

The Basic Law on Forest and Forestry

(Law No. 161, 1964: as amended by Law No. 108, 2001)

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with the help of Suwa Minoru, Imaizumi Yuji)

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Supplementary Provisions

Chapter I General Provisions

(Objective)

Article 1

The objective of this law is to stabilize and improve citizens' quality of life and to develop the national economy through the comprehensive and systematic implementation of policies relating to forests and forestry, by establishing basic principles and matters for their realization, and by clarifying the responsibilities of the state and local governments.

(Fulfillment of the Multifunctional Roles of Forests)

Article 2

1 Recognizing that sustaining the various functions of forests, including the conservation of land and water resources and the natural environment, the protection of public health, the prevention of global warming, the provision of forest products, and other functions (hereinafter referred to collectively as the "multifunctional roles of forests"), is indispensable for maintaining stability in the quality of life and the national economy, forests shall be properly managed and conserved for the future.

2 Recognizing the importance of stable forestry production in rural areas, in the context of measures for proper forest management and conservation, adequate consideration shall be given to rural development, including the promotion of stable communities in these areas.

(Sustainable and Sound Forestry Development)

Article 3

1 Recognizing the importance of forestry in the multifunctional roles of forests, the sustainable and sound development of forestry shall be promoted by securing a workforce, improving productivity, and establishing a favorable forest industry structure.

2 Recognizing the importance of ensuring the appropriate supply and utilization of forest products, for the sustainable and sound development of forestry, forest products shall be supplied in response to increasingly sophisticated and diverse public demand, and the utilization of forest products shall be promoted, while encouraging a better public understanding of forests and forestry.

(Responsibilities of the State)

Article 4

The State is responsible for formulating and implementing comprehensive policies with regard to forests and forestry, in accordance with the basic principles on policies for forests and forestry prescribed in the two preceding articles (hereinafter referred to as the "basic principles").

(Management of National Forests)

Article 5

The State shall manage National Forests appropriately and efficiently, in accordance with the basic principles, in order to maintain and promote the public benefit roles of National Forests, including the conservation of national lands, shall supply forest products sustainably and systematically, and, by utilization of National Forest land, shall

contribute to the development of local industry and improvement of the public welfare in areas where National Forests are situated.

(Responsibilities of Local Governments)

Article 6

Local governments are responsible for formulating and implementing forest- and forestry-related policies that suit the local natural, economic and social conditions, are based on an appropriate sharing of roles with the State, and are in accordance with the basic principles.

(Fiscal Measures, etc.)

Article 7

1 The Government shall take legislative and fiscal measures required to implement policies with regard to forests and forestry.

2 In taking measures relating to forests and forestry, the Government shall strive to provide the necessary financial support.

(Support for Efforts of Parties Engaged in Forestry)

Article 8

In measures relating to forests and forestry, the state and local governments shall work to provide support to the voluntary efforts of persons engaged in forestry, to forest- and forestry-related organizations and to operators of wood industries and forest products distribution and processing industries, etc. (hereinafter referred to as "wood industries").

(Responsibilities of Forest Owners, etc.)

Article 9

Forest owners and those having the right to use and profit from forests (hereinafter referred to as "forest owners") shall make efforts to manage and conserve their forests with the aim of securing the multifunctional roles of forests, in accordance with the basic principles.

(Annual Reporting)

Article 10

1 The Government shall annually submit to the Diet a report on the state of forests and forestry and on the policies implemented with regard to forests and forestry.

2 The Government shall annually prepare and submit to the Diet a document explaining policies the Government intends to implement, based on consideration of the state of forests and forestry described in the report in the preceding paragraph.

3 The Government shall seek opinions from the Forestry Policy Council, in preparing the documents referred to in the preceding paragraph that explain policies the Government intends to implement.

Chapter II The Basic Plan for Forest and Forestry

Article 11

1 The Government shall establish a basic plan for forests and forestry (hereinafter referred to as the “basic plan”) for the promotion of the comprehensive and systematic implementation of policies on forests and forestry.

