

Act for Mutual Recognition between Japan and Foreign States on the Results of Conformity Assessments for Specified Equipment

(Act No. 111 of July 11, 2001)

Table of Contents

Chapter I General Provisions (Articles 1 and 2)
Chapter II Accreditation of MRA-Based Export Conformity Assessment Operations (Articles 3 to 13)
Chapter III Designated Evaluation Bodies (Articles 14 to 28)
Chapter IV Special Provisions of the Telecommunications Business Act
Section 1 Registered Foreign Conformity Assessment Bodies (Articles 29 and 30)
Section 2 Special Provisions of the Telecommunications Business Act (Articles 31 and 32)
Section 3 Special Provisions of the Radio Act (Articles 33 and 34)
Section 4 Special Provisions of the Electrical Appliances and Materials Safety Act (Article 35)
Chapter V Miscellaneous Provisions (Articles 36 to 44)
Chapter VI Penal Provisions (Articles 45 to 52)
Supplementary Provisions

Chapter I General Provisions

(Purpose)

Article 1 The purpose of this Act is to facilitate the manufacture, import, export, sale and other business activities in relation to specified equipment by setting forth matters necessary for conducting MRA-based export conformity assessments operations, prescribing special provisions of the Telecommunications Business Act (Act No. 86, 1984), Radio Act (Act No. 131, 1950) and Electrical Appliances and Materials Safety Act (Act No. 234, 1961), and taking other measures to ensure the proper implementation of mutual recognition agreements.

(Definitions)

Article 2 (1) The term "mutual recognition agreement" as used in this Act means international agreements, including treaties, in which Japan and other countries agree to mutually accept the results (including indications of and certificates showing the results; the same applies in paragraph (3) and

paragraph (4)) of conformity assessments (meaning procedures used to determine whether specified equipment fulfills the technical requirements set out in the relevant laws and regulations of the respective countries (laws and regulations on specified equipment and public notices and other provisions issued by the authorities of each respective country; the same applies in paragraph (1) of the following Article); hereinafter the same applies in this Article) and for which taking measures pursuant to this Act to ensure their proper implementation is necessary as specified by Cabinet Order.

- (2) The term "specified equipment" as used in this Act means specified equipment for export and import.
- (3) The term "specified equipment for export" as used in this Act means telecommunications terminal equipment, radio equipment and electrical products for which a foreign state (hereinafter referred to as a "foreign state") is to accept the results of conformity assessments pursuant to the provisions of a mutual recognition agreement.
- (4) The term "specified equipment for import" as used in this Act means telecommunications terminal equipment, radio equipment and electrical products for which Japan is to accept the results of conformity assessments pursuant to the provisions of a mutual recognition agreement.
- (5) The term "conformity assessment body" as used in this Act means a body which conducts conformity assessments as prescribed in a mutual recognition agreement.
- (6) The term "registration" as used in this Act means the registration of a conformity assessment body under the provisions of a mutual recognition agreement.
- (7) The term "MRA-based export conformity assessment operations" as used in this Act means the conducting of conformity assessments for specified equipment for export.

Chapter II Accreditation of MRA-based Export Conformity Assessments Operations

(Accreditation)

Article 3 (1) Any person who intends to conduct a MRA-based export conformity assessment operation may receive accreditation to do so for the relevant export category by the competent minister (category of MRA-based export conformity assessment operations as specified by Cabinet Order for each mutual recognition agreement and corresponding to the respective applicable laws and regulations of the foreign state prescribed in that agreement; the same applies hereinafter).

- (2) The accreditation set forth in the preceding paragraph may be limited to

cover only the type of specified equipment for export and specific activities.

- (3) Any person who intends to receive the accreditation set forth in paragraph (1) must submit a written application providing the following information as well as and any other documents as specified by order of the competent ministry to the competent minister:
- (i) name and address of the applicant and in the case of a corporation, the names and addresses of representative person and officers;
 - (ii) category of MRA-based export conformity assessment operations;
 - (iii) breakdown of facilities used for the MRA-based export conformity assessment operations;
 - (iv) rules and procedures for conducting the MRA-based export conformity assessment operations; and
 - (v) in cases of a person intending to be accredited for activities which limited in scope pursuant to the provisions of the preceding paragraph, the type of specified equipment for export and scope of conformity assessment activities.
- (4) The competent minister is to publicize the name and address of any person they give accreditation to pursuant to paragraph (1) (hereinafter referred to as an "accredited conformity assessment body") and the details listed in item (ii) and item (v) of the preceding paragraph, and register the accredited conformity assessment body pursuant to the provisions of the mutual recognition agreement.

(Disqualification)

Article 4 None of the following persons may receive the accreditation specified in paragraph (1):

- (i) any person who has violated the terms of or regulations under this Act and has been subject to a fine or heavier sentence, if a period of two years has not yet elapsed since the day when the fine was paid or sentence was served;
- (ii) any person whose accreditation was withdrawn pursuant to the provisions of Article 13, paragraph (1), if a period of two years has not yet elapsed since the day of withdrawal; or
- (iii) any corporation which has one or more officer who falls under either of the abovementioned criteria for disqualification.

(Criteria for Accreditation)

Article 5 (1) The competent minister must not grant accreditation unless they deem that the application set forth in Article 3, paragraph (1) satisfies the criteria for accreditation specified by order of the competent ministry in accordance with the criteria for accreditation prescribed in a mutual recognition agreement and specified by Cabinet Order corresponding to the relevant categories of MRA-based export conformity assessment operations.

(2) In examinations for accreditation to conduct MRA-based export conformity assessments operations as set forth in Article 3, paragraph (1), the competent minister is to conduct an evaluation of the system for managing MRA-based export conformity assessments operations as specified by order of the competent ministry.

(Renewal of Accreditation)

Article 6 (1) The accreditation set forth in Article 3, paragraph (1) ceases to have effect if it is not renewed prior to the expiration of each period of time of no less than one year as specified by Cabinet Order.

(2) The provisions of Article 3, paragraph (3), Article 4 and Article 5 apply mutatis mutandis to the renewal of accreditation as set forth in the preceding paragraph.

(Changes to Accredited Conformity Assessment Bodies)

Article 7 (1) Any accredited conformity assessment body which intends to change any of the information listed in items (iii) through (v) of Article 3, paragraph (3) must first obtain approval from the competent minister; provided, however, that the changes are not the minor changes specified by order of the competent ministry.

(2) Any person who intends to obtain approval for a change as set forth in the preceding paragraph must submit a written application describing details of the change and other documents as to the competent minister as specified by order of the competent ministry.

(3) The provisions of Article 5 apply mutatis mutandis to approval any change as set forth in paragraph (1).

(4) Any accredited conformity assessment body which changes any of the information listed in Article 3, paragraph (3), item (i) must notify the competent minister to that effect without delay.

(5) If a change has been approved pursuant to the provisions of paragraph (1) (limited to changes of information as listed in Article 3, paragraph (3), item (v)) or a notification has been filed pursuant to the provisions of the preceding paragraph (limited a notification relating to the changing of a name or address), the competent minister is to make this fact public.

(Suspension and Discontinuation of Business)

Article 8 (1) If an accredited conformity assessment body intends to suspend or discontinue all or part of its designated conformity assessments, the body must notify the competent minister to that effect in advance as specified by order of the competent ministry.

(2) If a notice is filed pursuant to the provisions of the preceding paragraph, the

competent minister is to make this fact public.

(Books and Documents Relating to Business)

Article 9 Accredited conformity assessment bodies must prepare and maintain books and documents on designated conformity assessments as specified by order of the competent ministry.

(Orders Issued to Accredited Conformity Assessment Bodies)

Article 10 The competent minister may issue supervisory orders on designated conformity assessments to accredited conformity assessment bodies if deemed necessary for ensuring the proper implementation of mutual recognition agreements and this Act.

