

# **Forest and Forestry Basic Act**

(Act No. 161 of July 9, 1964)

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## **Chapter 1 General Provisions**

(Purpose)

Article 1 The purpose of this Act is to stabilize and improve the life of the citizens and to develop the national economy through comprehensive and systematic implementation of the policies on forest and forestry by means of establishing the basic principles and basic matters for their realization, and by clarifying the responsibilities of the national and local governments.

(Fulfillment of Multifunctional Roles Forests)

Article 2 (1) In consideration of the indispensableness of sustainable fulfillment of the multiple roles that forests play through preservation of national land, water resources, natural environment, public health, prevention of global warming and supply of forest products (hereinafter referred to as the "multifunctional role") in maintaining the stable life of the citizens and the national economy, adequate efforts shall be given for the development and preservation of forests for the future.

(2) In consideration of the importance of continuous forest production activities in mountain villages, necessary consideration shall be given for the promotion of

such areas including promotion of the settlement of people for adequate development and preservation of forests.

(Sustainable and Sound Forestry Development)

Article 3 (1) In consideration of the fact that forestry plays an important role in the fulfillment of forests' multifunctional role, sustainable and sound forestry development shall be promoted by securing the workforce, improving the productivity, and establishing a desirable forestry structure.

(2) In consideration of importance of securing adequate supply and utilization of the forest products, utilization of the forest products shall be promoted by supplying the products that meet the sophisticated and diversified needs of the citizens and obtaining their better understanding of forest and forestry.

(Responsibility of the National Government)

Article 4 The national government is responsible for formulating and implementing comprehensive policies for forest and forestry, pursuant to the basic principles for forest and forestry prescribed in the preceding two articles (hereinafter referred to as "basic principles").

(Management and Operation of National Forest Projects)

Article 5 The national government is responsible for adequate and efficient management and operation of the national forest projects, pursuant to the basic principles, in order to contribute to the promotion of the industry or the welfare of the communities by enhancing the public interest and the roles of national lands and forests, providing forest products continually and systematically, and utilizing the national forests.

(Responsibility of Local Governments)

Article 6 Local governments are responsible, pursuant to the basic principles, and based on an appropriate sharing of the roles with the national government, for formulating and implementing the policies for forest and forestry that suit their natural and socioeconomic characteristics of the area.

(Financial Measures)

Article 7 (1) The Government shall take legislative and financial measures required to implement the policies concerning forest and forestry.

(2) In taking measures for forest and forestry, the Government shall endeavor to provide adequate financial support smoothly.

(Support Provided to the Efforts of the People Engaged in Forestry)

Article 8 In taking measure for forest and forestry, the national and local governments shall aim at providing support to the voluntary efforts of the people engaged in forestry, organizations relevant to forest and forestry, operators of wood industry and others engaged in the distribution and processing of the forest products (hereinafter referred to as "wood industry").

(Responsibility of Forest Owners)

Article 9 Forest owners and those who own the titles of forests for their use and profit-making (hereinafter referred to as "forest owners"), pursuant to the basic principles, shall endeavor to develop and conserve the forests so that their multifunctional role can be fulfilled.

(Annual Report On the Trend of Forest and Forestry)

Article 10 (1) The Government shall annually submit to the Diet a report on the trend of forest and forestry and on the policies implemented concerning forest and forestry.

(2) The Government shall annually prepare and submit to the Diet a document explaining the policies the Government is going to implement in consideration of the trend of forest and forestry set forth in the preceding paragraph.

(3) The Government shall seek opinions from the Forestry Policy Council, in preparing a document explaining the policies the Government is going to implement as referred to in the preceding paragraph.

## **Chapter 2 Basic Plan for Forest and Forestry**

Article 11 (1) The Government shall establish a basic plan for forest and forestry (hereinafter referred to as the "basic plan") for the promotion of a comprehensive and systematic implementation of the policies on forest and forestry.

(2) The basic plan shall set forth the following matters:

(i) Basic direction of the policies on forest and forestry.

(ii) Targets for the fulfillment of multifunctional role of forest and for the supply and use of forest products.

(iii) Policies that the Government shall implement comprehensively and systematically for forest and forestry.

(iv) In addition to what is listed in the preceding three items, matters required for the promotion of comprehensive and systematic implementation of the policies on forest and forestry.

