

Consumer Product Safety Act

(Act No. 31 of June 6, 1973)

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Chapter I General Provisions

(Purpose)

Article 1 The purpose of this Act is to regulate the manufacture and sale of Specified Products, to promote proper maintenance of Specified Products Requiring Maintenance and to implement measures, such as the collection and providing of information regarding Product Incidents, thereby protecting the

interests of general consumers, in order to prevent any harm caused by Consumer Products to the lives or health of general consumers.

(Definitions)

- Article 2 (1) The term "Consumer Products" as used in this Act means any product supplied mainly for use by general consumers in their everyday lives (except for those products listed in the Appended Table).
- (2) The term "Specified Products" as used in this Act means Consumer Products that are found to be highly likely to cause harm particularly to the lives or health of general consumers in consideration of these products' structure, material qualities, and usage, etc., which are specified by Cabinet Order.
- (3) The term "Special Specified Products" as used in this Act means Specified Products for which the manufacturers or importers thereof have not sufficiently ensured the level of quality necessary to prevent endangering the lives or health of general consumers as specified by Cabinet Order.
- (4) The term "Specified Products Requiring Maintenance" as used in this Act means Consumer Products that are found highly likely to cause particularly serious harm to the lives or health of general consumers arising from safety troubles due to deterioration caused by long-term use making the products unsafe (hereinafter referred to as "Age-Related Deterioration"), and which are specified by Cabinet Order as products whose proper maintenance it is appropriate to encourage in view of their usage, etc.
- (5) The term "Product Incidents" as used in this Act means incidents resulting from the use of Consumer Products that fall under any of the following categories, other than those apparently not caused by a defect in the Consumer Product (except for those specified by Cabinet Order as incidents where the occurrence and increase of safety hazards can be considered to be preventable by the provisions of other Acts):
- (i) incidents which endanger the lives or health of general consumers; or
 - (ii) incidents in which Consumer Products are lost or damaged and that are found to be likely to endanger the lives or health of general consumers.
- (6) The term "Serious Product Incidents" as used in this Act means Product Incidents falling under the requirements provided for by Cabinet Order with respect to details of the safety hazard or the manner of the incident, being incidents where actual or potential harm is serious.

Chapter II Specified Products

Section 1 Requirements and Restrictions on Sales and Labeling

(Requirements)

Article 3 (1) With respect to Specified Products, the competent minister must

establish in order of the competent ministry the technical requirements necessary for preventing endangering the lives or health of general consumers. In this case, if the standards or requirements for preventing endangering the lives or health of general consumers may be prescribed under the provisions of other Acts designated by Cabinet Order with respect to the Specified Products, the technical requirements are to be prescribed with respect to portions other than those corresponding to these standards or requirements.

- (2) When the competent minister intends to establish the technical requirements pursuant to the provisions of the preceding paragraph, the competent minister must consult with the Prime Minister in advance. The same applies to any change made to these requirements.

(Restrictions on Sales)

Article 4 (1) No person engaged in the manufacture, import or sale of Specified Products may sell, or display such Specified Products for the purpose of selling them, without labeling them pursuant to the provisions of Article 13.

- (2) The provisions of the preceding paragraph do not apply if the person described in the preceding paragraph falls under any of the following cases:
- (i) cases where, when the person sells, or displays Specified Products for export for the purpose of selling them, the person has notified the competent minister thereof;
 - (ii) cases where, when the person sells, or displays Specified Products to be supplied for specified purposes other than export for the purpose of selling them, the person has obtained approval from the competent minister; or
 - (iii) cases where the person sells, or displays Specified Products requiring notification in accordance with the provisions of Article 11, paragraph (1), item (i) or the approval set forth in item (ii) of the same paragraph for the purpose of selling them.

(Restrictions on Labeling)

Article 5 No person may affix a label on Specified Products in the format specified by order of the competent ministry which is provided for in Article 13, or a label confusingly similar thereto unless this constitutes a case in which the person is affixing a label pursuant to provisions of the following Article (hereinafter referred to as a "Notifying Enterprise") in accordance with the provisions of Article 13 on Specified Products of the type subject to notification under the provisions of the following Article (hereinafter simply referred to as "Type Subject to Notification").

Section 2 Notification of Business

(Notification of Business)

Article 6 A person engaged in the manufacture or import of Specified Products may notify the competent minister of the following particulars in accordance with the classification of Specified Products specified by order of the competent ministry (hereinafter simply referred to as "Classification of Specified Products"):

- (i) the person's name and address, and the name of the representative in cases involving a corporation;
- (ii) the classification of the type of Specified Products as specified by order of the competent ministry;
- (iii) the name and address of the factory or workplace manufacturing the Specified Products (the name and address of the manufacturer of the Specified Products, in cases where a person is engaged in the import of Specified Products); and
- (iv) the measures taken to prepare for compensating victims in cases where the lives or health of general consumers are harmed due to a defect in the Specified Products.

(Succession)

Article 7 (1) When a Notifying Enterprise transfers the whole of the business subject to the notification, or when an inheritance, merger or split of the Notifying Enterprise occurs (limited to those cases that cause the succession of the entire business subject to the notification), the transferee or heir to the whole of this business (the heir selected to succeed to the business by unanimous agreement of all other heirs, in cases where there are two or more heirs), or a corporation surviving a merger, a corporation incorporated by a merger, or a corporation succeeding to the whole of the business by a split succeeds to the status of Notifying Enterprise.

(2) Any person succeeding to the status of a Notifying Enterprise as described in the preceding paragraph must without delay notify the competent minister thereof, together with all documentation evidencing this fact.

(Notification of Change)

Article 8 When there is a change to any of the particulars listed in Article 6, a Notifying Enterprise must without delay notify the competent minister thereof; provided, however, that this does not apply in cases of minor changes specified by order of the competent ministry.

(Notification of Discontinuation)

Article 9 When a Notifying Enterprise discontinues the business pertaining to the notification, the Notifying Enterprise must without delay notify the

competent minister of its discontinuation.

(Provision of Information Pertaining to Notified Particulars)

Article 10 Any person may request the competent minister to provide information pertaining to the particulars listed in Article 6, item (i) and item (ii).

(Duty to Conform to Requirements)

Article 11 (1) When a Notifying Enterprise manufactures or imports Specified Products of the Type Subject to Notification, the Notifying Enterprise must ensure that they conform to the technical requirements described in the provisions of Article 3, paragraph (1) (hereinafter referred to as "Technical Requirements"); provided, however, that this does not apply to those cases falling under any of the following conditions:

- (i) cases where, when the Notifying Enterprise manufactures or imports Specified Products for export, the Notifying Enterprise has notified the competent minister thereof;
 - (ii) cases where, when the Notifying Enterprise manufactures or imports Specified Products to be supplied for specific purposes other than export, the Notifying Enterprise has obtained the approval of the competent minister; or
 - (iii) cases where the Notifying Enterprise manufactures or imports specified products for experimental purposes.
- (2) Pursuant to the provisions of order of the competent ministry, a Notifying Enterprise must inspect the Specified Products manufactured or imported pursuant to the preceding paragraph (except for those manufactured or imported under the proviso to the preceding paragraph) and must prepare and keep an inspection record.
- (3) A Notifying Enterprise must ensure that the measures set forth in Article 6, item (iv) conform to the requirements specified by order of the competent ministry.

(Conformity Inspection of Special Specified Products)

Article 12 (1) In cases where Specified Products manufactured or imported by a Notifying Enterprise as set forth in paragraph (1) of the preceding Article (except for those manufactured or imported under the proviso to paragraph (1) of the preceding Article) fall under the category of Special Specified Products, the Notifying Enterprise must have any of the items listed below inspected in accordance with the following paragraph by a person registered with the competent minister (hereinafter referred to as a "Conformity Inspection"), and must obtain and keep the certificate set forth in the same paragraph prior to the sale of the Special Specified Products; provided, however, that this does not

apply to cases where a certificate for item (ii) as described in paragraph (1) of the preceding Article is issued and kept with respect to Special Specified Products falling under the same type as that of the Special Specified Products, and that the period specified by Cabinet Order for the respective Special Specified Products, commencing from the date of the issuance of the certificate, has not elapsed, or where an item specified by order of the competent ministry as being equivalent to the certificate as set forth in paragraph (1) of the preceding Article is kept:

(i) the Special Specified Products; or

(ii) Special Specified Products for experimental purposes or inspection equipment in the factory or workplace of the Notifying Enterprise pertaining to the Special Specified Products or others specified by order of the competent ministry.

(2) When the registered person as set forth in the preceding paragraph conducts an inspection of the items listed in each item of the preceding paragraph using the methods specified by order of the competent ministry, and when the items are found to conform to the Technical Requirements or the requirements related to the inspection equipment described in item (ii) of the preceding paragraph, as specified by order of the competent ministry, or items otherwise specified by order of the competent ministry, the registered person may issue a certificate indicating these findings to the Notifying Enterprise pursuant to the provisions of order of the competent ministry.

(Labeling)

Article 13 When a Notifying Enterprise has performed the duties described in Article 11, paragraph (2) with respect to conformity to the Technical Requirements of the Specified Products of the Type Subject to Notification (or the duties described in Article 11, paragraph (2) and paragraph (1) of the preceding Article, in cases where the specified products fall under the category of Special Specified Products), a label may be affixed on the Specified Products in the format specified by order of the competent ministry.

(Order for Improvement)

Article 14 The competent minister may order the Notifying Enterprise to take necessary measures to improve the methods of manufacture, import or inspection of Specified Products, or any other business methods, or to improve the measures set forth in Article 6, item (iv) in any of the following cases:

(i) cases where the competent minister finds that the Notifying Enterprise violated the provisions of Article 11, paragraph (1); or

(ii) cases where the competent minister finds that the measures described in Article 6, item (iv) fail to conform to the requirements specified by order of

the competent ministry as prescribed in Article 11, paragraph (3).

(Prohibition of Labeling)

Article 15 (1) In the cases listed in the following items, the competent minister may prohibit the Notifying Enterprise from affixing a label on Specified Products of the Type Subject to Notification as described in each of the following items pursuant to the provisions of Article 13, for a period of not more than one year to be designated by the competent minister:

- (i) cases where Specified Products of the Type Subject to Notification that are manufactured or imported by the Notifying Enterprise (except for those manufactured or imported under the proviso to Article 11, paragraph (1)) fail to conform to the Technical Requirements and the competent minister finds it particularly necessary to prevent the occurrence of harm to the lives or health of general consumers: the Type Subject to Notification, to which Specified Products that fail to conform to the Technical Requirements belong;
 - (ii) cases where the Notifying Enterprise has violated the provisions of Article 11, paragraph (2) or Article 12, paragraph (1) with respect to the Specified Products of the Type Subject to Notification that the Notifying Enterprise manufactured or imported: the Type Subject to Notification, to which the Specified Products implicated in the violation belong;
 - (iii) cases where the Notifying Enterprise violated the order as described in the preceding Article in the case of item (i) of the preceding Article with respect to Specified Products of the Type Subject to Notification that the Notifying Enterprise manufactured or imported: the Type Subject to Notification, to which the Specified Products implicated in the violation belongs.
- (2) When the Notifying Enterprise has violated the order as described in the preceding Article in the case of item (ii) of the preceding Article, the competent minister may prohibit the Notifying Enterprise from affixing a label on Specified Products of the Type Subject to Notification that belong to the Classification of Specified Products subject to notification pursuant to the provisions of Article 13, for a period of not more than one year to be designated by the competent minister.

Section 3 Registration of the Conformity Inspection Body

(Registration)

Article 16 (1) The registration set forth in Article 12, paragraph (1) is made pursuant to the provisions of order of the competent ministry for the respective classification of Special Specified Products specified by order of the competent ministry (hereinafter simply referred to as "Classification of Special Specified Products") upon application by the person intending to conduct a Conformity

Inspection.

(2) In cases where the application is made in accordance with the provisions of the preceding paragraph, the competent minister (this is limited to cases where the Minister of the Economy, Trade and Industry is the competent minister pursuant to the provisions of Article 54, paragraph (1), items (iii) to (v); the same applies in Article 29, paragraph (2), Article 31, paragraph (3), Article 32-21, paragraph (2), Article 36, paragraph (4), Article 41, paragraphs (5) to (7), Article 43, and Article 49) may, when the competent minister finds it necessary, have the Independent Administrative Agency National Institute of Technology and Evaluation (hereinafter referred to as "NITE") conduct any necessary investigation with respect to whether such application is in conformity with each item of Article 18, paragraph (1).

(Disqualification Provisions)

Article 17 A person falling under any of the following items may not be registered in accordance with Article 12, paragraph (1):

- (i) any person who has violated the provisions of this Act or any order issued pursuant to this Act and has received a sentence resulting in a fine or more severe punishment and where two years have not elapsed since completion of the execution of this sentence, or from the day the person was otherwise released from the sentence;
- (ii) any person whose registration has been revoked pursuant to the provisions of Article 27 or Article 31, paragraph (1) and where two years have not elapsed since the date of the revocation; or
- (iii) any corporation for whom any of the officers conducting its business falls into either of the preceding two items.

(Standards of Registration)

Article 18 (1) The competent minister must register a person who has applied for registration pursuant to the provisions of Article 16, paragraph (1) (hereinafter referred to as "applicant" in this paragraph) if the person satisfies all of the following requirements. In this case, the necessary procedures for registration are specified by order of the competent ministry:

- (i) an applicant conforms to the standards set by the institute that conducts product authentication as prescribed by the International Organization for Standardization and the International Electrotechnical Commission;
- (ii) an applicant does not fall under any of the following as an entity controlled by a Notifying Enterprise that manufactures or imports the Special Specified Products that must be subject to a Conformity Inspection pursuant to the provisions of Article 12, paragraph (1) (hereinafter referred to as "enterprise subject to inspection" in this item and Article 24, paragraph (2)):

- (a) if the applicant is a stock company, the enterprise subject to inspection is to be its parent corporation (meaning a parent corporation as prescribed in Article 879, paragraph (1) of the Companies Act (Act No. 86 of 2005));
 - (b) the officers or employees of the enterprise subject to inspection (including those who were officers or employees of the enterprise subject to inspection during the past two years) will account for more than half of the officers of the applicant (or employees performing business in the case of a membership company (meaning a membership company as described in Article 575, paragraph (1) of the Companies Act)); or
 - (c) an applicant (an officer having the representational authority in the case of a corporation) will be an officer or an employee of the enterprise subject to inspection (including a person who was an officer or an employee of the enterprise subject to inspection during the past two years).
- (2) The registration as set forth in Article 12, paragraph (1) is to be made by entering the information listed below into the registry of the conformity inspection body:
- (i) date and number of registration;
 - (ii) name and address of the person registered, and in case of a corporation, the name of its representative;
 - (iii) Classification of the Special Specified Products for which a registered person conducts Conformity Inspections; and
 - (iv) name and location of the workplace where a registered person conducts Conformity Inspections.