(Publication of Registration)

Article 11 If any of the following are carried out in accordance with the provisions of a mutual recognition agreement, the competent minister is to make that fact public:

- (i) registration or withdrawal of registration of an accredited conformity assessment body; or
- (ii) suspension of registration or withdrawal of suspension of registration of an accredited conformity assessment body.

(Issuance of Certificates)

Article 12 (1) An accredited conformity assessment body which has been registered (except for cases where registration or accreditation has been suspended pursuant to the provisions of paragraph (1) of the following Article) may, in conducting designated MRA-based export conformity assessment operations, issue certification of conformity providing information prescribed by order of the competent ministry with markings as prescribed by order of the competent minister.

(2) Except for cases which fall under the previous paragraph, no person may affix the markings prescribed in the preceding paragraph or any markings which are similar enough to be confused as those markings to a MRA-based export conformity assessment certificate.

(Withdrawal of Accreditation)

Article 13 (1) The competent minister may withdraw or suspend accreditation from an accredited conformity assessment body that falls under any of the following:

- (i) the accredited conformity assessment body falls under either item (i) or item (iii) of Article 4;

- (ii) the accredited conformity assessment body no longer satisfies the criteria for accreditation specified by order of the competent ministry as prescribed in Article 5, paragraph (1) (limited to criteria for the category of the designated MRA-based export conformity assessment operations);
 - (iii) the accredited conformity assessment body violates the provisions of Article 7, paragraph (1) or paragraph (4), Article 9 or paragraph (2) of the preceding Article;
 - (iv) the accredited conformity assessment body violates an order issued pursuant to the provisions of Article 10;
 - (v) the accredited conformity assessment body has been designated pursuant to Article 3, paragraph (1), or has obtained approval for a change pursuant to Article 7, paragraph (1), through wrongful means; or
 - (vi) beyond what is set forth in the in the preceding items, any grounds specified by order of the competent ministry are found suggesting possible hindrance of the sincere implementation of the mutual recognition agreement by the accredited conformity assessment body.
- (2) In the event of the withdrawal of accreditation pursuant to the provisions of the preceding paragraph the competent minister must make this fact public and start procedures for withdrawal of registration pursuant to the provisions of the applicable mutual recognition agreement.
- (3) The competent minister is to make public the suspension of accreditation or withdrawal of suspension of accreditation pursuant to the provisions of paragraph (1).

Chapter III Designated Evaluation Bodies

(Evaluations by Designated Evaluation Bodies)

- Article 14 (1) The competent minister may commission a person designated by the competent minister (hereinafter referred to as a "designated evaluation body") to conduct all or part of evaluations pursuant to the provisions of Article 5, paragraph (2) (including as applied mutatis mutandis pursuant to Article 6, paragraph (2) and Article 7, paragraph (3)) (hereinafter referred to simply as "evaluations").
- (2) The competent minister is not to conduct all or any part of evaluations that they have commissioned a designated evaluation body pursuant to the preceding paragraph to conduct. In this case, the competent minister must conduct an examination of the accreditation set forth in Article 3, paragraph (1) or renewal of the accreditation or approval of a change set forth in Article 7, paragraph (1) taking into consideration the results of the evaluations of which the competent minister has been notified by the accredited evaluation body pursuant to the provisions of paragraph (4).

- (3) If an designated evaluation body is commissioned to conduct all or part of evaluations pursuant to the provisions of paragraph (1), the person seeking accreditation under Article 3, paragraph (1) or renewal of accreditation, or intending to obtain approval for a change under Article 7, paragraph (1) must apply to the designated evaluation body as specified by order of the competent minister, notwithstanding the provisions of Article 3, paragraph (3) (including as applied mutatis mutandis pursuant to Article 6, paragraph (2)) and Article 7, paragraph (2), for evaluations conducted by the designated evaluation body.
- (4) If a designated evaluation body conducts an evaluation for an application set forth in the preceding paragraph, it must notify the competent minister of the results of the evaluation without delay as specified by order of the competent ministry.

(Designation)

Article 15 As specified by order of the competent ministry, designation (hereinafter referred to as "designation" in this Chapter and Article 36, paragraph (3)) may be given to a person who has applied to receive designation to conduct evaluations pursuant to the provisions of paragraph (1) of the preceding Article.

(Disqualification)

Article 16 None of the following persons may receive designation:

- (i) any person who has violated the terms of or regulations under this Act and has been subject to a fine or heavier sentence, if a period of two years has not yet elapsed since the day when the fine was paid or sentence was served;
- (ii) any person whose designation was withdrawn pursuant to the provisions of Article 27, paragraph (1), if a period of two years has not yet elapsed since the day of withdrawal; or
- (iii) a corporation any of whose officers in charge of its business falls under any of the preceding two items.

(Criteria for Designation)

Article 17 The competent minister must not grant designation unless the application for the designation satisfies any of the following items:

- (i) the application shows sufficient technical capabilities and financial basis sufficient for executing evaluations appropriately;
- (ii) for corporations, it is deemed that there is no risk that its directors or officers, or the composition of members in proportion to the category of corporation as prescribed by order of the competent minister would interfere with fair implementation of evaluations;
- (iii) beyond what is prescribed in the preceding item, the content of the

application is deemed as conforming to criteria specified by order of the competent ministry as being unlikely to lead to unfair evaluations; and (iv) the designation will not interfere with the smooth and appropriate conducting of evaluations.

(Public Notice of Designation)

- Article 18 (1) If designation is granted, the competent minister must publicize the name and address of the designated evaluation body, location of the offices where evaluations are conducted, and category of MRA-based export conformity assessment operations conducted by the designated evaluation body.
- (2) A designated evaluation body which intends to change its name or address, or the location of offices where evaluations are conducted must notify the competent minister to that effect two weeks prior to the planned date of change.
- (3) If a notification is filed pursuant to the provisions of the preceding paragraph, the competent minister must make that fact public.

(Renewal of Designation)

- Article 19 (1) Designation ceases to have effect if it is not renewed no less than every three years as specified by Cabinet Order.
- (2) The provisions of Article 15 through Article 17 apply mutatis mutandis to the renewal of designation set forth in the preceding paragraph.

(Duty of Confidentiality)

- Article 20 (1) The officers (or persons who obtained the relevant designation in the case of a designated evaluation body which is not a corporation; the same applies in the following paragraph, Article 46 and Article 49) and staff of a designated evaluation body and persons who formerly held those positions must not divulge any secret which has come to their knowledge in conducting evaluations.
- (2) The officers or staff of designated evaluation bodies conducting evaluations are to be staff legally employed in the public service for the purpose of application of the Penal Code (Act No. 45, 1907) and other penal provisions.

(Evaluation Duties)

- Article 21 If requested to conduct an evaluation, designated evaluation bodies must conduct the evaluation without delay except if there are reasonable grounds for not doing so.

(Appointment and Dismissal of Officers)

- Article 22 A designated evaluation bodies must, upon the appointment or dismissal of officers, notify the competent minister to that effect without delay.

(Evaluation Rules and Procedures)

Article 23 (1) Designated evaluation bodies must establish rules and procedures for evaluations (hereinafter referred to as "rules and procedures for evaluations") and obtain approval from the competent minister. The same applies if a designated evaluation body intends to change relevant rules and procedures.

(2) Information to be provided in the rules and procedures for evaluations are prescribed by order of the competent ministry.

(3) The competent minister may order that the rules and procedures for evaluations approved pursuant to paragraph (1) be changed if they are deemed to prevent the fair and appropriate conducting of evaluations.

(Preparation of Books and Documents)

Article 24 Accredited evaluation bodies must prepare and maintain books and documents concerning information prescribed by order of the competent ministry regarding evaluations.

