

# Act on Rational Use and Proper Management of Fluorocarbons

(Act No. 64 of June 22, 2001)

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## Chapter I General Provisions

(Purpose)

Article 1 In view of the fact that it is important to proactively address the universal issues of protecting the ozone layer and preventing global warming (meaning global warming prescribed in Article 2, paragraph (1) of the Act on Promotion of Global Warming Countermeasures (Act No. 117 of 1998); the same applies hereinafter), the purpose of this Act is to establish guidelines for the rational use of fluorocarbons and the proper management of fluorocarbons used in specified products, and to prescribe the responsibilities, etc. of manufacturers, etc. of fluorocarbons and products using fluorocarbons and managers of specified products, as well as to take measures, etc. for the rational use of fluorocarbons and the proper management of fluorocarbons used

in specified products, in order to reduce the emission into the atmosphere of fluorocarbons, which deplete the ozone layer and have a serious impact on global warming, and thereby to contribute to the healthy and cultural lives of the people, both now and in the future, as well as contributing to the wellbeing of all humankind.

(Definitions)

- Article 2 (1) The term "fluorocarbons" as used in this Act means chlorofluorocarbons and hydrochlorofluorocarbons which constitute specified substances, etc. prescribed in Article 2, paragraph (1) of the Act on the Protection of the Ozone Layer through the Control of Specified Substances, etc. and Other Measures (Act No. 53 of 1988) and substances set forth in Article 2, paragraph (3), item (iv) of the Act on the Promotion of Global Warming Countermeasures.
- (2) The term "products using fluorocarbons" as used in this Act means equipment and other products in which fluorocarbons are used as a refrigerant or for other purposes, and the term "designated products" as used in this Act means products using fluorocarbons which are specified products (limited to those used heavily in Japan and filled with considerable amounts of fluorocarbons as a refrigerant) and those designated by Cabinet Order as products which are used heavily in Japan, in which considerable amounts of fluorocarbons are used, and upon the use, etc. of which it is technically possible to promote reduction in emissions of fluorocarbons.
- (3) The term "class I specified products" as used in this Act means the following equipment which is equipment for commercial use (meaning equipment other than that which general consumers use in their daily lives) and is filled with fluorocarbons as refrigerant (excluding class II specified products):
- (i) air conditioners; and
  - (ii) refrigeration equipment and freezing equipment (including vending machines which have refrigeration or freezing functions).
- (4) The term "class II specified products" as used in this Act means the specified air conditioners prescribed in Article 2, paragraph (8) of the Act on Recycling of End-of-Life Vehicles (Act No. 87 of 2002; hereinafter referred to as the "End-of-Life Vehicles Recycling Act").
- (5) The term "specified products" as used in this Act means class I specified products and class II specified products.
- (6) The term "rational use" of fluorocarbons as used in this Act means reducing the use of fluorocarbons by such measures as manufacturing of substances serving as an alternative to fluorocarbons that neither deplete the ozone layer nor have a serious impact on global warming (hereinafter referred to as "substances alternative to fluorocarbons") or reducing the amount of

fluorocarbons used in products using fluorocarbons.

- (7) The term "manufacture, etc." of fluorocarbons, substances alternative to fluorocarbons, or products using fluorocarbons as used in this Act means the following acts, and the term "manufacturer, etc." as used in this Act means a person engaged in manufacture, etc. in the course of trade:
- (i) the act of manufacturing fluorocarbons, substances alternative to fluorocarbons, or products using fluorocarbons (excluding any such act entrusted by another person (excluding non-residents prescribed in Article 6 of the Foreign Exchange and Foreign Trade Act (Act No. 228 of 1949); hereinafter the same applies in this paragraph));
  - (ii) the act of importing fluorocarbons, substances alternative to fluorocarbons or products using fluorocarbons (excluding any such act entrusted by another person); and
  - (iii) the act of entrusting another person with any of the acts set forth in the preceding two items.
- (8) The term "use, etc." of products using fluorocarbons as used in this Act means the following acts, and the term "manager" as used in this Act means an owner of products using fluorocarbons or any other person responsible for managing the use, etc. of products using fluorocarbons:
- (i) using products using fluorocarbons;
  - (ii) having a person who maintains products using fluorocarbons to maintain products using fluorocarbons; and
  - (iii) disposing of products using fluorocarbons, or transferring all or part of products using fluorocarbons with or without compensation for the purpose of using them as part of raw materials, components or other products (hereinafter referred to as "disposal, etc.").
- (9) The term "proper management" of fluorocarbons used in specified products as used in this Act means making efforts to reduce emissions of the fluorocarbons by enabling the ascertainment of amounts of emission, filling, recovery, recycling and destruction of the fluorocarbons or any other acts to be conducted properly in connection with the use, etc. of specified products.
- (10) The term "class I fluorocarbon filling and recovery operations" as used in this Act means filling the class I specified products with fluorocarbons as a refrigerant in the case of maintenance of class I specified products, and recovering fluorocarbons with which the class I specified products are filled as a refrigerant in the course of trade in the case of maintenance or disposal, etc. of class I specified products, and the term "class I fluorocarbon filling and recovery operator" as used in this Act means a person who has obtained the registration referred to in Article 27, paragraph (1) for engagement in class I fluorocarbon filling and recovery operations.
- (11) The term "class I fluorocarbon recycling operations" as used in this Act

means recycling, in the course of trade, fluorocarbons with which class I specified products are filled as a refrigerant (meaning enabling the fluorocarbons to be used by themselves as a refrigerant or as raw materials for other products, or to be transferred with compensation to a person who uses them as a refrigerant or as raw materials for other products, by removing impurities from the fluorocarbons through filtration, distillation or any other means or by adjusting the quality of fluorocarbons by mixing them with other fluorocarbons; the same applies hereinafter), and the term "class I fluorocarbon recycling operator" as used in this Act means a person who has obtained the license referred to in Article 50, paragraph (1) for engagement in class I fluorocarbon recycling operations.

(12) The term "fluorocarbon destruction operations" as used in this Act means destroying, in the course of trade, fluorocarbons with which specified products are filled as a refrigerant, and the term "fluorocarbons destruction operator" as used in this Act means a person who has obtained the license referred to in Article 63, paragraph (1) for engagement in fluorocarbon destruction operations.

#### (Guidelines)

Article 3 (1) The competent ministers are to establish guidelines for matters concerning the rational use of fluorocarbons and the proper management of fluorocarbons used in specified products, in order to contribute to the protection of the ozone layer and the prevention of global warming by making efforts to reduce the use and emissions of fluorocarbons.

(2) The guidelines referred to in the preceding paragraph must be in harmony with the guidelines for reducing emissions and rationalizing use prescribed in Article 20, paragraph (1) of the Act on the Protection of the Ozone Layer Through the Control of Specified Substances, etc. and Other Measures.

(3) When the competent ministers establish or change the guidelines referred to in paragraph (1), they are to publicize them without delay.

#### (Responsibility of Manufacturers)

Article 4 (1) A manufacturer, etc. of fluorocarbons must endeavor to take necessary measures for the development of substances alternative to fluorocarbons and for other rationalizing uses of fluorocarbons, in accordance with the guidelines referred to in paragraph (1) of the preceding Article, and must cooperate with the policies implemented by the national and local governments for the rational use of fluorocarbons and the proper management of fluorocarbons used in specified products.

(2) A manufacturer, etc. of designated products must endeavor to take necessary measures for the development of products which use substances alternative to

fluorocarbons, for reduction in the impact on depletion of the ozone layer and global warming caused by fluorocarbons emitted upon the use, etc. of designated products (hereinafter referred to as the "environmental impact of fluorocarbons used" in paragraph (1) of the following Article and Section 2 of the following Chapter) and for other rational uses of fluorocarbons, in accordance with the guidelines referred to in paragraph (1) of the preceding Article, and cooperate with the policies implemented by the national and local governments for the rational use of fluorocarbons.

- (3) A manufacturer, etc. of specified products must endeavor to develop products which use substances alternative to fluorocarbons, in accordance with the guidelines referred to in paragraph (1) of the preceding Article, and must cooperate with the policies implemented by the national and local governments for the reduction of emissions of fluorocarbons from specified products such as the proper management of fluorocarbons used in specified products.

(Responsibility of Managers of Designated Products and Specified Products)

Article 5 (1) A manager of designated products must endeavor to make use, etc. of designated products which have a lesser environmental impact of fluorocarbons used, in accordance with the guidelines referred to in Article 3, paragraph (1).

- (2) For the use, etc. of specified products, a manager of specified products must endeavor to ensure proper management of fluorocarbons used in the specified products, in accordance with the guidelines referred to in Article 3, paragraph (1), and must cooperate with the policies implemented by the national and local governments for the proper management of fluorocarbons used in specified products.

(Responsibility of Class I Fluorocarbon Filling and Recovery Operators)

Article 6 A class I fluorocarbon filling and recovery operator, class II fluorocarbon recovery operator (meaning a fluorocarbon recovery operator prescribed in Article 2, paragraph (12) of the End-of-Life Vehicles Recycling Act; the same applies in Article 29, paragraph (1), item (ii) and Article 71, paragraph (2)), person maintaining class I specified products (hereinafter referred to as a "class I specified products maintenance operator"), class I fluorocarbon recycling operator, fluorocarbon destruction operator, and any other business operators that handle specified products or fluorocarbons used in specified products must take necessary measures for the proper management of fluorocarbons used in the specified products when conducting their business, in accordance with the guidelines referred to in Article 3, paragraph (1).

(Responsibility of the National Government)

Article 7 The national government must endeavor to take measures to gain the understanding and cooperation of managers of designated products and specified products and other necessary measures to promote the rational use of fluorocarbons and the proper management of fluorocarbons used in specified products.

(Responsibility of Local Governments)

Article 8 Local governments must endeavor to take necessary measures to promote the rational use of fluorocarbons and the proper management of fluorocarbons used in specified products in accordance with the national government's policies.

## **Chapter II Measures Pertaining to the Rational Use of Fluorocarbons**

### **Section 1 Measures to Be Taken by Manufacturers etc. of Fluorocarbons**

(Standards of Judgment for Manufacturers etc. of Fluorocarbons)

Article 9 (1) With regard to the measures to be taken by manufacturers, etc. of fluorocarbons for the manufacture, etc. of substances alternative to fluorocarbons and other rational use of fluorocarbons, the competent minister is to establish the standards of judgment for manufacturers, etc. of fluorocarbons, and publicize them in order to promote the rational use of fluorocarbons.

(2) The standards of judgment prescribed in the preceding paragraph are to be established in line with the guidelines referred to in Article 3, paragraph (1) and taking into consideration the status of development of substances alternative to fluorocarbons and other circumstances, and are to be revised if necessary depending on any changes in these circumstances.

(3) If the competent minister intends to establish the standards of judgment prescribed in paragraph (1), the minister must consult with the Minister of the Environment in advance. The same applies when the competent minister intends to change or abolish the standards of judgment.

(4) If the Minister of the Environment finds it necessary to promote the reduction in emissions of fluorocarbons, the Minister may state opinions to the competent minister on the standards of judgment prescribed in paragraph (1).

(Guidance and Advice)

Article 10 If the competent minister finds it necessary to promote the rational use of fluorocarbons, the minister may provide manufacturers, etc. of fluorocarbons with necessary guidance and advice on measures for the manufacture, etc. of substances alternative to fluorocarbons and other rational

uses of fluorocarbons, taking into consideration the standards of judgment prescribed in paragraph (1) of the preceding Article.

(Recommendations and Orders)

Article 11 (1) If the competent minister finds that the status of measures taken by a manufacturer, etc. of fluorocarbons (limited to that whose production or import volume of fluorocarbons, etc. satisfies the requirements specified by order of the competent ministry; hereinafter the same applies in this Article) for the manufacture, etc. of substances alternative to fluorocarbons and other rational uses of fluorocarbons is significantly inadequate in light of the standards of judgment prescribed in Article 9, paragraph (1), the minister may recommend that the manufacturer, etc. of fluorocarbons take necessary measures for the manufacture, etc. of substances alternative to fluorocarbons and other rational use of fluorocarbons, giving the grounds for the minister's judgment.

(2) If a manufacturer, etc. of fluorocarbons which has received a recommendation as prescribed in the preceding paragraph does not follow the recommendation, the competent minister may publicize to that effect.

(3) When a manufacturer, etc. of fluorocarbons which has received a recommendation prescribed in paragraph (1) still does not take the recommended measures without reasonable grounds even after the competent minister has publicized the fact that it has not followed the recommendation pursuant to the provisions of the preceding paragraph, and if the minister finds that the rational use of fluorocarbons will be significantly harmed, the minister may order the manufacturer, etc. of fluorocarbons to take the recommended measures after hearing the opinions of councils (meaning organs prescribed in Article 8 of the National Government Organization Act (Act No. 120 of 1948)) specified by Cabinet Order.

## **Section 2 Measures to Be Taken by Manufacturers, etc. of Designated Products**

(Standards of Judgment for Manufacturers of Designated Products)

Article 12 (1) With respect to designated products, the competent minister is to establish and the standards of judgment for manufacturers, etc. of designated products with regard to the reduction of the environmental impact of fluorocarbons used in each designated product, and publicize them, in order to promote the rational use of fluorocarbons.

(2) The standards of judgment prescribed in the preceding paragraph are to be established in line with the guidelines referred to in Article 3, paragraph (1) and taking into consideration the environmental impact of fluorocarbons used

in the designated product which has the least environmental impact of fluorocarbons used, future prospects for technological development with regard to reduction in the environmental impact of fluorocarbons used in the designated product and other circumstances, and are to be revised if necessary depending on any changes in these circumstances.

- (3) If a competent minister intends to establish, amend or repeal the standards of judgment prescribed in paragraph (1), the minister must hear opinions of the Minister of the Environment and the Minister of Economy, Trade and Industry.
- (4) If the Minister of the Environment and the Minister of Economy, Trade and Industry find it particularly necessary to reduce emissions of fluorocarbons, they may state opinions to the competent minister about changing the standards referred to in the preceding paragraph.

(Recommendations and Orders on the Reduction of the Environmental Impact of Fluorocarbons Used)

Article 13 (1) If the competent minister finds it necessary to significantly reduce the environmental impact of fluorocarbons used in designated products which a manufacturer, etc. of designated products (limited to that whose production or import volume of the designated products manufactured by them satisfies the requirements specified by order of the competent ministry; hereinafter the same applies in this Article) manufactures, in light of the standards of judgment prescribed in paragraph (1) of the preceding Article, they may indicate reduction goals to the manufacturer, etc. of designated products and recommend that they reduce the environmental impact of fluorocarbons used in the designated products.

- (2) The provisions of Article 11, paragraphs (2) and (3) apply mutatis mutandis to a recommendation prescribed in the preceding paragraph. In this case, the term "manufacturer, etc. of fluorocarbons" in these provisions is deemed to be replaced with "manufacturer, etc. of designated products".