(Renewal of Registration)

- Article 19 (1) If a registration as set forth in Article 12, paragraph (1) is not renewed for each period of no less than three years as specified by Cabinet Order, the registration ceases to be valid upon the expiration of the period.
- (2) The provisions of the preceding three Articles apply mutatis mutandis to renewal of the registration set forth in the preceding paragraph.

Section 4 Domestically Registered Conformity Inspection Body

(Duty to Undergo a Conformity Inspection)

- Article 20 (1) When requested to conduct a Conformity Inspection, a person registered pursuant to Article 12, paragraph (1) (limited to a person that has been registered for conducting a Conformity Inspection in a place of business in Japan; hereinafter referred to as a "Domestically Registered Conformity Inspection Body") must without delay conduct the Conformity Inspection unless the person has just cause not to do so.
- (2) A Domestically Registered Conformity Inspection Body must conduct a

Conformity Inspection fairly and by using methods that conform to Technical Requirements.

(Notification of a Change of Place of Business)

Article 21 When a Domestically Registered Conformity Inspection Body intends to change the location of the place of business where a Conformity Inspection is conducted, it must make notification of the change to the competent minister no later than two weeks prior to the date of the intended change.

(Business Regulations)

Article 22 (1) A Domestically Registered Conformity Inspection Body must stipulate the regulations for Conformity Inspection affairs (hereinafter referred to as "Business Regulations"), and must notify the competent minister of these regulations prior to the commencement of the Conformity Inspection affairs. The same applies to any change made to these regulations.

(2) Business Regulations must provide the method of implementation for Conformity Inspections, the methods to calculate the fees for a Conformity Inspection and other particulars specified by order of the competent ministry.

(Notification of Suspension or Discontinuation of Business)

Article 23 When a Domestically Registered Conformity Inspection Body intends to suspend or discontinue the whole or a part of a Conformity Inspection affairs, it must notify the competent minister of this fact in advance as specified by order of the competent ministry.

(Maintenance and Inspection of Financial Statements)

Article 24 (1) Within three months after the conclusion of each business year, a Domestically Registered Conformity Inspection Body must prepare an inventory of assets, balance sheets and profit and loss statements or statements of receipts and disbursement, as well as a business reports for the relevant business year (including any electronic or magnetic records (records made in electronic form, magnetic form, or any other form that is impossible to perceive by the human senses, which are used in information processing by computers; the same applies in this Article) that are prepared or any electronic or magnetic records that are prepared instead of written documents; hereinafter referred to as "financial statements, etc." in the following paragraph and Article 61, item (ii)), and must maintain such records at its place of business for five years.

(2) An enterprise subject to inspection and other interested persons may make the following requests at any time during the business hours of the Domestically Registered Conformity Inspection Body; provided, however, that

they must pay the expenses designated by the Domestically Registered Conformity Inspection Body to make a request set forth in item (ii) or item (iv):

- (i) a request for inspection or a copy of financial statements, etc., when they are prepared in written form;
- (ii) a request for a transcript or an extract of the documents in the preceding item;
- (iii) if financial statements, etc. are prepared as electronic or magnetic records, a request for inspection or a copy of the representation made by the means specified by order of the competent ministry for the material recorded in the electronic or magnetic records; or
- (iv) a request to provide the material recorded in the electronic or magnetic records as set forth in the preceding item using electronic or magnetic means (meaning a means using an electronic data processing system and means using other information and communications technology; the same applies in Article 32-12, paragraph (2)) as specified by order of the competent ministry or request for delivery of documents containing such particulars.

(Order for Conformity)

Article 25 When the competent minister finds that a Domestically Registered Conformity Inspection Body is no longer in conformance with any of the items of Article 18, paragraph (1), the competent minister may order the Domestically Registered Conformity Inspection Body to take the necessary measures to conform to those provisions.

(Order for Improvement)

Article 26 When the competent minister finds that a Domestically Registered Conformity Inspection Body has violated the provisions of Article 20, the competent minister may order the Domestically Registered Conformity Inspection Body to conduct a Conformity Inspection or to take the necessary measures to improve their methods of Conformity Inspection or methods for any other business.

(Revocation of Registration)

Article 27 When a Domestically Registered Conformity Inspection Body falls under any of the following items, the competent minister may revoke its registration or order the suspension of the whole or a part of Conformity Inspection affairs for a period to be designated by the competent minister:

- (i) it has come to fall under Article 17, item (i) or item (iii);
- (ii) it has violated the provisions of Article 20, Article 21, Article 22, paragraph (1), Article 23, Article 24, paragraph (1), or the following Article;
- (iii) it has refused requests as prescribed in each item of Article 24, paragraph

- (2) without just cause;
- (iv) it has violated an order under the provisions of the preceding two Articles;
or
- (v) it has been registered under Article 12, paragraph (1) by wrongful means.

(Entry of Books)

Article 28 Pursuant to the provisions of order of the competent ministry, a Domestically Registered Conformity Inspection Body must prepare and keep books where it must enter such particulars as specified by order of the competent ministry concerning Conformity Inspections.

(Implementation of Conformity Inspection Affairs by the Competent Minister)

Article 29 (1) When no person is registered under Article 12, paragraph (1), when the suspension or discontinuation of the whole or a part of a Conformity Inspection affairs is notified pursuant to the provisions of Article 23, when the registration under Article 12, paragraph (1) was revoked or the suspension of the whole or a part of a Conformity Inspection affairs is ordered of a Domestically Registered Conformity Inspection Body pursuant to the provisions of Article 27, or when it has become difficult for a Domestically Registered Conformity Inspection Body to conduct the whole or a part of Conformity Inspection affairs due to natural disaster or other events or in any other case deemed necessary by the competent minister, the competent minister may personally conduct the whole or a part of such Conformity Inspection affairs.

- (2) When the competent minister finds it necessary in the case of the preceding paragraph, the competent minister may direct NITE to conduct the whole or a part of such Conformity Inspection affairs.
- (3) When the competent minister personally conducts, or directs NITE to conduct, the whole or a part of Conformity Inspection affairs pursuant to the provisions of the preceding two paragraphs, the succession of Conformity Inspection affairs and any other necessary particulars are specified by order of the competent ministry.

Section 5 Overseas Registered Conformity Inspection Body

(Duty to Undergo Conformity Inspections)

Article 30 (1) When requested to conduct a Conformity Inspection, a person registered pursuant to Article 12, paragraph (1) (limited to a person who was registered for conducting Conformity Inspection in a place of business overseas; hereinafter referred to as "Overseas Registered Conformity Inspection Body") must conduct the Conformity Inspection without delay, unless the person has

just cause not to do so.

- (2) The provisions of Article 20, paragraph (2), Articles 21 to 26, and Article 28 apply mutatis mutandis to Overseas Registered Conformity Inspection Bodies. In this case, the term "order" in Article 25 and Article 26 is deemed to be replaced with "request."

(Revocation of Registration)

Article 31 (1) When an Overseas Registered Conformity Inspection Body falls under any of the following items, the competent minister may revoke its registration:

- (i) when it has come to fall under Article 17, item (i) or item (iii);
 - (ii) when it has violated the provisions of paragraph (1) of the preceding Article, or the provisions of Article 20, paragraph (2), Article 21, Article 22, paragraph (1), Article 23, Article 24, paragraph (1), or Article 28 as applied mutatis mutandis pursuant to paragraph (2) of the preceding Article;
 - (iii) when it has refused, without just cause, requests as described in each item of Article 24, paragraph (2) as applied mutatis mutandis pursuant to paragraph (2) of the preceding Article;
 - (iv) when it has failed to respond to requests as described in Article 25 or Article 26 as applied mutatis mutandis pursuant to paragraph (2) of the preceding Article;
 - (v) when it has been registered under Article 12, paragraph (1) by wrongful means;
 - (vi) when it has failed to respond to a request made by the competent minister to suspend the whole or a part of Conformity Inspection affairs for a period designated by the competent minister in cases where the competent minister finds that an Overseas Registered Conformity Inspection Body falls under any of the preceding items;
 - (vii) when the competent minister finds it necessary and has requested a report from an Overseas Registered Conformity Inspection Body regarding its business and the body has failed to submit a report or has submitted a false report;
 - (viii) when the competent minister finds it necessary and has tried to direct ministry officials to conduct an inspection of the particulars described in Article 41, paragraph (2) at the office or place of business of an Overseas Registered Conformity Inspection Body, and when such inspection has been refused, interrupted or evaded; or
 - (ix) when expenses have not been borne pursuant to the provisions of the following paragraph.
- (2) The expenses required for the inspection set forth in item (viii) of the preceding paragraph (limited to those specified by Cabinet Order) are borne by

- the Overseas Registered Conformity Inspection Body subject to such inspection.
- (3) When the competent minister finds it necessary, the competent minister may direct NITE to conduct an inspection in accordance with the provisions of paragraph (1), item (viii).
 - (4) In cases where the competent minister directs NITE to conduct an inspection pursuant to the provisions of the preceding paragraph, the competent minister is to instruct NITE to conduct the inspection by designating the place of the inspection and other necessary particulars.
 - (5) When NITE has conducted an inspection as prescribed in paragraph (3) in accordance with the instructions of the preceding paragraph, it must inform the competent minister of the results thereof.

Section 6 Hazard Prevention Orders

Article 32 In cases where the competent minister believes that there exists a risk of endangering the lives or health of general consumers due to any event listed in the following items, if the minister finds it particularly necessary to prevent the occurrence and increase of such safety hazards, the minister may order a person described in the following items to recall the Specified Products that have been sold and otherwise to take all necessary measures to prevent the occurrence and increase of harm to the lives or health of general consumers by the Specified Products:

- (i) when a person engaged in the manufacture, import or sale of Specified Products has sold the Specified Products in violation of the provisions of Article 4, paragraph (1); or
- (ii) when a Notifying Enterprise has manufactured, imported or sold Specified Products of the Type Subject to Notification that fail to conform to Technical Requirements (except in cases where the Notifying Enterprise has manufactured or imported the products under the provisions of the proviso to Article 11, paragraph (1)).

Chapter II-2 Specified Products Requiring Maintenance, etc.

Section 1 Provision of Information on Inspection and Other Maintenance of Specified Products Requiring Maintenance

(Notification of Business)

Article 32-2 (1) A person engaged in the manufacture or import of Specified Products Requiring Maintenance (hereinafter referred to as a "Specified Manufacturer, etc.") must make notification of the following particulars to the competent minister within thirty days of the starting date of the business:

- (i) name and address of the person, and in case of a corporation, the name of its

- representative;
 - (ii) classification of the Specified Products Requiring Maintenance as specified by order of the competent ministry and classification of the type of Specified Products Requiring Maintenance as specified by order of the competent ministry; and
 - (iii) name and address of the factory or workplace manufacturing the Specified Products Requiring Maintenance (name and address of the manufacturer of the Specified Products Requiring Maintenance in cases of a person engaged in the import of the Specified Products Requiring Maintenance).
- (2) The provisions of Articles 7 to 9 apply mutatis mutandis to a person who has made a notification in accordance with the provisions of the preceding paragraph.

(Establishment of the Inspection Period)

Article 32-3 A Specified Manufacturer, etc. must determine the following particulars in accordance with the requirements specified by order of the competent ministry with respect to the Specified Products Requiring Maintenance that the Specified Manufacturer, etc. manufactured or imported; provided, however, that this does not apply to Specified Products Requiring Maintenance for export:

- (i) the period established in the design which is the standard period of use during which no safety trouble should arise if used under standard conditions of use (hereinafter referred to as "design standard use period" in the following item and the following Article); and
- (ii) the period of time for inspection (hereinafter simply referred to as "inspection" in this Section) that is necessary to prevent the occurrence of injury due to Age-Related Deterioration as the design standard use period expires (hereinafter referred to as "Inspection Period").

(Labeling of Products)

Article 32-4 (1) A Specified Manufacturer, etc. must indicate the following particulars on the Specified Products Requiring Maintenance that the Specified Manufacturer, etc. manufactured or imported, pursuant to the provisions of order of the competent ministry, prior to the sale of the Specified Products Requiring Maintenance:

- (i) name and address of the Specified Manufacturer, etc.;
- (ii) the year and month of manufacture;
- (iii) design standard use period;
- (iv) the time of commencement and expiration of the Inspection Period;
- (v) contact information for inquiries pertaining to inspection and other maintenance; and

- (vi) particulars specified by order of the competent ministry as sufficient to identify the Specified Products Requiring Maintenance.
- (2) A Specified Manufacturer, etc. who sells the Specified Products Requiring Maintenance that the Specified Manufacturer, etc. manufactured or imported must attach to the Specified Products Requiring Maintenance a document including the following particulars, pursuant to the provisions of order of the competent ministry:
- (i) the basis for calculating the design standard use period;
 - (ii) particulars with respect to the development of the system for conducting inspections of Specified Products Requiring Maintenance, including the allocation of places of business that conduct inspections;
 - (iii) the holding period of components necessary for the maintenance of Specified Products Requiring Maintenance that are expected to be required as a result of the inspection of the Specified Products Requiring Maintenance; and
 - (iv) any other particulars specified by order of the competent ministry with respect to the inspection or other maintenance of Specified Products Requiring Maintenance.
- (3) When a Specified Manufacturer, etc. sells Specified Products Requiring Maintenance that the Specified Manufacturer, etc. manufactured or imported, the Specified Manufacturer, etc. must attach a document (hereinafter referred to as an "Owner Form") to the Specified Products Requiring Maintenance that enables the owner of the Specified Products Requiring Maintenance (including a person who should be an owner; hereinafter the same applies in this Section) to provide the name and address of the owner, the location of the Specified Products Requiring Maintenance, and the particulars sufficient to identify the Specified Products Requiring Maintenance (hereinafter referred to as "Owner Information") to the Specified Manufacturer, etc., pursuant to the provisions of order of the competent ministry.
- (4) Owner Forms must include the particulars described in each item of Article 32-9, paragraph (1) and other particulars as specified by order of the competent ministry.
- (5) The provisions of the preceding paragraphs do not apply in cases where a Specified Manufacturer, etc. sells the Specified Products Requiring Maintenance for export.