(Supervisory Orders)

Article 25 If deemed necessary for the enforcement of this Act, the competent minister may issue supervisory orders to designated evaluation bodies regarding evaluations.

(Suspension and Discontinuation of Activities)

Article 26 (1) Designated evaluation bodies must not suspend or discontinue all or part any evaluations without the permission of the competent minister.

(2) If the permission set forth in the preceding paragraph is given, the competent minister must make this fact public.

(Withdrawal of Designation)

Article 27 (1) If a designated evaluation body falls under any of the following, the competent minister may withdraw its designation or order the suspension of all or part of its evaluations for a term specified by that minister:

(i) the evaluation body violates the provisions of this Chapter;

(ii) the evaluation body falls under either item (i) or item (iii) of Article 16;

(iii) the evaluation body no longer satisfies any of item (i) through item (iii) of Article 17;

(iv) the evaluation body does not conduct its evaluations in accordance with the rules and procedures for evaluations approved pursuant to Article 23, paragraph (1); or

(v) the evaluation body violates an order issued pursuant to the provisions of

Article 23, paragraph (3) or Article 25.

(vi) the evaluation body has been designated through wrongful means.

(2) If the competent minister withdraws designation or orders the suspension of all or part of evaluations pursuant to the provisions of the preceding paragraph, the minister must make this fact public.

(Evaluations by Competent Ministers)

Article 28 (1) The competent minister is to conduct all or part of evaluations if deemed necessary in the event that a designated evaluation body suspends all or part of evaluations pursuant to the provisions of Article 26, paragraph (1), is ordered to suspend all or part of evaluations pursuant to the provisions of paragraph (1) of the preceding Article, evaluations are impeded by a natural disaster or other cause.

(2) If the competent minister conducts an evaluation pursuant to the provisions of the preceding paragraph or ceases to conduct an evaluation pursuant to the provisions of the same paragraph, the minister must make this fact public in advance.

(3) Information regarding the transfer of evaluations and other necessary information is to be provided by order of the competent ministry in the event of the conducting of evaluations pursuant to the provisions of paragraph (1) and permission by the competent minister for discontinuation of evaluations pursuant to the provisions of Article 26, paragraph (1) or the withdrawal of designation pursuant to the provisions of paragraph (1) of the preceding Article.

Chapter IV Special Provisions of the Telecommunications Business Act

Section 1 Registered Foreign Conformity Assessment Bodies

(Definitions)

Article 29 The term "registered foreign conformity assessment body" as used in this chapter means a conformity assessment body of a foreign state, which has been designated (by an authority of the foreign state pursuant to the provisions of the applicable mutual recognition agreement; hereinafter the same applies in this Article and the following Article) and registered (except if the relevant designation or registration has been suspended).

(Public Notice of Registration)

Article 30 The competent minister is to, if any of the following dispositions were imposed pursuant to the provisions of the applicable mutual recognition agreement, make that fact public:

(i) registration or withdrawal of registration of a conformity assessment body of a foreign state;

- (ii) suspension of registration or withdrawal of suspension of registration of a conformity assessment body of a foreign state; or
- (iii) suspension of designation or withdrawal of suspension of designation of a conformity assessment body of a foreign state.

Section 2 Special Provisions of the Telecommunications Business Act

Article 31 (1) If a registered foreign conformity assessment body (limited to those that have been registered in each of the same classifications of business specified by Order of the Ministry of Internal Affairs and Communications set forth in Article 86, paragraph (1) of the Telecommunications Business Act as a person to approve conformity with the technical standards specified by Order of the Ministry of Internal Affairs and Communications set forth in Article 52, paragraph (1) of the same Act; hereinafter the same applies in this Article) issues an approval of technical standards conformity (approval of technical standards conformity as prescribed in Article 53, paragraph (1) of the same Act; the same applies hereinafter in this paragraph) in respect of the terminal equipment (terminal equipment prescribed in Article 53, paragraph (1) of the same Act, provided that the relevant terminal equipment pertaining to the classification in which the registered conformity assessment body has been registered; the same applies in paragraph (2)), the provisions of Article 53, paragraph (2), Article 54, Article 55, paragraph (1), Article 62, paragraph (1), Article 166, paragraph (2) and Article 167, paragraph (1), paragraph (2) and paragraph (5) (including the penal provisions pertaining to these provisions) are applied by deeming the technical standards conformity approval as a technical standards conformity approval issued by a registered approval body (registered approval body prescribed in Article 53, paragraph (1) of the same Act; hereinafter the same applies in this Article) and the person who has obtained the technical standards conformity approval from the registered foreign conformity assessment body as a person who has obtained a technical standards conformity approval from a registered approval body. In this case, the term "registered approval body" and the term "must affix" in Article 53, paragraph (2) of the same Act are to be replaced with "registered foreign conformity assessment body prescribed in the first sentence in Article 31, paragraph (1) of the Act for Mutual Recognition between Japan and Foreign States on the Results of Conformity Assessments for Specified Equipment (Act No. 111 of 2001)" and "may affix," respectively. Other necessary technical replacement of terms are prescribed by Cabinet Order.

(2) If a registered foreign conformity assessment body issues a certification of design (certification of design prescribed in Article 56, paragraph (1) of the Telecommunications Business Act; hereinafter the same applies in this

paragraph) for a type (including the method to verify that each terminal equipment conforms to the type) of terminal equipment, the provisions of Article 57 through Article 59, Article 60, paragraph (1), Article 61, Article 62, paragraph (2) and paragraph (3), Article 166, paragraph (3) and Article 167, paragraph (4) and paragraph (6) (including the penal provisions pertaining to these provisions) apply by deeming the certification of design as one issued by a registered approval body and the person who has obtained the certification of design from the registered foreign conformity assessment body as a person who has obtained a certification of design from a registered approval body. In this case, the term "registered approval body" in Article 60, paragraph (1), item (v) of the same Act is to be replaced with "registered foreign conformity assessment body prescribed in the first sentence in Article 31, paragraph (1) of the Act for Mutual Recognition between Japan and Foreign States on the Results of Conformity Assessments for Specified Equipment (Act No. 111 of 2001)." Other necessary technical replacement of terms are prescribed by Cabinet Order.

Article 32 With regard to the application of the provisions of Article 53, paragraph (3), Article 55, paragraph (2), Article 60, paragraph (2), Article 62, paragraph (4), Article 68-2, Article 68-8 paragraph (3), Article 166, paragraph (7) and paragraph (8), Article 167, paragraph (3), Article 168 and Article 171 of the Telecommunications Business Act (including the penal provisions pertaining to Article 53, paragraph (3) of the same Act) where the provisions of Article 31 are applied, the term "the cases where the preceding paragraph applied mutatis mutandis pursuant to Article 104, paragraph (4)" in Article 53, paragraph (3) of the same Act is to be replaced with "the cases where the preceding paragraph applied mutatis mutandis pursuant to Article 104, paragraph (4) and the cases where the preceding paragraph applies with the replacement pursuant to the provisions of Article 31, paragraph (1) of the Act for Mutual Recognition between Japan and Foreign States on the Results of Conformity Assessments for Specified Equipment (Act No. 111 of 2001); hereinafter referred to as "the Mutual Recognition Implementation Act")"; the term "the cases where Article 58 applied mutatis mutandis pursuant to Article 104, paragraph (7)" in Article 53, paragraph (3) of the same Act is to be replaced with "the cases where Article 58 applied mutatis mutandis pursuant to Article 104, paragraph (7) and the cases where Article 58 applied pursuant to the provisions of Article 31, paragraph (2) of the Mutual Recognition Implementation Act"; the term "the cases where Article 53, paragraph (2) applied mutatis mutandis pursuant to Article 104, paragraph (4)" in Article 68-2, Article 68-8, paragraph (3) of the same Act is to be replaced with "the cases where Article 53, paragraph (2) applied mutatis mutandis pursuant to Article

104, paragraph (4) and the cases where Article 53, paragraph (2) applied with the replacement pursuant to the provisions of Article 31, paragraph (1) of the Mutual Recognition Implementation Act"; and the term "the cases where Article 58 applied mutatis mutandis pursuant to Article 104, paragraph (7)" in Article 68-2, Article 68-8, paragraph (3) of the same Act is to be replaced with "the cases where Article 58 applied mutatis mutandis pursuant to Article 104, paragraph (7) and the cases where Article 58 applied pursuant to the provisions of Article 31, paragraph (2) of the Mutual Recognition Implementation Act." Other necessary technical replacement of terms are stipulated by Cabinet Order.