(Indication)

Article 14 With respect to designated products, the competent minister is to establish the following matters for each designated product, and give public notice thereof, in order to promote the rational use of fluorocarbons:

- (i) matters to be indicated by manufacturers, etc. of designated products with regard to the environmental impact of fluorocarbons used in designated products; and
- (ii) the method of indicating the matters set forth in the preceding item, and other matters to be followed by manufacturers, etc. of designated products when indicating the environmental impact of fluorocarbons used.



(Recommendations and Orders on Indication)

- Article 15 (1) If the competent ministers find that a manufacturer, etc. of designated products has not provided indications of the environmental impact of fluorocarbons used in accordance with the public notice made pursuant to the provisions of the preceding Article with respect to designated products which they manufacture, the ministers may recommend that the manufacturer, etc. of designated products provide indications of the environmental impact of fluorocarbons used in the designated products in accordance with the public notice made pursuant to the provisions of that Article.
- (2) The provisions of paragraphs (2) and (3) of Article 11 apply mutatis mutandis to a recommendation prescribed in the preceding paragraph. In this case, the term "manufacturer, etc. of fluorocarbons" in these provisions is deemed to be replaced with "manufacturer, etc. of designated products".

**Chapter III Measures Pertaining to the Proper Management of  
Fluorocarbons Used in Specified Products  
Section 1 Measures to Be Taken by Managers of Class I Specified  
Products**

(Standards of Judgment for Managers of Class I Specified Products)

- Article 16 (1) With regard to measures to be taken by managers of class I specified products during the use, etc. of class I specified products to be managed (meaning class I specified products the use, etc. of which managers of class I specified products have the responsibility to manage; hereinafter the same applies in this Section) for the proper management of the fluorocarbons, the competent minister is to establish standards of judgment for managers of class I specified products and publicize them, in order to promote the proper management of fluorocarbons used in class I specified products.
- (2) The standards of judgment prescribed in the preceding paragraph are to be established in line with the guidelines referred to in Article 3, paragraph (1) and taking into consideration the status of use, etc. of class I specified products, the impact on the depletion of the ozone layer and global warming caused by fluorocarbons emitted during the use, etc. of class I specified products, the status of development of products which use substances alternative to fluorocarbons and other circumstances, and are to be revised if necessary depending on any changes in these circumstances.

(Guidance and Advice)

- Article 17 If a prefectural governor finds it necessary to promote the proper management of fluorocarbons used in class I specified products, the governor may provide managers of class I specified products with necessary guidance

and advice on the use, etc. of class I specified products, taking into consideration the standards of judgment prescribed in paragraph (1) of the preceding Article.

(Recommendations and Orders)

Article 18 (1) If a prefectural governor finds that the status of the use, etc. of class I specified products to be managed by a manager of class I specified products (limited to that satisfies the requirements specified by order of competent ministry, taking into consideration the type and quantity of class I specified products to be managed and other circumstances; hereinafter the same applies in this Article) is significantly inadequate in light of the standards of judgment prescribed in Article 16, paragraph (1), the governor may recommend that the manager of class I specified products take necessary measures for the use, etc. of the class I specified products to be managed, giving the grounds for the governor's judgment.

(2) If a manager of class I specified products who has received a recommendation as prescribed in the preceding paragraph does not follow the recommendation, the prefectural governor may publicize to that effect.

(3) When a manager of class I specified products who has received a recommendation prescribed in paragraph (1) still does not take the recommended measures without reasonable grounds even after the prefectural governor has publicized the fact that the manager has not followed the recommendation pursuant to the provisions of the preceding paragraph, and if the prefectural governor finds that the proper management of fluorocarbons used in class I specified products will be significantly harmed, the prefectural governor may order the manager of class I specified products to take the recommended measures.

(Reports on Calculated Amount of Leaked Fluorocarbons)

Article 19 (1) A manager of class I specified products (limited to that specified by order of the competent ministry as a business operator whose calculated amount of leaked fluorocarbons (meaning the amount of leaked fluorocarbons calculated in the manner specified by order of the competent ministry as the amount of fluorocarbons emitted during the use, etc. of class I specified products; the same applies hereinafter) is considerably large; hereinafter the same applies in this Section) must report the calculated amount of leaked fluorocarbons and other matters specified by order of the competent ministry to the ministers with jurisdiction over the business of the manager of class I specified products (hereinafter referred to as "competent minister for the business" in this Section and Article 100) every fiscal year pursuant to the provisions of order of the competent ministry.

- (2) With respect to a business operator engaged in business in which it allows the use of specific trademarks, trade names or other indications, specifies the methods related to the sale of goods or the provision of services, and provides guidance on management on an ongoing basis pursuant to contracts that are based on standard general conditions which provide for matters specified by order of the competent ministry concerning the use, etc. of class I specified products to be managed, where a person who participates in the business (hereinafter referred to as a "franchisee" in this paragraph) will become the manager of class I specified products (a business operator engaging in this type of business is hereinafter referred to as a "chain business operator" in this paragraph), the provisions of the preceding paragraph apply by deeming the franchisee's use, etc. of class I specified products to be managed as the chain business operator's use, etc. of class I specified products to be managed.
- (3) When a competent minister for the business receives a report under the provisions of paragraph (1), the competent minister for the business is to notify the Minister of the Environment and the Minister of Economy, Trade and Industry of the matters relating to the report.

(Record of Matters Reported)

- Article 20 (1) The Minister of the Environment and the Minister of Economy, Trade and Industry are to record the matters of which notice is given pursuant to the provisions of paragraph (3) of the preceding Article in a file stored on a computer, pursuant to the provisions of Order of the Ministry of the Environment and Order of the Ministry of Economy, Trade and Industry.
- (2) If the Minister of the Environment and the Minister of Economy, Trade and Industry record matters pursuant to the provisions of the preceding paragraph, they are to notify, without delay, the competent minister for the business of the matters recorded in the file referred to in that paragraph (hereinafter referred to as "matters recorded in the file" in this Section) which pertain to managers of class I specified products engaged in business under the jurisdiction of the competent minister for the business, and are to notify the prefectural governor of the matters recorded in the file which pertain to the places of business located in the prefectural areas under the jurisdiction of the prefectural governor, respectively, pursuant to the provisions of Order of the Ministry of the Environment and Order of the Ministry of Economy, Trade and Industry.
- (3) The Minister of the Environment and the Minister of Economy, Trade and Industry are to aggregate, without delay, the matters recorded in the file pursuant to the provisions of Order of the Ministry of the Environment and Order of the Ministry of Economy, Trade and Industry.
- (4) The Minister of the Environment and the Minister of Economy, Trade and Industry are to notify, without delay, the competent minister for the business

and the prefectural governor of the results of the aggregation pursuant to the provisions of the preceding paragraph, and publicize the results.

- (5) Upon receiving a notice under the provisions of paragraph (2), the competent minister for the business and the prefectural governor may aggregate the matters contained in the notice and publicize the results.

(Right to Request Disclosure)

Article 21 (1) Upon publication under the provisions of paragraph (4) of the preceding Article, any person may request the competent ministers to disclose the matters recorded in the file which have been publicized and are possessed by the competent ministers, on or after the day of the publication.

- (2) A request referred to in the preceding paragraph (hereinafter referred to as a "disclosure request" in this paragraph and the following Article) must be made by clarifying the following matters:

- (i) the name and domicile or residence of the person making the disclosure request and, if it is a corporation or any other organization, the name of the representative; and
- (ii) the name and location of the places of business or managers of class I specified products which pertain to the disclosure request, or any other matters sufficient to identify them.

(Duty of Disclosure)

Article 22 If a disclosure request is made, the competent minister must promptly disclose to the person making the disclosure request the matters pertaining to the disclosure request.

(Provision of Information)

Article 23 (1) A manager of class I specified products may provide the competent minister for the business with information on the status of increase or decrease in the calculated amount of leaked fluorocarbons and other information pertaining to the report, pursuant to the provisions of order of the competent ministry, together with a report under the provisions of Article 19, paragraph (1), in order to contribute to further understanding of the information publicized pursuant to the provisions of Article 20, paragraph (4) or disclosed pursuant to the provisions of the preceding Article.

- (2) A competent minister for the business is to notify the Minister of the Environment and the Minister of Economy, Trade and Industry of any information provided pursuant to the provisions of the preceding paragraph.
- (3) The Minister of the Environment and the Minister of Economy, Trade and Industry are to record any information notified pursuant to the provisions of the preceding paragraph in the file prescribed in Article 20, paragraph (1),

pursuant to the provisions of Order of the Ministry of the Environment and Order of the Ministry of Economy, Trade and Industry.

- (4) When the Minister of the Environment and the Minister of Economy, Trade and Industry record any matters pursuant to the provisions of the preceding paragraph, they are to notify and publicize, without delay, the competent minister for the business of the matters recorded in the file referred to in the paragraph that pertain to managers of class I specified products engaged in business under the authority of the competent minister for the business, and are to notify and publicize the prefectural governor of the matters recorded in the file which pertain to the places of business located in the prefectural areas under the authority of the prefectural governor, respectively, pursuant to the provisions of Order of the Ministry of the Environment Order of the Ministry of Economy, Trade and Industry, and publicize the matters.
- (5) The provisions of the preceding two Articles apply mutatis mutandis in the case of a publication made pursuant to the provisions of the preceding paragraph.

(Technical Advice)

Article 24 A competent minister is to provide managers of class I specified products with necessary technical advice, information and other assistance in order to contribute to ensuring proper calculation of amounts of leaked fluorocarbons or voluntary reduction in emissions of fluorocarbons, and promoting other proper management of fluorocarbons used in class I specified products.

(Fees)

Article 25 A person to whom matters recorded in the file are disclosed must pay, pursuant to the provisions of Cabinet Order, fees for the disclosure at an amount specified by Cabinet Order, taking the actual costs into consideration.

(Report Using Magnetic Disks)

- Article 26 (1) A competent minister for the business may have reports under the provisions of Article 19, paragraph (1) made by magnetic disks (including any object capable of securely recording certain matters in an equivalent manner; the same applies in the following paragraph), pursuant to the provisions of order of the competent ministry.
- (2) A competent ministers may have requests under the provisions of Article 21, paragraph (1) (including as applied mutatis mutandis pursuant to Article 23, paragraph (5)) made or make disclosures under the provisions of Article 22 (including as applied mutatis mutandis pursuant to Article 23, paragraph (5)) by magnetic disks, pursuant to the provisions of order of the competent

ministry.

## **Section 2 Filling Class I Specified Products with Fluorocarbons and Recovery of Fluorocarbons from Class I Specified Products**

(Registration of Class I Fluorocarbon Filling and Recovery Operators)

Article 27 (1) Any person who intends to engage in class I fluorocarbon filling and recovery operations must be registered with the prefectural governor with jurisdiction over the areas where the operations are to be conducted.

(2) Any person who seeks a registration referred to in the preceding paragraph must submit to the prefectural governor an application containing the following information, with documents specified by order of the competent ministry appended thereto:

- (i) the person's name and address and, if the person is a corporation, the name of its representative;
- (ii) the name and location of the person's place of business;
- (iii) the type of class I specified products to which the person's business relates, the type of fluorocarbons with which the person intends to fill the class I specified products as a refrigerant, and the fluorocarbons which the person intends to recover;
- (iv) the type and capacity of facilities to be used to fill class I specified products with fluorocarbons and to recover fluorocarbons with which class I specified products are filled as a refrigerant for each place of business; and
- (v) other matters specified by order of the competent ministry.

(Implementation of Registration)

Article 28 (1) If an application for registration is filed pursuant to the provisions of paragraph (2) of the preceding Article, the prefectural governor must record the matters set forth in paragraph (2), items (i) through (iii) of the preceding Article, the registration date, and the registration number in the registry of class I fluorocarbon filling and recovery operators, except when the prefectural governor denies the registration pursuant to the provisions of paragraph (1) of the following Article.

(2) If a prefectural governor makes a registration under the provisions of the preceding paragraph, the prefectural governor must notify the applicant to that effect without delay.

(Denial of Registration)

Article 29 (1) If a person who seeks a registration referred to in Article 27, paragraph (1) falls under any of the following items, if the matters set forth in Article 27, paragraph (2), item (iv) pertaining to an application for registration

under the provisions of paragraph (2) of that Article are found not to conform to the standards specified by order of the competent ministry as those sufficient to properly fill class I specified products with fluorocarbons and properly and securely recover fluorocarbons with which class I specified products are filled as a refrigerant, or if an application or appended document includes a false statement on any important matter or fails to state a material fact, the prefectural governor must deny the registration:

- (i) a person specified by order of the competent ministry as being unable to properly be engaged in the services due to mental or physical disorder, or a person who has been subject to an order of commencement of bankruptcy proceedings and whose rights have not been restored;
  - (ii) a person who has been sentenced to a fine or more severe punishment for violating the provisions of this Act, provisions of the End-of-Life Vehicles Recycling Act (limited to those pertaining to collection operators (meaning collection operators prescribed in Article 2, paragraph (11) of the End-of-Life Vehicles Recycling Act; the same applies in Article 71, paragraph (2) and Article 87, item (ii)), class II fluorocarbon recovery operators or vehicle manufacturers, etc. (meaning vehicle manufacturers, etc. prescribed in Article 2, paragraph (16) of the End-of-Life Vehicles Recycling Act; the same applies hereinafter); the same applies in Article 51, item (ii), (b) and Article 64, item (ii), (b)) or a disposition under these provisions, for whom two years have not elapsed since the date on which execution of the sentence was completed or since the date on which that person ceased to be subject to the execution of the sentence;
  - (iii) a person whose registration has been rescinded pursuant to the provisions of Article 35, paragraph (1), for whom two years have not elapsed since the date of the disposition;
  - (iv) in the case where a person who is a class I fluorocarbon filling and recovery operator and a corporation has their registration rescinded pursuant to the provisions of Article 35, paragraph (1), a person who, within thirty days from the date of the disposition, was an officer of the class I fluorocarbon filling and recovery operator, for whom that two years have not elapsed since the date of the disposition;
  - (v) a person who has been ordered to suspend business pursuant to the provisions of Article 35, paragraph (1), for whom the period of suspension has not elapsed; or
  - (vi) a corporation with an officer who falls under any of the preceding items.
- (2) If the prefectural governor refuses a registration pursuant to the provisions of the preceding paragraph, the prefectural governor must notify the applicant to that effect without delay, indicating the reason.

(Renewal of Registration)

- Article 30 (1) Unless a registration referred to in Article 27, paragraph (1) is renewed every five years, it ceases to be effective upon the expiration of the relevant period.
- (2) The provisions of Article 27, paragraph (2), Article 28 and the preceding Article apply mutatis mutandis to the renewal referred to in the preceding paragraph.
- (3) When an application for the renewal referred to in paragraph (1) is filed, and if no disposition for the application has been made by the day on which the period referred to in the same paragraph (hereinafter referred to as the "effective period of registration" in this Article) expires, the previous registration remains in force until a disposition is made, even after the effective period of registration has expired.
- (4) In a case referred to in the preceding paragraph, if the renewal of registration is made, the effective period of the registration is to be calculated from the day following the day on which the effective period of previous registration expired.

