until the basic policy is formulated pursuant to the provisions of Article 13 of New Act, the basic policy which has been actually formulated as of the time of enforcement of this Act pursuant to the provisions of Article 13 of the Act on Promoting the Treatment of Debris that Drift Ashore Concerning the Conservation of Good Coastal Landscapes and Environments as well as Marine Environments to Protect the Beautiful and Abundant Natural Environment prior to amendment by this Act, is deemed to be the basic policy formulated pursuant to the provisions of Article 13 of New Act.