Section 3 Special Provisions of the Radio Act

Article 33 (1) If a registered foreign conformity assessment body (limited to those that have been registered in each of the same classifications of business listed in Article 38-2-2, paragraph (1) of the Radio Act as a person to certify that radio equipment conforms to the technical standards prescribed in Chapter III of the same Act; hereinafter the same applies in this Article) issues a technical standards conformity certification (technical standards conformity certification prescribed in Article 38-2-2, paragraph (1) of the same Act; hereinafter the same applies in this paragraph) in respect of the specified radio equipment (specified radio equipment prescribed in the same paragraph, provided that the relevant radio equipment pertains to the classification in which the registered conformity assessment body has been registered; the same applies in immediate following paragraph), the provisions of Article 38-7, paragraph (1), Article 38-20, paragraph (1), Article 38-21, paragraph (1) and paragraph (2), Article 38-22, paragraph (1), Article 38-23, paragraph (1) and Article 38-30, paragraph (1) (including the penal provisions pertaining to these provisions) are applied by deeming the technical standards conformity certification as a technical standards conformity certification issued by a registered certification body (registered certification body prescribed in Article 38-5, paragraph (1) of the same Act; hereinafter the same applies in this Article) and the person who has obtained the technical standards conformity certification from the registered foreign conformity assessment body as a person who has obtained a technical standards conformity certification from a registered certification body. In this case, the term "registered certification body" and the term "must affix" in Article 38-7, paragraph (1) of the same Act are to be replaced with "registered foreign conformity assessment body prescribed in the first sentence in Article 33, paragraph (1) of the Act for Mutual Recognition between Japan and Foreign States on the Results of Conformity Assessments for Specified Equipment (Act No. 111 of 2001)" and

"may affix," respectively. Other necessary technical replacement of terms are prescribed by Cabinet Order.

- (2) If a registered foreign conformity assessment body issues a construction design certification (construction design certification prescribed in Article 38-24, paragraph (1) of the Radio Act; hereinafter the same applies in this paragraph) in for a construction design (including the method to verify that each equipment conforms to the type) of specified radio equipment, the provisions of Article 38-25 through Article 38-27, Article 38-28, paragraph (1), Article 38-29 (except the part concerning the application mutatis mutandis of Article 38-6, paragraph 3 of the same Act) and Article 38-30, paragraph (2) and paragraph (3) (except item (i)) (including the penal provisions pertaining to these provisions) are applied by deeming the construction design certification as a construction design certification issued by a registered certification body and the person who has obtained the construction design certification from the registered foreign conformity assessment body as a person who has obtained a construction design certification from a registered certification body. In this case, the term "registered certification body" in Article 38-28, paragraph (1) item (v) of the same Act is to be replaced with "registered foreign conformity assessment body prescribed in the first sentence in Article 33, paragraph (1) of the Act for Mutual Recognition between Japan and Foreign States on the Results of Conformity Assessments for Specified Equipment (Act No. 111 of 2001)." Other necessary technical replacement of terms are prescribed by Cabinet Order.

Article 34 With regard to the application of the provisions of Article 4 (limited to the part concerning item (ii) and item (iii)), Article 15, Article 27-2, Article 27-18, paragraph (1), Article 38-7, paragraph (3) and paragraph (4), Article 38-20, paragraph (2), Article 38-21, paragraph (3), Article 38-22, paragraph (2), Article 38-23, paragraph (2), Article 38-28, paragraph (2), Article 38-30, paragraph (4), Article 38-44, paragraph (3), Chapter VII, Article 99-2 and Article 103-2, paragraph (13) and paragraph (20) through paragraph (45) of the Radio Act (including the penal provisions pertaining to these provisions) where the provisions of the preceding Article are applied, the term "Article 38-7, paragraph (1) (including the cases where applied mutatis mutandis pursuant to Article 38-31, paragraph (4))" in Article 4, item (ii) of the same Act is to be replaced with " Article 38-7, paragraph (1) (including the cases where applied mutatis mutandis pursuant to Article 38-31, paragraph (4) and the cases where applied with the replacement pursuant to the provisions of Article 33, paragraph (1) of the Act for Mutual Recognition between Japan and Foreign States on the Results of Conformity Assessments for Specified Equipment (Act No. 111 of 2001; hereinafter referred to as "the Mutual Recognition

Implementation Act"))" ; the term " Article 38-26 (including the cases where applied mutatis mutandis pursuant to Article 38-31, paragraph (6))" in Article 4 item (ii) of the same Act is to be replaced with " Article 38-26 (including the cases where applied mutatis mutandis pursuant to Article 38-31, paragraph (6) and the cases where applied pursuant to the provisions of Article 33, paragraph (2) of the Mutual Recognition Implementation Act)"; the term " Article 38-26 (including the cases where applied mutatis mutandis pursuant to Article 38-31, paragraph (4))" in Article 38-7, paragraph (3) and paragraph (4) and Article 38-44, paragraph (3) of the same Act is to be replaced with " Article 38-26 (including the cases where applied mutatis mutandis pursuant to Article 38-31, paragraph (4) and the cases where applied pursuant to the provisions of Article 33, paragraph (2) of the Mutual Recognition Implementation Act" ; the term " Article 38-26 (including the cases where applied mutatis mutandis pursuant to Article 38-31, paragraph (6))" in Article 38-7, paragraph (3) and paragraph (4) and Article 38-44, paragraph (3) of the same Act is to be replaced with " Article 38-26 (including the cases where applied mutatis mutandis pursuant to Article 38-31, paragraph (6) and the cases where applied pursuant to the provisions of Article 33, paragraph (2) of the Mutual Recognition Implementation Act)" ; and the term "Article 38-26 (except the cases applied to foreign dealers)" in Article 103-2, paragraph (13) of the same Act is to be replaced with "Article 38-26 (except the cases applied to foreign dealers) and Article 38-26 applied pursuant to the provisions of Article 33, paragraph (2) of the Mutual Recognition Implementation Act (except the cases applied to foreign dealers)." Other necessary technical replacement of terms are prescribed by Cabinet Order.

Section 4 Special Provisions of the Electrical Appliances and Materials Safety Act

Article 35 If a notifying supplier under Article 4, paragraph (1) of the Electrical Appliances and Materials Safety Act has any of the certificates described under any of the following items before sale of the specified electrical appliances and materials manufactured or imported by the notifying supplier (specified electrical appliances and materials prescribed in Article 2, paragraph (2) of the same Act excluding electrical appliances and materials manufactured or imported through the application of the proviso of Article 8, paragraph (1) of the same Act; hereinafter the same applies in this Article), the notifying supplier is treated, pursuant to the provisions of the main clause of Article 9, paragraph (1) of the same Act, as having undergone conformity assessment prescribed in the same paragraph and having obtained and maintaining a certificate prescribed in the same paragraph.

