

# Climate Change Adaptation Act

(Act No. 50 of June 13, 2018)

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## 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, providing information on the climate change impact and climate change adaptation and promoting heat illness countermeasures, thereby contributing to the health and cultural life of the people both at present and in the future, considering 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 changes (referred to below as "climate change") has on daily life, society, economy, and the natural environment, and the risk that this impact will increase over a long term.

### (Definitions)

- Article 2 (1) The term "climate change impact" as used in this Act means the impact by climate change which negatively affects human health and the living environment, causes a decline in biodiversity, and has impacts on daily life, society, economy, and the natural environment in other ways.
- (2) The term "climate change adaptation" as used in this Act means reacting to the climate change impact so as to prevent or reduce its damage, and to contribute to a stable living environment, healthy development of a society and economy, and to preserve the natural environment.
- (3) The term "heat illness countermeasures" as used in this Act means measures

taken by the national government or local governments or efforts undertaken by businesses or the people as part of climate change adaptation to prevent damage to human health due to heat illness.

(Responsibilities of the National Government)

- Article 3 (1) The national government is to promote the enhancement of scientific knowledge on climate change, climate change impact, and climate change adaptation (referred to below as "climate change, etc."), together with the efficient and effective use of this knowledge and is to comprehensively establish and promote policies for climate change adaptation.
- (2) The national government is to endeavor to set up a system to collect, organize, analyze, and provide information on climate change, etc. and take other measures 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, people or private-sector organizations that they set up (referred to below as "businesses, etc.").

(Responsibilities of Local Governments)

- Article 4 (1) Local governments are to endeavor to promote policies for climate change adaptation in accordance with natural, economic, and social situations in its region.
- (2) Local governments are to endeavor to provide information on the policies prescribed in the preceding paragraph and take other measures to promote climate change adaptation and business activities that contribute to climate change adaptation by businesses, etc.

(Endeavors of Businesses)

- Article 5 To carry out their own business activities smoothly, businesses are to endeavor in adapting to climate change in accordance with the content of their business activities, and in cooperating with the national and local governmental programs for climate change adaptation.

(Endeavors of the People )

- Article 6 People are to endeavor to increase their interest in and understanding of the importance of climate change adaptation and to cooperate with the national government and local governmental programs for climate change adaptation.

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

(Establishing Climate Change Adaptation Plan)

Article 7 (1) To promote a policy for climate change adaptation comprehensively and systematically, the government must establish a plan for climate change adaptation (referred to below as the "Climate Change Adaptation Plan").

(2) The Climate Change Adaptation Plan is to provide the following matters:

- (i) period for the plan;
- (ii) basic objective of the policy for climate change adaptation;
- (iii) matters on the improvement and use of scientific knowledge relating to climate change, etc.;
- (iv) matters on the setting up of a system to collect, organize, analyze, and provide information on climate change, etc.;
- (v) matters on the role of the National Institute for Environmental Studies, National Research and Development Agency (referred to below as the "Institute") on promoting climate change adaptation;
- (vi) matters on the promotion of measures on climate change adaptation by local governments;
- (vii) matters on the promotion of climate change adaptation and business activities that contribute to climate change adaptation by businesses, etc.;
- (viii) matters on securing international partnerships and promoting international cooperation in climate change, etc.;
- (ix) matters on ensuring mutual partnership and coordination and cooperation between the relevant administrative organs in promoting policies for climate change adaptation;
- (x) basic matters related to the heat illness prevention action plan prescribed in Article 16, paragraph (1); and
- (xi) important matters related to climate change adaptation beyond what is stated in the preceding items.

(3) The Minister of the Environment must 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 of the Environment must consult in advance with the heads of the relevant administrative organs.

(5) Upon the cabinet decision, pursuant to the provisions of paragraph (3), the Minister of the Environment must announce the Climate Change Adaptation Plan without delay.

(Changes to Climate Change Adaptation Plan)

Article 8 (1) The government must 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 must promptly change the plan if it considers it necessary.

- (2) The provisions of paragraphs (3) through (5) of the preceding Article apply mutatis mutandis to changes in the Climate Change Adaptation Plan.

(Developing a Method of Evaluation)

Article 9 To contribute to the examination prescribed in the provisions of paragraph (1) of the preceding Article, the government is to endeavor to properly 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 must hear the opinions of the Central Environment Council approximately every 5 years and prepare and publicize a report on the comprehensive assessment of the Climate Change Impact; provided, however, that this 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 report as prescribed in paragraph (1) of the preceding Article, the Minister of the Environment must make its draft in advance and consult with the heads of the relevant administrative organs.