(Notification of Changes)

- Article 31 (1) If there has been a change (excluding a minor one specified by order of the competent ministry) in any of the matters set forth in the items of Article 27, paragraph (2), the class I fluorocarbon filling and recovery operator must notify the prefectural governor to that effect, appending the documents specified by order of the competent ministry, within thirty days from the date of the change.
- (2) The provisions of Articles 28 and 29 apply mutatis mutandis if a notification is made pursuant to the provisions of the preceding paragraph.

(Inspection of Registry of Class I Fluorocarbon Filling and Recovery Operators)

Article 32 A prefectural governor must make the registry of Class I fluorocarbon filling and recovery operators available for public inspection.

(Notification of Discontinuation of Business)

- Article 33 (1) If a class I fluorocarbon filling and recovery operator has come to fall under any of the following items, the person prescribed in the relevant items must notify the prefectural governor (in the case set forth in item (v), the prefectural governor who has registered the class I fluorocarbon filling and recovery operator relating to the discontinued class I fluorocarbon filling and recovery operations) to that effect within thirty days from the date of occurrence thereof:
- (i) if the class I fluorocarbon filling and recovery operator has died: its successor;



- (ii) if the corporation has been extinguished due to merger: a person who was an officer representing the corporation;
  - (iii) if the corporation has been dissolved due to an order of commencement of bankruptcy proceedings: its bankruptcy trustee;
  - (iv) if the corporation has been dissolved for reasons other than merger or an order of commencement of bankruptcy proceedings: its liquidator; or
  - (v) if the class I fluorocarbon filling and recovery operation has been discontinued in the prefectural area registered by the class I fluorocarbon filling and recovery operator: the individual who was the class I fluorocarbon filling and recovery operator or an officer representing the corporation who was the class I fluorocarbon filling and recovery operator.
- (2) If a class I fluorocarbon filling and recovery operator has come to fall under any of the items of the preceding paragraph, its registration as a class I fluorocarbon filling and recovery operator ceases to be effective.

(Cancellation of Registration)

Article 34 If a registration ceases to be effective pursuant to the provisions of Article 30, paragraph (1) or paragraph (2) of the preceding Article, or if a registration is rescinded pursuant to the provisions of paragraph (1) of the following Article, the prefectural governor must cancel the registration of the relevant class I fluorocarbon filling and recovery operator.

(Rescission of Registration)

- Article 35 (1) If a class I fluorocarbon filling and recovery operator falls under any of the following items, the prefectural governor may rescind their registration, or order the operator to suspend all or part of their business by specifying a period not exceeding six months:
- (i) the class I fluorocarbon filling and recovery operator has been registered as a class I fluorocarbon filling and recovery operator by wrongful means;
  - (ii) the facilities which is used by the person for filling the class I specified products with fluorocarbons and for recovering fluorocarbons with which class I specified products are filled as a refrigerant no longer conform to the standards prescribed in Article 29, paragraph (1);
  - (iii) the class I fluorocarbon filling and recovery operator has come to fall under Article 29, paragraph (1), item (i), (ii), (iv) or (vi); or
  - (iv) the class I fluorocarbon filling and recovery operator has violated this Act, an order under this Act or a disposition under this Act.
- (2) The provisions of Article 29, paragraph (2) apply mutatis mutandis if a disposition is made pursuant to the provisions of the preceding paragraph.

(Delegation to Order of the Competent Ministry)

Article 36 Beyond what is provided for in Article 27 through the preceding Article, necessary matters concerning the registration of class I fluorocarbon filling and recovery operators is prescribed by order of the competent ministry.

(Class I Specified Products Maintenance Operators' Obligation to Entrust Filling)

Article 37 (1) In maintaining class I specified products, if it is necessary to fill the class I specified products with fluorocarbons as a refrigerant, a class I specified products maintenance operator must entrust a class I fluorocarbon filling and recovery operator with the filling of fluorocarbons; provided, however, that this does not apply if the class I specified products maintenance operator is a class I fluorocarbon filling and recovery operator, and conducts the filling of fluorocarbons themselves.

(2) In entrusting the filling of fluorocarbons prescribed in the main clause of the preceding paragraph, a class I specified products maintenance operator must notify the class I fluorocarbon filling and recovery operator of the name and address of the manager of class I specified products who ordered the maintenance of class I specified products, of whether the manager of class I specified products uses an input-output device which connects to a computer used by an information processing center prescribed in Article 76, paragraph (1) (hereinafter referred to as an "information processing center" in this Section) through an electronic telecommunication line, and if an input-output device is used, of the name of the information processing center, pursuant to the provisions of order of the competent ministry.

(3) A class I fluorocarbon filling and recovery operator (including a class I specified products maintenance operator that conducts the filling of fluorocarbons themselves pursuant to the provisions of the proviso to paragraph (1); the same applies in the following paragraph, paragraph (1) of the following Article, paragraphs (1) through (3) of Article 47, and paragraphs (1), (2), (6) and (8) of Article 49) must comply with the standards for filling of fluorocarbons specified by order of the competent ministry if they conduct filling of fluorocarbons after being entrusted with the filling of fluorocarbons as prescribed in the main clause of paragraph (1) or conducts filling of fluorocarbons pursuant to the provisions of the proviso to the paragraph.

(4) If a class I fluorocarbon filling and recovery operator has conducted filling of fluorocarbons after being entrusted with the filling fluorocarbons as prescribed in the main clause of paragraph (1) or has conducted filling of fluorocarbons pursuant to the provisions of the proviso to the paragraph, the class I fluorocarbon filling and recovery operator must state the matters specified by order of the competent ministry in a document certifying the filling of fluorocarbons (hereinafter referred to as a "filling certificate" in this paragraph

and paragraph (1) of the following Article), and deliver the filling certificate to the manager of class I specified products who ordered the maintenance of class I specified products relating to the fluorocarbons, pursuant to the provisions of order of the competent ministry.

(Use of an Electronic Data Processing System)

- Article 38 (1) When a class I fluorocarbon filling and recovery operator (limited to one using an input-output device which is connected to a computer used by an information processing center (limited to the information processing center the notice of the name of which has been given pursuant to the provisions of paragraph (2) of the preceding Article; hereinafter the same applies in this paragraph through paragraph (3)) through an electronic telecommunication line) fills class I specified products with fluorocarbons and if the class I fluorocarbon filling and recovery operator registers the amount filled and other matters specified by order of the competent ministry for each type of fluorocarbon, using an electronic data processing system, within the period specified by order of the competent ministry after the fluorocarbons are filled, with the approval of the manager of the class I specified products, pursuant to the provisions of order of the competent ministry, the class I fluorocarbon filling and recovery operator is not required to deliver a filling certificate, notwithstanding the provisions of paragraph (4) of that Article,.
- (2) If a registration under the provisions of the preceding paragraph is made, the information processing center is to give notification, without delay, of the matters relating to the registration to the manager of class I specified products who ordered the maintenance of class I specified products relating to the fluorocarbons for which the registration was made, using an electronic data processing system.
- (3) The information processing center must record the information registered pursuant to the provisions of paragraph (1) in a file stored on a computer it uses, and retain the information for the period specified by order of the competent ministry from the date on which the registration was made.
- (4) Beyond what is provided for in the preceding three paragraphs, necessary matters concerning electronic data processing systems are prescribed by order of the competent ministry.

(Delivery Obligation of Class I Specified Products Maintenance Operators)

- Article 39 (1) In maintaining class I specified products, if it is necessary to recover fluorocarbons with which the class I specified products are filled as a refrigerant, a class I specified products maintenance operator must entrust the recovery of the fluorocarbons to a class I fluorocarbon filling and recovery operator; provided, however, that this does not apply if the class I specified

products maintenance operator is a class I fluorocarbon filling and recovery operator, and recovers the fluorocarbons themselves.

- (2) In entrusting the recovery of fluorocarbons prescribed in the main clause of the preceding paragraph, a class I specified products maintenance operator must notify the class I fluorocarbon filling and recovery operator of the name and address of the manager of class I specified products who ordered the maintenance of the class I specified products, of whether the manager of class I specified products uses an input-output device which connects to a computer used by an information processing center through an electronic telecommunication line, and if an input-output device is used, of the name of the information processing center, pursuant to the provisions of order of the competent ministry.
- (3) A class I fluorocarbon filling and recovery operator (including a class I specified products maintenance operator that recovers fluorocarbons themselves pursuant to the provisions of the proviso to paragraph (1); the same applies in paragraph (6), paragraph (1) of the following Article, Article 46, Article 47, paragraphs (1) through (3), Article 48, Article 49, paragraphs (1), (2) and (6) through (8), Article 59, paragraphs (1) and (2), Article 60, paragraph (2), Article 62, paragraphs (3) and (5), Article 69, paragraphs (1) and (5), Article 70, paragraphs (1) and (2), Article 71, paragraph (2), Article 73, paragraphs (2) and (4), and Article 75) must comply with the standards for recovery of fluorocarbons prescribed in Article 44, paragraph (2) if it recovers fluorocarbons after being entrusted with the recovery of fluorocarbons as prescribed in the main clause of paragraph (1) or recovers fluorocarbons pursuant to the provisions of the proviso to the paragraph.
- (4) When a class I specified products maintenance operator has a class I fluorocarbon filling and recovery operator recover fluorocarbons with which class I specified products are filled as a refrigerant pursuant to the provisions of the main clause of paragraph (1), and if there are fluorocarbons other than those with which the class I specified products have been filled again as a refrigerant pursuant to the provisions of the main clause of Article 37, paragraph (1), the class I specified products maintenance operator must deliver them to the class I fluorocarbon filling and recovery operator.
- (5) If a class I fluorocarbon filling and recovery operator is requested by a class I specified products maintenance operator to collect the fluorocarbons prescribed in the preceding paragraph, the class I fluorocarbon filling and recovery operator must collect the fluorocarbons, except when there are reasonable grounds for not doing so.
- (6) If a class I fluorocarbon filling and recovery operator recovers fluorocarbons after being entrusted with the recovery of fluorocarbons prescribed in the main clause of paragraph (1) or recovers fluorocarbons pursuant to the provisions of

the proviso to the paragraph, the class I fluorocarbon filling and recovery operator must state the matters specified by order of the competent ministry in a document certifying the recovery of fluorocarbons (hereinafter referred to as a "recovery certificate" in this paragraph and paragraph (1) of the following Article), and deliver the recovery certificate to the manager of class I specified products who ordered the maintenance of the class I specified products relating to the fluorocarbons, pursuant to the provisions of order of the competent ministry.

(Use of an Electronic Data Processing System)

Article 40 (1) When a class I fluorocarbon filling and recovery operator recovers fluorocarbons with which class I specified products are filled as a refrigerant in maintaining class I specified products (limited to when the input-output device used by the manager of class I specified products who ordered the maintenance of the class I specified products is connected to a computer used by an information processing center (limited to an information processing center the name of which has been notified pursuant to the provisions of paragraph (2) of the preceding Article; hereinafter the same applies in this paragraph and paragraphs (2) and (3) of Article 38 as applied mutatis mutandis pursuant to the following paragraph) through an electronic telecommunications line) and if the class I fluorocarbon filling and recovery operator registers the amount recovered and other matters specified by order of the competent ministry with the information management center for each type of fluorocarbon, using an electronic data processing system, with the approval of the manager of the class I specified products pursuant to the provisions of order of the competent ministry, the class I fluorocarbon filling and recovery operator is not required to deliver a recovery certificate, notwithstanding the provisions of paragraph (6) of that Article .

(2) The provisions of paragraphs (2) through (4) of Article 38 apply mutatis mutandis to the registration under the provisions of the preceding paragraph. In this case, the term "the preceding three paragraphs" in paragraph (4) of the Article is deemed to be replaced with "Article 40, paragraph (1) and the preceding two paragraphs".

(Delivery Obligations of a Person Undertaking the Disposal of Class I Specified Products)

Article 41 A manager of class I specified products that intends to undertake the disposal, etc. of class I specified products (hereinafter referred to as a "person undertaking the disposal, etc. of class I specified products") must deliver the fluorocarbons with which the class I specified products are filled as a refrigerant to a class I fluorocarbon filling and recovery operator themselves or

by entrusting the delivery to another person, except when the class I fluorocarbon filling and recovery operator has confirmed that the class I specified products are not filled with fluorocarbons, pursuant to the provisions of order of the competent ministry.

(Confirmation and Explanation by Primary Contractors for Specific Demolition Work)

Article 42 (1) A person engaged in construction business (meaning the construction business prescribed in Article 2, paragraph (2) of the Construction Business Act (Act No. 100 of 1949)) and intending to undertake demolition work directly from a manager of class I specified products who intends to place an order for construction work to demolish all or part of a building or other structure (excluding any building or other structure in which class I specified products are clearly not in place) (excluding construction work undertaken from another person; hereinafter referred to "demolition work" in this paragraph and Article 92, paragraph (1) ) (the manager is hereinafter referred to as a "party ordering the specific demolition work" in this Article and Article 100, paragraph (1), item (i)) (the person engaged in construction business and intending to undertake such work is hereinafter referred to as a "primary contractor for the specific demolition work") must confirm whether class I specified products are in place in the building or other structure, and explain the results of the confirmation to the party ordering the specific demolition work by delivering documents containing the matters specified by order of the competent ministry. In this case, the primary contractor for the specific demolition work must retain a copy of the document which they delivered for the period specified by order of the competent ministry from the day on which they delivered the document.

(2) In a case referred to in the preceding paragraph, the party ordering the specific demolition work must cooperate in the confirmation whether class I specified products are in place, which is conducted by the primary contractor for the specific demolition work.

(3) If a party ordering the specific demolition work has received a document delivered pursuant to the provisions of paragraph (1), the party must retain the document for the period specified by order of the competent ministry from the day on which the party received the document.