- (i) a certificate issued to the relevant notifying supplier in respect of the relevant specified electrical appliances and materials (limited to those pertaining to the registered classification; the same applies in the following item) by a registered foreign conformity assessment body (limited to those that have been registered in each of the same classifications as specified by Order of the Ministry of Economy, Trade and Industry under Article 29, paragraph (1) of the Electrical Appliances and Materials Safety Act as a person to conduct conformity assessment prescribed in Article 9, paragraph (1) of the same Act), provided that it certifies, as specified by Order of the Ministry of Economy, Trade and Industry, conformity in accordance with the technical standards stipulated in Article 8, paragraph (1) of the same Act and the standards for assessment facilities and other matters specified by Order of the Ministry of Economy, Trade and Industry noted in Article 9, paragraph (2) of the same Act in for any of the items in Article 9, paragraph (1) of the same Act (hereinafter referred to as an "international certificate" in this Article);
- (ii) an international certificate obtained for the specified electrical appliance and material of the same type as the relevant specified electrical appliances and materials (limited to those relating to Article 9, paragraph (1), item (ii) of the Electrical Appliances and Materials Safety Act), provided that the period prescribed in the proviso of the same paragraph has not yet passed from the date of issue of the certificate; or
- (iii) a certificate stipulated by Order of the Ministry of Economy, Trade and Industry as equivalent to the international certificate listed in item (i) and item (ii).

Chapter V Miscellaneous Provisions

(Evaluations by NITE)

- Article 36 (1) The competent minister (limited to cases where the competent minister is the Minister of Economy, Trade and Industry pursuant to the provisions of Article 44, paragraph (1); hereinafter the same applies in this Article, Article 37, paragraph (4) through paragraph (6) and Article 39) may, if evaluations are conducted by the minister and if deemed necessary, commission the National Institute of Technology and Evaluation (hereinafter referred to as "NITE") to conduct all or part the relevant evaluations.
- (2) The provisions of Article 14, paragraph (2) through paragraph (4) apply mutatis mutandis to the case where NITE conducts evaluations pursuant to the provisions of the preceding paragraph. In this case, the term "designated evaluation body" in these provisions is to be replaced with "NITE."
- (3) If the competent minister permits the discontinuation of evaluations pursuant

to the provisions of Article 26, paragraph (1), withdraws designation pursuant to the provisions of Article 27, paragraph (1), or conducts all or part of evaluations themselves pursuant to the provisions of Article 28, paragraph (1), and subsequently commissions those evaluations to NITE pursuant to the provisions of paragraph (1), information regarding the transfer of evaluations and other important information is to be provided by order of the competent ministry.

- (4) If the competent minister decides to commission NITE to conduct all or part of evaluations pursuant to the provisions of paragraph (1) or chooses to no longer commission NITE to conduct all or part evaluations thus far conducted by NITE, the competent minister must make this fact public.

(On-site Inspections)

Article 37 (1) Within the limits necessary for enforcing this Act, the competent minister may require an accredited conformity assessment body to report on its accredited conformity assessments or delegate ministerial officials to enter into the offices or other places of work of the accredited conformity assessment body to inspect the state of assessments or facilities, books and documents and other property, or to make inquiries of the persons concerned.

- (2) Within the limits necessary for the enforcement of this Act, the competent minister may require a designated evaluation body to report on its activities or delegate ministerial officials to enter into the offices of the designated evaluation body concerned to inspect the state of activities or books and documents and other property, or to make inquiries of relevant persons.
- (3) The officials who conduct the on-site inspection or inquiry pursuant to the provisions of paragraph (1) and paragraph (2) must carry a certificate for identification and produce it to the persons concerned.
- (4) If deemed necessary, the competent minister may commission NITE to conduct an on-site inspection or inquiry pursuant to the provisions of paragraph (1) or paragraph (2).
- (5) If NITE is commissioned to conduct an on-site inspection or inquiry pursuant to the provisions of the preceding paragraph, the competent minister is to inform NITE of the location of the on-site inspection and other information necessary to conduct the relevant on-site inspection.
- (6) If an on-site inspection or inquiry prescribed in paragraph (4) is conducted in accordance with an instruction by the competent minister under the preceding paragraph, NITE must report the results thereof to the competent minister.
- (7) The staff of NITE who conduct the on-site inspection or inquiry pursuant to the provisions of paragraph (4) must carry certification of identification and show it to the relevant persons.
- (8) The powers granted under the provisions of paragraph (1) and paragraph (2)

must not be construed as being invested for criminal investigations.

Article 38 If the Joint Committee (Joint Committee prescribed in the applicable mutual recognition agreement; hereinafter the same applies in this Article) decides to conduct a joint verification (joint verification prescribed in the applicable mutual recognition agreement) pursuant to the provisions of the applicable mutual recognition agreement, the competent minister may allow a member of staff of the foreign state, who is designated by the Joint Committee, to enter into the offices or other places of work of the accredited conformity assessment body concerned and inspect the state of assessments or facilities, books and documents and other property, or to make inquiries of the persons concerned in the presence of the ministerial officials set forth in paragraph (1) of the preceding Article when an on-site inspection or inquiry is conducted pursuant to the provisions of the same paragraph; provided, however, that this does not apply without the consent of the person who is the subject of the on-site inspection or inquiry pursuant to the provisions of the same paragraph.

(Issuance of Orders to NITE)

Article 39 If deemed necessary for the proper conducting of on-site inspections or inquiries prescribed in the provisions of Article 37, paragraph (4), the competent minister may issue orders as necessary regarding the relevant activities to NITE.

(Fees)

Article 40 (1) The following persons must pay fees specified by Cabinet Order taking into consideration actual costs to the Government:

- (i) any person who intends to obtain or renew the accreditation set forth in Article 3, paragraph (1); or
 - (ii) any person who intends to obtain approval for a change set forth in Article 7, paragraph (1).
- (2) Any person who intends to undergo an evaluation conducted by NITE must pay a fee specified by Cabinet Order taking into consideration of actual cost to NITE.
- (3) Fees paid to NITE pursuant to the provisions of the preceding paragraph are classed as NITE's income.
- (4) Any person who intends to undergo an evaluation conducted by a designated evaluation body must pay a fee to the designated evaluation body that it determines, with the approval of the competent minister as specified by Cabinet Order.
- (5) Fees paid to a designated evaluation body pursuant to the provisions of the preceding paragraph are classed as the accredited evaluation body's income.

(Request for Examinations)

Article 41 Any person dissatisfied with any disposition or inaction of NITE or a designated evaluation body under the provisions of this Act may file a request with the competent minister for an evaluation. In this case, the competent minister is to be NITE or the higher administrative authority of a designated evaluation body for the purpose of application of the provisions of Article 25, paragraph (2) and paragraph (3), Article 46, paragraph (1) and paragraph (2), Article 47 and Article 49, paragraph (2) of the Administrative Complaint Review Act (Act No. 68 of 2014).

(Transitional Measures)

Article 42 If any Cabinet Order or order of the competent ministry is established, amended or discontinued under the provisions of this Act, provisions may be made for necessary transitional measures (including transitional measures relating to penal provisions) to the extent deemed reasonably necessary in establishing, amending or discontinuing the respective Cabinet Order or order of the competent ministry.

(Consultation with the Minister of Economy, Trade and Industry)

Article 43 If any order of the competent ministry under Article 5, paragraph (1) and Article 17, item (iii) is established, amended or discontinued, the competent minister (limited to cases where the competent minister is the Minister for Internal Affairs and Communications pursuant to the provisions of paragraph (1) of the following Article) must consult with the Minister of Economy, Trade and Industry in advance.

(Competent Ministers)

Article 44 (1) The competent minister in Chapter II, Chapter III and this Chapter are either the Minister for Internal Affairs and Communications or the Minister of Economy, Trade and Industry as specified by Cabinet Order.

(2) The competent minister in Article 30 is as follows:

- (i) the Minister for Internal Affairs and Communications for matters regarding foreign conformity assessment bodies subject to the provisions of Section 2 and Section 3 of the preceding Chapter; and
- (ii) the Minister of Economy, Trade and Industry for matters regarding foreign conformity assessment bodies subject to the provisions of Section 4 of Chapter IV.