(Explanation upon Delivery)

Article 32-5 (1) Explanation of the following particulars must be given to any person who intends to acquire Specified Products Requiring Maintenance through a purchase and sale transaction or other transactions, or who intends to acquire such a product incidental to a transaction involving anything other

than a Specified Product Requiring Maintenance (except for those who intend to acquire Specified Products Requiring Maintenance for the purpose of re-transferring the Specified Products Requiring Maintenance and those who are specified by order of the competent ministry; hereinafter referred to as an "acquirer" in Article 32-8, paragraph (3)) from an enterprise who transacts with the person (hereinafter referred to as an "Enterprise Transacting Specified Products Requiring Maintenance"), upon the delivery of the Specified Products Requiring Maintenance; provided, however, that this does not apply in cases where the Inspection Period of the Specified Products Requiring Maintenance has expired and any other case where there is just cause to do so:

- (i) that the Specified Products Requiring Maintenance are highly likely to cause injury due to Age-Related Deterioration and therefore require proper maintenance;
 - (ii) that inspection notice particulars as described in Article 32-12, paragraph (1) will be given in cases where Owner Information has been provided to the Specified Manufacturer, etc. of the Specified Products Requiring Maintenance; and
 - (iii) any other particulars specified by order of the competent ministry with respect to the inspection or other maintenance of the Specified Products Requiring Maintenance.
- (2) In giving an explanation pursuant to the provisions of the preceding paragraph, if the Owner Form is attached to the Specified Products Requiring Maintenance, an Enterprise Transacting Specified Products Requiring Maintenance must explain to that effect as well.

(Recommendation and Publication)

- Article 32-6 (1) When the competent minister finds that an Enterprise Transacting Specified Products Requiring Maintenance fails to comply with the provisions of the preceding Article, the competent minister may recommend that the Enterprise Transacting Specified Products Requiring Maintenance provide an explanation pursuant to the provisions of the preceding Article.
- (2) When the person who has been issued a formal recommendation in accordance with the provisions of the preceding paragraph fails to follow this recommendation, the competent minister may make this fact public.

(Responsibility of the Relevant Enterprise)

Article 32-7 A person engaged in the mediation of transactions related to Specified Products Requiring Maintenance, the repair or installation work of Specified Products Requiring Maintenance, and other business associated with Specified Products Requiring Maintenance must endeavor to ensure the smooth provision of information pertaining to the particulars listed in the items of

Article 32-5, paragraph (1) to the owner of the Specified Products Requiring Maintenance.

(Provision of Owner Information)

- Article 32-8 (1) The owner of Specified Products Requiring Maintenance is to provide Owner Information to the Specified Manufacturer, etc. of the Specified Products Requiring Maintenance by sending Owner Forms or by other means; provided, however, that this does not apply in cases where the Inspection Period of the Specified Products Requiring Maintenance has expired.
- (2) The provisions of the preceding paragraph apply in cases where there are changes in the Owner Information set forth in the preceding paragraph.
- (3) An Enterprise Transacting Specified Products Requiring Maintenance must cooperate in the provision of Owner Information by an acquirer to a Specified Manufacturer, etc. by sending the Owner Form, etc. with the consent of, and on behalf of the acquirer.

(Publication of Purpose of Use of Owner Information)

- Article 32-9 (1) A Specified Manufacturer, etc., in acquiring the Owner Information pertaining to the Specified Products Requiring Maintenance that the Specified Manufacturer, etc. manufactured or imported (if such Specified Manufacturer, etc. is a person who has acquired the whole of the business pertaining to the Specified Products Requiring Maintenance from another Specified Manufacturer, etc. or is an heir (an heir selected to succeed to the business by the unanimous agreement of all other heirs, in cases where there are two or more heirs) in cases where inheritance, a merger or split occurred (limited to those cases that cause the succession of the whole of the business pertaining to the Specified Products Requiring Maintenance; hereinafter the same applies in this Article and Article 32-11, paragraph (2)), or a corporation surviving a merger or a corporation incorporated by a merger or a corporation succeeding the whole of the business by a split (hereinafter referred to as "successor" in the following paragraph), the Specified Products Requiring Maintenance manufactured or imported by the person who has transferred the whole of the business or the decedent, the corporation ceasing to exist by the merger or the corporation that has split is included; hereinafter the same applies in this Section) must make the following details public in advance; provided, however, that this does not apply in cases where the provisions of the following paragraph apply:
- (i) the purpose of use of the Owner Information (hereinafter referred to as "Purpose of Use"); and
- (ii) contact information for receiving the provided Owner Information.
- (2) In cases where a Specified Manufacturer, etc. is a successor, if it acquired the

Owner Information with the acceptance of the whole of the business or inheritance, merger or split, the Specified Manufacturer, etc. must promptly make public the Purpose of Use.

- (3) When a Specified Manufacturer, etc. has changed the particular made public pursuant to the provisions of the preceding two paragraphs, it must make these changes public without delay.

(Limitation of Purpose of Use)

Article 32-10 A Specified Manufacturer, etc. must not specify as the Purpose of Use any purpose other than giving a notice in accordance with the provisions of Article 32-12, paragraph (1) and paragraph (4) and conducting an inspection in accordance with the provisions of Article 32-15.

(Owners List)

Article 32-11 (1) A Specified Manufacturer, etc. must prepare a list of persons who provided Owner Information pertaining to the Specified Products Requiring Maintenance that the Specified Manufacturer, etc. manufactured or imported (hereinafter referred to as "Owners List") pursuant to the provisions of Article 32-8, paragraph (1), and must enter or record the Owner Information on this list.

- (2) When a Specified Manufacturer, etc. has received any change to the Owner Information pertaining to the Specified Products Requiring Maintenance that the Specified Manufacturer, etc. manufactured or imported, pursuant to the provisions of Article 32-8, paragraph (2), the Specified Manufacturer, etc. must promptly change the entry or record of the Owner Information in the Owners List (including the Owners List pertaining to the Owner Information that the Specified Manufacturer, etc. acquired with the acceptance of the whole of the business pertaining to the Specified Products Requiring Maintenance or by inheritance, merger or split; hereinafter the same applies in the following paragraph and paragraph (3) of the following Article).

- (3) Until the expiration of the Inspection Period of Specified Products Requiring Maintenance pertaining to a person whose Owner Information is entered or recorded on the Owners List (hereinafter referred to as "person on the list" in this paragraph and the following Article), a Specified Manufacturer, etc. must retain the Owner Information pertaining to such person on the list.

(Notice of Particulars Related to Inspection and Other Maintenance)

Article 32-12 (1) During the period specified by order of the competent ministry that is prior to the arrival of the time of commencement of the Inspection Period of the Specified Products Requiring Maintenance pertaining to a person on the list, a Specified Manufacturer, etc. must, except in cases where there is

just cause, issue a notice in writing to the person on the list to the effect that an inspection is required to be made for the Specified Products Requiring Maintenance and on other particulars specified by order of the competent ministry (hereinafter referred to as "inspection notice particulars" in paragraph (4)).

- (2) Instead of issuing a notice in writing as described in the preceding paragraph, a Specified Manufacturer, etc. may issue a notice by electronic or magnetic means as specified by order of the competent ministry, with the consent of the person on the list, pursuant to order of the competent ministry. In this case, the Specified Manufacturer, etc. is deemed to have issued a notice in writing as prescribed in the preceding paragraph.
- (3) Notice to a person on the list as set forth in the preceding two paragraphs is sufficient if provided to the address of the person as entered or recorded on the Owners List, or when the person notifies the Specified Manufacturer, etc. of a different place for notice or point of contact, if provided to the place or point of contact.
- (4) A Specified Manufacturer, etc. must endeavor to notify a person on the list of the inspection notice particulars as well as any particulars contributing to the proper maintenance of the Specified Products Requiring Maintenance, with respect to the Specified Products Requiring Maintenance that the Specified Manufacturer, etc. manufactured or imported.

(Management of Owner Information)

- Article 32-13 (1) A Specified Manufacturer, etc. must not handle the Owner Information pertaining to the Specified Products Requiring Maintenance that the Specified Manufacturer, etc. manufactured or imported, to a greater extent than what is necessary for achieving the Purpose of Use made public pursuant to the provisions of Article 32-9, paragraphs (1) to (3); provided, however, that this does not apply in cases where the consent of the owner was obtained, where an order was issued in accordance with the provisions of Article 39, paragraph (1) and in any other cases with just cause specified by order of the competent ministry.
- (2) A Specified Manufacturer, etc. must implement all necessary and proper measures for preventing the disclosure, loss or damage of the Owner Information pertaining to the Specified Products Requiring Maintenance that the Specified Manufacturer, etc. manufactured or imported and for otherwise safely managing the Owner Information.

(Responsibility of the Owner of Specified Products Requiring Maintenance)

- Article 32-14 (1) The owner of the Specified Products Requiring Maintenance is to note that any incident resulting from Age-Related Deterioration of the

Specified Products Requiring Maintenance may endanger other people, and is to collect information related to the maintenance of the Specified Products Requiring Maintenance and endeavor to maintain them by conducting inspections during the Inspection Period, etc.

(2) Any person engaged in supplying the Specified Products Requiring Maintenance for lease in the course of trade must collect information related to the maintenance of the Specified Products Requiring Maintenance and endeavor to maintain them by conducting an inspection during the Inspection Period and the like.

(Duty to Conduct Inspection)

Article 32-15 When a Specified Manufacturer, etc. is requested to conduct an inspection with respect to the Specified Products Requiring Maintenance that the Specified Manufacturer, etc. manufactured or imported, during the Inspection Period and the period specified by order of the competent ministry that is prior to the arrival of the time of commencement of the Inspection Period, except in cases where there is just cause for not doing so, the Specified Manufacturer, etc. must conduct an inspection of the Specified Products Requiring Maintenance in accordance with the requirements specified by order of the competent ministry for each type set forth in Article 32-2, paragraph (1), item (ii).

(Order for Improvement)

Article 32-16 When the competent minister finds that a Specified Manufacturer, etc. has violated the provisions of Article 32-3, Article 32-4, paragraphs (1) to (4), Articles 32-9 to 32-11, Article 32-12, paragraph (1), Article 32-13 or the preceding Article, the competent minister may order the Specified Manufacturer, etc. to take all necessary measures to correct this violation.

(Publication by the Competent Minister)

Article 32-17 When an inspection of the Specified Products Requiring Maintenance is affected by the discontinuation by a Specified Manufacturer, etc. of the whole of its business or by any other circumstances, the competent minister must collect information from an enterprise having the technical capability to conduct an inspection with respect to the Specified Products Requiring Maintenance, and must make such information public.

Section 2 Development of Systems to Inspect or Otherwise Maintain Specified Products Requiring Maintenance

(Particulars to Be Standards for Judgment for Specified Manufacturers, etc.)

Article 32-18 (1) The competent minister is to establish, in order of the competent ministry, the particulars to act as standards of judgment for Specified Manufacturers, etc. with respect to the following particulars, in order to promote development by Specified Manufacturers, etc. of a system necessary for properly conducting inspections to prevent the occurrence of a safety hazard due to Age-Related Deterioration of the Specified Products Requiring Maintenance (hereinafter simply referred to as "inspection" in this Section) or any other maintenance:

- (i) particulars with respect to the allocation of places of business that conduct inspections, the establishment and publication of inspection fees and otherwise securing the effectiveness of inspections of the Specified Products Requiring Maintenance;
 - (ii) particulars with respect to the preparation and management of manuals that are required for inspection of the Specified Products Requiring Maintenance;
 - (iii) particulars with respect to the holding of components necessary for the improvement of Specified Products Requiring Maintenance that are expected to be required as a result of the inspection of the Specified Products Requiring Maintenance;
 - (iv) particulars with respect to the provision to general consumers of information on inspections and other maintenance of the Specified Products Requiring Maintenance; and
 - (v) any other particulars necessary for the inspection and other maintenance of Specified Products Requiring Maintenance.
- (2) Particulars to be standards of judgment prescribed in the preceding paragraph are to be specified by considering the level of technology, the status of development of the system for inspection and other maintenance and circumstances pertaining to the Specified Products Requiring Maintenance, and necessary revisions are to be made in accordance with changes in such circumstances.

(Development of a System for Inspection and Other Maintenance by Specified Manufacturers, etc.)

Article 32-19 Specified Manufacturers, etc. must develop a system necessary to properly conduct an inspection and other maintenance of the Specified Products Requiring Maintenance, taking into consideration the particulars which serve as standards of judgment as described in paragraph (1) of the preceding Article.

(Recommendations and Orders)

Article 32-20 (1) When the competent minister finds that development by a

Specified Manufacturer, etc. of the system necessary to properly conduct inspections and other maintenance of the Specified Products Requiring Maintenance is extremely insufficient in light of the particulars established as standards of judgment as described in Article 32-18, paragraph (1), the competent minister may recommend that the Specified Manufacturer, etc. take all necessary measures with respect to the development of such a system, giving the grounds of this judgment.

(2) When a person who has been issued a formal recommendation in accordance with the provisions of the preceding paragraph fails to follow the recommendation, the competent minister may make this fact public.

(3) In cases where a person who has been issued a formal recommendation in accordance with paragraph (1) fails to take measures pertaining to the recommendation without just cause for not doing so, if the competent minister finds it necessary for preventing endangering the lives or health of general consumers, the competent minister may order the Specified Manufacturer, etc. to take measures pertaining to the recommendation.

Section 3 Collection and Provision of Information on Age-Related Deterioration

(Collection of Information. by the Competent Minister)

Article 32-21 (1) The competent minister is to collect and analyze information on incidents that arise or are likely to arise from Age-Related Deterioration of the Specified Products Requiring Maintenance or other Consumer Products that are found highly likely to cause particularly serious harm to the lives or health of general consumers arising from safety troubles due to Age-Related Deterioration (hereinafter referred to as "specified products requiring maintenance, etc." in this Section), and is to make public the information obtained as a result of this analysis, regarding the type of components and materials that deteriorate easily and other information on the Age-Related Deterioration of the specified products requiring maintenance, etc.

(2) When the competent minister finds it necessary for publication pursuant to the preceding paragraph, the competent minister may direct NITE to conduct a technical investigation regarding the Age-Related Deterioration of the specified products requiring maintenance, etc.

(Responsibility of Enterprises)

Article 32-22 (1) Any person engaged in the manufacture or import of specified products requiring maintenance, etc. must make use of the information on Age-Related Deterioration that is made public pursuant to the provisions of paragraph (1) of the preceding Article, must consider the information when

designing and selecting components or materials, must indicate on its products any information on Age-Related Deterioration or make improvements, etc., and thereby must endeavor to prevent the occurrence of safety hazards due to Age-Related Deterioration.

- (2) Any person engaged in the manufacture, import or retail (meaning a sale to general consumers; hereinafter the same applies in this paragraph and Article 34) of specified products requiring maintenance, etc. must collect information contributing to the prevention of the occurrence of safety hazards due to Age-Related Deterioration of the specified products requiring maintenance, etc. that the person manufactured, imported or retailed and must endeavor to provide this information properly to general consumers.

Chapter III Measures for Product Incidents

Section 1 Responsibility for the Collection and Provision of Information

(Responsibility of the Prime Minister and the Competent Minister)

Article 33 The Prime Minister and the competent minister must endeavor to collect information on Serious Product Incidents.