(3) Targets for the fulfillment of multifunctional roles of forest and for the supply and use of forest products as referred to in the second item of the preceding

- paragraph shall be established as a guideline for the forest development and conservation, business operation of forestry and wood industry, and consumption of forest products, while identifying issues that forest owners should address.
- (4) Policies of the basic plan pertaining to forest shall be developed in harmony with the national plan relevant to the conservation of environment.
  - (5) The Government shall seek opinions from the Forestry Policy Council in establishing the basic plan pursuant to the provision of paragraph 1.
  - (6) The Government shall, without delay, submit to the Diet and publicize the basic plan when established pursuant to the provision of paragraph 1.
  - (7) The Government shall revise the basic plan approximately every 5 years, taking into consideration of the changes in circumstances surrounding forest and forestry as well as the result of evaluation of the policies on forest and forestry.
  - (8) Provisions of paragraph 5 and 6 shall apply mutatis mutandis to the changes of the basic plan.

### **Chapter3 Policies for the Fulfillment of Multifunctional Roles of Forest**

#### **(Promotion of Forest Development)**

- Article 12 (1) The State shall take necessary measures for the promotion of adequate development of forest such as promotion of systematic afforestation, tending and cutting best suited to the characteristics of the region, development of forest roads required for efficient forest management practices and securing of superior seedlings.
- (2) In addition to the matters prescribed in the preceding paragraph, the State shall, in consideration of the importance of systematic and integrated forest management practices by forest owners, provide support to the current state investigation of forest, indispensable for implementation of the practices, and other activities in the region.

#### **(Securing of Forest Conservation)**

- Article 13 The State shall take necessary measures to conserve forest adequately, including promotion of the controls required for the prevention of adverse effect of activities such as changes in the character of land that are likely to cause significant impacts on forest conservation, prevention of landslides to be caused by disasters, promotion of civil work to restore the damages caused by such events, and extermination of forests diseases and pests and prevention of their spread.

(Development and Dissemination of Technology)

Article 14 The State shall take necessary measures such as setting specific goals for research and development of technology, enhancing the partnerships among laboratories of national, independent administrative agencies, local governments, local independent administrative agencies, universities, and private bodies, and promoting dissemination of forest and forestry technologies that suit the regional characteristics, in order to effectively promote research and development and dissemination of the technologies relevant to the forest and forestry distribution and processing.

(Promotion of Settlement in Mountain Villages)

Article 15 The State shall, in consideration of the importance of forest owners to live in mountain villages, take necessary measures for the promotion of the settlement of people in mountain villages such as increasing of job opportunities by promoting industries through production and distribution of local specialty products, and improving the living environment.

(Promotion of Voluntary Activities by the Citizens)

Article 16 The State shall provide information and take necessary measures for the promotion of forest development and conservation activities including voluntary tree-planting activities by the citizens, business operators and private bodies organized by such parties.

(Exchanges between Urban Areas and Mountain Villages)

Article 17 The State shall take necessary measures such as encouraging exchanges between urban and mountain villages, and promoting public health or use of forests for education , in order to enhance public understanding and awareness of forest and forestry and to contribute to healthy and comfortable life.

(International Cooperation and Contribution)

Article 18 The State shall, in consideration of the importance of international cooperation in promoting sustainable fulfillment of multifunctional roles of forests, endeavor to promote international cooperation including international coordination of efforts to establish rules relevant to the forest development and conservation, technical and financial cooperation for the developing areas.

**Chapter4 Policies for the Sustainable and Sound Development of**

## **Forestry**

### **(Establishment of Desirable Forestry Structure)**

Article 19 The State shall take necessary measures for the promotion of expansion of forestry management scale, streamlining of production system, and rationalization of management according to the regional characteristics, in order to develop efficient and stable forestry management and to establish the forestry structure that plays considerable part in the forestry production.

### **(Development and Securing of Human Resources)**

Article 20 The State shall take necessary measures such as enriching education, research and dissemination projects, in order to develop and secure human resources who play a major role in efficient and stable forestry management.

### **(Policies for Forestry Workforce)**

Article 21 The State shall take necessary measures such as increasing job opportunities, stabilizing employment, improving working conditions, improving social security, and enhancing vocational training programs, in order to improve welfare, develop and secure the forest labor force.