(3) Order of the competent minister in Chapter II, Chapter III and this Chapter are the orders issued by the competent minister as specified by Cabinet Order prescribed in paragraph (1).

Chapter VI Penal Provisions

Article 45 Any person who divulges any secret with respect to the person's duties in violation of the provisions of Article 20, paragraph (1) is subject to imprisonment for not more than 1 year or a fine of not more than 1,000,000 yen.

Article 46 In the event of the contravention of an order to suspend activities pursuant to the provisions of Article 27, paragraph (1), the officers or members of staff of the designated evaluation body committing the relevant violation are subject to imprisonment for not more than 1 year or a fine of not more than 1,000,000 yen.

Article 47 Any person who violates the provisions of Article 12, paragraph (2) is subject to a fine of not more than 500,000 yen.

Article 48 Any person who falls under any of the following items is subject to a fine of not more than 300,000 yen:

- (i) any person who changes the information listed in item (iii) through item (v) of Article 3, paragraph (3) in violation of the provisions of Article 7, paragraph (1);
- (ii) any person who fails to prepare or maintain books and documents under the provisions of Article 9 or who prepares false books and documents; or
- (iii) any person who fails to make a report under the provisions of Article 37, paragraph (1) or makes any false report, or refuses, obstructs or evades any on-site inspection under the provisions of the same paragraph, or fails to answer or gives a false answer to an inquiry under the provisions of the same paragraph.

Article 49 If a designated evaluation body falls under any of the following items, any officer or member of staff of the body which commits the relevant violation is subject to a fine of not more than 300,000 yen:

- (i) any organization which fails to keep or maintain books and records, makes no entry or makes a false entry in violation of the provisions of Article 24;
- (ii) any organization which wholly discontinues evaluations in contravention of the provisions of Article 26, paragraph (1); or
- (iii) any organization which fails to make a report under the provisions of Article 37, paragraph (2) or makes any false report, or refuses, obstructs or evades on-site inspection under the provisions of the same paragraph, or fails to answer or gives a false answer to an inquiry under the provisions of the same paragraph.

Article 50 If any representative of a corporation, or any agent, worker or other employee of a corporation or individual commits a violation referred to in Article 47 or Article 48 in connection with the business of the corporation or individual, not only the offender but also the corporation or individual is subject to the fine prescribed in the respective Articles.

Article 51 In the event of the contravention of an order issued pursuant to the provisions of Article 39, the officers of NITE committing the violation are subject to a civil fine of not more than 200,000 yen.

Article 52 Any person who fails to file a notification under the provisions of Article 7, paragraph (4) or Article 8, paragraph (1) or files a false notification is subject to a civil fine of not more than 100,000 yen.

Supplementary Provisions [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the date on which the Agreement enters into force; however, the provision of the following Article comes into effect as of the date specified by Cabinet Order within a period not exceeding six months from the date of promulgation.

(Preparatory Actions)

Article 2 Designation pursuant to the provisions of Article 14, paragraph (1), related necessary procedures and other actions may be conducted according to the provisions of Article 15 through Article 17, Article 18, paragraph (1) and Article 23, paragraph (1) and paragraph (2) even if prior to the enforcement of this Act.

Supplementary Provisions [Act No. 31 of April 26, 2002 Excerpts] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the date on which the Agreement between Japan and the Republic of Singapore for a New-Age Economic Partnership enters into force; however, the provisions of the following Article comes into effect as of the date specified by Cabinet Order within a period not exceeding six months from the date of promulgation.

(Preparatory Actions)

Article 2 Concerning the MRA-based export conformity assessment operations as prescribed in Article 2, paragraph (8), item (vi) and item (vii) of the Act for Implementation of the Mutual Recognition between Japan and the European Community and the Republic of Singapore in Relation to Conformity Assessment of Specified Equipment amended by this Act (hereinafter referred to as "the new Act"), the designation pursuant to the provisions of Article 14, paragraph (1) of the new Act, related necessary procedures and other actions with regard to the person who conducts the evaluation pursuant to the provisions of Article 5, paragraph (2) of the new Act may be conducted according to the provisions of Article 15 through Article 17, Article 18, paragraph (1), Article 23, paragraph (1) and paragraph (2), and Article 40, paragraph (4) of the new Act even if prior to the enforcement of this Act.

Supplementary Provisions [Act No. 68 of June 6, 2003 Excerpts] [Extract]

(Effective Date)

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

(Transitional Measures in Connection with Partial Amendment of the Act for Implementation of the Mutual Recognition between Japan and the European Community and the Republic of Singapore in Relation to Conformity Assessment of Specified Equipment)

Article 12 (1) The specified radio equipment prescribed in Article 33, paragraph (1), item (i) of the Act for Implementation of the Mutual Recognition between Japan and the European Community and the Republic of Singapore in Relation to Conformity Assessment of Specified Equipment prior to the amendment by the provisions of the preceding Article (hereinafter referred to as "the former Act for Implementation of the Mutual Recognition") prior to the enforcement of this Act is deemed as the same as that prescribed in Article 33, paragraph (1), item (i) of the amended Act for Implementation of the Mutual Recognition between Japan and the European Community and the Republic of Singapore in Relation to Conformity Assessment of Specified Equipment (hereinafter referred to as "the new Act for Implementation of the Mutual Recognition").

(2) The specified radio equipment prescribed in Article 33, paragraph (1), item (ii) of the old Act for Implementation of the Mutual Recognition prior to the enforcement of this Act is deemed as the same as that prescribed in Article 33, paragraph (1), item (ii) of the new Act for Implementation of Mutual Recognition.

Supplementary Provisions [Act No. 125 of July 24, 2003 Excerpts]

[Extract]

(Effective Date)

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

(Transitional Measures in Connection with Partial Amendment of the Act for Implementation of the Mutual Recognition between Japan and the European Community and the Republic of Singapore in Relation to Conformity Assessment of Specified Equipment)

Article 43 (1) The terminal equipment prescribed in Article 31, paragraph (1), item (i) of the Act for Implementation of the Mutual Recognition between Japan and the European Community and the Republic of Singapore in Relation to Conformity Assessment of Specified Equipment prior to the amendment by the provisions of the preceding Article (hereinafter referred to as "the former Act for Implementation of the Mutual Recognition") is deemed to be the same as that prescribed in Article 31, paragraph (1), item (i) of the Act for Implementation of the Mutual Recognition between Japan and the European Community and the Republic of Singapore in Relation to Conformity Assessment of Specified Equipment amended by the provisions of the preceding Article (hereinafter referred to as "the new Act for Implementation of the Mutual Recognition").

(2) The terminal equipment prescribed in Article 31, paragraph (1), item (ii) of the former Act for Implementation of the Mutual Recognition is deemed to be the same as that prescribed in Article 31, paragraph (1), item (ii) of the new Act for Implementation of the Mutual Recognition.

(3) With regard to the application of the provisions of Article 31 and Article 32 of the new Act for Implementation of the Mutual Recognition within the period between the date on which the Act comes into effect and the previous day of the effective date, in Article 31, paragraph (1), the term "Article 69, paragraph (1)" is to be replaced with "Article 51, paragraph (1)", the term "Article 53, paragraph (2)" is to be replaced with "Article 50, paragraph (2)", the term "Article 52, paragraph (1)" is to be replaced with "Article 49, paragraph (1)", the term "Article 86, paragraph (1)" is to be replaced with "Article 68, paragraph (1)" and the term "Article 62, paragraph (1)" is to be replaced with "Article 50-10, paragraph (1)" ; in Article 32, the term "Article 52, paragraph (1)" is to be replaced with "Article 49, paragraph (1)."