(Delivery of a Document by a Person Undertaking the Disposal of Class I Specified Products)

Article 43 (1) If a person undertaking the disposal, etc. of class I specified products delivers fluorocarbons with which their class I specified products are filled as a refrigerant to a class I fluorocarbon filling and recovery operator

themselves, the person must deliver a document containing the following information (hereinafter referred to as a "recovery request" in paragraph (3) and Article 105) to the class I fluorocarbon filling and recovery operator, pursuant to the provisions of order of the competent ministry:

- (i) the name and address of the person undertaking the disposal, etc. of class I specified products;
  - (ii) the type and quantity of the class I specified products filled with the fluorocarbons to be delivered;
  - (iii) the name and address of the class I fluorocarbon filling and recovery operator to which the delivery will be made; and
  - (iv) other matters specified by order of the competent ministry.
- (2) When a person undertaking the disposal, etc. of class I specified products entrusts another person with the delivery to a class I fluorocarbon filling and recovery operator of fluorocarbons with which their class I specified products are filled as a refrigerant (except when, in the case of transporting the class I specified products relating to the fluorocarbons in order to deliver the fluorocarbons, the person undertaking the disposal, etc. of class I specified products entrusts only the transport of the class I specified products), and if the person undertaking the disposal, etc. of class I specified product has concluded a contract concerning entrustment of the delivery, the person must deliver a document containing the following information (hereinafter referred to as a "written confirmation of entrustment" in this Article, paragraph (1) of the following Article and Article 105) to the person entrusted with the delivery, without delay, pursuant to the provisions of order of the competent ministry:
- (i) the name and address of the person undertaking the disposal, etc. of class I specified products;
  - (ii) the type and quantity of the class I specified products filled with the fluorocarbons to be delivered;
  - (iii) the name and address of the person entrusted with the delivery; and
  - (iv) other matters specified by order of the competent ministry.
- (3) When a person undertaking the disposal, etc. of class I specified products delivers a recovery request under the provisions of paragraph (1) or a written confirmation of entrustment under the provisions of the preceding paragraph, the person must retain a copy of the recovery request or of the written confirmation of entrustment for the period specified by order of the competent ministry from the day on which they delivered the written confirmation of entrustment respectively.
- (4) When a person who is entrusted to deliver fluorocarbons with which class I specified products are filled as a refrigerant by a person undertaking the disposal, etc. of class I specified products (including any other persons who is further entrusted with the delivery to a to a class I fluorocarbon filling and

recovery operator that is sequentially conducted for fluorocarbons relating to the delivery; hereinafter referred to as a "person entrusted with the delivery of class I fluorocarbons") intends to further entrust the delivery of fluorocarbons relating to the entrustment to another person (except when, in the case of transporting the class I specified products relating to the fluorocarbons in order to deliver the fluorocarbons, only the transport of the class I specified products is entrusted), the person must, in advance, specify the name and address of the person who intends to be further entrusted with the delivery to the person undertaking the disposal, etc. of class I specified products, and receive a document stating that the person undertaking the disposal, etc. of class I specified products approves the further entrustment of the delivery (limited to that containing the matters specified by order of the competent ministry). In this case, the person undertaking the disposal, etc. of class I specified products or the person entrusted with the delivery of class I fluorocarbons must retain a copy of the document which they have delivered or the document which they have received for the period specified by order of the competent ministry from the day on which they delivered the document or the day on which they received the document respectively.

- (5) If a person entrusted with the delivery of class I fluorocarbons has concluded a contract to further entrust the delivery of fluorocarbons relating to the entrustment, the person must, without delay, enter the name and address of the person who was further entrusted with the delivery and other matters specified by order of the competent ministry in the written confirmation of entrustment for the fluorocarbons, and circulate the written confirmation of entrustment to the person who was further entrusted with the delivery, pursuant to the provisions of order of the competent ministry.
- (6) When a person entrusted with the delivery of class I fluorocarbons delivers the fluorocarbons relating to the entrustment to a class I fluorocarbon filling and recovery operator, the person must enter the matters specified by order of the competent ministry in the written confirmation of entrustment for the fluorocarbons, and circulate the written confirmation of entrustment to the class I fluorocarbon filling and recovery operator, pursuant to the provisions of order of the competent ministry.
- (7) When a person entrusted with the delivery of class I fluorocarbons circulates a written confirmation of entrustment pursuant to the provisions of the preceding two paragraphs, the person must retain a copy of the written confirmation of entrustment for the period specified by order of the competent ministry from the day on which they circulated the copy.

(Collection Obligations of Class I Fluorocarbon Filling and Recovery Operators)  
Article 44 (1) If a class I fluorocarbon filling and recovery operator is requested



by a person undertaking the disposal, etc. of class I specified products to collect the fluorocarbons prescribed in Article 41 directly or via a person entrusted with the delivery of class I fluorocarbons, the operator must collect the fluorocarbons, except when a document has not been delivered pursuant to the provisions of paragraph (1) of the preceding Article, a written confirmation of entrustment has not been circulated pursuant to the provisions of paragraph (6) of the same Article, or when there are other reasonable grounds for not doing so.

- (2) In collecting fluorocarbons pursuant to the provisions of the preceding paragraph, a class I fluorocarbon filling and recovery operator must recover the fluorocarbons in accordance with the standards for recovery of fluorocarbons specified by order of the competent ministry.

(Collection Certificate)

Article 45 (1) If a class I fluorocarbon filling and recovery operator has collected fluorocarbons directly from a person undertaking the disposal, etc. of class I specified products, the operator must enter the matters specified by order of the competent ministry in a document certifying the collection of fluorocarbons (hereinafter referred to as a "collection certificate" in this Article, the following Article and Article 105), and deliver the certificate to the person undertaking the disposal, etc. of class I specified products, pursuant to the provisions of order of the competent ministry. In this case, the class I fluorocarbon filling and recovery operator must retain a copy of the collection certificate for the period specified by order of the competent ministry from the day on which they delivered it.

- (2) If a class I fluorocarbon filling and recovery operator has collected fluorocarbons from a person undertaking the disposal, etc. of class I specified products via a person entrusted with the delivery of class I fluorocarbons, the operator must enter the matters specified by order of the competent ministry in a collection certificate, send the collection certificate to the person undertaking the collection, etc. of class I specified products relating to the class I fluorocarbons pursuant to the provisions of order of the competent ministry, and deliver a copy of the collection certificate to the person entrusted with the delivery of class I fluorocarbons. In this case, the class I fluorocarbon filling and recovery operator must retain a copy of the sent collection certificate for the period specified by order of the competent ministry from the day on which they sent it.
- (3) If a collection certificate has been delivered or sent to a person undertaking the disposal, etc. of class I specified products pursuant to the provisions of the preceding two paragraphs, the person undertaking the disposal, etc. of class I specified products must confirm by the collection certificate that the delivery of

fluorocarbons has been completed, and retain the collection certificate for the period specified by order of the competent ministry from the day on which the certificate was delivered or sent.

- (4) If a collection certificate under the provisions of paragraph (1) or (2) is not delivered or sent within the period specified by order of the competent ministry, or if a collection certificate which does contain the matters prescribed in paragraph (1) or (2) or which contains a false statement is delivered or sent, the person undertaking the disposal, etc. of class I specified products must report the prefectural governor to that effect, pursuant to the provisions of order of the competent ministry.
- (5) If a person entrusted with the delivery of class I fluorocarbons is delivered a copy of the collection certificate under the provisions of paragraph (2), the person must retain the copy of the collection certificate for the period specified by order of the competent ministry from the day on which the certificate was delivered.
- (6) Beyond what is provided for in the preceding paragraphs, necessary matters concerning collection certificates are specified by order of the competent ministry.

(Collection of Class I Specified Products)

- Article 45-2 (1) If a person undertaking the disposal, etc. of class I specified products delivers class I specified products to a person who intends to be engaged in collection of class I specified products for the purpose of demolition and other disposals, or acquisition of all or part of the products with or without compensation for the purpose of using them as part of raw materials, components or other products (hereinafter referred to as "collection, etc.") (hereinafter referred to as a "person undertaking the collection, etc. of class I specified products"), the person undertaking the disposal, etc. of class I specified products must deliver a copy of the collection certificate delivered or sent pursuant to the provisions of paragraph (1) or (2) to the person undertaking the collection, etc. of class I specified product, as specified by order of the competent ministry. However, this does not apply if fluorocarbons with which class I specified products are filled as a refrigerant are delivered to the person undertaking the collection, etc. of class I specified products (limited to the person who is a class I fluorocarbon filling and recovery operators) or if otherwise provided by order of the competent ministry.
- (2) If a person undertaking the collection, etc. of class I specified products further entrusts another person with disposal of class I specified products relating to the collection, etc. or transfers to another person all or part of class I specified products relating to the collection, etc. for the purpose of using them as part of raw materials, components or other products, the person undertaking the

collection, etc. of class I specified products must circulate a copy of the collection certificate relating to the class I specified products to the person who is further entrusted with the disposal of the class I specified products or transferred the products, pursuant to the provisions of order of the competent ministry.

- (3) If a copy of the collection certificate under the provisions of the preceding two paragraphs is delivered or circulated to a person undertaking the collection, etc. of class I specified products, the person must retain the copy of the collection certificate for the period specified by order of the competent ministry from the date the copy was delivered or circulated.
- (4) No person may conduct collection, etc. of class I specified products, except when a class I fluorocarbon filling and recovery operator has confirmed that class I specified products are not filled with fluorocarbons pursuant to the provisions of Article 41, when a copy of a collection certificate has been delivered or circulated pursuant to the provisions of paragraph (1) or (2), and in other cases specified by order of the competent ministry as there is no risk that fluorocarbons with which class I specified products are filled as a refrigerant may be released in the atmosphere.

(Delivery Obligations of Class I Fluorocarbon Filling and Recovery Operators)

Article 46 (1) When a class I fluorocarbon filling and recovery operator recovers fluorocarbons relating to class I specified products pursuant to the provisions of the proviso to Article 39, paragraph (1), and if there are fluorocarbons other than those with which the class I specified products have been filled again as a refrigerant pursuant to the provisions of the proviso to Article 37, paragraph (1), or if a class I fluorocarbon filling and recovery operator collects fluorocarbons pursuant to the provisions of Article 39, paragraph (5) or Article 44, paragraph (1), the operator must deliver the fluorocarbons to a class I fluorocarbon recycling operator or a fluorocarbon destruction operator, except when the operator recycles the fluorocarbons themselves pursuant to the provisions of the proviso to Article 50, paragraph (1) and in other cases specified by order of the competent ministry.

- (2) In delivering fluorocarbons pursuant to the provisions of the preceding paragraph, a class I fluorocarbon filling and recovery operator (including a person who is entrusted by the class I fluorocarbon filling and recovery operator to transport fluorocarbons) must transport fluorocarbons in accordance with the standards for transport of fluorocarbons specified by order of the competent ministry.

(Record of Amount Filled and Amount Recovered)

Article 47 (1) Pursuant to the provisions of order of the competent ministry, a

class I fluorocarbon filling and recovery operator must prepare a record, for each type of fluorocarbon, concerning the amount of fluorocarbons with which class I specified products were filled as a refrigerant and the amount of fluorocarbons recovered in the case of the maintenance of class I specified products (excluding the amount of fluorocarbons with which the class I specified products have been filled again as a refrigerant after the recovery; the same applies in paragraph (3)), the amount of fluorocarbons recovered in the case of the disposal, etc. of class I specified products, the amount of fluorocarbons recycled, the amount of those delivered to class I fluorocarbon recycling operators, the amount of those delivered to fluorocarbon destruction operators in the case of engagement in class I fluorocarbon recycling operations pursuant to the provisions of the proviso to Article 50, paragraph (1), and other matters specified by order of the competent ministry, and retain the record at the place of business where their business operations are conducted.

- (2) If a class I fluorocarbon filling and recovery operator has received a request from a manager of class I specified products who ordered the maintenance of class I specified products, a class I specified products maintenance operator, a person undertaking the disposal, etc. of class I specified products or a person entrusted with the delivery of class I fluorocarbons to inspect the records under the preceding provisions relating to these persons, the class I fluorocarbon filling and recovery operator must not refuse the request without reasonable grounds.
- (3) Pursuant to the provisions of order of the competent ministry, every fiscal year a class I fluorocarbon filling and recovery operator must report to the prefectural governor, for each type of fluorocarbon and for the previous fiscal year, concerning the amount of fluorocarbons with which class I specified products were filled as a refrigerant and the amount of fluorocarbons recovered in the case of the maintenance of class I specified products, the amount of fluorocarbons recovered in the case of the disposal, etc. of class I specified products, the amount of fluorocarbons recycled, the amount of those delivered to class I fluorocarbon recycling operators and the amount of those delivered to fluorocarbon destruction operators in the case of engagement in class I fluorocarbon recycling operations pursuant to the provisions of the proviso to Article 50, paragraph (1), and other matters specified by order of the competent ministry.
- (4) If a prefectural governor receives a report under the provisions of the preceding paragraph, the prefectural governor must notify the competent ministers of the reported matters, pursuant to the provisions of order of the competent ministry.

(Guidance and Advice)

Article 48 If a prefectural governor finds it necessary to ensure that the entrustment of filling of class I specified products with fluorocarbons under the provisions of the main clause of Article 37, paragraph (1), the entrustment of recovery of fluorocarbons under the provisions of the main clause of Article 39, paragraph (1), the delivery of fluorocarbons under the provisions of paragraph (4) of that Article, Article 41, or Article 46, paragraph (1), the collection of fluorocarbons under the provisions of Article 39, paragraph (5), or Article 44, paragraph (1), or the confirmation and explanation under the provisions of Article 42, paragraph (1) are properly conducted, the governor may provide a class I specified products maintenance operator, a person undertaking the disposal, etc. of class I specified products, a primary contractor for specific demolition work or a class I fluorocarbon filling and recovery operator with necessary guidance and advice on conducting the entrustment of filling or entrustment of recovery, or on the delivery, collection, or confirmation and explanation.

(Recommendations and Orders)

Article 49 (1) If a prefectural governor finds that a class I specified products maintenance operator or a class I fluorocarbon filling and recovery operator fails to comply with the provisions of Article 37, paragraph (2) or (4), or Article 39, paragraph (2) or (6), the governor may recommend that these persons take necessary measures.

(2) If a prefectural governor finds that a class I fluorocarbon filling and recovery operator fails to comply with the provisions of Article 38, paragraph (1) or Article 40, paragraph (1) upon their registration under those provisions, the governor may recommend that the class I fluorocarbon filling and recovery operator take necessary measures.

(3) If a prefectural governor finds that a person undertaking the disposal, etc. of class I specified products or a person entrusted with the delivery of class I fluorocarbons fails to comply with the provisions of Article 43, the governor may recommend that these persons take necessary measures.

(4) If a prefectural governor finds that a person undertaking the disposal, etc. of class I specified products, a person entrusted with the delivery of class I fluorocarbons, or a class I fluorocarbon filling and recovery operator fails to comply with the provisions of Article 45, paragraphs (1) through (5), the governor may recommend that these persons take necessary measures.

(5) If a prefectural governor finds that a person undertaking the disposal, etc. of class I specified products or a person undertaking the collection, etc. of class I specified product fails to comply with the provisions of Article 45-2, the governor may recommend that these persons take necessary measures.