(Responsibility of Enterprises)

- Article 34 (1) Any person engaged in the manufacture, import or retail of Consumer Products must collect information on Product Incidents caused by the Consumer Products that the person manufactured, imported or retailed and must endeavor to provide such information properly to general consumers.
- (2) Any person engaged in the retail, repair or installation of Consumer Products, who comes to know that Serious Product Incidents have originated with the Consumer Products that the person retailed, repaired or installed, must endeavor to notify the person engaged in the manufacture or import of the Consumer Products of these incidents.

Section 2 Reports of Serious Product Incidents

(Report to the Prime Minister)

- Article 35 (1) Any person engaged in the manufacture or import of Consumer Products who comes to know that Serious Product Incidents have originated with the Consumer Products that the person manufactured or imported must report to the Prime Minister the name and type of the Consumer Products, a detailed account of the incidents, and the quantity of the Consumer Products that the person manufactured or imported, as well as the quantity that the person sold.
- (2) The time limit and form of the report described in the preceding paragraph

are provided for in the Cabinet Office Order.

- (3) When the Prime Minister has received a report in accordance with the provisions of paragraph (1), the Prime Minister is to immediately notify the competent minister of the details of the report.
- (4) In cases where the Prime Minister has received a report in accordance with the provisions of paragraph (1), if the Prime Minister finds that the occurrence or increase of harm to the lives or health of general consumers caused by the Serious Product Incidents presented in the report should be prevented in accordance with the provisions of other Acts designated by Cabinet Order, the Prime Minister is to immediately notify the minister who has jurisdiction over these affairs of the details of the report to prevent the occurrence and increase of safety hazards in accordance with the provisions of other Acts designated by Cabinet Order.

(Publication by the Prime Minister)

Article 36 (1) In cases where the Prime Minister has received a report in accordance with the provisions of paragraph (1) of the preceding Article or otherwise comes to know of the occurrence of Serious Product Incidents, if the Prime Minister finds it necessary for preventing the occurrence and increase of serious harm to the lives or health of general consumers by the Consumer Products pertaining to the Serious Product Incidents, the Prime Minister is to make public the name and type of the Consumer Products pertaining to the Serious Product Incidents, the details of the incidents and any other particulars that contribute to avoiding the dangers associated with the use of the Consumer Products, except in cases where the Prime Minister has given notice in accordance with the provisions of paragraph (4) of the preceding Article.

- (2) When the Prime Minister intends to make the particulars public in accordance with the provisions of the preceding paragraph, the Prime Minister must consult with the competent minister in advance.
- (3) When the Prime Minister and the competent minister find it necessary, with respect to the publication as prescribed in paragraph (1), to conduct an investigation regarding the safety of Consumer Products, they are to conduct the investigation as a joint undertaking.
- (4) When the competent minister finds it necessary with respect to the publication as prescribed in paragraph (1), the competent minister may direct NITE to conduct a technical investigation regarding the safety of Consumer Products.

(Order to Develop a System)

Article 37 (1) In cases where a person engaged in the manufacture or import of

Consumer Products fails to make a report or makes a false report in violation of the provisions of Article 35, paragraph (1), if the Prime Minister finds it necessary for securing the safety of the Consumer Products manufactured or imported by the person, the Prime Minister may order the person engaged in the manufacture or import of Consumer Products to develop a system necessary for collecting information on Serious Product Incidents that occur in relation to the Consumer Products manufactured or imported by the person and for the proper management or provision of the information.

- (2) When the Prime Minister intends to issue an order in accordance with the provisions of the preceding paragraph, the Prime Minister must consult with the competent minister in advance.
- (3) When the competent minister finds it necessary, the competent minister may request the Prime Minister to issue an order in accordance with the provisions of paragraph (1).

Section 3 Measures to Prevent the Occurrence or Increase of Safety Hazards

(Responsibility of Enterprises)

Article 38 (1) Any person engaged in the manufacture or import of Consumer Products must, in cases where the Product Incidents have originated with the Consumer Products that the person manufactured or imported, investigate the cause of these Product Incidents, and if the person finds it necessary to prevent the occurrence and increase of safety hazards, the person must endeavor to recall the Consumer Products or otherwise take measures to prevent the occurrence and increase of safety hazards.

- (2) Any person engaged in the sale of Consumer Products must endeavor to cooperate with recall and other measures to prevent the occurrence and increase of safety hazards as prescribed in the preceding paragraph that would be taken by the person engaged in the manufacture or import of such products.
- (3) Any person engaged in the sale of Consumer Products must cooperate with the measures taken by a person engaged in the manufacture or import of such products under the orders as described in paragraph (1) of the following Article.

(Hazard Prevention Order)

Article 39 (1) In cases where Serious Product Incidents have occurred due to defects in Consumer Products or where serious harm has come to the lives or health of general consumers or the occurrence of such a safety hazard is considered imminent, and when the competent minister finds it particularly important in preventing the occurrence and increase of this safety hazard, the competent minister may order the person engaged in the manufacture or

import of the Consumer Products to recall them to the extent necessary or take other measures necessary in preventing the occurrence and increase of serious harm to the lives or health of general consumers caused by the Consumer Products, except where the competent minister may issue an order to take necessary measures in accordance with the provisions of Article 32 or other Acts designated by Cabinet Order.

- (2) When the competent minister has issued an order in accordance with the preceding paragraph, the competent minister must make it public.

Chapter IV Miscellaneous Provisions

(Collection of Reports)

Article 40 (1) The competent minister may, when finding it necessary to enforce this Act, direct a person engaged in the manufacture, import or sale of Consumer Products or an Enterprise Transacting Specified Products Requiring Maintenance to report on the status of its business (or the status of business or accounting in the case of a Notifying Enterprise) pursuant to Cabinet Order provisions.

- (2) The competent minister may, when finding it necessary to enforce this Act, direct a Domestically Registered Conformity Inspection Body to report the status of its business or accounting.

- (3) The Prime Minister may, when finding it necessary to enforce the provisions of Section 2 of the preceding Chapter, direct a person engaged in the manufacture or import of Consumer Products to report the status of its business pursuant to Cabinet Order provisions.

(On-Site Inspection)

Article 41 (1) The competent minister may, when finding it necessary to enforce this Act, have the officials enter the offices, factories, workplaces, stores or warehouses of a person engaged in the manufacture, import or sale of the Consumer Products or an Enterprise Transacting Specified Products Requiring Maintenance and conduct an inspection of the Consumer Products, books, documents and other items.

- (2) The competent minister may, when finding it necessary to enforce this Act, have the officials enter the offices or places of business of a Domestically Registered Conformity Inspection Body and conduct an inspection of the status of the business or books, documents and other items.

- (3) The Prime Minister may, when finding it necessary to enforce the provisions of Section 2 of the preceding Chapter, have the officials enter the offices, factories, workplaces, stores or warehouses of a person engaged in the manufacture or import of Consumer Products and conduct an inspection of the

Consumer Products, books, documents and other items.

- (4) An official who conducts an on-site inspection pursuant to the provisions of the preceding three paragraphs must carry an identification card and present it to the persons concerned.
- (5) The competent minister may, when finding it necessary, have NITE conduct an on-site inspection in accordance with the provisions of paragraph (1) and paragraph (2).
- (6) The Prime Minister may, when finding it necessary, request the competent minister to have NITE conduct an on-site inspection in accordance with the provisions of paragraph (3).
- (7) When the competent minister has received a request as described in the preceding paragraph and finds no impediment to the performance of NITE's business, the competent minister is to have NITE conduct an on-site inspection in accordance with the provisions of paragraph (3).
- (8) When the competent minister directs NITE to conduct an on-site inspection as described in paragraph (5) or the preceding paragraph, the competent minister is to instruct NITE to conduct the inspection by designating the place of the on-site inspection and other necessary particulars.
- (9) When NITE conducts an on-site inspection as described in paragraph (5) or paragraph (7) in accordance with the instructions in the preceding paragraph, it must report the results thereof to the competent minister.
- (10) When the competent minister has had NITE conduct an on-site inspection as described in paragraph (7) and has received a report pursuant to the provisions of the preceding paragraph, the competent minister must notify the Prime Minister of the details of the report.
- (11) An official of NITE who conducts an on-site inspection pursuant to the provisions of paragraph (5) or paragraph (7) must carry an identification card and present it to the persons concerned.
- (12) The authority for an on-site inspection under the provisions of paragraphs (1) to (3) must not be construed as being granted for a criminal investigation.

(Submission of Consumer Products)

Article 42 (1) In cases where the competent minister has had an official conduct an on-site inspection pursuant to the provisions of paragraph (1) of the preceding Article or has had NITE conduct an on-site inspection in accordance with the provisions of paragraph (5) or paragraph (7) of the preceding Article, if there are any Consumer Products that are found to be extremely difficult for the official or NITE to inspect on-site, the competent minister may order the owner or possessor to submit them within a period designated by the competent minister.

(2) In cases where the Prime Minister has had an official conduct an on-site

inspection pursuant to the provisions of paragraph (3) of the preceding Article, if there any Consumer Products that are found to be extremely difficult for the official or NITE to inspect on-site, the Prime Minister may order the owner or possessor to submit them within a period designated by the Prime Minister.

(3) The State (or prefecture or city when the affairs that are under the authority of the Prime Minister or the competent minister in accordance with the preceding two paragraphs should be conducted by a prefectural governor or a city mayor pursuant to Cabinet Order provisions in accordance with the provisions of Article 55) must compensate the owner or possessor for any loss caused by the order as described in the preceding two paragraphs.

(4) The loss that is to be compensated pursuant to the preceding paragraph is to be limited to the loss that is generally caused by an order as described in paragraph (1) or paragraph (2).

(Order to NITE)

Article 43 When the competent minister finds it necessary to secure the proper performance of an inspection as prescribed in Article 31, paragraph (3) or an on-site inspection affairs as prescribed in Article 41, paragraph (5) or paragraph (7), the competent minister may issue an order as necessary concerning the business to NITE.

(Conditions for Approval)

Article 44 (1) Conditions may be imposed on the approval set forth in Article 4, paragraph (2), item (ii), or Article 11, paragraph (1), item (ii).

(2) The conditions set forth in the preceding paragraph are limited to the minimum conditions necessary for ensuring the proper carrying out of particulars pertaining to approval and must not result in imposing unreasonable obligations on the person subject to the approval.

(Fees)

Article 45 (1) A person who intends to undergo a Conformity Inspection conducted by a competent minister pursuant to the provisions of Article 29, paragraph (1), or a Conformity Inspection conducted by NITE pursuant to the provisions of Article 29, paragraph (2) must pay fees as specified by Cabinet Order, taking into consideration actual costs.

(2) The fees as described in the preceding paragraph will be retained by the national treasury with respect to the fees paid by a person who intends to undergo a Conformity Inspection conducted by a competent minister, and will be retained by NITE with respect to the fees paid by a person who intends to undergo a Conformity Inspection conducted by NITE.

(Public Notice)

Article 46 The competent minister must post a public notice in an official gazette in the following cases:

- (i) registration has been made by the competent minister pursuant to the provisions of Article 12, paragraph (1);
- (ii) labeling has been prohibited by the competent minister in accordance with the provisions of Article 15;
- (iii) notification has been made by the competent minister pursuant to the provisions of Article 21 (including the cases where applied mutatis mutandis pursuant to Article 30, paragraph (2));
- (iv) notification has been made in accordance with Article 23 (including cases where applied mutatis mutandis pursuant to the provisions of Article 30, paragraph (2));
- (v) the competent minister revokes a registration or orders suspension of the Conformity Inspection affairs, pursuant to the provisions of Article 27;
- (vi) the competent minister decides to personally conduct the whole or a part of the Conformity Inspection affairs pursuant to the provisions of Article 29, paragraph (1) or decides not to conduct the whole or a part of the Conformity Inspection affairs that the competent minister has been personally conducting;
- (vii) the competent minister decides to have NITE conduct the whole or a part of the Conformity Inspection affairs pursuant to the provisions of Article 29, paragraph (2) or decides not to have NITE conduct the whole or a part of the Conformity Inspection affairs that the competent minister had NITE conducting; or
- (viii) the competent minister revokes a registration pursuant to the provisions of Article 31, paragraph (1).

(Consultation with the Consumer Affairs Council)

Article 47 (1) When the competent minister intends to plan the establishment, revision or abolition of the Cabinet Order set forth in Article 2, paragraphs (2) to (4), the competent minister must consult with the Consumer Affairs Council.
(2) The competent minister must, when having issued an order in accordance with the provisions of Article 39, paragraph (1), report this to the Consumer Affairs Council within three weeks.

(Special Measures of Hearing)

Article 48 (1) The proceedings on the date of the hearing pertaining to the dispositions described in Article 27 or Article 31 must be made in public.
(2) When an interested person of the disposition requests to participate in the procedures related to a hearing pursuant to the provisions of Article 17,

paragraph (1) of the Administrative Procedure Act (Act No. 88 of 1993), the person who presides over the hearing as described in the preceding paragraph must permit this participation.

(Request for Review of a Disposition of NITE)

Article 49 Any person who is dissatisfied with a disposition or an inaction pertaining to a Conformity Inspection to be conducted by NITE may make a request for review by the competent minister pursuant to the Administrative Appeal Act (Act No. 160 of 1962).

(Hearing of Opinions in Appeal Procedures)

Article 50 (1) Any determination or decision on a request for review or an objection with respect to the disposition made pursuant to the provisions of this Act or an order pursuant to this Act (except for a determination or decision to dismiss) must be made after giving advance notice of a reasonable period of time to the person subject to the disposition and holding a public hearing.

(2) The advance notice as described in the preceding paragraph must specify the date, place and the details of the case concerned.

(3) In the hearing of opinions set forth in paragraph (1), the person subject to the disposition and any interested persons must be given the opportunity to present evidence and state opinions with respect to the case.

(Application for Conformity Inspection and Order of the Competent Minister)

Article 51 (1) A Notifying Enterprise may, when a Domestically Registered Conformity Inspection Body fails to conduct a Conformity Inspection with respect to the Special Specified Products that the Notifying Enterprise manufactured or imported, or when the Notifying Enterprise has an objection to the results of a Conformity Inspection conducted by a Domestically Registered Conformity Inspection Body, file an application with the competent minister, requesting that the competent minister order a Domestically Registered Conformity Inspection Body to conduct or re-conduct the Conformity Inspection.

(2) In cases where the competent minister has received an application as set forth in the preceding paragraph, if finding that the Domestically Registered Conformity Inspection Body specified in such application violates the provisions of Article 20, the competent minister must issue an order in accordance with the provisions of Article 26 to the Domestically Registered Conformity Inspection Body specified in the application.

(3) In the case of the preceding paragraph, if the competent minister has determined to issue an order pursuant to the provisions of Article 26 or has determined not to issue an order, the competent minister must so notify the

Notifying Enterprise who filed the application without delay.