Supplementary Provisions [Act No. 47 of May 19, 2004 Excerpts]

[Extract]

(Effective Date)

Article 1 This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding three months from the date of promulgation; however, the provisions listed in the following items come into effect as of the date specified respectively in those items.

(iii) the provisions of Article 2 (except the provisions amending Article 99-11, paragraph (1), item (i) of the Radio Act) and Supplementary Provisions Article 6 and Article 8 through Article 12: the date specified by Cabinet Order within a period not exceeding one year from the date of promulgation

**Supplementary Provisions [Act No. 92 of June 20, 2007 Excerpts]
[Extract]**

(Effective Date)

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

(Transitional Measures)

Article 2 (1) Terminal equipment (terminal equipment prescribed in Article 53, paragraph (1) of the Telecommunications Business Act (Act No. 86, 1984); hereinafter the same applies in this Article) which exists at the time of the enforcement of this Act and listed in Article 31, paragraph (1), item (i) of the Act for Implementation of the Mutual Recognition between Japan and the European Community and the Republic of Singapore in Relation to Conformity Assessment of Specified Equipment prior to the amendment by this Act (hereinafter referred to as "the former Act") (excluding that deemed not to have the markings affixed pursuant to the provisions of Article 32, paragraph (1) of the former Act) is deemed as terminal equipment to which the markings have been affixed pursuant to the provisions of Article 53, paragraph (2) of the Telecommunications Business Act. In this case, the provisions of Article 54 of the same act (including the case where the provisions of Article 54 of the same Act are to be replaced pursuant to the provisions of Article 62, paragraph (1) of the same Act) do not apply.

(2) Approval pertaining to terminal equipment which exists at the time of the enforcement of this Act, for which approval prescribed in Article 31, paragraph (1), item (i) of the former Act was obtained, and to which the markings specified in the same item have not been affixed is deemed as a technical standards conformity approval issued by a registered foreign conformity assessment body specified in Article 31, paragraph (1) of the Act for Mutual Recognition between Japan and Foreign States on the Results of Conformity Assessments for Specified Equipment amended by this Act (hereinafter

referred to as "the new Act").

- (3) A person who has obtained the approval prescribed in Article 31, paragraph (1), item (i) of the former Act prior to the enforcement of this Act is deemed to be person who has obtained a technical standards conformity approval from a registered foreign conformity assessment body specified in Article 31, paragraph (1) of the new Act.
- (4) Terminal equipment which exists at the time of the enforcement of this Act and listed in Article 31, paragraph (1) item (ii) of the former Act (excluding those deemed not to have the markings affixed pursuant to the provisions of Article 32, paragraph (1) of the former Act) is deemed as terminal equipment to which the markings have been affixed pursuant to Article 58 of the Telecommunications Business Act. In this case, the provisions of Article 54 of the same Act applied mutatis mutandis pursuant to Article 61 of the same Act, which are to be replaced pursuant to the provisions of Article 62, paragraph (2) of the same Act, do not apply.
- (5) The certification prescribed in Article 31, paragraph (1), item (ii) of the former Act issued prior to the enforcement of this Act is deemed to be a certification of type issued by a registered foreign conformity assessment body specified in Article 31, paragraph (2) of the new Act.
- (6) A person who has obtained the certification prescribed in Article 31, paragraph (1) item (ii) of the former Act prior to the enforcement of this Act is deemed to be a person who has obtained a certification of type issued by a registered foreign conformity assessment body specified in Article 31, paragraph (2) of the new Act.

Article 3 (1) Specified radio equipment (specified radio equipment prescribed in Article 38-2, paragraph (1) of the Radio Act (Act No. 131, 1950; hereinafter the same applies in this Article) which exists at the time of the enforcement of this Act and listed in Article 33, paragraph (1), item (i) of the former Act (excluding that deemed not to have the markings affixed pursuant to the provisions of Article 34, paragraph (1) of the former Act) is deemed as specified radio equipment to which the markings have been affixed pursuant to the provisions of Article 38-7, paragraph (1) of the Radio Act. In this case, the provisions of Article 38-22, paragraph (1) of the same Act (including the case where the provisions of Article 38-22, paragraph (1) of the same Act are to be replaced pursuant to the provisions of Article 38-30, paragraph (1) of the same Act) do not apply.

- (2) The relevant certification for specified radio equipment which exists at the time of the enforcement of this Act, for which the certification prescribed in Article 33, paragraph (1), item (i) of the former Act has been received and to which the markings specified in the same item have not been affixed is deemed

as a technical standards conformity certification issued by the registered foreign conformity assessment body specified in Article 33, paragraph (1) of the new Act.

- (3) A person who has obtained the certification prescribed in Article 33, paragraph (1), item (i) of the former Act prior to the enforcement of this Act is deemed to be a person who has obtained a technical standards conformity certification from a registered foreign conformity assessment body specified in Article 33, paragraph (1) of the new Act.
- (4) Specified radio equipment which exists at the time of the enforcement of this Act and listed in Article 33, paragraph (1), item (ii) of the former Act (excluding that deemed not to have the markings affixed pursuant to the provisions of Article 34, paragraph (1) of the former Act) is deemed as specified radio equipment to which the markings have been affixed pursuant to Article 38-26 of the Radio Act. In this case, the provisions of Article 38-22, paragraph (1) of the same Act applied mutatis mutandis pursuant to Article 38-29 of the same Act, which are to be replaced pursuant to the provisions of Article 38-30, paragraph (2) of the same act, do not apply.
- (5) The certification prescribed in Article 33, paragraph (1), item (ii) of the former Act issued prior to the enforcement of this Act is considered to be a construction design certification issued by a registered foreign conformity assessment body specified in Article 33, paragraph (2) of the new Act.
- (6) A person who has obtained the certification prescribed in Article 33, paragraph (1), item (ii) of the former Act prior to the enforcement of this Act considered to be a person who has obtained a construction design certification issued by a registered foreign conformity assessment body specified in Article 33, paragraph (2) of the new Act.

(Disposition and Procedures pursuant to the Former Act)

Article 4 In addition to those prescribed in Article 2 and Article 3, dispositions, procedures and other actions implemented pursuant to the provisions of the former Act prior to the enforcement of this Act are deemed as being implemented pursuant to the equivalent provisions of the new Act, if any.

(Transitional Measures for Penal Provisions)

Article 5 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions in force at the time of that act remain applicable.

(Cabinet Order Mandates)

Article 6 In addition to what is provided for in Article 2 through the preceding Article of Supplementary Provisions, transitional measures necessary for the

enforcement of this Act are prescribed by Cabinet Order.

**Supplementary Provisions [Act No. 50 of May 30, 2008 Excerpts]
[Extract]**

(Effective Date)

Article 1 This Act comes into effect as of the date 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 as of the date specified respectively in those items:

- (ii) the amended provisions Article 38-11, paragraph (1) and Article 103-2 (except the amended provisions the same Article, paragraph (2), paragraph (4) through (6), paragraph (12) and paragraph (13)) and Supplementary Provisions Article 9: the date specified by Cabinet Order within a period not exceeding one year from the date of promulgation

**Supplementary Provisions [Act No. 65 of December 3, 2010 Excerpts]
[Extract]**

(Effective Date)

Article 1 This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding nine months from the date of promulgation (hereinafter referred to as the "effective date"); provided, however, that the provision listed in the following items come into effect as of the date specified respectively in those items:

- (ii) the amended provisions of Article 52-13, paragraph (1), item (v), q, Article 52-24, paragraph 2, item (iv) and Article 52-30, paragraph 2, item (v) of the Broadcasting Act in Article 1, the provisions of Article 3 (except the amended provisions listed in the preceding item) and Supplementary Provisions Article 11, Article 12, Article 27, Article 35 and Article 37: the date specified by Cabinet Order within a period not exceeding three months from the date of promulgation.