(6) If a prefectural governor finds that a class I fluorocarbon filling and recovery

operator fails to comply with the standards for filling of fluorocarbons prescribed in Article 37, paragraph (3) or the standards for collection of fluorocarbons prescribed in Article 44, paragraph (2), or finds that a class I fluorocarbon filling and recovery operator (including a person who is entrusted by the class I fluorocarbon filling and recovery operator to transport fluorocarbons; hereinafter the same applies in this paragraph) fails to comply with the standards for transport of fluorocarbons prescribed in Article 46, paragraph (2), the governor may recommend that the class I fluorocarbon filling and recovery operator comply with the standards within the time limit set by the governor.

- (7) A prefectural governor may recommend a class I specified products maintenance operator, person undertaking the disposal, etc. of class I specified products or class I fluorocarbon filling and recovery operator that fails to be engaged in the entrustment of filling or entrustment of recovery, or in the delivery or collection prescribed in the preceding Article without reasonable grounds to be engaged in the entrustment of filling or entrustment of collection, or in the delivery or collection within the time limit set by the governor.
- (8) If a class I specified products maintenance operator, a person undertaking the disposal, etc. of class I specified products, person entrusted with the delivery of class I fluorocarbons, class I fluorocarbon filling and recovery operator, or a person undertaking the collection, etc. of class I specified products that has received a recommendation under the provisions of the preceding paragraphs fails to take the recommended measures without reasonable grounds, the prefectural governor may order them to take the recommended measures.

### **Section 3 Recycling of Fluorocarbons Recovered from Class I Specified Products**

(License Granted to Class I Fluorocarbon Recycling Operators)

- Article 50 (1) A person intending to be engaged in class I fluorocarbon recycling operations must obtain a license from the competent minister for each place of business where the person conducts their business operations; provided, however, that this does not apply if a class I fluorocarbon filling and recovery operator is engaged in class I fluorocarbon recycling operations through facilities or equipment used for recycling of fluorocarbons (hereinafter referred to as "class I fluorocarbon recycling facilities, etc.") and specified by order of the competent ministry, pursuant to the provisions of order of the competent ministry.
- (2) A person seeking a license referred to in the preceding paragraph must submit an application containing the following information to the competent minister, with the documents specified by order of the competent ministry

appended thereto, pursuant to the provisions of order of the competent ministry:

- (i) the person's name and address and, if it is a corporation, the name of its representative;
- (ii) the name and location of the place of business;
- (iii) the type of fluorocarbons which the person intends to recycle;
- (iv) the type, quantity, structure, and recycling capacity of class I fluorocarbon recycling facilities, etc.;
- (v) the method of use and management of class I fluorocarbon recycling facilities, etc.; and
- (vi) other matters specified by order of the competent ministry.

(Standards for License)

Article 51 A competent minister must not grant a license referred to in paragraph (1) of the preceding Article unless the minister finds that the application for the license referred to in the same paragraph conforms to the following items:

- (i) the matters set forth in paragraph (2), items (iv) and (v) of the preceding Article which relate to the application conform to the standards for the structure, recycling capacity, or use and management of class I fluorocarbon recycling facilities, etc. specified by order of the competent ministry; and
- (ii) the applicant does not fall under any of the following:
  - (a) a person specified by order of the competent ministry as being unable to be properly engaged in the services due to mental or physical disorder or a person who has been subject to order of commencement of bankruptcy proceedings and whose rights have not been restored;
  - (b) a person who has been sentenced to a fine or more severe punishment for violating the provisions of this Act, provisions of the End-of-Life Vehicles Recycling Act or a disposition under these provisions, for whom two years have not elapsed since the date on which execution of the sentence was completed or since the date on which that person ceased to be subject to the execution of the sentence;
  - (c) a person whose license has been rescinded pursuant to the provisions of Article 55, for whom two years have not elapsed since the date on which the person became subject to the disposition;
  - (d) in the case where a person who is a class I fluorocarbon recycling operator and a corporation has their license rescinded pursuant to the provisions of Article 55, a person who, within thirty days before the date of the disposition, was an officer of the class I fluorocarbon recycling operator, for whom two years have not elapsed since the date of the disposition;
  - (e) a person who has been ordered to suspend business pursuant to the

provisions of Article 55, for whom the period of suspension has not elapsed;  
or

(f) a corporation with an officer who falls under any of items (a) through (e).

(Renewal of License)

Article 52 (1) Unless a license referred to in Article 50, paragraph (1) is renewed every five years, it ceases to be effective upon the expiration of the relevant period.

(2) The provisions of Article 50, paragraph (2) and the preceding Article apply mutatis mutandis to the renewal referred to in the preceding paragraph.

(3) When an application for the renewal referred to in paragraph (1) is filed, and if no disposition for the application has been made by the day on which the period referred to in the same paragraph (hereinafter referred to as the "effective period of the license" in this Article) expires, the previous license remains in effect until a disposition is made, even after the effective period of the license has expired.

(4) In a case referred to in the preceding paragraph, if the license is renewed, the effective period of the license is to be calculated from the day following the day on which the effective period of the previous license expired.

(Permission for Changes)

Article 53 (1) If a class I fluorocarbon recycling operator intends to change any of the matters set forth in Article 50, paragraph (2), items (iii) through (v), the operator must obtain a license permission from the competent ministers, pursuant to the provisions of order of the competent ministry; provided, however, that this does not apply if the change is a minor one specified by order of the competent ministry.

(2) The provisions of Article 51 apply mutatis mutandis to the license referred to in the preceding paragraph.

(3) If there is a minor change specified by order of the competent ministry referred to in the proviso to paragraph (1), or there is a change in any of the matters set forth in Article 50, paragraph (2), item (i) or (ii), or other matters specified by order of the competent ministry, the class I fluorocarbon recycling operator must notify the competent minister to that effect within thirty days after the date of change.

(Notification of Discontinuation of Business)

Article 54 (1) If a class I fluorocarbon recycling operator has come to fall under any of the following items, the person specified in the relevant items must notify the competent ministers to the effect within thirty days after the date of occurrence thereof:



- (i) if the class I fluorocarbon recycling operator has died: its successor;
  - (ii) if the corporation has been extinguished due to merger: a person who was an officer representing the corporation;
  - (iii) if the corporation has been dissolved due to an order of commencement of bankruptcy proceedings: its bankruptcy trustee;
  - (iv) if the corporation has been dissolved for reasons other than merger or an order of commencement of bankruptcy proceedings: its liquidator;
  - (v) if the operations for recycling of fluorocarbons have been discontinued: the individual who was the class I fluorocarbon recycling operator or an officer representing the corporation that was the class I fluorocarbon recycling operator; or
  - (vi) if the class I fluorocarbon recycling operator has suspended their operations for recycling of fluorocarbons or has resumed their suspended operations: the individual who is the class I fluorocarbon recycling operator or an officer representing the corporation who is the class I fluorocarbon recycling operator.
- (2) If a class I fluorocarbon recycling operator has come to fall under any of the items (i) through (v) of the preceding paragraph, the license referred to in Article 50, paragraph (1) granted to the class I fluorocarbon recycling operator ceases to be effective.

(Rescission of License)

Article 55 If a class I fluorocarbon recycling operator falls under any of the following items, the competent ministers may rescind their license, or order the operator to suspend all or part of their business operations by specifying a period not exceeding six months:

- (i) the class I fluorocarbon recycling operator has obtained a license as a class I fluorocarbon recycling operator by wrongful means;
- (ii) the structure, recycling capacity, or method of use and management of the person's I fluorocarbon recycling facilities, etc. no longer conform to the standards prescribed in Article 51, item (i);
- (iii) if the class I fluorocarbon recycling operator has come to fall under Article 51, item (ii), (a), (b), (d) or (f); or
- (iv) the class I fluorocarbon recycling operator has violated this Act, an order under this Act or a disposition under this Act.

(Registry of Class I Fluorocarbon Recycling Operators)

Article 56 The competent ministers must maintain a registry of class I fluorocarbon recycling operators that lists the matters set forth in Article 50, paragraph (2), items (i) through (iii), the license date and the license number, and make the registry available for public inspection.

(Delegation to Orders of Competent Ministry)

Article 57 Beyond what is provided for in Article 50 through the preceding Article, necessary matters concerning licenses granted to class I fluorocarbon recycling operators are specified by order of the competent ministry.

(Recycling Obligation of Class I Fluorocarbon Recycling Operators)

Article 58 (1) When a class I fluorocarbon recycling operator collects fluorocarbons from a class I fluorocarbon filling and recovery operator pursuant to the provisions of Article 46, paragraph (1) and recycles the fluorocarbons, the class I fluorocarbon recycling operator must recycle the fluorocarbons in accordance with the standards for recycling of fluorocarbons specified by order of the competent ministry.

(2) When a class I fluorocarbon recycling operator recycles fluorocarbons pursuant to the provisions of the preceding paragraph, and there are fluorocarbons that have not been recycled, the class I fluorocarbon recycling operator must deliver them to a fluorocarbon destruction operator.

(3) The provisions of Article 46, paragraph (2) apply mutatis mutandis to the delivery of fluorocarbons under the provisions of the preceding paragraph. In this case, "a class I fluorocarbon filling and recovery operator" in paragraph (2) of the same Article is deemed to be replaced with "a class I fluorocarbon recycling operator".

(Recycling Certificate)

Article 59 (1) If a class I fluorocarbon recycling operator recycles fluorocarbons, the operator must enter the matters specified by order of the competent ministry in a document certifying the recycling of fluorocarbons (hereinafter referred to as a "recycling certificate" in this Article), and send the recycling certificate to the class I fluorocarbon filling and recovery operator that has collected the fluorocarbons, pursuant to the provisions of order of the competent ministry. In this case, the class I fluorocarbon recycling operator must retain a copy of the recycling certificate for the period specified by order of the competent ministry from the day on which the recycling certificate was sent.

(2) If a recycling certificate under the provisions of the preceding paragraph is sent to a class I fluorocarbon filling and recovery operator, the operator must circulate the recycling certificate to the person prescribed in the following items for the categories of cases set forth respectively in those items without delay. In this case, the class I fluorocarbon filling and recovery operator must retain a copy of the circulated recycling certificate for the period specified by order of the competent ministry from the day on which the recycling certificate

was circulated:

- (i) if the class I fluorocarbon filling and recovery operator has recovered the fluorocarbons pursuant to the provisions of the proviso to Article 39, paragraph (1): the manager of class I specified products who ordered the maintenance of the class I specified products relating to the fluorocarbons;
  - (ii) if the class I fluorocarbon filling and recovery operator has collected the fluorocarbons from a class I specified products maintenance operator pursuant to the provisions of Article 39, paragraph (5): the class I specified products maintenance operator; and
  - (iii) if the class I fluorocarbon filling and recovery operator has collected the fluorocarbons from a person undertaking the disposal, etc. of class I specified products, directly or via a person entrusted with the delivery of class I fluorocarbons, pursuant to the provisions of Article 44, paragraph (1): the person undertaking the disposal, etc. of class I specified products.
- (3) If a recycling certificate is circulated to a class I specified products maintenance operator pursuant to the provisions of the preceding paragraph, the class I specified products maintenance operator must circulate, without delay, the recycling certificate to the manager of class I specified products who ordered the maintenance of the class I specified products relating to fluorocarbons. In this case, the class I specified products maintenance operator must retain a copy of the circulated recycling certificate for the period specified by order of the competent ministry from the day on which the certificate was circulated.

(Record of Amount Recycled)

- Article 60 (1) Pursuant to the provisions of order of the competent ministry, a class I fluorocarbon recycling operator must prepare a record, for each type of fluorocarbon, concerning the amount of fluorocarbons recycled, the amount of fluorocarbons delivered to a fluorocarbon destruction operator, and other matters specified by order of the competent ministry, and retain the record at the place of business where their business operations are conducted.
- (2) If a class I fluorocarbon recycling operator has received a request from a manager of class I specified products who ordered the maintenance of class I specified products, a class I specified products maintenance operator, a person undertaking the disposal, etc. of class I specified products, a person entrusted with the delivery of class I fluorocarbons, or a class I fluorocarbon filling and recovery operator to inspect the records under the provisions of the preceding paragraph relating to these persons, the class I fluorocarbon recycling operator must not refuse the request without reasonable grounds.
  - (3) Pursuant to the provisions of order of the competent ministry, every fiscal year a class I fluorocarbon recycling operator must, every fiscal year, report to

the competent ministers, for each type of fluorocarbon and for the previous fiscal year, concerning the amount of fluorocarbons recycled and the amount of fluorocarbons delivered to fluorocarbon destruction operators, and other matters specified by order of the competent ministry.

(Guidance and Advice)

Article 61 If a competent ministers find it necessary to ensure that the delivery of fluorocarbons under the provisions of Article 58, paragraph (2) is properly conducted, the minister may provide a class I fluorocarbon recycling operator with necessary guidance and advice on the delivery.

(Recommendations and Orders)

Article 62 (1) If a competent ministers find that a class I fluorocarbon recycling operator fails to comply with the standards for recycling of fluorocarbons prescribed in Article 58, paragraph (1), the minister may recommend that the class I fluorocarbon recycling operator comply with the standards within the time limit set by the minister.

(2) If a competent minister finds that a class I fluorocarbon recycling operator (including any person entrusted by the class I fluorocarbon recycling operator to transport fluorocarbons; hereinafter the same applies in this paragraph and paragraph (5)) fails to comply with the standards for transport of fluorocarbons prescribed in Article 46, paragraph (2) as applied mutatis mutandis pursuant to Article 58, paragraph (3), the ministers may recommend that the class I fluorocarbon recycling operator comply with the standards within the time limit set by the minister.

(3) If a competent minister finds that a class I specified products maintenance operator, a class I fluorocarbon filling and recovery operator, or a class I fluorocarbon recycling operator fails to comply with the provisions of Article 59, the ministers may recommend that these persons take necessary measures.

(4) If a class I fluorocarbon recycling operator fails to conduct the delivery prescribed in the preceding Article without reasonable grounds, the competent ministers may recommend that the class I fluorocarbon recycling operator conduct the delivery within the time limit set by the minister.

(5) If a class I specified products maintenance operator, a class I fluorocarbon filling and recovery operator, or a class I fluorocarbon recycling operator that has received a recommendation under the provisions of the preceding paragraphs fails to take the recommended measures without reasonable grounds, the competent ministers may order it to take the recommended measures.

#### **Section 4 Destruction of Fluorocarbons**

(License Granted to Fluorocarbon Destruction Operators)

Article 63 (1) A person intending to be engaged in fluorocarbon destruction operations must obtain a license from the competent minister for each place of business where the person conducts their business operations.

(2) A person seeking a license referred to in the preceding paragraph must submit an application containing the following information to the competent minister, with the documents specified by order of the competent ministry appended thereto, pursuant to the provisions of order of the competent ministry:

(i) the person's name and address and, if it is a corporation, the name of its representative;

(ii) the name and location of the place of business;

(iii) the type of fluorocarbons which the person intends to destroy;

(iv) the type, quantity, structure, and destruction capacity of the facilities used for destruction of fluorocarbons (hereinafter referred to as "fluorocarbon destruction facilities");

(v) the method of use and management of the fluorocarbon destruction facilities; and

(vi) other matters specified by order of the competent ministry.