- (4) The provisions of the preceding three paragraphs apply mutatis mutandis to Overseas Registered Conformity Inspection Bodies. In this case, the term "order" in paragraph (1) is deemed to be replaced with "request"; the term "the provisions of Article 20" in paragraph (2) is deemed to be replaced with "the provisions of Article 30, paragraph (1) or the provisions of Article 20, paragraph (2) as applied mutatis mutandis pursuant to Article 30, paragraph (2)"; the term "Article 26" in paragraph (2) and the preceding paragraph is deemed to be replaced with "Article 26 as applied mutatis mutandis pursuant to Article 30, paragraph (2)"; and the term "order" in paragraph (2) and the preceding paragraph is deemed to be replaced with "request."

(Request to the Prime Minister)

Article 52 (1) When any person finds that any harm to the lives or health of general consumers may occur due to no necessary measures being taken to prevent endangering the lives or health of general consumers caused by Consumer Products, the person may make a declaration to that effect and make a request to take necessary measures to the Prime Minister with respect to particulars concerning measures related to Serious Product Incidents as described in Section 2 of the preceding Chapter, and to the competent minister with respect to other particulars.

- (2) In cases where a request has been made as described in the preceding paragraph, the Prime Minister or the competent minister must conduct the necessary investigation, and when finding that the content of the request is accurate, the Prime Minister or the competent minister must take measures pursuant to this Act or other appropriate measures.

(Transitional Measures)

Article 53 When enacting, revising or abolishing an order pursuant to the provisions of this Act, necessary transitional measures (including transitional measures concerning the penal provisions) may be established by the order to the extent deemed reasonably necessary for such enactment, revision or abolition.

(Competent Minister and Order of the Competent Ministry)

Article 54 (1) The competent minister in this Act is as follows:

- (i) with respect to particulars related to the determination of Technical Requirements in accordance with the provisions of Article 3, paragraph (1): the minister who has jurisdiction over the manufacturing business of such products;
- (ii) with respect to the particulars related to consultation with the Consumer

- Affairs Council as described in Article 47, paragraph (1): the minister who has jurisdiction over the manufacturing business of such products;
- (iii) with respect to the particulars related to the acceptance and approval of a notification as described in Article 4, paragraph (2) (except for item (iii)) and the acceptance of a notification pertaining to the Specified Products as described in Section 2 of Chapter II, the particulars related to the registration of a Domestically Registered Conformity Inspection Body or an Overseas Registered Conformity Inspection Body as described in Sections 3 to 5 of Chapter II, the particulars related to an order as described in Article 32, the collection of information as described in Article 33, and a report of Serious Product Incidents as described in Section 2 of the preceding Chapter, the particulars related to an order as described in Article 39, paragraph (1), and the particulars related to the acceptance of an application as described in Article 51, paragraph (1): the minister who has jurisdiction over the business of manufacture, import or sale of such products pursuant to the provisions of Cabinet Order;
- (iv) with respect to particulars related to the provision of information on an inspection of Specified Products Requiring Maintenance and other maintenance as described in Section 1 of Chapter II-2, particulars related to the development of a system to inspect or otherwise maintain the Specified Products Requiring Maintenance as described in Section 2 of Chapter II-2, and particulars related to the collection and provision of information on Age-Related Deterioration as described in Section 3 of Chapter II-2: the minister who has jurisdiction over the business of manufacture or import of such products or the business conducted by the Enterprise Transacting Specified Products Requiring Maintenance, pursuant to Cabinet Order provisions; and
- (v) with respect to particulars related to the collection of a report as described in Article 40, paragraph (1) and paragraph (2) and an on-site inspection as described in Article 41, paragraph (1) and paragraph (2), and particulars related to the acceptance of a request as described in Article 52, paragraph (1): the minister who has jurisdiction over the business of manufacture, import or sale of such products or business conducted by the Enterprise Transacting Specified Products Requiring Maintenance, pursuant to Cabinet Order provisions.
- (2) Order of the competent ministry in this Act with respect to the particulars provided for in item (i) of the preceding paragraph is an order issued by the competent minister as described in item (i) of the preceding paragraph, and with respect to the particulars provided for in item (iii) or item (iv) of the preceding paragraph, an order issued by the competent minister as described in item (iii) or item (iv) of the preceding paragraph, respectively, pursuant to Cabinet Order provisions.

(Affairs Administered by the Prefectural or City Government)

Article 55 A part of the affairs that are under the authority delegated to the Minister of State for Consumer Affairs pursuant to the provisions of paragraph (1) of the following Article and the authority of the competent minister as prescribed in this Act may be performed by a prefectural governor or a city mayor pursuant to Cabinet Order provisions.

(Delegation of Authority)

Article 56 (1) The Prime Minister may delegate the authority under this Act (except for the authority specified by Cabinet Order) to the Minister of State for Consumer Affairs.

(2) The matters that belong to the authority of the competent minister pursuant to the provisions of this Act may be delegated to the head of a local branch office as specified by Cabinet Order.

(Instruction of the Competent Minister)

Article 57 In cases where the competent minister finds that harm to the lives or health of general consumers may occur and be caused by Specified Products, when finding it particularly necessary to prevent the occurrence and increase of such a safety hazard, the competent minister may give a prefectural governor or a city mayor instructions necessary to prevent the occurrence and increase of such a safety hazard, with respect to the affairs to be conducted by a prefectural governor or a city mayor as prescribed by Cabinet Order pursuant to the provisions of Article 55 which are specified by Cabinet Order.

Chapter V Penal Provisions

Article 58 A person who falls under any of the following items is punished by imprisonment with required labor for up to one year or a fine of up to one million yen, or both:

- (i) a person who has violated the provisions of Article 4, paragraph (1) or Article 5;
- (ii) a person who has violated the prohibitions as described in Article 15, paragraph (1) (limited to the portion pertaining to item (i));
- (iii) a person who has violated an order of suspension of business as prescribed in Article 27;
- (iv) a person who has violated an order as described in Article 32 or Article 39, paragraph (1); or
- (v) a person who has violated an order as described in Article 32-16, Article 32-20, paragraph (3) or Article 37, paragraph (1).

Article 59 A person who falls under any of the following items is punished by a fine of up to 300,000 yen:

- (i) a person who has given false notification when giving a notification as prescribed in the provisions of Article 6;
- (ii) a person who has failed to conduct an inspection or to prepare an inspection record, who has prepared a false inspection record, or who has failed to keep an inspection record, in violation of the provisions of Article 11, paragraph (2);
- (iii) a person who has failed to obtain or keep a certificate, in violation of the provisions of Article 12, paragraph (1);
- (iv) a person who has failed to give notification as described in Article 23 or who has given false notification;
- (v) a person who has failed to state the particulars described in Article 28, in violation of the provisions of Article 28, who has made a false statement, or who has failed to keep the books;
- (vi) a person who has failed to give notification as described in Article 32-2, paragraph (1), or who has given false notification;
- (vii) a person who has failed to make a report as prescribed in Article 40, or who has made a false report;
- (viii) a person who has refused, interrupted, or evaded an inspection as described in Article 41, paragraphs (1) to (3); or
- (ix) a person who has violated an order as described in Article 42, paragraph (1) or paragraph (2).

Article 60 If the representative of a corporation or an agent, employee or other worker of a corporation or an individual has committed a violation of the provisions listed in the following items in connection with the business of the corporation or individual, in addition to the offender being subject to punishment, the corporation is subject to the fine referred to in the respective items, and the individual is subject to the fine referred to in the respective Articles:

- (i) Article 58, item (ii) or item (iv): a fine of up to one hundred million yen; and
- (ii) Article 58, item (i), item (iii), or item (v) or the preceding Article: the fine prescribed in the respective Articles.

Article 61 A person who falls under any of the following items is punished by a civil fine of up to 200,000 yen:

- (i) a person who has failed to give a notification as described in Article 7, paragraph (2), Article 8 or Article 9 (including the cases applied *mutatis mutandis* pursuant to Article 32-2, paragraph (2)) or has given false

notification; or

- (ii) a person who has failed to keep financial statements, etc., in violation of the provisions of Article 24, paragraph (1), who has failed to state the necessary particulars in the financial statements, etc., or who has made a false statement, or has refused a request as described in each item of Article 24, paragraph (2) without just cause for doing so.

Article 62 In cases of violation of an order as described in Article 43, the officer of NITE who has committed the violation is punished by a civil fine of up to 200,000 yen.

Supplementary Provisions [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding nine months from the date of promulgation; provided, however, that the provisions listed in the following items come into effect on the day specified therein:

- (i) the provisions of Article 89, paragraph (1), Article 95, paragraph (1), item (ii), Article 7 of the Supplementary Provisions and Article 10 of the Supplementary Provisions: the day of promulgation;
- (ii) the provisions of Chapter III, Article 88, paragraph (2), Articles 100 to 103, the following Article to Article 6 of the Supplementary Provisions, Article 8 of the Supplementary Provisions to Article 9 of the Supplementary Provisions: the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation.

Supplementary Provisions [Act No. 57 of May 25, 1983] [Extract]

(Effective Date)

Article 1 This Act comes into effect on the day specified by Cabinet Order within a period not exceeding three months from the date of promulgation; provided, however, that the provisions of Article 8 come into effect on the day specified by Cabinet Order set forth in Article 1 of the Supplementary Provisions of the Act for Partial Revision of the Fertilizer Control Act (Act No. 40 of 1983).

Supplementary Provisions [Act No. 83 of December 10, 1983] [Extract]

(Effective Date)

Article 1 This Act comes into effect on the day of promulgation.

(Transitional Measures Concerning Penal Provisions)

Article 16 Prior laws continue to govern the application of penal provisions for acts committed prior to the enforcement of this Act and acts committed after the enforcement of the provisions of Article 17, Article 22, Article 36, Article 37 or Article 39 in cases that, pursuant to the provisions of Article 3, Article 5, paragraph (5), Article 8, paragraph (2), Article 9 or Article 10 of the Supplementary Provisions, are governed by prior laws.

Supplementary Provisions [Act No. 102 of December 24, 1985] [Extract]

(Effective Date)

Article 1 This Act comes into effect on the day of promulgation; provided, however, that the provisions listed in the following items come into effect on the day specified therein:

(i) to (v) Omitted

(vi) the provisions of Article 10 (except for the provisions to revise the Appended Tables of the Consumer Products Safety Act; hereinafter the same applies in Article 3 of the Supplementary Provisions): the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation;

(vii) the provisions in Article 10 to revise the Appended Tables of the Consumer Products Safety Act, Article 21 (except for the provisions to revise Article 37 of the Radio Act) and Article 26: the day specified by Cabinet Order within a period not to exceed one year from the date of promulgation.

(Transitional Measures upon Partial Revision of the Consumer Products Safety Act)

Article 3 In the case of planning to establish a Cabinet Order as described in Article 2, paragraph (3) of the Consumer Products Safety Act revised by Article 10, prior to the enforcement of the provisions of Article 10, it is governed by the provisions of Article 89, paragraph (1) of the Consumer Products Safety Act prior to its revision by Article 10.

Supplementary Provisions [Act No. 54 of May 20, 1986] [Extract]

(Effective Date)

Article 1 This Act comes into effect on October 1, 1986; provided, however, that the provisions listed in the following items come into effect on the day specified therein:

(i) paragraph (1), paragraph (2) and paragraph (9) of the following Article and Article 3, paragraph (1), paragraph (2) and paragraph (5), Article 4, Article 5,

paragraph (1), paragraph (2) and paragraph (5) of the Supplementary Provisions: the day of promulgation.

(Transitional Measures upon Partial Revision of the Consumer Products Safety Act)

Article 2 (1) The Consumer Product Safety Association (hereinafter referred to as "Association" in this Article) is to make a necessary modification of the articles of incorporation and obtain the approval of the Minister of International Trade and Industry prior to the effective date of this Act (hereinafter referred to as the "Enforcement Date").

(2) In cases where the approval described in the preceding paragraph has been provided, the modification of the articles of incorporation in accordance with the provisions of the preceding paragraph becomes effective on the Enforcement Date.

(3) The Association must pay to national treasury on the Enforcement Date the amount equivalent to the amount contributed by the government to the Association pursuant to Article 39, paragraph (1) or paragraph (3) of the Consumer Products Safety Act prior to the revision by Article 1.

(4) Any contributor other than the government may request the Association to return the equity interest of the contributor only up until the day on which one month has elapsed from the Enforcement Date.

(5) In the case of the request as described in the preceding paragraph, the Association must make a return in the amount equivalent to the amount of contribution for such equity interest, notwithstanding the provisions of Article 40, paragraph (1) of the Consumer Products Safety Act revised by Article 1 (hereinafter referred to as "New Act" in this Article).

(6) The Association is to reduce the amount of stated capital by the amount paid to the national treasury pursuant to the provisions of paragraph (3) and the amount returned pursuant to the provisions of the preceding paragraph.

(7) Any contribution to the Association made by any person other than the government prior to the enforcement of this Act is deemed to be a contribution made for appropriation to the fund set forth in Article 68, paragraph (1) of the New Act; provided, however, that this does not apply in the case of a contribution by a contributor who has filed an objection in advance.

(8) Any person who is chairperson, director or inspector of the Association at the time of the enforcement of this Act is deemed to have been approved by the Minister of International Trade and Industry at that time for the person's appointment pursuant to the provisions of Article 56, paragraph (1) of the New Act.

(9) In the case of modifying the articles of incorporation in accordance with the provisions of paragraph (1), the Association must specify in such articles of

incorporation the term of office of an official who is deemed as being approved by the Minister of International Trade and Industry for the official's appointment pursuant to the provisions of the preceding paragraph.

(Transitional Measures Concerning Penal Provisions)

Article 6 Prior laws continue to govern the application of penal provisions to acts committed prior to the enforcement of this Act (or the provisions of Article 9 with respect to the same Article) .

Supplementary Provisions [Act No. 89 of November 12, 1993] [Extract]

(Effective Date)

Article 1 This Act comes into effect on the day of the enforcement of the Administrative Procedure Act (Act No. 88 of 1993).

(Transitional Measures Concerning Adverse Dispositions Following Consultation)

Article 2 In cases where, prior to the enforcement of this Act, a consultation or other request has been made, pursuant to the laws and orders, to a council or any other panel requiring that procedures equivalent to the procedures for a hearing or grant of the opportunity for explanation as described in Article 13 of the Administrative Procedure Act or other procedures of statement of opinions, prior laws continue to govern, notwithstanding the provisions of the relevant Acts revised by this Act, the procedures for adverse dispositions pertaining to the consultation or other request.

(Transitional Measures Concerning Penal Provisions)

Article 13 Prior laws continue to govern the application of penal provisions to acts committed prior to the enforcement of this Act.

(Transitional Measures for the Arrangement of Provisions on Hearings)

Article 14 Hearings or hearing meetings held pursuant to the provisions of an Act prior to the enforcement of this Act (except for those pertaining to adverse dispositions) or the procedures thereof are deemed to have been conducted pursuant to the corresponding provisions of the relevant Act revised by this Act.