Supplementary Provisions [Act No. 60 of June 1, 2011 Excerpts] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding six months from the date of promulgation (in Supplementary Provisions Article 4 referred to as "the date"); provided, however, that the provisions listed in the following items come into effect as of the date specified respectively in those items:

- (ii) the provisions of Article 1 (except the provisions amending listed in the preceding item) and Supplementary Provisions Article 3 and Article: the date specified by Cabinet Order within a period not exceeding three months from the date of promulgation.

**Supplementary Provisions [Act No. 26 of April 23, 2014 Excerpts]
[Extract]**

(Effective Date)

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

- (ii) the amended provisions of Article 38-7 (except the part amending "or Article 38-35" to "or Article 38-35 or Article 38-44, paragraph (3) " in the same Article paragraph (3)), the provisions amending "the preceding paragraph" to "paragraph (1)" in Article 103, paragraph (2), amending the same paragraph to the same Article paragraph (3) and adding one paragraph after the same Article, paragraph (1), the provisions amending Article 103-2, paragraph (12) (except the part amending "paragraph (10)" to "paragraph (12)", the amended provisions of Article 112, item (i) and Appended Table 4, Supplementary Provisions Article 4, Supplementary Provisions Article 7 (limited to the part amending "Article 38-7, paragraph (2) and paragraph (3)" to "Article 38-7, paragraph (3) and paragraph (4)" and amends "in Article 38-7, paragraph (2) and paragraph (3)" to "in Article 38-7, paragraph (3) and paragraph (4) and Article 38-44 paragraph (3)" in the amended provisions of Article 34 of the Act for Mutual Recognition between Japan and Foreign States on the Results of Conformity Assessments for Specified Equipment (Act No. 111 of 2001)): the date specified by Cabinet Order within a period not exceeding six months from the date of promulgation; or
- (iii) the amended provisions of the Contents, the amended provisions of Article 4 paragraph 2, the amended provisions of Article 38-7, paragraph (3) (limited to the part amending "or Article 38-35" to "or Article 38-35 or Article 38-44, paragraph (3)"), the provisions of Article 38-22, paragraph (1), Article 38-23, paragraph (1) and Article 38-29, the amended provisions of Article 38-31, paragraph (6) and Article 38-38, the provisions amended to add one section after Chapter III-2 Section 2, the amended provisions of Article 103, paragraph (1), the amended provisions of Article 112 (except the part concerning the same Article item (i), the amended provisions of Article 113 and the amended provisions of Article 116 (in the same Article item (xxiii), except the part amending "item (v), item (vi), item (x), item (xi) or item

(xviii)" to "item (v) through item (viii), item (xii), item (xiii) or item (xxi)" ,
Supplementary Provisions Article 6 and Article 7 (limited to the part adding
"Article 38-44, paragraph (3)" after "Article 38-30 paragraph (4)" in the
amended provisions of Article 34 of the Act for Mutual Recognition between
Japan and Foreign States on the Results of Conformity Assessments for
Specified Equipment): the date specified by Cabinet Order within a period
not exceeding one year from the date of promulgation.

(Transitional Measures in Connection with Partial Amendment of the Act for
Mutual Recognition between Japan and Foreign States on the Results of
Conformity Assessments for Specified Equipment)

Article 8 During the period as of the date specified in Supplementary Provisions
Article 1, item (ii) until the previous day of the date specified in the same
Article, item (iii), with regard to the application of the provisions of Article 34
of the Act for Mutual Recognition between Japan and Foreign States on the
Results of Conformity Assessments for Specified Equipment, in the same
Article, the term "Article 38-7, paragraph (3) and paragraph (4) and Article 38-
44, paragraph (3)" is to be replaced with "Article 38-7, paragraph (3) and
paragraph (4)".

**Supplementary Provisions [Act No. 63 of June 11, 2014 Excerpts]
[Extract]**

(Effective Date)

Article 1 This Act comes into effect as of the date specified by Cabinet Order
within a period not exceeding one year from the date of promulgation; provided,
however, that the provision listed in the following items come into effect as of
the date specified respectively in those items.

(i) the amended provisions of Article 53, paragraph (3), the provisions
amended to add eleven Article after Article 68 (limited to the part concerning
Article 68-2), the amended provisions of Article 69, paragraph (1) and
Supplementary Provisions Article 4, paragraph (1), Article 7 and Article 8:
the date specified by Cabinet Order within a period not exceeding three
months from the date of promulgation.

(Transitional Measures in Connection with Partial Amendment of the Act for
Mutual Recognition between Japan and Foreign States on the Results of
Conformity Assessments for Specified Equipment)

Article 8 During the period from the date specified in Supplementary Provisions
Article 1, item (ii) until the previous day of the effective date, with regard to
the application of the provisions of Article 32 of the Act for Mutual Recognition

between Japan and Foreign States on the Results of Conformity Assessments for Specified Equipment amended by the provisions of the preceding Article, in the same Article, the term "Article 68-2, Article 68-8, paragraph (3) " and "Article 68-2 and Article 68-8, paragraph (3) " are to be replaced with "Article 68-2".

**Supplementary Provisions [Act No. 69 of June 13, 2014 Excerpts]
[Extract]**

(Effective Date)

Article 1 This Act comes into effect from the date on which the Administrative Complaint Review Act (Act No. 68 of 2014).

(Principle of Transitional Measures)

Article 5 With regard to appeals against dispositions or any other act or inaction concerning dispositions or any other act made by administrative agencies prior to the enforcement of this Act or inaction of administrative agencies regarding an application filed prior to the enforcement of this Act, the provisions in force at the time in question remain applicable, unless otherwise provided for in these Supplementary Provisions.

(Transitional Measures on Lawsuits)

Article 6 (1) With regard to filing actions concerning matters which can only be filed for after a ruling, decision or any other act of an administrative agency on an appeal pursuant to the provisions of this Act before its amendment, the provisions in force at the time in question remain applicable if the period during which the relevant action is to be filed elapses prior to the enforcement of this Act without filing the relevant appeal (if the relevant appeal may not be filed until after a ruling, decision or other act of an administrative agency on another appeal, including the filing of an action if the period during which the relevant appeal is to be filed elapses prior to the enforcement of this Act without filing the relevant appeal).

(2) With regard to filing actions for the revocation of a disposition or any other act for which an objection was filed pursuant to the provisions of this Act prior to its amendment (including cases in provisions at the time in question continue to apply pursuant to the provisions of the preceding Article) and for which an action for revocation may not be filed until after a ruling on a request for examination pursuant to the provisions of this Act prior to its amendment.

(3) With regard to actions filed prior to the enforcement of this Act for revocation of a ruling, decision or other act of an administrative agency on appeal, provisions in force at the time in question remain applicable.

(Transitional Measures on Penal Provisions)

Article 9 Provisions in force prior to the enforcement of this Act continue to apply to penal provisions for actions made prior to the enforcement of this Act and for actions made after the enforcement of this Act if those provisions remain applicable pursuant to Supplementary Provisions Article 5 and the provisions of Article 7 and Article 8.

(Cabinet Order Mandate of Other Transitional Measures)

Article 10 Beyond what is provided for in Supplementary Provisions Article 5 through the preceding Article, transitional measures (including ones concerning penal provisions) necessary for the enforcement of this Act are prescribed by Cabinet Order.

**Supplementary Provisions [Act No. 26 of May 22, 2015 Excerpts]
[Extract]**

(Effective Date)

Article 1 This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding one year from the date of promulgation.

Supplementary Provisions [Act No. 6 of May 17, 2019 Excerpts] [Extract]

(Effective Date)

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

(ii) the provisions of Article 2 and Supplementary Provisions Articles 9 through 11: the date specified by Cabinet Order within a period not exceeding one year from the date of promulgation.