

Promulgation of the Law to Partially Amend Building Standards Law and Heart Building Law

Yasuo Ushiyama

The Law to Partially Amend the Building Standards Law was passed by the House of Representatives on the 5th July 2002, and the Law to Partially Amend the Heart Building Law (the Act on Buildings Accessible and Usable by the Elderly and Physically Disabled) was promulgated on the 12th July.

The focus of these amendments to the Building Standards Law will be the restriction of use or prohibition of usage of two types of chemical substances as a means of combating the “sick house syndrome ^{note)}” in which peoples’ health is upset by indoor air pollution caused by chemical substances contained in construction materials. They also make the installation of ventilation equipment mandatory.

The two types of substances subject to restrictions are chlorpyrifos, which is used as an exterminator, and formaldehyde, which emits from the adhesives in plywood and wallpaper. Once emitted, chlorpyrifos cannot be eliminated even by ventilation, so its use will be prohibited. For formaldehyde, the use in excess of a given area of materials containing it will be restricted. At the same time, it will be made mandatory to install ventilation equipment in condominiums and other highly airtight housing. Violations of the law will result in a correction order being issued, and if this is not complied with, jail terms of up to one year and fines of up to 500,000 yen are levied. The new law will come into effect within a year.

In the amendments to the Heart Building Law, barrier-free measures which are up until now a “duty of effort” will be made mandatory, and will become a law subject to building construction approval. Applicable buildings include department stores, theaters, hotels and other facilities used by the general public, and facilities such as nursing homes which are used by elderly people and disabled people, with an area of at least 2,000 m² (designated buildings), and it creates obligations for the width of entries, exits and corridors, and the installation of disabled toilets. In the event that the law is violated, a correction order is issued, and offenders are levied with fines of up to 1 million yen.

Furthermore, the eligible scope of the duty of effort will be expanded to schools, offices and joint housing, which are used by large numbers of people, even if they are not used by the public. Building owners will also be required to make barrier-free improvements when renovating or remodeling corridors and stairways. Meanwhile, facilities that carry out a barrier-free response that complies with standards will be eligible for support measures, such as a relaxation of floor-area ratios. The Ministry of Land, Infrastructure and Transportation has published a draft proposal of specific technical standards with a view to enforcing it by year's end, and is currently inviting opinions from the public.

Both of the amendments are in line with the major tide of public opinion demanding healthy and barrier-free facilities, and it may be described as a field in which regulations and mandatory installation will increase in the future. Because the content applies not only to new buildings but also to renovations and remodeling, due consideration is also required for buildings currently in operation.

Note:

Sick House Syndrome

Refers to bad health caused as a result of the indoor environment. Pollution of indoor air caused by highly airtight housing and the use of construction materials and finishing materials that emit chemical substances. Large numbers of cases are reported of residents of new buildings or renovated buildings suffering a variety of unhealthy symptoms, ranging from sore eyes to headaches and nausea. For a large part the causes of these symptoms are unclear, and there is a possibility that many factors may be involved in a complex manner, so they are referred to as a syndrome.