### **Chapter III Promoting Climate Change Adaptation**

#### **Section 1 Providing Information on the Climate Change Impact and Climate Change Adaptation**

(Duties for Promoting Climate Change Adaptation by the Institute)

Article 11 (1) The Institute is to undertake the following duties in accordance with the Climate Change Adaptation Plan:

- (i) collect, organize, analyze, and provide information regarding the Climate Change Impact and Climate Change Adaptation (excluding matters relating to research as prescribed in the provisions of Article 20, paragraph (1));
  - (ii) give technical advice and other technical assistance to prefectures and municipalities (including special ward; the same applies below) on the formulation or 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); and
  - (iv) conduct duties incidental to those in the preceding three items
- (2) The Institute is to give consideration to the importance of information on the

climate change impact affecting the daily life of each member of the society, and also is to 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 and studies institutions" in Article 14, paragraph (2)).

- (3) The Minister of the Environment may give advice as necessary to the Institute on the operations stated in the items in paragraph (1).

#### (Local Climate Change Adaptation Plans)

Article 12 In view of the Climate Change Adaptation Plan, either independently or jointly, prefectures and municipalities are to 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) 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) Either independently or jointly, prefectures and municipalities are to 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 to promote climate change adaptation in their local area.

- (2) Local Climate Change Adaptation Centers are to work and share gathered information and the results of organizing and analyzing the information with the Institute.

#### (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 a wide regional council on climate change adaptation (referred to below as a "regional council" in this Article) to carry out necessary consultations on climate change adaptation through wide-scale cooperation.

- (2) If deemed necessary, a regional council may request the Institute or a research and study institution to provide materials, present opinions, give

explanations of these and other cooperation.

- (3) The members of a regional council must respect the results of discussions concerning the matters agreed upon at regional council meetings.
- (4) General affairs of a regional council is processed by the regional environment office.
- (5) Beyond what is provided for in each of the preceding paragraphs, the necessary matters for the running of a regional council are specified by that council.

(Cooperation with Related Policies)

Article 15 In promoting policies on climate change adaptation, the national government and local governments are to endeavor to cooperate with measures to prevent disasters, measures to encourage agriculture, forestry, and fisheries, measures to conserve biodiversity, and other related measures.

## **Section 2 Promoting Heat Illness Countermeasures**

(Formulating Heat Illness Prevention Action Plans)

Article 16 (1) To intensively and systematically promote heat illness countermeasures in accordance with the Climate Change Adaptation Plan, the government must formulate a plan for implementing heat illness counter measures (referred to below as "heat illness prevention action plan" in this Article and the following Article).

- (2) The heat illness prevention action plan is prescribed in the following matters:
  - (i) period for the plan;
  - (ii) goals for promotion of heat illness countermeasures;
  - (iii) matters on the measures taken by the national government and local governments which are necessary to achieve the goals referred to in the preceding item;
  - (iv) matters on the content of efforts for heat illness countermeasures by businesses and the people;
  - (v) matters on the role of the Environmental Restoration and Conservation Agency, Independent Administrative Agency for heat illness countermeasures; and
  - (vi) other necessary matters on implementation of the heat illness prevention action plan.
- (3) The provisions of paragraphs (3) through (5) of Article 7 apply mutatis mutandis to formulation of the heat illness prevention action plan.

(Changes to Heat Illness Prevention Action Plans)

Article 17 (1) The government is to consider the status of damage to human

health due to heat illness and the other circumstances, and examine the heat illness prevention action plan, and must promptly make changes to the Plan if it is found to be necessary.

- (2) The provisions of paragraphs (3) through (5) of Article 7 apply mutatis mutandis to changes to the heat illness prevention action plan.

#### (Heat Stroke Alert)

Article 18 If the Minister of the Environment finds that the situation falls under any of the cases specified by Order of the Ministry of the Environment as cases in which there is a risk of damage to human health due to heat illness caused by a significant rise in temperature, the Minister of the Environment must state information to the effect that caution should be taken against the occurrence of that damage (referred to as "heat stroke alert" in Article 20) by clarifying the period and region, and make it publicly known, as necessary, by seeking cooperation from broadcasting organizations, newspaper publishers, communications agencies, and other mass media (referred to as "mass media" in paragraph (1) in the following Article).