(Standards for License)

Article 64 A competent ministers must not grant a license referred to in paragraph (1) of the preceding Article unless the minister finds that the application for the license referred to in the same paragraph conforms to the following items:

(i) the matters set forth in paragraph (2), items (iv) and (v) of the preceding Article relating to the application conform to the standards for the structure, destruction capacity, or use and management of fluorocarbon destruction facilities specified by order of the competent ministry; and

(ii) the applicant does not fall under any of the following:

(a) a person specified by order of the competent ministry as being unable to be properly engaged in the services due to mental or physical disorder, or a person who has been subject to an order of commencement of bankruptcy proceedings and whose rights have not been restored;

(b) a person who has been sentenced to a fine or more severe punishment for violating the provisions of this Act, provisions of the End-of-Life Vehicles Recycling Act, or a disposition under these provisions, for whom two years have not elapsed since the date on which execution of the sentence was completed or since the date on which that person ceased to be subject to the execution of the sentence;

- (c) a person whose license has been rescinded pursuant to the provisions of Article 67, for whom two years have not elapsed since the date of the disposition;
- (d) in the case where a person who is a fluorocarbon destruction operator and a corporation has their license rescinded pursuant to the provisions of Article 67, a person who, within thirty days from the date of the disposition, was an officer of the fluorocarbon destruction operator, for whom two years have not elapsed since the date of the disposition;
- (e) a person who is ordered to suspend business pursuant to the provisions of Article 67, for whom the period of suspension has not elapsed; or
- (f) a corporation with an officer who falls under any of items (a) through (e).

(Renewal of License)

Article 65 (1) Unless a license referred to in Article 63, paragraph (1) is renewed every five years, it ceases to be effective upon the expiration of the relevant period.

- (2) The provisions of Article 63, paragraph (2) and the preceding Article apply mutatis mutandis to the renewal referred to in the preceding paragraph.
- (3) When an application for renewal referred to in paragraph (1) is filed and if no disposition for the application has been made by the day on which the period referred to in the same paragraph (hereinafter referred to as the "effective period of the license" in this Article) expires, the previous license remains in effect until a disposition is made, even after the effective period of the license has expired.
- (4) In any case referred to in the preceding paragraph, if the license is renewed, the effective period of the license is calculated from the day following the day on which the effective period of the previous license expired.

(Permission for Changes)

Article 66 (1) If a fluorocarbon destruction operator intends to change any of the matters set forth in Article 63, paragraph (2), items (iii) through (v), the operator must obtain a license from the competent ministers, pursuant to the provisions of order of the competent ministry; provided, however, that this does not apply if the change is a minor one specified by order of the competent ministry.

- (2) The provisions of Article 64 apply mutatis mutandis to the license referred to in the preceding paragraph.
- (3) If there is a minor change specified by order of the competent ministry referred to in the proviso to paragraph (1), or there is a change in any of the matters set forth in Article 63, paragraph (2), item (i) or (ii), or other matters specified by order of the competent ministry, the fluorocarbon destruction

operator must notify the competent ministers to that effect within thirty days of the date of change.

(Rescission of License)

Article 67 If a fluorocarbon destruction operator falls under any of the following items, the competent ministers may rescind their license, or order the operator to suspend all or part of their business operations by specifying a period not exceeding six months:

- (i) the fluorocarbon destruction operator has obtained a license as a fluorocarbon destruction operator by wrongful means;
- (ii) the structure, destruction capacity, or method of use and management of the person's fluorocarbon destruction facilities no longer conform to the standards prescribed in Article 64, item (i);
- (iii) the fluorocarbon destruction operator has come to fall under Article 64, item (ii), (a), (b), (d) or (f); or
- (iv) the fluorocarbon destruction operator has violated this Act, an order under this Act, or a disposition under to this Act.

(Application Mutatis Mutandis)

Article 68 The provisions of Articles 54, 56 and 57 apply mutatis mutandis to fluorocarbon destruction operators. In this case, the term "recycling of" in Article 54, paragraph (1), items (v) and (vi) is deemed to be replaced with "destruction of", the term "Article 50, paragraph (1)" in paragraph (2) of the same Article is deemed to be replaced with "Article 63, paragraph (1)", the term "Article 50, paragraph (2), item (i)" in Article 56 is deemed to be replaced with "Article 63, paragraph (2), item (i)", and the term "Article 50" in Article 57 is deemed to be replaced with "Article 63".

(Destruction Obligations of Fluorocarbon Destruction Operators)

- Article 69 (1) If a fluorocarbon destruction operator is requested by a class I fluorocarbon filling and recovery operator to collect fluorocarbons pursuant to the provisions of Article 46, paragraph (1), the destruction operator must collect the fluorocarbons, except when there are reasonable grounds for not doing so.
- (2) If a fluorocarbon destruction operator is requested by a class I fluorocarbon recycling operator to collect fluorocarbons pursuant to the provisions of Article 58, paragraph (2), the fluorocarbon destruction operator must collect the fluorocarbons, except when there are reasonable grounds for not doing so.
- (3) If a fluorocarbon destruction operator receives an offer from a vehicle manufacturer, etc. or a designated recycling organization (meaning a designated recycling organization prescribed in Article 105 of the End-of-Life

Vehicles Recycling Act; the same applies in paragraph (5) and Article 71, paragraph (2)) for the entrustment of destruction of fluorocarbons pursuant to the provisions of Article 26, paragraph (1) of the End-of-Life Vehicles Recycling Act, the destruction operator must not refuse the offer without reasonable grounds.

- (4) If a fluorocarbon destruction operator collects fluorocarbons pursuant to the provisions of paragraph (1) or (2), or if the operator is entrusted with the destruction of fluorocarbons pursuant to the provisions of the preceding paragraph, the operator must destroy the fluorocarbons in accordance with the standards for destruction of fluorocarbons specified by order of the competent ministry.
- (5) A fluorocarbon destruction operator may request a class I fluorocarbon filling and recovery operator, class I fluorocarbon recycling operator, vehicle manufacturer, etc. or designated recycling organization to pay reasonable fees in relation to the costs required to destroy fluorocarbons pursuant to the provisions of the preceding paragraph. In this case, the class I fluorocarbon filling and recovery operator, the class I fluorocarbon recycling operator, the vehicle manufacturer, etc. or the designated recycling organizations must pay the reasonable fees in response to the request.

(Destruction Certificate)

Article 70 (1) When a fluorocarbon destruction operator collects fluorocarbons pursuant to the provisions of paragraph (1) of the preceding Article and destroys them, the operator must enter the matters specified by order of the competent ministry in a document certifying the destruction of fluorocarbons (hereinafter referred to as a "destruction certificate" in this Article), and send the destruction certificate to the class I fluorocarbon filling and recovery operator that collected the fluorocarbons, pursuant to the provisions of order of the competent ministry. In this case, the fluorocarbon destruction operator must retain a copy of the destruction certificate for the period specified by order of the competent ministry from the date the certificate was sent.

- (2) The provisions of Article 59, paragraphs (2) and (3) apply mutatis mutandis to destruction certificates. In this case, the term "the preceding paragraph" in paragraph (2) of the same Article is deemed to be replaced with "Article 70, paragraph (1)".

(Record of Amount Destroyed)

Article 71 (1) Pursuant to the provisions of order of the competent ministry, a fluorocarbon destruction operator must prepare a record, for each type of fluorocarbon, concerning the amount of fluorocarbons destroyed and other matters specified by order of the competent ministry, and retain the record at



the place of business where their business operations are conducted.

- (2) If a fluorocarbon destruction operator has received a request from a manager of class I specified products ordering the maintenance of class I specified products, a class I specified products maintenance operator, a person undertaking the disposal, etc. of class I specified products, a person entrusted with the delivery of class I fluorocarbons, a class I fluorocarbon filling and recovery operator, a class I fluorocarbon recycling operator, a person who has delivered an end-of-life vehicle (meaning an end-of-life vehicle prescribed in Article 2, paragraph (2) of the End-of-Life Vehicles Recycling Act; the same applies in Article 87, item (ii)) to a collection operator, a collection operator, a class II fluorocarbon recovery operator, a vehicle manufacturer, etc. or a designated recycling organization to inspect the records under the provisions of the preceding paragraph relating to these persons, the fluorocarbon destruction operator must not refuse the request without reasonable grounds.
- (3) Pursuant to the provisions of order of the competent ministry, every fiscal year a fluorocarbon destruction operator must report to the competent ministers, for each type of fluorocarbon, concerning the amount of fluorocarbons destroyed in the previous fiscal year, and other matters specified by order of the competent ministry.

#### (Guidance and Advice)

Article 72 If a competent minister finds it necessary to ensure the collection of fluorocarbons under the provisions of Article 69, paragraph (1) or (2), the acceptance of the entrustment of destruction of fluorocarbons under the provisions of paragraph (3) of the same Article, or the destruction of fluorocarbons under the provisions of paragraph (4) of the Article are properly conducted, the minister may provide a fluorocarbon destruction operator with necessary guidance and advice on conducting the collection, acceptance of the entrustment of destruction, or destruction.

#### (Recommendations and Orders)

- Article 73 (1) If a competent minister finds that a fluorocarbon destruction operator fails to comply with the standards for destruction of fluorocarbons prescribed in Article 69, paragraph (4), the minister may recommend that the fluorocarbon destruction operator comply with the standards within the time limit set by the minister.
- (2) If a competent minister finds that a class I specified products maintenance operator, a class I fluorocarbon filling and recovery operator, or a fluorocarbon destruction operator fails to comply with the provisions of Article 70, paragraph (1) or Article 59, paragraph (2) or (3) as applied *mutatis mutandis* pursuant to paragraph (2) of the same Article, the ministers may recommend

that these persons take the necessary measures.

- (3) If a fluorocarbon destruction operator fails to collect fluorocarbons, fails to accept the entrustment of destruction of fluorocarbons, or fails to destroy fluorocarbons as prescribed in the preceding Article without reasonable grounds, the competent minister may recommend that the fluorocarbon destruction operator collect fluorocarbons, accept the entrustment of destruction of fluorocarbons, or destroy fluorocarbons within the time limit set by the minister.
- (4) If a class I specified products maintenance operator, a class I fluorocarbon filling and recovery operator, or a fluorocarbon destruction operator that has received a recommendation under the provisions of the preceding three paragraphs fails to take the recommended measures without reasonable grounds, the competent ministers may order these persons to take the recommended measures.

### **Section 5 Burden of Costs**

(Claim for Costs of a Class I Fluorocarbon Filling and Recovery Operator)

- Article 74 (1) If a class I fluorocarbon filling and recovery operator intends to accept the entrustment by a class I specified products maintenance operator for the recovery of fluorocarbons prescribed in the main clause of Article 39, paragraph (1), or is requested by a person undertaking the disposal, etc. of class I specified products to collect fluorocarbons as prescribed in Article 41, the filling and recovery operator may request the class I specified products maintenance operator or the person undertaking the disposal, etc. of class I specified products to pay reasonable fees in relation to the costs required for the recovery of fluorocarbons, transport of fluorocarbons to deliver them to a fluorocarbon destruction operator or a class I fluorocarbon recycling operator, and destruction or recycling of fluorocarbons (hereinafter referred to as the "costs of recovery, etc. of fluorocarbons" in this Article).
- (2) When a class I fluorocarbon filling and recovery operator requests payment of fees pursuant to the provisions of the preceding paragraph, and if the filling and recovery operator is requested by a class I specified products maintenance operator or a person undertaking the disposal, etc. of class I specified products to explain the fees in relation to the costs of recovery, etc. of fluorocarbons, the filling and recovery operator must explain the fees in relation to the costs of recovery, etc. of fluorocarbons and other matters specified by order of the competent ministry to the person who requested the explanation.
  - (3) A class I specified products maintenance operator or a person undertaking the disposal, etc. of class I specified products is to bear the costs of recovery, etc. of fluorocarbons by paying reasonable fees in response to the request of a class I

fluorocarbon filling and recovery operator under the provisions of paragraph (1).

- (4) If a class I specified products maintenance operator has paid fees pursuant to the provisions of the preceding paragraph, the operator may request the manager of class I specified products who ordered the maintenance of the class I specified products to pay an amount equivalent to that of the fees.
- (5) If a class I specified products maintenance operator has recovered fluorocarbons themselves pursuant to the provisions of the proviso to Article 39, paragraph (1), the operator may request the manager of class I specified products who ordered the maintenance of the class I specified products to pay reasonable fees in relation to the costs of recovery, etc. of fluorocarbons.
- (6) The manager of class I specified products who ordered the maintenance of class I specified products is to bear the costs of recovery, etc. of fluorocarbons by making payments in response to the request of a class I specified products maintenance operator pursuant to the provisions of the preceding two paragraphs.

(Claim for Costs of a Class I Fluorocarbon Recycling Operator)

- Article 75 (1) A class I fluorocarbon recycling operator may request a class I fluorocarbon filling and recovery operator to pay reasonable fees in relation to the costs required to recycle fluorocarbons under the provisions of Article 58, paragraph (1). In this case, the class I fluorocarbon filling and recovery operator is to pay reasonable fees in response to the request.
- (2) When a class I fluorocarbon recycling operator or a fluorocarbon destruction operator is requested by a class I fluorocarbon filling and recovery operator to quote fees payable by the class I fluorocarbon filling and recovery operator upon delivery of fluorocarbons under the provisions of Article 46, paragraph (1), the recycling operator or destruction operator must respond to the request without delay.

## **Section 6 Information Processing Center**

(Designation)

- Article 76 (1) The competent ministers may designate a general incorporated association or a general incorporated foundation that is found to be able to perform operations prescribed in the following Article properly and securely as an information processing center upon receiving an application therefrom.
- (2) Upon designation under the provisions of the preceding paragraph, the competent ministers must give public notice of the name, address, and location of the office of the information processing center.
  - (3) If an information processing center intends to change its name or address or

the location of its office, they must notify the competent ministers to that effect in advance.

- (4) If a notification under the provisions of the preceding paragraph is made, the competent minister must give public notice of the matters related to the notification.

(Operations)

Article 77 An information processing center is to perform the following operations:

- (i) processing of affairs relating to registrations under the provisions of Article 38, paragraph (1) and Article 40, paragraph (1) (hereinafter referred to as "registration affairs" in the following item) by means of an electronic data processing system;
- (ii) use and management of computers or other equipment necessary to process registration affairs by means of an electronic data processing system, and preparation and storage of programs, data, files, etc.;
- (iii) giving of notice under the provisions of Article 38, paragraph (2) (including as applied mutatis mutandis pursuant to Article 40, paragraph (2)), and recording and retention of information under the provisions of Article 38, paragraph (3) (including as applied mutatis mutandis pursuant to Article 40, paragraph (2)); and
- (iv) performance of operations incidental to the operations set forth in the preceding three items.