### **(Promotion of Activities of Forestry Production Organizations)**

Article 22 The State shall take necessary measures for promoting forestry activities of forest owners' cooperation association, and other organizations which operate commissioned forest management practices, in order to contribute to secure efficient forestry production in the local forestry.

### **(Forestry Disaster Compensation)**

Article 23 The State shall take necessary measures such as reasonable compensation for the disaster losses in order to prevent any possible impediment to forestry reproduction by the disasters and help the stabilization of forestry management.

## **Chapter5 Policies for Securing Supply and Use of Forest Products**

### **(Sound Development of Wood Industry)**

Article 24 The State shall take necessary measures, in consideration of an importance of the role of wood industry, etc. in the supply of wood products, such as enhancement of business base, promotion of partnerships with forestry,

streamlining of distribution and processing, for the sound development of wood industry.

(Promotion of Utilization of Forest Products)

Article 25 The State shall take necessary measures such as disseminating the knowledge on the significance of forest products' utilization and providing relevant information, stimulating new demand for forest products, and promoting the use of woods in buildings and structures, to contribute to the promotion of adequate utilization of forest products.

(Measures for Imports of Forest Products)

Article 26 The State shall take necessary measures for building international partnerships to secure adequate import of forest products while endeavoring to sustainable development of forests' multifunctional roles, such as tariff rate adjustments and import restrictions, where urgently required, when certain imports create or likely to create serious adverse effect on the production of domestic forest products that compete against imports.

## **Chapter 6 Administrative Organs and Relevant Bodies**

(Restructuring of Administrative Organs)

Article 27 The State and local governments shall endeavor to cooperate in taking measures for forest and forestry, and restructuring administrative organs as well as improving their efficiency and transparency in administrative management.

(Reorganization and Restructuring of Relevant Bodies)

Article 28 The State shall take necessary measures for efficient restructuring of the bodies relevant to forest and forestry, which contribute to the realization of the basic principles.

## **Chapter 7 The Forestry Policy Council**

(Establishment)

Article 29 The Forestry Policy Council (hereinafter referred to as the "Council") is hereby established in the Ministry of Agriculture, Forestry and Fisheries.

(Authority)

Article 30 (1) The Council shall, study and deliberate important matters for

implementing this Act, in response to the consultations by the Minister of Agriculture, Forestry and Fisheries or other ministers concerned, in addition to deal with the tasks authorized pursuant to the provisions of this Act.

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

(3) In addition to the matters provided in the preceding two paragraphs, the Council shall deal with the tasks authorized pursuant to the provisions of the following Acts: Forest Pests and Disease Control Act (Act No. 53 of 1950), Act Concerning Utilization of National Forest Land (Act No.246 of 1951), Forest Act (Act No. 249 of 1951), Temporary Measures Act for Protection Forest Consolidation (Act No. 84 of 1954), Temporary Measures Act Concerning Fund for Improvement of Forestry Management Framework (Act No. 51 of 1979), Special Measures Act for Improvement of Public Health Function of Forests (Act No.71 of 1989), Act Concerning the Securing of forestry Work Force (Act No. 45 of 1996)

#### (Organization)

Article 31 (1) The Council shall be comprised of not more than 30 members.

(2) The Council members shall be appointed by the Minister of Agriculture, Forestry and Fisheries from persons with relevant knowledge and experience with regard to the matters provided in the first paragraph of the preceding article.

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

(4) In addition to the matters provided in paragraph 2, the Council staff, as prescribed in the Cabinet Order, shall be appointed by the Minister of Agriculture, Forestry and Fisheries.

#### (Request of Document Submission)

Article 32 The Council may request the heads of relevant administrative organs to submit appropriate materials, and offer their opinions, explanations and other cooperation as deemed necessary for the execution of their affairs under the jurisdiction.

#### (Authorization)

Article 33 In addition to the matters provided in this Act, the matters necessary for the organization, affairs of jurisdiction and administration of the Council shall be prescribed by the Cabinet Order.

### **Supplementary Provisions Excerpts**



(1) This Act shall enter into force on the day of promulgation. However, paragraph 3 of Article 9, paragraph 3 of Article 10, Chapter VI, provisions of next paragraph and the provisions to amend Article 68, 69 and 71 of Forest Act (Act No. 249 of 1951) in paragraph 3 of Supplementary Provisions shall enter into force on April 1, 1965.