2 The basic plan shall stipulate the following matters:

(1) The basic orientation for formulation of policies on forests and forestry

(2) Targets for the fulfillment of multifunctional roles of forests and for the supply and use of forest products

(3) Policies to be implemented comprehensively and systematically by the Government with regard to forests and forestry

(4) Besides the preceding matters, matters required to comprehensively and systematically promote policies on forests and forestry

3 Targets for the fulfillment of multifunctional roles of forests and for the supply and use of forest products referred to in the second item of the preceding paragraph shall be established as a guide for forest management and conservation, the operation of forestry and wood industries, and forest products consumption, and shall identify issues that forest owners and other relevant parties should address.

4 Forest-related policies in the basic plan shall be developed in harmony with national basic plans for environment conservation.

5 The Government shall seek opinions from the Forestry Policy Council in establishing the basic plan stipulated in paragraph 1.

6 The Government shall, without delay, submit to the Diet and publish the basic plan stipulated in paragraph 1 after it has been established.

7 The Government shall revise the basic plan approximately every 5 years, in consideration of changes in conditions surrounding forests and forestry, and based on results of evaluations of forest- and forestry-related policies.

8 Provisions of paragraphs 5 and 6 above shall apply *mutatis mutandis* to changes of the basic plan.

Chapter III Measures for Fulfillment of the Multifunctional Roles of Forests

(Promotion of Forest Management)

Article 12

1 The State shall take the measures necessary to promote proper forest management, including the systematic promotion of afforestation, silviculture and harvesting appropriate to local conditions, as well as forest road improvements and the securing the availability of high quality seedlings.

2 Besides the matters stipulated in the preceding paragraph, while recognizing the special importance of systematic and comprehensive implementation of forestry work by forest owners, the State shall support local activities such as surveys that provide vital information on the state of forests, which is indispensable for the implementation of forestry work.

(Forest Conservation)

Article 13

The State shall take the necessary measures to properly conserve forests, including the promotion of regulations needed to prevent adverse effects from activities such as changes in the character of the land that are likely to cause significant impacts on forest conservation, the prevention of landslides caused by natural events, and the promotion of construction work to restore damage caused by those events, as well as the eradication of forest pests and prevention of their spread.

(Development and Promotion of Technology)

Article 14

The State shall take the necessary measures to effectively promote research, development and the diffusion of technology in fields relating to forests, forestry and forest products processing and distribution, such as setting specific goals for the research and development of technology, encouraging closer cooperation among national, local governmental and independent administrative institution research institutes, universities and private bodies; and promoting the diffusion of forest- and forestry-related technologies that suit regional characteristics.

(Promotion of Stable Communities in Rural Areas)

Article 15

Recognizing the importance of having forest owners living in rural areas for the proper management and conservation of forests, the State shall take the necessary measures to encourage people to live in rural areas, such as increasing employment opportunities by promoting business through the production and distribution of local specialty products, and improving living conditions.

(Promotion of Voluntary Activities)

Article 16

The State shall provide information and take other measures necessary to promote forest management and conservation activities, including tree-planting and other such activities initiated by citizens, business enterprises and their organizations.

(Exchanges Between Urban and Rural Areas)

Article 17

The State shall encourage exchanges between urban and rural areas, promote forest uses for public health and education, and take other measures necessary to promote public understanding and awareness of forests and forestry and to contribute to healthy and comfortable living.

(International Cooperation and Contributions)

Article 18

Recognizing the importance of international collaboration in promoting sustainability in the multifunctional roles of forests, the State shall encourage international cooperation, including initiatives to establish criteria and indicators relating to forest management and conservation, technical and financial cooperation provided to developing regions, and other endeavors.

Chapter IV Policies for the Sustainable and Sound Development of Forestry

(Establishment of a Favorable Forest Industry Structure)

Article 19

In order to encourage efficient and stable forestry management and to construct a forest industry structure in which such operations can play a major part, the State shall take measures necessary to strengthen the foundations of forestry management, in ways that reflect local conditions, including measures to expand the scale of forestry management, to improve the efficiency of production methods and operational management, to introduce forestry equipment, and others.

(Securing and Training the Workforce)

Article 20

The State shall expand education, research and awareness-raising activities, and take other measures necessary in order to secure and train a workforce that can play a major role in efficient and stable forestry management.

(Forestry Workforce Policies)

Article 21

The State shall expand activities to promote and stabilize employment, improve working conditions, enhance social security and expand job training, and take other measures necessary in order to secure and train the forestry workforce and improve its welfare.