(Rules of Operations)

Article 78 (1) If an information processing center performs any of the operations set forth in the items of the preceding Article (hereinafter referred to as "information processing operations"), they must establish rules for information processing operations with regard to matters concerning the methods of performance of and the fees for use of information processing operations and other matters specified by order of the competent ministry (hereinafter referred to as the "rules of operations" in the following paragraph and Article 85, paragraph (1), item (iii)) before commencing the operations, and obtain approval from the competent ministers. The same applies to cases when they intend to change them.

- (2) If a competent minister finds that the rules of operations to which the ministers have given approval referred to in the preceding paragraph have become inappropriate to perform information processing operations properly and securely, the minister may order that the rules of operations be changed.

(Business Plan)

Article 79 (1) Each business year, an information processing center must prepare the business plan document and the income and expenditure budget for information processing operations, and obtain approval from the competent ministers pursuant to the provisions of order of the competent ministry. The same applies to cases when they intend to changes them.

(2) After the end of each business year, an information processing center must prepare the business report and the income and expenditure statement for information processing operations, and submit them to the competent ministers pursuant to the provisions of order of the competent ministry.

(Suspension or Abolition of Operations)

Article 80 An information processing center must not suspend or abolish the whole or part of their information processing operations without obtaining permission from the competent minister.

(Confidentiality Obligation)

Article 81 A person who is or was an officer or employee of an information processing center must not divulge any secret which has been obtained in connection with information processing operations.

(Books)

Article 82 An information processing center must keep books, enter matters specified by order of the competent ministry with regard to information processing operations in the books, and retain them, pursuant to the provisions of order of the competent ministry.

(Reports and On-Site Inspections)

Article 83 (1) The competent ministers may, to the extent necessary to ensure proper operation of information processing operations, have an information processing center make necessary reports concerning the status of information processing operations or assets, or have their personnel enter the office of the information processing center and inspect the status of information processing operations, or books, documents or other objects.

(2) Personnel who conduct an on-site inspection pursuant to the provisions of the preceding paragraph must carry their identification card and present it to the people concerned.

(3) The authority to conduct on-site inspections under the provisions of paragraph (1) must not be construed as having been granted for criminal investigations.

(Supervision Order)

Article 84 The competent ministers may, to the extent necessary to enforce the provisions of this Section, give an information processing center orders necessary for supervision with regard to information processing operations.

(Rescission of Designation)

Article 85 (1) If an information processing center falls under any of the following items, the competent ministers may rescind their designation under the provisions of Article 76, paragraph (1) (hereinafter referred to as "designation" in this Article):

- (i) the information processing center is found to be unable to perform information processing operations properly and securely;
  - (ii) the information processing center has committed a wrongful act in connection with the designation; or
  - (iii) the information processing center has violated any of the provisions of this Section, or an order or disposition under the provisions, or has performed information processing operations not in accordance with the rules of operations for which approval referred to in Article 78, paragraph 1 was obtained.
- (2) If a competent minister rescinds a designation pursuant to the provisions of the preceding paragraph, the minister must give public notice to that effect.

#### **Chapter IV Miscellaneous Provisions**

(Prohibition on Release of Fluorocarbons)

Article 86 No person may release fluorocarbons with which specified products are filled as a refrigerant into the atmosphere without good reason.

(Indication of Prohibition on Release of Fluorocarbons)

Article 87 With regard to fluorocarbons with which the specified products are filled as a refrigerant, manufacturers, etc. of specified products must indicate the following matters on the specified products conspicuously and in a way where the indication will not be easily extinguished, by the time of selling them:

- (i) the fact that the fluorocarbons must not be released into the atmosphere without good reason;
- (ii) the fact that the fluorocarbons need to be recovered upon disposal, etc. of the specified products (if the specified products are class I specified products, upon disposal, etc. of the class I specified products, or if the specified products are class II specified products, upon delivery to a collection operator of end-of-life vehicles equipped with the class II specified products);
- (iii) the type and quantity of the fluorocarbons; and

(iv) other matters specified by order of the competent ministry.

(Matters to Observed upon Maintenance of Vehicles Equipped with Class II Specified Products)

Article 88 A person who recovers or transports fluorocarbons with which class II specified products are filled as a refrigerant in maintaining vehicles (meaning vehicles prescribed in Article 2, paragraph (1) of the End-of-Life Vehicles Recycling Act; the same applies in Article 93, paragraph (1) and Article 100, paragraph (1), item (i)) equipped with the class II specified products must comply with the standards for recovery or transport of fluorocarbons specified by order of the competent ministry when the person is engaged in the recovery or transport of the fluorocarbons.

(Relation with the End-of-Life Vehicles Recycling Act)

Article 89 Beyond what is provided for in this Act, the recovery and destruction of fluorocarbons used in class II specified products are governed by the End-of-Life Vehicles Recycling Act.

(Request by Competent Minister for Cooperation from Manufacturers of Fluorocarbons)

Article 90 The competent minister is to endeavor to request cooperation from manufacturers, etc. of fluorocarbons, designated products, or specified products that is necessary to promote, in accordance with the responsibility prescribed in Article 4, the provision of technical knowledge of fluorocarbons, designated products and specified products, the awareness of and spread of knowledge regarding proper management of fluorocarbons used in specified products, as well as the rational use of fluorocarbons and the proper management of fluorocarbons used in specified products, in connection with the measures which the national government takes in accordance with its responsibility prescribed in Article 7 and the measures which the national government takes pursuant to the provisions of Articles 97 and 98.

(Collection of Reports)

Article 91 The competent minister, or the prefectural governor may, to the extent necessary for the enforcement of this Act, request a manufacturer, etc. of fluorocarbons or designated products, a manager of class I specified products, a class I specified products maintenance operator, an information processing center, a person undertaking the disposal, etc. of class I specified products, primary contractor for the specific demolition work, a person entrusted with the delivery of class I fluorocarbons, a class I fluorocarbon filling and recovery operator (including a person who is entrusted by a class I fluorocarbon filling

and recovery operator to transport fluorocarbons; the same applies in paragraph (1) of the following Article and Article 93, paragraph (1)), a person undertaking the collection, etc. of class I specified products, a class I fluorocarbon recycling operator (including a person who is entrusted by a class I fluorocarbon recycling operator to transport fluorocarbons; the same applies in paragraph (1) of the following Article and Article 93, paragraph (1)) or a fluorocarbon destruction operator to report such matters as the status of the operations of manufacture, etc. of fluorocarbons or designated products or the status of the proper management of fluorocarbons used in specified products, pursuant to the provisions of Cabinet Order.

(On-Site Inspections)

Article 92 (1) The competent ministers, or the prefectural governor may, to the extent necessary for the enforcement of this Act, have their personnel enter the offices or places of business of a manufacturer, etc. of fluorocarbons or designated products, a manager of class I specified products, a class I specified products maintenance operator, a person undertaking the disposal, etc. of class I specified products, primary contractor for the specific demolition work, a person entrusted with the delivery of class I fluorocarbons, a class I fluorocarbon filling and recovery operator, a person undertaking the collection, etc. of class I specified products, a class I fluorocarbon recycling operator, or a fluorocarbon destruction operator, places where class I specified products are in place, places where the collection, etc. of class I specified products is performed, buildings or other structures relating to demolition work or places of demolition work, or places where the operations of filling, recovery or recycling of fluorocarbons are performed, inspect books, documents and other objects and remove samples to the minimum extent necessary for tests without compensation, pursuant to the provisions of Cabinet Order.

(2) Personnel who conduct an on-site inspection pursuant to the provisions of the preceding paragraph must carry their identification card and present it to the people concerned.

(3) The authority to conduct on-site inspections and removals under the provisions of paragraph (1) must not be interpreted as having been granted for criminal investigations.

(Request for Submission of Materials)

Article 93 (1) If a competent minister finds it necessary to achieve the purpose of this Act, the minister may request the relevant prefectural governor, a manufacturer, etc. of fluorocarbons or designated products, a manager of class I specified products, a class I specified products maintenance operator, a person undertaking the disposal, etc. of class I specified products, a primary



contractor for the specific demolition work, a person entrusted with the delivery of class I fluorocarbons, a class I fluorocarbon filling and recovery operator, a person undertaking the collection, etc. of class I specified products, a class I fluorocarbon recycling operator, a fluorocarbon destruction operator, a primary contractor for specific demolition work, or a person who maintains vehicles equipped with class II specified products to submit necessary materials and provide necessary explanations.

- (2) If a prefectural governor finds it necessary to achieve the purpose of this Act, the governor may request the head of any relevant administrative organ or relevant local public entity to send necessary materials or offer other necessary cooperation.

(Publication of Information on Fluorocarbons)

Article 94 The competent minister is to organize matters related to notices under the provisions of Article 47, paragraph (4) or reports under the provisions of Article 60, paragraph (3) and Article 71, paragraph (3), and other information collected pursuant to the provisions of this Act, and publicize the status of filling, recovery, recycling and destruction of fluorocarbons relating to specified products and other information concerning fluorocarbons.

(Request by the Minister of the Environment for Investigation of Class I Fluorocarbon Recycling Operators)

Article 95 (1) If a class I fluorocarbon recycling operator has violated any laws or regulations aimed exclusively at protecting the environment during the recycling of fluorocarbons or other handling of fluorocarbons, the Minister of the Environment may request the competent minister to investigate whether the class I fluorocarbon recycling operator has violated the standards for recycling of fluorocarbons prescribed in Article 58, paragraph (1).

- (2) If a fluorocarbon destruction operator has violated any laws or regulations aimed exclusively at protecting the environment during the destruction of fluorocarbons or other handling of fluorocarbons, the Minister of the Environment may request the competent minister to investigate whether the fluorocarbon destruction operator has violated the standards for destruction of fluorocarbons prescribed in Article 69, paragraph (4).

(Assistance of the National Government)

Article 96 The national government is to endeavor to secure funds and give technical advice or other assistance that are necessary to promote the rational use of fluorocarbons and the proper management of fluorocarbons used in specified products.

(Promotion of Education and Learning)

Article 97 (1) In view of the fact that it is essential to obtain the understanding and cooperation of business operators and the people in order to reduce emissions of fluorocarbons into the atmosphere by promoting the rational use of fluorocarbons and the proper management of fluorocarbons used in specified products, the national government is to take necessary measures to promote education and learning regarding, and enhance public relations campaigns for the promotion of, the rational use of fluorocarbons and the proper management of fluorocarbons used in specified products.

(2) The national government is to take necessary measures to promote activities which business operators, the people or associations organized by these persons conduct voluntarily, and which contribute to the rational use of fluorocarbons and the proper management of fluorocarbons used in specified products.

(Promotion of Research and Development)

Article 98 The national government is to take necessary measures to promote the research and development of substances alternative to fluorocarbons, and other research and development of technologies related to the rational use of fluorocarbons, research and development of technologies related to the proper management of fluorocarbons used in specified products and other research and development to prevent hindrance to environmental conservation relating to fluorocarbons and spread the results thereof.

(Promotion of Information Exchange)

Article 99 In order to smoothly implement affairs performed by prefectural governor pursuant to the provisions of this Act, the national government is to endeavor to promote information exchange between the national government and prefectures, and among prefectures, and take necessary measures in accordance with the status of implementation of the affairs.

(Council)

Article 99-2 (1) A prefecture may organize a council to discuss necessary measures to promote the rational use and proper management of fluorocarbons (hereinafter referred to as the "Council" in this Article).

(2) The Council comprises of a prefectural governor, organizations composed of manufacturers, etc. of fluorocarbons or products using fluorocarbons, managers of class I specified products, and class I specified products maintenance operators or class I fluorocarbon filling and recovery operators, and any other persons found necessary by the prefectural governor.

(3) Members of the Council must respect the results of the deliberations with

regard to the particulars for which an agreement has been reached in the Council.

(4) Beyond what is provided in the preceding three paragraphs, matters necessary for managing the Council are provided by the Council.

(Competent Ministers)

Article 100 (1) "Competent ministers" as used in this Act refers to the Minister of the Environment and the Minister of Economy, Trade and Industry; provided, however, that, with regard to matters set forth in the following items, the competent ministers are the ministers set forth in the relevant items:

- (i) matters in the guidelines prescribed in Article 3 related to parties ordering specific demolition work and primary contractors for specific demolition work, related to the maintenance of vehicles equipped with class II specified products, and concerning requests for submission of materials pursuant to the provisions of Article 93, paragraph (1) in connection with primary contractors for specific demolition work and persons that are engaged in the maintenance of vehicles equipped with class II specified products: the Minister of the Environment, the Minister of Economy, Trade and Industry, and the Minister of Land, Infrastructure, Transport and Tourism;
- (ii) matters concerning the establishment of standards for judgment under the provisions of Article 9, paragraph (1), revision of those standards prescribed in Article 9, paragraph (2), guidance and advice prescribed in Article 10, recommendations prescribed in Article 11, paragraph (1), publication under the provisions of Article 11, paragraph (2), orders under the provisions of Article 11, paragraph (3), collection of reports under the provisions of Article 91, on-site inspections under the provisions of Article 92, paragraph (1), and requests for submission of materials under the provisions of Article 93, paragraph (1) (limited to those for the purpose of enforcing the provisions of Chapter II, Section 1): the Minister of Economy, Trade and Industry;
- (iii) matters concerning the establishment of standards for judgment under the provisions of Article 12, paragraph (1), revision of those standards prescribed in Article 12, paragraph (2), recommendations prescribed in Article 13, paragraph (1), publication under the provisions of Article 11, paragraph (2) as applied mutatis mutandis pursuant to Article 13, paragraph (2), orders under the provisions of Article 11, paragraph (3) as applied mutatis mutandis pursuant to Article 13, paragraph (2), public notice under the provisions of Article 14, recommendations prescribed in Article 15, paragraph (1), publication under the provisions of Article 11, paragraph (2) as applied mutatis mutandis pursuant to Article 15, paragraph (2), orders under the provisions of Article 11, paragraph (3) as applied mutatis mutandis pursuant to Article 15, paragraph (2), collection of reports under

- the provisions of Article 91, on-site inspections under the provisions of Article 92, paragraph (1), and requests for submission of materials under the provisions of Article 93, paragraph (1) (limited to those for the purpose of enforcing the provisions of Chapter II, Section 2): the ministers with jurisdiction over the business of manufacture, etc. of specified products conducted by manufacturers, etc. of the specified products; and
- (iv) matters concerning requests under the provisions of Article 21, paragraph (1), disclosure under the provisions of Article 22, and technical advice, etc. under the provisions of Article 24, and matters prescribed in Article 26, paragraph 2: the Minister of the Environment, the Minister of Economy, Trade and Industry, and the competent minister for the business.
- (2) "order of the competent ministry" as used in this Act refers to an order issued by the Minister of the Environment or the Minister of Economy, Trade and Industry; provided, however, that the order of the competent ministry set forth in the following items are as prescribed in those items:
- (i) order of the competent ministry referred to in Article 11, paragraph (1): an order issued by the Minister of Economy, Trade and Industry;
- (ii) order of the competent ministry referred to in Article 13, paragraph (1): an order issued by the minister with jurisdiction over the business of manufacture, etc. of the specified products;
- (iii) order of the competent ministry referred to in Article 19, paragraphs (1) and (2), Article 23, paragraph (1), and Article 26: an order issued by the Minister of the Environment, the Minister of Economy, Trade and Industry, or a competent minister for the business; and
- (iv) order of the competent ministry referred to in Article 42, paragraphs (1) and (3), and Article 88: an order issued by the Minister of the Environment, the Minister of Economy, Trade and Industry, or the Minister of Land, Infrastructure and Transport.