#### (Special Heat Stroke Alert)

Article 19 (1) If the Minister of the Environment finds that the situation falls under any of the cases specified by Order of the Ministry of the Environment as cases in which there is a risk of serious damage to human health due to heat illness caused by a particularly significant rise in temperature, the Minister of the Environment must state information to the effect that particular caution should be taken against the occurrence of that damage (referred to below as "special heat stroke alert" in this section) the period, region and other matters specified by Order of the Ministry of the Environment, give notice to the relevant prefectural governors and, make it publicly known, as necessary, by seeking cooperation from broadcasting institutions, newspaper publishers, communication agencies, and other mass media.

- (2) Upon receiving a notice as prescribed in the provisions of the preceding paragraph, the prefectural governor must notify the mayors of the relevant municipalities (including the mayor of a special ward) of the notice.

- (3) Upon receiving a notice as prescribed under the preceding paragraph, the mayor of a municipality (including the mayor of a special ward; the same applies below in this section) must notify the residents and related public or private groups of the matters concerning the notice.

#### (Examination and Cooperation)

Article 20 (1) The Minister of the Environment is to conduct an examination by using meteorological information, information on damage to human health due

to heat illness, and other information to accurately and promptly announce a heat stroke alert or special heat stroke alert.

- (2) The Director-General of the Japan Meteorological Agency is to provide necessary cooperation, such as providing meteorological information to the Minister of the Environment to help with accurately and promptly announcing a heat stroke alert or special heat stroke alert.

(Designated Cooling Shelters)

Article 21 (1) To prevent damage to human health due to heat illness the mayor of a municipality may designate a facility located within the area of the municipality that meet the following stated standards as a designated cooling shelter:

- (i) the facility has appropriate cooling equipment; or
  - (ii) if a special heat stroke alert is announced for the area where the facility is located, the facility is able to be open to residents and other persons, and the management method of the facility otherwise meets the standards specified by Order of the Ministry of the Environment.
- (2) If the mayor of a municipality intends to designate a facility managed by a person other than the municipality as a designated cooling shelter as prescribed in the provisions of the preceding paragraph, the mayor must obtain the consent of the manager of the facility.
- (3) If the mayor of a municipality has designated a facility managed by a person other than the municipality as a designated cooling shelter as prescribed in the provisions of paragraph (1), the mayor is to conclude an agreement that establishes the following matters:
- (i) designated cooling shelter for which an agreement is concluded (referred to as "designated cooling shelter under the agreement" in the following item, item (iii), and item (iii) of paragraph (1) of the following Article);
  - (ii) dates and times during which the designated cooling shelter under the agreement can be opened (referred to as "dates available to be open" in the following paragraph and paragraph (5));
  - (iii) number of people expected to be accepted due to opening the designated cooling shelter under the agreement; and
  - (iv) other matters specified by Order of the Ministry of the Environment.
- (4) If the mayor of a municipality has designated a facility managed by the municipality as a designated cooling shelter prescribed in the provisions of paragraph (1), and an agreement prescribed in the provisions of the preceding paragraph is concluded, the mayor of the municipality must announce the name, location, and available open dates of the designated cooling shelter, and the number of people who are expected to be accepted due to opening the facility.



- (5) If a special heat stroke alert for the area where the designated cooling shelter is located has been announced, the manager of the designated cooling shelter must open the designated cooling shelter on the available announced open dates of paragraph (1) of Article 19 relating to the special heat stroke alert, on the available announced open dates as prescribed in the provisions of the preceding paragraph.
- (6) The provisions of paragraph (4) apply mutatis mutandis to changes to the matters announced as prescribed in the provisions of the paragraph.

Article 22 (1) The mayor of a municipality is to revoke the designation prescribed in the provisions of paragraph (1) of the preceding Article if any of the following items applies:

- (i) a designated cooling shelter has been revoked;
  - (ii) the mayor finds that a designated cooling shelter no longer meets the stated standards in the items of paragraph (1) of the preceding Article; or
  - (iii) in paragraph (3) of the preceding Article regarding designated cooling shelters under the agreement has been revoked.
- (2) In addition to the cases provided for in the preceding paragraph, the mayor of a municipality may revoke the designation prescribed in the provisions of paragraph (1) of the preceding Article if the mayor that there is no need to designate the facility as a designated cooling shelter.
- (3) If the mayor of a municipality has revoked a designation prescribed in the provisions of the preceding two paragraphs, the mayor must publicly announce to that effect.