(Promotion of Activities of Forestry Production Organizations)

Article 22

The State shall take the measures necessary to promote the activities of forest cooperatives and other organizations contracted to conduct forestry work and management, in order to help ensure efficient forest production at the local level.

(Compensation for Losses from Disasters)

Article 23

The State shall take the measures necessary to prevent disaster-caused obstacles to forest production and to help provide stability to forestry management, such as by providing reasonable compensation for losses from natural disasters.

Chapter V Policies for Securing the Supply and Utilization of Forest Products

(Sound Development of Wood Industries)

Article 24

Recognizing the importance of wood industries in providing a stable supply of wood, the State shall take the measures necessary to promote their sound development, including reinforcing the management base, encouraging closer cooperation between wood industries and the forest industry, and streamlining distribution and processing.

(Promotion of Forest Product Utilization)

Article 25

The State shall take the measures necessary in order to promote the appropriate uses of forest products, such as efforts to raise awareness and knowledge of the significance of using forest products, the provision of relevant information, the development of new demand for forest products, and the promotion of the use of wood in buildings and other structures.

(Forest Products Import/Export Policies)

Article 26

The State shall work through international fora to ensure the appropriate imports of forest products, while not failing to consider issues of sustainability of the multifunctional roles of forests, and shall take the necessary measures, such as tariff rate adjustments and import restrictions, when the urgent need arises, if certain imports affect or are likely to have a significantly adverse effect on the production of domestic forest products competing against such imports.

Chapter VI Administrative Bodies and Relevant Organizations

(Structure of Administrative Bodies)

Article 27

In measures relating to forests and forestry, the State and local governments shall cooperate closely and to work to improve transparency and efficiency in administrative management.

(Reorganization/Restructuring of Relevant Bodies)

Article 28

The State shall take measures necessary for the effective restructuring of forest- and forestry-related bodies to facilitate the realization of the basic principles.

Chapter VII The Forestry Policy Council

(Establishment)

Article 29

A Forestry Policy Council (hereinafter referred to as the "Council") shall be established in the Ministry of Agriculture, Forestry and Fisheries.

(Authority)

Article 30

1 The Council shall study and discuss matters that are important for the implementation of this Law, in response to inquiries by the Minister of Agriculture, Forestry and Fisheries or other ministers concerned, in addition to dealing with the tasks authorized under this Law.

2 The Council may submit its opinions to the Minister of Agriculture, Forestry and Fisheries or other ministers concerned, with regard to the matters stated in the preceding paragraph.

3 Besides the matters stated in the preceding two paragraphs, the Council shall deal with tasks associated with authority provided for under the Forest Pests and Disease Control Law (1950, Law No. 53), the Law Concerning Management of National Forest (1951, Law No. 246), the Forest Law (1951, Law No. 249), the Temporary Measures Law for Protection Forest Consolidation (1954, Law No. 84), the Emergency Measures Law for Soil and Water Conservation (1960, Law No. 21), the Temporary Measures Law Concerning Funds for Improvement of Forestry Management Framework (1979, Law No. 51), the Special Measures Law for Improvement of Public Health Functions of Forests (1989, Law No. 71) and the Law Concerning the Securing of the Forestry Work Force (1996, Law No. 45).

(Organization)

Article 31

1 The Council shall be comprised of no more than 30 members.

2 The Council members shall be appointed by the Minister of Agriculture, Forestry and Fisheries from among academics or those having expertise or experience with regard to the matters stated in the first paragraph of the preceding article.

3 The Council members shall serve on a part-time basis.

4 In addition to the provisions of paragraph 2, the Council staff, as stipulated by Cabinet Order, shall be appointed by the Minister of Agriculture, Forestry and Fisheries.

(Requests for Submission of Documents, etc.)

Article 32

The Council may request heads of the relevant administrative bodies to submit the appropriate documents, and to offer their opinions, explanations and other kinds of cooperation, as deemed necessary for the execution of the Council's designated tasks.

(Authorization Provision)

Article 33

Besides the matters stated in this Law, any necessary matters relating to the organization, designated tasks and administration of the Council shall be stipulated by Cabinet Order.

Supplementary Provisions