(Delegation to Cabinet Orders)

Article 15 Beyond what is provided for in Article 2 to the preceding Article of the Supplementary Provisions, the transitional measures necessary for the enforcement of this Act are provided for by Cabinet Order.

Supplementary Provisions [Act No. 14 of March 31, 1996] [Extract]

(Effective Date)

Article 1 This Act comes into effect on April 1, 1997.

Supplementary Provisions [Act No. 44 of May 22, 1996] [Extract]

(Effective Date)

Article 1 This Act comes into effect on the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation; provided, however, that the provisions in Article 1 to revise the provisions of Article 19 and Article 21, item (iv) of the Act on Door-to-Door Sales, etc.; the provisions of Article 2; the provisions in Article 3 of the Supplementary Provisions to revise the provisions of Article 37, paragraph (1) of the Installment Sales Act; and the provisions of Article 4 and Article 5 of the Supplementary Provisions come into effect on the day of promulgation.

Supplementary Provisions [Act No. 105 of November 21, 1997] [Extract]

(Effective Date)

(1) This Act comes into effect on the day of promulgation.

Supplementary Provisions [Act No. 87 of July 16, 1999] [Extract]

(Effective Date)

Article 1 This Act comes into effect on April 1, 2000; provided, however, that the provisions listed in the following items come into effect on the day specified therein:

- (i) the provisions for revision in Article 1 to add five Articles, the Section heading, and two Subsections and the Subsection headings after Article 250 of the Local Autonomy Act (limited to the portion pertaining to Article 250-9, paragraph (1) of the same Act (limited to the portion pertaining to obtaining the consent of both Houses)); the provisions in Article 40 to revise paragraph (9) and paragraph (10) of the Supplementary Provisions to the Natural Parks Act (limited to the portion pertaining to paragraph (10) of the Supplementary Provisions of the same Act); the provisions of Article 244 (except for the portion pertaining to the provisions to revise Article 14-3 of the Agricultural Improvement and Promotion Act); the provisions of Article 472 (except for the portion pertaining to the provisions to revise Article 6, Article 8 and Article 17 of the Act on Special Provisions Concerning Merger of Municipalities); and the provisions of Article 7, Article 10, Article 12, proviso

to Article 59, Article 60, paragraph (4) and paragraph (5), Article 73, Article 77, Article 157, paragraphs (4) to (6), Article 160, Article 163, Article 164 and Article 202 of the Supplementary Provisions: the day of promulgation.

(State Affairs, etc.)

Article 159 Beyond those prescribed in the respective Acts prior to revision by this Act, any state affairs, other local governments and other public entities that are managed or executed, prior to the enforcement of this Act, by an organ of a local public entity in accordance with the Acts or the Cabinet Order based thereon (hereinafter referred to as "state affairs, etc." in Article 161 of the Supplementary Provisions) are to be administered by the local public entity as its own affairs pursuant to Acts or the Cabinet Order based thereon, after the enforcement of this Act.

(Transitional Measures Concerning Dispositions, Applications)

Article 160 (1) With respect to the application of the respective revised Acts after the date of enforcement of this Act, excluding those specified in the provisions of Article 2 to the preceding Article of the Supplementary Provisions or in provisions concerning transitional measures in the respective Acts after their revision (including orders pursuant thereto), permission given and other dispositions granted or other actions committed before the enforcement of this Act (or the respective provisions listed in the items of Article 1 of the Supplementary Provisions; hereinafter the same applies in this Article and Article 163 of the Supplementary Provisions) pursuant to the provisions of the respective Acts prior to their revision (hereinafter referred to as "dispositions and other actions" in this Article) or applications for permission, etc. filed or other actions committed at the time of the enforcement of this Act pursuant to the provisions of respective Acts prior to their revision (hereinafter referred to as "applications and other actions" in this Article), for which the person who is to conduct administrative affairs pertaining to those actions differs on the date of enforcement of this Act, are deemed as dispositions and other actions, or applications and other actions, taken pursuant to the corresponding provisions of the respective Acts after their revision.

(2) With respect to the particulars for which reports, notification, submission or other procedures must be made to an organ of the State or a local government prior to the enforcement of this Act pursuant to the respective Acts prior to their revision, for which such procedures have not yet been taken prior to the date of enforcement of this Act, except as otherwise specified in this Act or the Cabinet Orders based thereon, the provisions of the respective Acts revised by this Act apply, deeming that the reports, notification, submission or other procedures have not been made with respect to the particulars for which such

procedures must be taken to the relevant organ of the State or a local government pursuant to the relevant provisions of the respective revised Acts.

(Transitional Measures Concerning Appeals)

Article 161 (1) With respect to appeals under the Administrative Appeal Act with respect to the dispositions pertaining to state affairs, etc. made prior to the Enforcement Date by the administrative agency (hereinafter referred to as "administrative agency having made the disposition") for which there was a higher administrative agency as described in the same Act (hereinafter referred to as "higher administrative agency" in this Article) prior to the Enforcement Date, the provisions of the Administrative Appeal Act apply, deeming that the administrative agency having made the disposition still has a higher administrative agency after the Enforcement Date. In this case, the administrative agency deemed to be the higher administrative agency of such administrative agency ordering the disposition is the administrative agency that was the higher administrative agency of such administrative agency ordering the disposition before the Enforcement Date.

(2) In the case referred to in the preceding paragraph, when the administrative agency deemed to be the higher administrative agency is an organ of a local government, the affairs to be administrated by such organ pursuant to the provisions of the Administrative Appeal Act are the Type 1 statutory entrusted functions as prescribed in Article 2, paragraph (9), item (i) of the new Local Autonomy Act.

(Transitional Measures Concerning Fees)

Article 162 Prior laws continue to govern any fees which should have been paid pursuant to the provisions of respective Acts (including orders pursuant thereto) prior to revision by this Act before the Enforcement Date, except as otherwise specified in this Act or the Cabinet Order based thereon.

(Transitional Measures Concerning Penal Provisions)

Article 163 Prior laws continue to govern the application of penal provisions to acts committed prior to the enforcement of this Act .

(Delegation of Other Transitional Measures to Cabinet Orders)

Article 164 (1) Beyond what is provided for in these Supplementary Provisions, the transitional measures necessary for the enforcement of this Act (including the transitional measures concerning the penal provisions) are provided for by Cabinet Order.

(2) Particulars necessary for the application of the provisions of Article 18, Article 51, and Article 184 of the Supplementary Provisions are provided for by

Cabinet Order.

(Review)

Article 250 No additional Type 1 statutory entrusted functions as described in Article 2, paragraph (9), item (i) of the new Local Autonomy Act are to be newly created to the greatest extent possible, and those listed in Appended Table 1 of the same Act and those provided for by the Cabinet Order pursuant to the new Local Autonomy Act are to be examined from the perspective of promoting decentralization and be periodically reviewed as appropriate.

Article 251 In order to enable local governments to execute their affairs and services voluntarily and independently, the government is to review how to secure adequate sources of local tax revenue based on the sharing of roles between the State and local governments, taking into consideration the prevailing economic trends, and is to implement the necessary measures based on the results of this review.

Article 252 In line with reforms of the medical insurance system, the pension system, and other systems, the government is to review the framework of administrative processing for social security, the requirements for officials engaged therein and other particulars, from the viewpoint of securing the convenience for the insured, etc. and improving the efficiency of administrative processing, and is to implement required measures based on the results thereof, when deeming it necessary to do so.

Supplementary Provisions [Act No. 121 of August 6, 1999] [Extract]

(Effective Date)

Article 1 This Act comes into effect on July 1, 2000; provided, however, that the provisions listed in the following items come into effect as of the day specified therein:

- (i) the provisions of Article 8, Article 23, Article 51 and Article 66 of the Supplementary Provisions: the day of promulgation;
- (ii) the provisions of Article 2, Article 14, Article 27, Article 39, Article 44 and Article 52 of the Supplementary Provisions: April 1, 2000;
- (iii) the provisions of Article 1 and Article 2; the provisions in Article 4 to revise Article 59-9, item (vi), Article 59-28, paragraph (1), item (v), Article 59-29, paragraph (3) and Article 59-30 of the High Pressure Gas Safety Act; the provisions of Article 11; and Articles 3 to 7, Articles 9 to 13, Articles 15 to 22, Article 24 and Article 30, Articles 53 to 65, Article 67 and Article 78 of the Supplementary Provisions (except for the provisions to revise Article 4,

item (lxxii) and Article 5, paragraph (1) of the Act for Establishment of the Ministry of International Trade and Industry (Act No. 275 of 1952)): October 1, 2000.

(Transitional Measures upon Partial Revision of the Consumer Products Safety Act)

Article 2 Any person who intends to obtain a certification or approval pursuant to the provisions of Article 12, paragraph (1) of the Consumer Products Safety Act revised by Article 1 (hereinafter referred to as the "New Consumer Products Safety Act") may file an application for certification or approval prior to the enforcement of the provisions of Article 1. The same applies to the notification of the Business Regulations as prescribed in Article 22, paragraph (1) of the New Consumer Products Safety Act (including the cases applied *mutatis mutandis* pursuant to Article 29, paragraph (2) of the New Consumer Products Safety Act).

Article 3 (1) Any person who has been designated pursuant to the provisions of Article 4, paragraph (1), item (i) of the Consumer Products Safety Act prior to revision by Article 1 (hereinafter referred to as "Old Consumer Products Safety Act") at the time of the enforcement of Article 1 is deemed to have been designated pursuant to Article 12, paragraph (1) of the New Consumer Products Safety Act until the day on which six months elapses from the date of the enforcement of Article 1. In cases where the person filed an application for certification as prescribed in the same paragraph during the period, the same applies during the period until a disposition pertaining to the application is made.

(2) A notification given in accordance with the provisions of Article 32-5-6 of the Old Consumer Products Safety Act with respect to the person who is deemed, pursuant to the provisions of the preceding paragraph, to have obtained certification in accordance with Article 12, paragraph (1) of the New Consumer Products Safety Act is deemed to be a notification given in accordance with the provisions of Article 21 of the New Consumer Products Safety Act; the Business Regulations for which a certification is granted or for which an application is filed in accordance with the provisions of Article 32-5-7, paragraph (1) of the Old Consumer Products Safety Act are deemed to be the Business Regulations for which a notification is given pursuant to the provisions of Article 22, paragraph (1) of the New Consumer Products Safety Act; a suspension and discontinuation of business for which permission is granted or for which an application is filed pursuant to the provisions of Article 32-5-8 of the Old Consumer Products Safety Act is deemed to be a suspension and discontinuation of business for which a notification is given pursuant to

the provisions of Article 23 of the New Consumer Products Safety Act; an order given pursuant to the provisions of Article 32-5-13 of the Old Consumer Products Safety Act is deemed to be an order given pursuant to the provisions of Article 24 of the New Consumer Products Safety Act; and an order given pursuant to the provisions of Article 32-5-14 of the Old Consumer Products Safety Act is deemed to be an order given pursuant to the provisions of Article 26 of the New Consumer Products Safety Act, respectively.

Article 4 (1) With respect to any application for examination set forth in Article 6 of the Old Consumer Products Safety Act filed prior to the enforcement of Article 1, for which a disposition of success or rejection has not been made at the time of the enforcement of Article 1, or any application for approval of the type set forth in Article 23, paragraph (1) or Article 32-4, paragraph (1) of the Old Consumer Products Safety Act filed prior to the enforcement of Article 1, for which a disposition of approval or disapproval has not been made at the time of the enforcement of Article 1, the disposition for the application continues to be governed by prior laws.

(2) With respect to any application for a test set forth in Article 24-2, paragraph (1) (including the cases applied mutatis mutandis pursuant to Article 32-2, paragraph (2) of the Old Consumer Products Safety Act; hereinafter the same applies in the following paragraph) of the Old Consumer Products Safety Act filed prior to the enforcement of Article 1, for which a disposition of success or rejection has not been made at the time of the enforcement of Article 1, the disposition of the application continues to be governed by prior laws.

(3) With respect to any application for approval of the type governed by the provisions of Article 23, paragraph (1) or Article 32-4, paragraph (1) of the Old Consumer Products Safety Act filed within ten days from the enforcement of Article 1 by a person who had passed the test set forth in Article 24-2, paragraph (1) of the Old Consumer Products Safety Act prior to the enforcement of Article 1, with a document attached proving that the person had passed the test, or any application for approval of the type governed by the provisions of Article 23, paragraph (1) or Article 32-4, paragraph (1) of the Old Consumer Products Safety Act filed by a person who had applied for and passed the test which is to continue to be governed by prior laws pursuant to the provisions of the preceding paragraph, within ten days from the day of passing, with a document attached proving that the person had passed the test, the disposition of the application continues to be governed by prior laws.

Article 5 (1) Any label placed, in accordance with the provisions of Article 7, Article 27 or Article 32-10 of the Old Consumer Products Safety Act, on those Specified Products set forth in Article 2, paragraph (2) of the Old Consumer

Products Safety Act that fall under the category of Specified Products as described in Article 2, paragraph (2) of the New Consumer Products Safety Act (hereinafter referred to as "Specified Products under Transition") at the time of the enforcement of Article 1 is deemed to be a label placed pursuant to the provisions of Article 13 of the New Consumer Products Safety Act until the expiration of a period specified by Cabinet Order for the respective Specified Products under Transition of up to five years from the date of enforcement of Article 1.

- (2) Beyond cases that are to continue to be governed by prior laws pursuant to the provisions of Article 7, paragraph (2) of the Supplementary Provisions, prior laws continue to govern those first-class Specified Products set forth in Article 2, paragraph (3) of the Old Consumer Products Safety Act with labels affixed in accordance with the provisions of Article 27 of the Old Consumer Products Safety Act as applied mutatis mutandis pursuant to Article 32-4, paragraph (2) of the Old Consumer Products Safety Act that fall under the category of Special Specified Products as described in Article 2, paragraph (3) of the New Consumer Products Safety Act (hereinafter referred to as "Special Specified Products under Transition"), notwithstanding the provisions of Article 4, paragraph (1) and Article 5 of the New Consumer Products Safety Act, until the expiration of a period specified by Cabinet Order for the respective Special Specified Products under Transition not exceeding five years from the date of enforcement of Article 1.

Article 6 Any person who has, at the time of the enforcement of Article 1, obtained an approval or filed an application as prescribed in Article 23, paragraph (1) of the Old Consumer Products Safety Act with respect to the type of Specified Products under Transition (including any person who has applied for approval as described in Article 4, paragraph (3) of the Supplementary Provisions (except for an application for approval of the type set forth in Article 32-4, paragraph (1) of the Old Consumer Products Safety Act)) or any person who has given a notification in accordance with the provisions of Article 32-6, paragraph (1) of the Old Consumer Products Safety Act with respect to the type of the Specified Products under Transition is deemed to have given notification with respect to the Specified Products under Transition of the type pertaining to such approval or application, or the Type Subject to Notification in accordance with the provisions of Article 6 of the New Consumer Products Safety Act.

