

Outline of the Act Partially Amending the Act on Promotion of Distribution and Use of Legally Harvested Wood and Wood Products

1. Background

- Illegal logging of forests and distribution of wood produced by illegal logging **may have adverse effects on multiple functions of forests, and may harm fair transactions in the wood market.**
- The current system promotes the distribution and use of legally harvested wood and wood products by: 1) imposing a **duty to make efforts to use legally harvested wood and wood products**; 2) encouraging **the wood-related business entities to confirm the legality of wood and wood products**; and 3) having **third party organizations register wood-related business entities that reliably conduct confirmation of legality.**
- Efforts toward the elimination of illegal logging are issues discussed in G7 Meetings and APEC Meeting of Ministries Responsible for Forestry. **Further strengthening of Japan's efforts** is required.

2. Outline of the Act

1) Require Confirmation of Legality and Other Activities by Upstream Wood-related Business Entities/Wood-related Importers

- As the measures taken at the initial stages of wood distribution in the domestic market are important, when **upstream wood-related business entities/wood-related importers** receive wood and wood products from business entities producing and selling logs or from foreign business entities exporting wood, **the following activities are required: 1) Collection of information on raw materials, and confirmation of legality; 2) Creation/Storage of records; 3) Communication of information** (Article 6 through Article 8).

2) Require Provision of Information by Business Entities Producing and Selling Logs

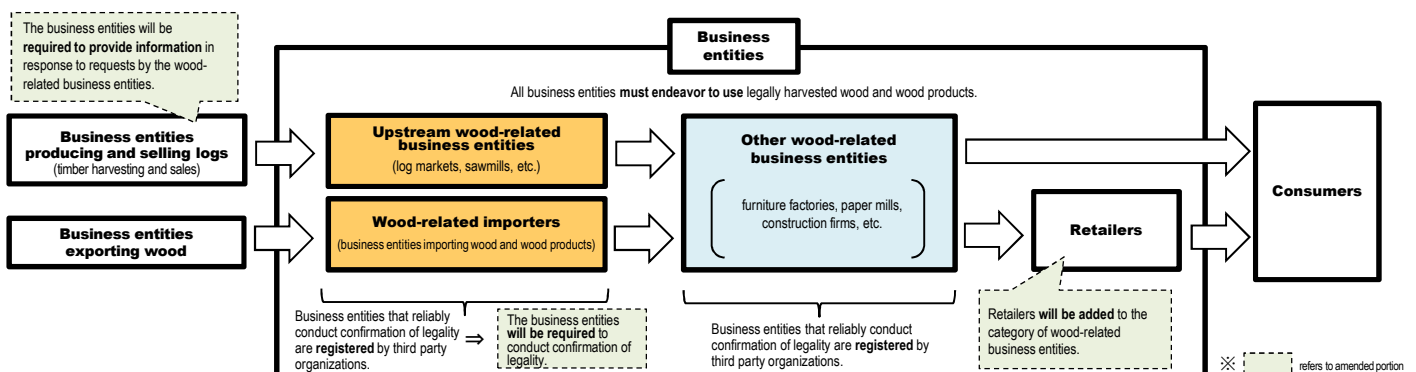
- To ensure that the confirmation of legality that is required in 1) is conducted smoothly, in response to requests by the wood-related business entities, **business entities producing and selling logs are required to provide information including notification of logging** (Article 9).

3) Addition of Retailers to Wood-related Business Entities

- **Retailers will be added to the category of wood-related business entities** and registration of retailers made possible so that the legality confirmation and other information is communicated to consumers (Article 2, paragraph (4)).

4) Other Measures

- Regarding 1) and 2), the following actions may be taken by the competent ministers: **guidance, advice, recommendation, publication, and order.** And, **penal provisions for violations of the order** are provided (Article 10, Article 11, Article 45, etc.).
- As measures that wood-related business entities should take in addition to 1) in order to realize the use of legally harvested wood and wood products, **measures to prevent the use of wood and wood products produced by illegal logging** and other actions will be provided for in a clear manner (Article 13).
- Upstream wood-related business entities/wood-related importers above a certain size will be **required to make yearly reports, and requests for cooperation may be made to the heads of relevant administrative organs and others as appropriate** (Article 12, Article 41).