(Heat Illness Prevention Promotion Organizations)

Article 23 (1) The mayor of a municipality, upon application, may designate, as a heat illness prevention promotion organization (referred to below as "promotion organization" in this Article and the following Article), a general incorporated association, a general incorporated foundation, a corporation engaging in the specified nonprofit agency under Article 2, paragraph (2) of the Act on Promotion of Specified Non-profit Activities (Act No. 7 of 1998), or another corporation specified by Order of the Ministry of the Environment that is found to meet the following standards for the projects stated in each item of paragraph (3) (referred to below as "heat illness prevention promotion project" in this Article and the following Article):

- (i) the plan for the implementation of the heat illness prevention promotion project, which covers personnel, operational procedures and other matters, is appropriate, and the plan is found to have a sufficient financial and technical basis for carrying out the plan reliably;
- (ii) measures prescribed by Order of the Ministry of the Environment as

- necessary measures to ensure the proper handling of personal information and other necessary measures to properly and reliably implement the heat illness prevention promotion project have been taken;
- (iii) if the applicant is engaged in any project other than the heat illness prevention promotion project, there is no risk that implementing the project will hinder the proper and reliable implementation of the heat illness prevention promotion project by implementing that other project; and
  - (iv) beyond what is provided for in the preceding three items, it is found that it is possible to properly and reliably implement the heat illness prevention promotion project.
- (2) The mayor of a municipality must not make a designation prescribed in the provisions of the preceding paragraph if an applicant referred to in the paragraph falls under any of the following items:
- (i) the person's designation was revoked as prescribed in the provisions of paragraph (6), and for whom a period of two years has not yet elapsed from the date of the revocation; or
  - (ii) there is a person among the officers, who was sentenced to a punishment for violating this Act, for whom a period of two years has not yet elapsed from the date on which the enforcement of the sentence was completed or the person becomes no longer subject to the enforcement of the sentence.
- (3) A promotion organization is to implement the following projects:
- (i) conduct awareness-raising activities and public relations activities regarding heat illness countermeasures for businesses located in the area of the relevant municipality and residents of the relevant municipality;
  - (ii) provide consultation for residents of the relevant municipality and offer necessary advice regarding the heat illness countermeasures; and
  - (iii) beyond what is stated in the preceding two items, conduct the necessary services to promote heat illness countermeasures in the area of the relevant municipality.
- (4) The mayor of a municipality may have a promotion organization give a report on the heat illness prevention promotion project if the mayor finds it necessary to do so to ensure proper and reliable implementation of the heat illness prevention promotion project.
- (5) The mayor of a municipality may order a promotion organization to take necessary measures for improvement if the mayor finds it necessary to do so to improve the management of the heat illness prevention promotion project by the promotion organization.
- (6) If a promotion organization falls under any of the following items, the mayor of a municipality may revoke the designation prescribed in the provisions of paragraph (1):
- (i) it is found that it is not possible for a promotion organization to ensure

- proper and reliable implementation of the heat illness prevention promotion project; or
- (ii) it has violated an order prescribed in the provisions of the preceding paragraph.
- (7) Officers or employees of a promotion organization, or persons formerly in those positions must not disclose any confidential information they have learned regarding the projects stated in paragraph (3), item (ii).
- (8) The procedures for designation prescribed in the provisions of paragraph (1) and other necessary matters concerning promotion organizations are prescribed by Order of the Ministry of the Environment.

Article 24 The Minister of the Environment and relevant local governments are to provide necessary information for implementation of the projects or guidance and advice to the promotion organizations.

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

##### **(Promotion of Observation)**

Article 25 To promote climate change adaptation based on scientific knowledge, the national government is to 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 Understanding of Climate Change by Businesses and the People)**

Article 26 Beyond what is provided for in Article 24, the national government is to endeavor to take measures to increase the interest and understanding of businesses and people on the importance of climate change adaptation, through publicity activities, educational activities, and in other relevant ways.

##### **(Promoting International Cooperation)**

Article 27 The national government is to 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 28 The national government is to endeavor to provide information and other assistance to help promote measures on climate change adaptation by local governments, climate change adaptation by businesses, etc., and business activities that contribute to climate change adaptation.

(Cooperation by Relevant Administrative Organs)

Article 29 The Minister of the Environment may ask the heads of relevant administrative organs and local governments to provide materials, present opinions, and any other cooperation if it finds this necessary to achieve the purpose of this Act.

## **Chapter V Penal Provisions**

Article 30 A person who has violated the provisions of Article 23, paragraph (7) will be punished with a fine of not more than 300,000 yen.