Article 7 (1) Any person who has, at the time of the enforcement of Article 1, obtained an approval of the type set forth in Article 23, paragraph (1) of the Old Consumer Products Safety Act with respect to the Special Specified

Products under Transition (including any person who has obtained an approval for the application for approval of the type, which is to continue to be governed by prior laws pursuant to the provisions of Article 4, paragraph (1) or paragraph (3) of the Supplementary Provisions (except for an application for approval of the type set forth in Article 32-4, paragraph (1) of the Old Consumer Products Safety Act)) is deemed to have performed the obligation in accordance with the provisions of Article 12, paragraph (1) of the New Consumer Products Safety Act until the expiration of the period specified by Cabinet Order set forth in Article 25, paragraph (1) of the Old Consumer Products Safety Act commencing from the date of the approval in cases where the person manufactured the Special Specified Products under Transition of the type pertaining to this approval.

- (2) Prior laws continue to govern the sale or labeling of the Special Specified Products under Transition subject to approval of the type as prescribed in Article 32-4, paragraph (1) of the Old Consumer Products Safety Act which is in effect at the time of the enforcement of Article 1 (including approval of the type obtained by deeming that it is to continue to be governed by prior laws pursuant to the provisions of Article 4, paragraph (1) or paragraph (3) of the Supplementary Provisions (limited to the approval for a foreign registered manufacturer set forth in Article 32-2 of the Old Consumer Products Safety Act)), notwithstanding the provisions of Article 4, paragraph (1) and Article 5 of the New Consumer Products Safety Act, until the expiration of the period specified by the Cabinet Order as set forth in Article 5, paragraph (2) of the Supplementary Provisions pertaining to the Special Specified Products under Transition starting from the date of enforcement of Article 1 or the expiration of a period specified by the Cabinet Order as set forth in Article 25, paragraph (1) of the Old Consumer Products Safety Act as applied *mutatis mutandis* pursuant to Article 32-4, paragraph (2) of the Old Consumer Products Safety Act starting from the date of the approval, whichever comes earlier.

Article 8 Prior to the enforcement of Article 1, the competent minister may consult with the Consumer Affairs Council to enact the Cabinet Order set forth in Article 2, paragraph (3) of the New Consumer Products Safety Act.

Article 9 Prior laws continue to govern a request for review pursuant to the Administrative Appeal Act (Act No. 160 of 1962) concerning a disposition or inaction pertaining to affairs, such as examination, conducted by the Consumer Product Safety Association pursuant to the provisions of the Old Consumer Products Safety Act or examination conducted by the designated examining body.

(Entity Conversion to Incorporated Foundation)

Article 10 With respect to the Consumer Product Safety Association, the provisions of the Old Consumer Products Safety Act remain in force until the Consumer Product Safety Association ceases to exist by dissolution (or until a change of organization in the case where the organization is changed in accordance with the provisions of Article 12, paragraph (1) of the Supplementary Provisions). In this case, the term "Order of the Ministry of International Trade and Industry" and the term "Minister of International Trade and Industry" in the provisions of the Old Consumer Products Safety Act are deemed to be replaced with "Order of the Ministry of Economy, Trade and Industry" and "Minister of Economy, Trade and Industry," respectively.

Article 11 (1) Any contributor to the Consumer Product Safety Association may request the Consumer Product Safety Association to return the equity interest of the contributor only until the day on which one month has elapsed from the date of enforcement of Article 1.

(2) In the case of a request as described in the preceding paragraph, the Consumer Product Safety Association must make a return in an amount equivalent to the amount of contribution for the equity interest, notwithstanding the provisions of Article 40, paragraph (1) of the Old Consumer Products Safety Act which are to remain in force pursuant to the provisions of Article 10 of the Supplementary Provisions.

(3) The Consumer Product Safety Association is to reduce the amount of stated capital by the amount returned pursuant to the provisions of preceding paragraph.

Article 12 (1) The Consumer Product Safety Association may implement an entity conversion to an incorporated foundation to be incorporated pursuant to the provisions of Article 34 of the Civil Code (Act No. 89 of 1896) (hereinafter simply referred to as "Incorporated Foundation") during the period between the day following the date of the expiration of the period as prescribed in paragraph (1) of the preceding Article and March 31, 2001.

(2) In order to implement an entity conversion to an Incorporated Foundation pursuant to the provisions of the preceding paragraph, the Consumer Product Safety Association must make modifications to its articles of incorporation as necessary for entity conversion and obtain the approval of the Minister of Economy, Trade and Industry.

(3) The entity conversion in accordance with the provisions of paragraph (1) becomes effective upon the approval set forth in the preceding paragraph.

(4) In cases of entity conversion of the Consumer Product Safety Association, the stated capital (or the stated capital after reduction when the amount of stated

capital is reduced pursuant to the provisions of paragraph (3) of the preceding Article) is to have become the amount contributed to the Incorporated Foundation after the entity conversion pursuant to the provisions of paragraph (1) upon the approval set forth in paragraph (2).

- (5) With respect to the application of the Civil Code or other laws and orders to an Incorporated Foundation after entity conversion in accordance with the provisions of paragraph (1), the approval set forth in paragraph (2) is deemed to be the permission to establish an Incorporated Foundation.
- (6) Any particulars necessary for registration of the Consumer Product Safety Association upon entity conversion to an Incorporated Foundation in accordance with the provisions of paragraph (1) are provided for by Cabinet Order.

Article 13 (1) The Consumer Product Safety Association existing at the time of expiry of March 31, 2001 is dissolved at that time.

- (2) When the Consumer Product Safety Association is dissolved, the President thereof is the liquidator; provided, however, that this does not apply in cases where another person is appointed by the council.
- (3) Without delay after assuming the position, the liquidator must investigate the property situation of the Consumer Product Safety Association, prepare an inventory of property and a balance sheet, determine the method to dispose of property and submit reports of the preceding to the Minister of Economy, Trade and Industry for the Minister's approval.
- (4) When the liquidation affairs are completed, the liquidator must prepare statements of accounts without delay and submit them to the Minister of Economy, Trade and Industry for the Minister's approval.
- (5) The provisions of Article 73, Article 75, Article 76 and Articles 78 to 83 of the Civil Code; and Article 35, paragraph (2), Article 36 and Article 37-2, Article 135-25, paragraph (2) and paragraph (3), Article 136, Article 137 and Article 138 of the Non-Contentious Cases Procedure Act (Act No. 14 of 1898) apply mutatis mutandis to the dissolution and liquidation of the Consumer Product Safety Association. In this case, the term "the preceding Article" in Article 75 of the Civil Code is deemed to be replaced with "Article 13, paragraph (2) of the Supplementary Provisions to the Act on Consolidation and Streamlining of Standards and Certification Systems Relating to the Ministry of International Trade and Industry (Act No. 121 of 1999)."
- (6) In cases where residual assets remain as a result of distribution as prescribed in Article 80, paragraph (1) of the Old Consumer Products Safety Act, the disposition of the assets is provided for by Cabinet Order.

(Effect of Dispositions)

Article 68 Any dispositions, procedures and other acts taken prior to the enforcement of this Act (or the respective provisions listed in the items of Article 1 of the Supplementary Provisions), pursuant to the provisions of the respective Acts prior to revision (including orders pursuant thereto; hereinafter the same applies in this Article), for which the corresponding provisions exist in the provisions of the respective revised Acts, are deemed to have been taken pursuant to the corresponding provisions of the respective revised Acts, except as otherwise specified in the Supplementary Provisions.

(Transitional Measures Concerning the Application of Penal Provisions)

Article 69 Prior laws continue to govern the application of penal provisions to acts committed prior to the enforcement of this Act (or the respective provisions listed in the items of Article 1 of the Supplementary Provisions) (or with respect to the Consumer Product Safety Association, prior to the lapse of the provisions of the Old Consumer Products Safety Act that are to remain in force pursuant to the provisions of Article 10 of the Supplementary Provisions, or with respect to the High Pressure Gas Safety Institute of Japan, prior to the lapse of the provisions of the High Pressure Gas Safety Act that are to remain in force pursuant to the provisions of Article 30 of the Supplementary Provisions) and acts committed after the enforcement of this Act in cases that are to continue to be governed pursuant to the provisions of the Supplementary Provisions.

(Delegation of Other Transitional Measures to Cabinet Orders)

Article 70 Beyond what is provided for in Articles 2 to 9 and Article 14 to the preceding Article of the Supplementary Provisions, the transitional measures necessary for the enforcement of this Act (including the transitional measures concerning the penal provisions) are provided for by Cabinet Order.

Supplementary Provisions [Act No. 160 of December 22, 1999] [Extract]

(Effective Date)

Article 1 This Act (except for Article 2 and Article 3) comes into effect on January 6, 2001.

Supplementary Provisions [Act No. 204 of December 22, 1999] [Extract]

(Effective Date)

Article 1 This Act comes into effect on January 6, 2001; provided, however, that the provisions of Articles 8 to 19 of the Supplementary Provisions come into effect on the day specified by Cabinet Order within a period not exceeding six

months from the date.

(Transitional Measures Concerning Penal Provisions)

Article 20 Prior laws continue to govern the application of penal provisions to acts committed prior to the enforcement of this Act.

(Delegation to Cabinet Orders)

Article 21 Beyond what is provided for in Articles 2 to 7, Article 9, Article 11, Article 18, and the preceding Article of the Supplementary Provisions, the transitional measures necessary for the establishment of NITE and other transitional measures necessary for the enforcement of this Act are provided for by Cabinet Order.

Supplementary Provisions [Act No. 91 of May 31, 2000]

(Effective Date)

(1) This Act comes into effect on the day of the enforcement of the Act on the Partial Revision of the Commercial Code, etc. (Act No. 90 of 2000).

(Transitional Measures)

(2) In cases where the date of enforcement of this Act is prior to the date of enforcement of the provisions of Article 8 of the Supplementary Provisions to the Act on the Center for Quality Control and Consumer Services (Act No. 183 of 1999), the term "Article 27" in the provisions of Article 31 to revise Article 19-5-2, Article 19-6, paragraph (1), item (iv) and Article 27 of the Act Concerning Standardization and Proper Labeling of Agricultural and Forestry Products is deemed to be replaced with "Article 26."

Supplementary Provisions [Act No. 96 of July 31, 2002] [Extract]

(Effective Date)

Article 1 This Act comes into effect on the day specified by Cabinet Order within a period not exceeding three years from the date of promulgation; provided, however, that the provisions listed in the following items come into effect as of the day specified therein:

(ii) the provisions of Article 2, paragraph (2), Article 5, Article 17, Article 27 and Articles 30 to 32 of the Supplementary Provisions: the day of promulgation;

(Effects of Dispositions)

Article 30 Any dispositions, procedures and other acts taken, prior to the

enforcement of this Act (or the respective provisions listed in the items of Article 1 of the Supplementary Provisions), pursuant to the provisions of the respective Acts prior to their revisions (including orders issued under it; hereinafter the same applies in this Article), for which the corresponding provisions exist in the provisions of the respective revised Acts, are deemed to have been taken pursuant to the corresponding provisions of the respective revised Acts, except as otherwise specified in the Supplementary Provisions.

(Transitional Measures Concerning Penal Provisions)

Article 31 Prior laws continue to govern the application of penal provisions to acts committed prior to the enforcement of this Act (or the respective provisions listed in the items of Article 1 of the Supplementary Provisions) and acts committed after the enforcement of this Act in cases that are to continue to be governed pursuant to the provisions of this Act.

(Delegation to Cabinet Orders)

Article 32 Beyond what is provided for in the Supplementary Provisions, the transitional measures necessary for the enforcement of this Act are provided for by Cabinet Order.

Supplementary Provisions [Act No. 55 of May 30, 2003] [Extract]

(Effective Date)

Article 1 This Act comes into effect on the day specified by Cabinet Order within a period not exceeding three months from the date of promulgation; provided, however, that the provisions listed in the following items come into effect as of the day specified therein:

(iii) the provisions of Article 2 (except for the provisions for revision listed in the following item), Article 6 (except for the provisions for revision listed in the following item), Article 8 (except for the provisions for revision listed in the following item), and Article 10; and Articles 2 to 5, Article 8, Articles 16 to 18, Articles 21 to 26, Article 31, Article 33 and Article 35 of the Supplementary Provisions: the day specified by Cabinet Order within a period not exceeding nine months from the date of promulgation.

Supplementary Provisions [Act No. 76 of June 11, 2003] [Extract]

(Effective Date)

Article 1 This Act comes into effect on March 1, 2004; provided, however, that the provisions listed in the following items come into effect on the day specified therein:

- (i) the provisions of Article 13 of the Supplementary Provisions: the day of promulgation;
- (ii) the provisions of Article 3, paragraph (1), Article 4, paragraph (1), Article 5, paragraph (1), Article 6, paragraph (1), Article 7, paragraph (1), Article 8, paragraph (1) and Article 9, paragraph (1) of the Supplementary Provisions: October 1, 2003.

(Transitional Measures upon Partial Revision of the Consumer Products Safety Act)

Article 4 (1) Any person who intends to obtain the registration set forth in Article 12, paragraph (1) of the Consumer Products Safety Act revised by Article 3 (hereinafter referred to as the "New Consumer Products Safety Act") may file an application for registration prior to the enforcement of this Act. The same applies to notification of the Business Regulations as described in Article 22, paragraph (1) of the New Consumer Products Safety Act (including the cases applied mutatis mutandis pursuant to Article 29, paragraph (2) of the New Consumer Products Safety Act).

(2) Any person who has obtained a certification or approval as set forth in Article 12, paragraph (1) of the Consumer Products Safety Act prior to the revision by Article 3 (hereinafter referred to as "Old Consumer Products Safety Act") at the time of the enforcement of this Act is deemed to have obtained registration pursuant to Article 12, paragraph (1) of the New Consumer Products Safety Act. In this case, the valid period of the registration is the remaining period of validity of the certification or approval set forth in Article 12, paragraph (1) of the Old Consumer Products Safety Act.

(Effect of Dispositions)

Article 11 Any dispositions, procedures and other acts taken, prior to the enforcement of this Act (or the respective provisions listed in the items of Article 1 of the Supplementary Provisions), pursuant to the provisions of the respective Acts prior to their revisions (including orders pursuant thereto; hereinafter the same applies in this Article), for which the corresponding provisions exist in the provisions of the respective revised Acts, are deemed to have been taken pursuant to the corresponding provisions of the respective revised Acts, except as otherwise specified in the Supplementary Provisions.