3. Effective Date

The day specified by Cabinet Order within a period not exceeding 2 years since the date of promulgation.

合法伐採木材等の流通及び利用の促進に関する法律 の一部を改正する法律の概要

1. 背景

- 違法伐採及び違法伐採に係る木材の流通は、**森林の有する多面的機能に影響を及ぼすおそれがあるとともに、木材市場における公正な取引を害するおそれ。**
- 現行制度は、①事業者**に合法伐採木材等の利用の努力義務**を課すとともに、②木材関連事業者**に合法性の確認等の実施を求め**る、③**合法性の確認等を確実に行う木材関連事業者を第三者機関が登録**すること等により、合法伐採木材等の流通及び利用を促進。
- G7関連会合やAPEC林業担当大臣会合等で違法伐採の根絶に向けた取組が課題として取り上げられるなど、**更なる取組の強化が必要。**

2. 法律の概要

(1)川上・水際の木材関連事業者による合法性の確認等の義務付け

- 国内市場における木材流通の最初の段階での対応が重要であることから、**川上・水際の木材関連事業者に対し、**素材生産販売事業者又は外国の木材輸出事業者から木材等の譲受け等をする場合に、①**原材料情報の収集、合法性の確認、②記録の作成・保存、③情報の伝達を義務付け**（第6条～第8条）。

(2)素材生産販売事業者による情報提供の義務付け

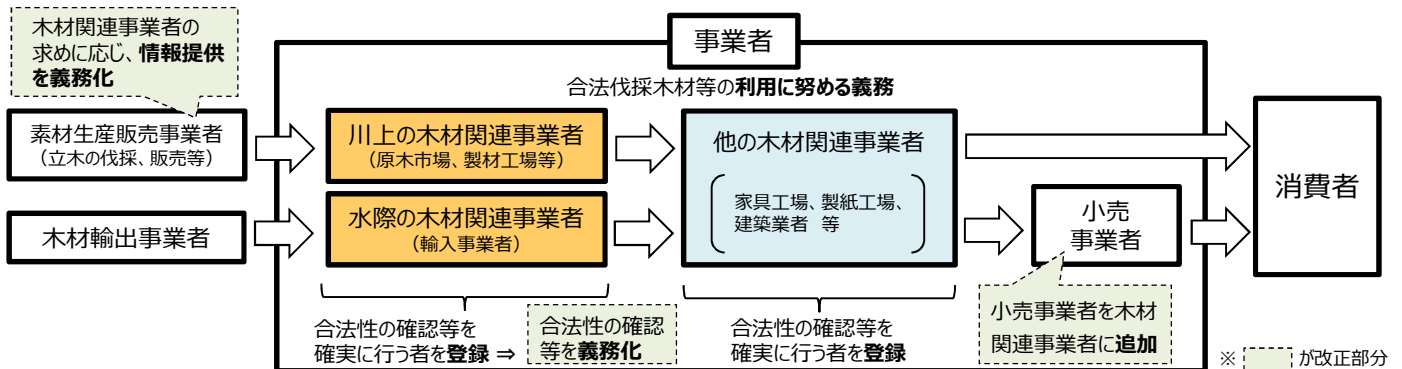
- （1）で義務付けられる合法性の確認等が円滑に行われるよう、**素材生産販売事業者に対し、当該木材関連事業者からの求めに応じ、伐採届等の情報提供を行うことを義務付け**（第9条）。

(3)小売事業者の木材関連事業者への追加

- 合法性の確認等の情報が消費者まで伝わるよう、**小売事業者を木材関連事業者に追加し、登録を受け**ることができるよう措置（第2条第4項）。

(4)その他の措置

- （1）及び（2）に関し、主務大臣による**指導・助言、勧告、公表、命令、命令違反の場合の罰則等**を措置（第10条、第11条、第45条等）。
- 木材関連事業者が（1）のほか、合法伐採木材等の利用を確保するために取り組むべき措置として、**違法伐採に係る木材等を利用しないようにするための措置等**を明確化（第13条）。
- 一定規模以上の川上・水際の木材関連事業者に対する**定期報告の義務付け、関係行政機関の長等に対する協力要請**を措置（第12条、第41条）。



3. 施行期日

公布の日から起算して2年を超えない範囲内において政令で定める日