(Transitional Measures Concerning Application of Penal Provisions)

Article 12 Prior laws continue to govern the application of penal provisions to acts committed prior to the enforcement of this Act (or the respective provisions listed in the items of Article 1 of the Supplementary Provisions; hereinafter the same applies in this Article) and acts committed after the

enforcement of this Act in cases that are to continue to be governed pursuant to the provisions of the Supplementary Provisions.

(Delegation to Cabinet Orders)

Article 13 Beyond what is provided for in Article 2 to the preceding Article of the Supplementary Provisions, the transitional measures necessary for the enforcement of this Act (including transitional measures concerning the penal provisions) are provided for by Cabinet Order.

Supplementary Provisions [Act No. 87 of July 26, 2005] [Extract]

This Act comes into effect on the day of the enforcement of the Companies Act.

Supplementary Provisions [Act No. 104 of December 6, 2006] [Extract]

(Effective Date)

Article 1 This Act comes into effect on the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation.

(Review)

Article 2 Within five years after the enforcement of this Act, the government is to review the status of the enforcement of the Consumer Products Safety Act revised by this Act, and when it finds it necessary to do so, is to implement all necessary measures based on the results of the review.

Supplementary Provisions [Act No. 117 of November 21, 2007]

(Effective Date)

Article 1 This Act comes into effect on the day specified by Cabinet Order within a period not exceeding one year and six months from the date of promulgation; provided, however, that the provisions to revise Article 47, paragraph (1) come into effect as of the day of promulgation.

(Review)

Article 2 Within five years after the enforcement of this Act, the government is to review the status of the enforcement of the Consumer Products Safety Act revised by this Act, and when it finds it necessary to do so, is to implement all necessary measures based on the results of the review.

Supplementary Provisions [Act No. 49 of June 5, 2009] [Extract]

(Effective Date)

Article 1 This Act comes into effect on the day of the enforcement of the Act for Establishment of the Consumer Affairs Agency and the Consumer Commission; provided, however, that the provisions listed in the following items come into effect on the day specified therein:

(i) the provisions of Article 9 of the Supplementary Provisions: the day of promulgation;

Article 4 (1) Any license, permission, authorization, approval, designation or other dispositions given, or notification made, or other acts taken prior to the enforcement of this Act, pursuant to the provisions of the respective Acts prior to revision by this Act (including orders pursuant thereto; hereinafter referred to as the "Old Laws and Orders"), is deemed to be a license, permission, authorization, approval, designation or other dispositions given, or notification made, or other acts taken pursuant to the corresponding provisions of the respective Acts after revision by this Act (including orders pursuant thereto; hereinafter referred to as the "New Laws and Orders"), except as otherwise specified in laws and orders.

(2) Any application for a license filed, notification made, or other acts taken at the time of the enforcement of this Act, pursuant to the provisions of the Old Laws and Orders, is deemed to be an application for a license filed, notification made, or other acts taken pursuant to the corresponding provisions of the New Laws and Orders, except as otherwise specified in laws and orders.

(3) With respect to the particulars for which reports, notification, submission or other procedures must be made prior to the enforcement of this Act, pursuant to the provisions of the Old Laws and Orders, for which such procedures have not yet been taken prior to the Enforcement Date of this Act, the provisions of the New Laws and Orders apply after the enforcement of this Act, deeming that such procedures have not yet been taken pursuant to the corresponding provisions of the New Laws and Orders, except as otherwise specified in laws and orders.

(Transitional Measures Concerning the Effect of Orders)

Article 5 A Cabinet Order set forth in Article 7, paragraph (3) of the Act for Establishment of the Cabinet Office or a Ministerial Order set forth in Article 12, paragraph (1) of the National Government Organization Act issued pursuant to the provisions of the Old Laws and Orders is to remain in force as the corresponding Cabinet Order set forth in Article 7, paragraph (3) of the Act for Establishment of the Cabinet Office or the corresponding Ministerial Order set forth in Article 12, paragraph (1) of the National Government Organization Act issued pursuant to the corresponding provisions of the New Laws and

Orders, except as otherwise specified in laws and orders.

(Transitional Measures Concerning Application of Penal Provisions)

Article 8 Prior laws continue to govern the application of penal provisions to acts committed prior to the enforcement of this Act and acts committed after the enforcement of this Act in cases that are to continue to be governed by prior laws pursuant to the provisions of the Supplementary Provisions to this Act.

(Delegation to Cabinet Orders)

Article 9 Beyond what is provided for in Article 2 to the preceding Article of the Supplementary Provisions, the transitional measures necessary for the enforcement of this Act (including transitional measures concerning the penal provisions) are provided for by Cabinet Order.

Supplementary Provisions [Act No. 70 of June 22, 2011] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2012; provided, however, that the provisions of the following Article come into effect as of the date of promulgation, and the provisions of Article 17 of the Supplementary Provisions come into effect as of the date of promulgation of the Act on the Development of Related Acts for Promoting Reform with the Aim of Increasing the Autonomy and Independence of Local Authorities (Act No. 105 of 2011) or the date of promulgation of this Act, whichever comes later.

Supplementary Provisions [Act No. 105 of August 30, 2011] [Extract]

(Effective Date)

Article 1 This Act comes into effect on the day of promulgation, provided, however, that the provisions listed in the following items come into effect on the day specified therein:

(ii) the provisions of Article 2; Article 10 (limited to the provisions to revise Article 18 of the Act on Special Districts for Structural Reform); Article 14 (limited to the provisions to revise Article 252-19 and Article 260 of the Local Autonomy Act; rows of the Noise Regulation Act (Act No. 98 of 1968), the City Planning Act (Act No. 100 of 1968), the Urban Renewal Act (Act No. 38 of 1969), the Basic Environment Act (Act No. 91 of 1993), and the Act on Promotion of Improvement of Disaster Control Districts in Populated Urban Districts (Act No. 49 of 1997) of the Appended Table 1; and rows of the Urban Renewal Act (Act No. 38 of 1969), the Act on Advancement of Expansion of Public Lands (Act No. 66 of 1972), the Act on Special Measures concerning

Promotion of Supply of Houses and Housing Lands in Urban Districts (Act No. 67 of 1975), the Act on Promotion of Improvement of Disaster Control Districts in Populated Urban Districts (Act No. 49 of 1997), and the Act on Facilitation of Reconstruction of Condominiums (Act No. 78 of 2002)); Article 17 to 19; Article 22 (limited to the provisions to revise Article 21-5-6, Article 21-5-15, Article 21-5-23, Article 24-9, Article 24-17, Article 24-28, and Article 24-36 of the Child Welfare Act); Articles 23 to 27; Articles 29 to 33; Article 34 (limited to the provisions to revise Article 62, Article 65 and Article 71 of the Social Welfare Act); Article 35; Article 37; Article 38 (except for the provisions to revise Article 46, Article 48-2, Article 50 and Article 50-2 of the Water Supply Act); Article 39; Article 43 (limited to the provisions to revise Article 19, Article 23, Article 28, and Article 30-2 of the Human Resources Development Promotion Act); Article 51 (limited to the provisions to revise Article 64 of the Act on Prevention of Infectious Diseases and Medical Care for Patients Suffering Infectious Diseases); Article 54 (except for the provisions to revise Article 88 and Article 89 of the Services and Supports for Persons with Disabilities Act); Article 65 (except for the provisions to revise Article 3, paragraph (1), item (ix), Article 4, Article 5, and Article 57 of the Agricultural Land Act); Articles 87 to 92; Article 99 (limited to the provisions to revise Article 24-3 and Article 48-3 of the Road Act); Article 101 (limited to the provisions to revise Article 76 of the Land Readjustment Act); Article 102 (limited to the provisions to revise Articles 18 to 21, Article 27, Article 49, and Article 50 of the Act on Special Measures concerning Road Construction and Improvement); Article 103; Article 105 (except for the provisions to revise Article 4 of the Parking Lot Act); Article 107; Article 108; Article 115 (limited to the provisions to revise Article 15 and Article 17 of the Act on the Conservation of Suburban Green Zones in the National Capital Region); Article 116 (except for the provisions to revise Article 3-2 of the Act on the Improvement of Urban Distribution Centers); Article 118 (limited to the provisions to revise Article 16 and Article 18 of the Act on Arrangement of Conservation Districts in Kinki Area); Article 120 (except for the provisions to revise Article 6-2, Article 7-2, Article 8, Articles 10-2 to 12-2, Article 12-4, Article 12-5, Article 12-10, Article 14, Article 20, Article 23, Article 33, and Article 58-2); Article 121 (limited to the provisions to revise Articles 7-4 to 7-7, Articles 60 to 62, Article 66, Article 98, Article 99-8, Article 139-3, Article 141-2, and Article 142); Article 125 (except for the provisions to revise Article 9 of the Act on Advancement of Expansion of Public Lands); Article 128 (except for the provisions to revise Article 20 and Article 39 of the Urban Green Space Conservation Act); Article 131 (limited to the provisions to revise Article 7, Article 26, Article 64, Article 67, Article 104, and Article 109-2 of the Act on Special Measures concerning Promotion of Supply of

Houses and Housing Lands in Urban Districts); Article 142 (limited to the provisions to revise Article 18, and Articles 21 to 23 of the Act on Comprehensive Development of Regional Core Cities with Relocation of Office-Work Function); Article 145; Article 146 (except for the provisions to revise Article 5 and Article 7, paragraph (3) of the Act on Special Measures concerning Reconstruction of Urban Districts Damaged by Disaster); Article 149 (limited to the provisions to revise Article 20, Article 21, Article 191, Article 192, Article 197, Article 233, Article 241, Article 283, Article 311, and Article 318 of the Act on Promotion of Improvement of Disaster Control Districts in Populated Urban Districts); Article 155 (limited to the provisions to revise Article 51, paragraph (4) of the Act on Special Measures concerning Urban Reconstruction); Article 156 (except for the provisions to revise Article 102 of the Act on Facilitation of Reconstruction of Condominiums); Article 157 (limited to the provisions to revise Article 57 of the Landscapes Act); Article 160 (limited to the provisions to revise Article 6, paragraph (5) of the Act on Special Measures concerning Development of Public Rental Housing, etc. to Accommodate Various Demands of Communities (except for the portion to revise the term "paragraph (2), item (ii), (a)" to "paragraph (2), item (i), (a)")) and the provisions to revise Article 11 and Article 16 of the same Act); Article 162 (limited to the provisions to revise Article 10, Article 12, Article 13, Article 36, paragraph (2), and Article 56 of the Act on Promotion of Smooth Transportation, etc. of Elderly Persons, Disabled Persons, etc.); Article 165 (limited to the provisions to revise Article 24 and Article 29 of the Act on Maintenance and Improvement of Traditional Scenery in Certain Districts); Article 169; Article 171 (limited to the provisions to revise Article 21 of the Waste Management and Public Cleansing Act); Article 174; Article 178; Article 182 (limited to the provisions to revise Article 16 and Article 40-2 of the Basic Environment Act); and Article 187 (limited to the provisions to revise Article 15 of the Wildlife Protection and Proper Hunting Act, the provisions to revise Article 28, paragraph (9) of the same Act (except for the portion to revise the term "Article 4, paragraph (3)" to "Article 4, paragraph (4)"), the provisions to revise Article 29, paragraph (9) of the same Act (except for the portion to revise the term "Article 4, paragraph (3)" to "Article 4, paragraph (4)"), and the provisions to revise Article 34 and Article 35 of the same Act); as well as regarding the Supplementary Provisions, the provisions of Article 13; Articles 15 to 24; Article 25, paragraph (1); Article 26; Article 27, paragraphs (1) to (3); Articles 30 to 32; Article 38; Article 44; Article 46, paragraph (1) and paragraph (4); Articles 47 to 49; Articles 51 to 53; Article 55; Article 58; Article 59; Articles 61 to 69; Article 71; Article 72, paragraphs (1) to (3); Articles 74 to 76; Article 78; Article 80, paragraph (1) and paragraph (3);

Article 83; Article 87 (except for the provisions to revise Article 587-2 of the Local Tax Act and Article 11 of the Supplementary Provisions); Article 89; Article 90; Article 92 (limited to the provisions to revise Article 25 of the National Highway Act); Article 101; Article 102; Articles 105 to 107; Article 112; Article 117 (limited to the provisions to revise Article 4, paragraph (8) of the Act on the Promotion of Biodiversity Conservation Activities through the Cooperation among Regional Diversified Actors (Act No. 72 of 2010)); Article 119; Article 121-2; and Article 123, paragraph (2): April 1, 2012

(Transitional Measures Concerning Penal Provisions)

Article 81 Prior laws continue to govern the application of penal provisions to acts committed prior to the enforcement of this Act (or the respective provisions listed in the items of Article 1 of the Supplementary Provisions) and acts committed after the enforcement of this Act in cases that are to continue to be governed by prior laws pursuant to the provisions of the Supplementary Provisions to this Act.

(Delegation to Cabinet Orders)

Article 82 Beyond what is provided for in the Supplementary Provisions, the transitional measures necessary for the enforcement of this Act (including transitional measures concerning the penal provisions) are provided for by Cabinet Order.

Supplementary Provisions [Act No. 122 of December 14, 2011] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding two months from the date of promulgation; provided, however, that the provisions listed in the following items come into effect as of the day specified therein:

(i) the provisions of Article 6; Article 8; Article 9; and Article 13 of the Supplementary Provisions: the date of promulgation

Appended Table (Re: Article 2)

- (i) Ship Safety Act (Act No. 11 of 1933): ships to which the provisions of Article 2, paragraph (1) are applied;
- (ii) Food Sanitation Act (Act No. 233 of 1947): food described in Article 4, paragraph (1) and additives described in paragraph (2) of said Article and detergents described in Article 62, paragraph (2) of said Act;
- (iii) Fire Service Act (Act No. 186 of 1948): instruments for examination, etc. described in Article 21-2, paragraph (1) and instruments for voluntary indication described in Article 21-16-2;

- (iv) Poisonous and Deleterious Substances Control Act (Act No. 303 of 1950): poisonous substances described in Article 2, paragraph (1) and deleterious substances described in paragraph (2) of said Article;
- (v) Road Trucking Vehicle Act (Act No. 185 of 1951): road trucking vehicles described in Article 2, paragraph (1);
- (vi) High Pressure Gas Safety Act (Act No. 204 of 1951): containers described in Article 41;
- (vii) Ordnance Manufacturing Act (Act No. 145 of 1953): hunting guns described in Article 2, paragraph (2);
- (viii) Pharmaceutical Affairs Act (Act No. 145 of 1960): medicines described in Article 2, paragraph (1), quasi-medicines described in paragraph (2) of said Article, cosmetics described in paragraph (3) of said Article, and medical equipment described in paragraph (4) of said Article;
- (ix) In addition to those products listed in the preceding items, any products for which the manufacture, import or sale is restricted by establishing standards or requirements pursuant to the provisions of other Acts designated by Cabinet Order and that are found not to be likely to cause danger to the lives or bodies of general consumers because of such restriction, as specified by Cabinet Order.