(Delegation of Authority)

Article 101 (1) The authority of a competent minister prescribed in this Act may be delegated to the heads of local branch offices of the competent ministry, pursuant to the provisions of Cabinet Order.

(2) Part of the affairs that are under the authority of a prefectural governor pursuant to the provisions of this Act (excluding affairs prescribed in the preceding Chapter, Sections 1 and 2) may be performed by the head of a municipality specified by Cabinet Order pursuant to the provisions of Cabinet Order.

(Transitional Measures)

Article 102 If an order is established, amended or repealed pursuant to the

provisions of this Act, necessary transitional measures (including transitional measures concerning penal provisions) may be established within the scope considered reasonably necessary for the establishment, amendment or repeal.

## Chapter V Penal Provisions

Article 103 A person falling under any of the following items is punished by imprisonment for a period of not more than one year or a fine of not more than 500,000 yen:

- (i) a person who has performed the filling or recovery of fluorocarbons in the course of trade without obtaining a registration in violation of the provisions of Article 27, paragraph (1);
- (ii) a person who has obtained registration referred to in Article 27, paragraph (1) (including the renewal of registration referred to in Article 30, paragraph (1)) by wrongful means;
- (iii) a person who has violated an order to suspend business under the provisions of Article 35, paragraph (1);
- (iv) a person who has recycled fluorocarbons in the course of trade without obtaining a license in violation of the provisions of Article 50, paragraph (1);
- (v) a person who has obtained license referred to in Article 50, paragraph (1) (including the renewal of license referred to in Article 52, paragraph (1)) by wrongful means;
- (vi) a person who has changed any of the matters set forth in Article 50, paragraph (2), items (iii) through (v) in violation of the provisions of Article 53, paragraph (1);
- (vii) a person who has violated an order to suspend business under the provisions of Article 55;
- (viii) a person who has destroyed fluorocarbons in the course of trade without obtaining a license in violation of the provisions of Article 63, paragraph (1);
- (ix) a person who has obtained license referred to in Article 63, paragraph (1) (including the renewal of license referred to in Article 65, paragraph (1)) by wrongful means;
- (x) a person who has changed any of the matters set forth in Article 63, paragraph (2), items (iii) through (v) in violation of the provisions of Article 66, paragraph (1);
- (xi) a person who has violated an order to suspend under the provisions of Article 67;
- (xii) a person who has violated the provisions of Article 81; and
- (xiii) a person who has released fluorocarbons with which specified products are filled as a refrigerant into the atmosphere in violation of the provisions of Article 86.

Article 104 A person who falls under any of the following items is punished by a fine of not more than 500,000 yen.

- (i) any person who has violated an order under the provisions of Article 11, paragraph (3) (including as applied mutatis mutandis pursuant to Article 13, paragraph (2) and Article 15, paragraph (2)), Article 18, paragraph (3), Article 49, paragraph (8), Article 62, paragraph (5) or Article 73, paragraph (4)
- (ii) any person who has performed the disposal, etc. of class I specified products in violation of the provisions of Article 41
- (iii) any person who has performed the collection, etc. of class I specified products in violation of the provisions of Article 45-2, paragraph (4)

Article 105 A person who falls under any of the following items is punished by a fine of not more than 300,000 yen.

- (i) a person who has failed to make a notification under the provisions of Article 31, paragraph (1), Article 53, paragraph (3), or Article 66, paragraph (3), or that has made a false notification
- (ii) a person who has failed to deliver a recovery request or a written confirmation of entrustment in violation of the provisions of Article 43, paragraph (1) or (2), or has delivered a recovery request or a written confirmation of entrustment without entering the particulars prescribed in Article 43, paragraph (1) or (2) or with making a false statement.
- (iii) a person who has failed to retain a copy of a recovery request or written confirmation of entrustment in violation of the provisions of Article 43, paragraph (3)
- (iv) a person who has failed to retain a collection certificate in violation of the provisions of Article 45, paragraph (3)
- (v) a person who has failed to deliver or circulate a copy of a collection certificate in violation of the provisions of Article 45-2, paragraph (1) or (2)
- (vi) a person who has failed to retain a copy of a collection certificate in violation of the provisions of Article 45-2, paragraph (3)

Article 106 In the case of falling under any of the following items, an officer or employee of an information processing center who has committed the violation is punished by a fine of not more than 300,000 yen:

- (i) the officer or employee has abolished all information processing operations without obtaining the permission referred to in Article 80;
- (ii) the officer or employee has failed to make entries in the books under the provisions of Article 82, has made a false statement therein, or has failed to retain the books;

- (iii) the officer or employee has failed to make a report under the provisions of Article 83, paragraph (1) or Article 91, or has made a false report; or
- (iv) the officer or employee has refused, obstructed or evaded an inspection under the provisions of Article 83, paragraph (1).

Article 107 A person who falls under any of the following items is punished by a fine of not more than 200,000 yen:

- (i) a person who has failed to prepare a record, has prepared a false record, or has failed to retain a record in violation of the provisions of Article 47, paragraph (1), Article 60, paragraph (1) or Article 71, paragraph (1);
- (ii) a person who has failed to make a report under the provisions of Article 47, paragraph (3), Article 60, paragraph (3), Article 71, paragraph (3), or Article 91 (excluding a portion related to an information processing center), or has made a false report; or
- (iii) a person who has refused, obstructed or evaded an inspection or removal under the provisions of Article 92, paragraph (1).

Article 108 If a representative of a corporation, or an agent, employee or other worker of a corporation or an individual has committed a violation referred to in Article 103 (excluding item (xii)), Article 104, Article 105 or the preceding Article in connection with the business of the corporation or individual, in addition to the offender being subject to punishment, the corporation or individual is subject to the fine referred to in the relevant Article.

Article 109 A person falling under any of the following items is punished by a civil fine of not more than 100,000 yen:

- (i) a person who has failed to make a report under the provisions of Article 19, paragraph (1), or has made a false report;
- (ii) a person who has failed to make a notification under the provisions of Article 33, paragraph (1) or Article 54, paragraph (1) (including as applied *mutatis mutandis* pursuant to Article 68); or
- (iii) a person who has failed to make an indication under the provisions of Article 87, or has made a false indication.

### **Supplementary Provisions [Act No. 39 of June 12, 2013]**

(Effective Date)

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

- (i) the provisions of Article 10 of the Supplementary Provisions: the date of promulgation; and
- (ii) the provisions of the following Article and Article 3 of the Supplementary Provisions: the day specified by Cabinet Order within a period not exceeding three months from the date of promulgation.

(Preparatory Actions)

Article 2 (1) A person seeking to obtain a license referred to in Article 50, paragraph (1) of the Act on Rational Use and Proper Management of Fluorocarbons amended by this Act (hereinafter referred to as the "New Act") may file an application for the license in accordance with the provisions of paragraph (2) of the Article even prior to the enforcement of this Act.

(2) A person who has made a false statement in an application form for an application under the provisions of the preceding paragraph or any document to be attached thereto, and submitted it is punished by imprisonment for not more than one year or a fine of not more than 500,000 yen.

(3) If a representative of a corporation, or an agent, employee or other worker of a corporation or an individual has committed a violation referred to in the provisions of the preceding paragraph in connection with the business of the corporation or individual, in addition to the offender being subject to punishment, the corporation or individual is subject to the fine referred to in the same Article.

Article 3 The designation under the provisions of Article 76, paragraph (1) of the New Act, and necessary procedures and other acts related thereto, may be made, taken or committed in accordance with the provisions of the same Article and Article 78 and Article 79, paragraph (1) of the New Act even prior to the date on which this Act comes into effect (hereinafter referred to as the "effective date").

(Transitional Measures)

Article 4 The provisions of Article 19, paragraph (1) (including as applied pursuant to the provisions of paragraph (2) of the same Article) of the New Act apply to reports prescribed in paragraph (1) of the same Article which are made in or after the fiscal year following the fiscal year in which the effective date falls.

Article 5 (1) The provisions of Article 37, Article 39, paragraphs (2) and (6), Article 59, Article 60, Article 69, paragraph (2), Article 70, Article 74, paragraph (2), and Article 75 of the New Act do not apply to fluorocarbons relating to class I specified products whose maintenance or disposal, etc. has



been undertaken prior to the effective date.

- (2) The provisions of Article 39, paragraph (4), Article 46, paragraph (1), Article 69, paragraph (5), and Article 74 (excluding paragraph (2)) of the New Act apply to fluorocarbons relating to class I specified products whose maintenance or disposal, etc. has been undertaken on or after the effective date, and with regard to fluorocarbons relating to class I specified products whose maintenance or disposal, etc. has been undertaken prior to the effective date, prior laws continue to govern.

Article 6 (1) A person who obtains a registration referred to in the provisions of Article 9, paragraph (1) of the Act on Securing the Recovery and Destruction of Fluorocarbons Contained in Specified Products prior to amendment by this Act (hereinafter referred to as the "Former Act") at the time when this Act comes into effect is deemed to have obtained a registration referred to in Article 27, paragraph (1) of the New Act.

- (2) With regard to the application of the provisions of Article 30, paragraph (1) of the New Act to a person who is, pursuant to the provisions of the preceding paragraph, deemed to have obtained registration referred to in Article 27, paragraph (1) of the New Act, the day on which the person obtained a registration referred to in Article 9, paragraph (1) of the Former Act is deemed to be the day on which the person obtained a registration referred to in Article 27, paragraph (1) of the New Act.

- (3) If class I specified products are maintained at the time when this Act comes into effect, the person (excluding a person prescribed in paragraph (1)) that fills the class I specified products with fluorocarbons as a refrigerant in the course of trade (hereinafter referred to as "filling class I specified products with fluorocarbons" in the following paragraph) may continue to do so until six months elapse from the date of enforcement (if a disposition to deny a registration under the provisions of Article 29, paragraph (1) of the New Act is made within that period, until the date of the disposition) even without obtaining a registration referred to in Article 27, paragraph (1) of the New Act. If the person files an application for the registration within that period, and the period has elapsed, the same applies until the disposition to accept or deny the application is made.

- (4) If a person is allowed to continue to be engaged in filling class I specified products with fluorocarbons in the course of trade pursuant to the provisions of the preceding paragraph, the provisions of Article 35, paragraphs (1) (excluding the portion related to rescission of registration) and (2), Article 37, Article 38, paragraph (1), Article 47, paragraphs (1) through (3), Article 48, Article 49, paragraphs (1), (2), (5) and (7), and Articles 91 through 93 (including the penal provisions pertaining thereto) of the New Act apply by

deeming the person to be a class I fluorocarbon filling and recovery operator that was registered with the prefectural governor with jurisdiction over the area where their operations are conducted.

Article 7 The provisions of Article 35, paragraph (1) of the New Act apply by deeming an act which falls under Article 17, paragraph (1), item (i) or (iv) of the Former Act and is committed by a person prior to the enforcement of this Act who is, pursuant to the provisions of paragraph (1) of the preceding Article, deemed to have obtained registration referred to in Article 27, paragraph (1) of the New Act, to be an act which falls under Article 35, paragraph (1), item (i) or (iv) of the New Act.

Article 8 Beyond what is provided for in the preceding two Articles, any disposition, procedure or other act made, taken or committed pursuant to any of the provisions of the Former Act (including orders thereunder) prior to the enforcement of this Act, for which the New Act has equivalent provisions (including orders thereunder), is deemed to be a disposition, procedure or other act made, taken or conducted pursuant to these corresponding provisions.

(Transitional Measures concerning Penal Provisions)

Article 9 With regard to the application of penal provisions to any act committed prior to the enforcement of this Act, and any act committed after the enforcement of this Act in cases in which the provisions previously in force remain applicable pursuant to the provisions of Article 5, paragraph (2) of the Supplementary Provisions, prior laws continue to govern.

(Delegation to Cabinet Order)

Article 10 Beyond what is provided for in these Supplementary Provisions, transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

(Review)

Article 11 When five years have elapsed since the enforcement of this Act, the government is to review the provisions of the New Act and take necessary measures based on the results thereof, if it finds it necessary to do so taking into consideration such matters as the status of enforcement of the New Act, the status of research and development of substances alternative to fluorocarbons, and the status of other research and development of technologies related to the rational use of fluorocarbons referred to in Article 98 of the New Act, and research and development of technologies related to the proper management of fluorocarbons used in specified products.

(Partial Amendment of the Registration and License Tax Act)

Article 12 Part of the Registration and License Tax Act (Act No. 35 of 1967) is amended as follows.

Item (cxix) of the Appended Table 1 is amended as follows.

119 Licenses Granted to Class I Fluorocarbon Recycling Operators or Fluorocarbon Destruction Operators		
(i) Licenses(excluding renewed licenses)granted to class I fluorocarbon recycling operators referred to in Article 50, paragraph (1) (licenses granted to Class I Fluorocarbon Operators) of the Act on Rational Use and Proper Management of Fluorocarbons (Act No. 64 of 2001)	Number of Licenses Granted	ninety thousand yen per license
(ii) Licenses(excluding renewed licenses)granted to fluorocarbon destruction operators referred to in Article 63, paragraph (1) (licenses granted to Fluorocarbon Destruction Operators) of the Act on Rational Use and Proper Management of Fluorocarbons	Number of Licenses Granted	ninety thousand yen per license

(Partial Amendment of the Act for Basic Registration of Residents)

Article 13 Parts of the Residential Basic Book Act (Act No. 81 of 1967) are amended as follows.

Paragraph (87) of the Appended Table 1 is amended as follows.

87 the Ministry of Economy, Trade and Industry or the Ministry of the Environment	Affairs related to a license referred to in Article 50, paragraph (1) of, renewal referred to in Article 52, paragraph (1) of, notification referred to in Article 53, paragraph (3) of, license referred to in Article 63, paragraph (1) of, renewal referred to in Article 65, paragraph (1) of, or notification referred to in Article 66, paragraph (3) of the Act on Rational Use and Proper Management of Fluorocarbons (Act No. 64 of 2001) pursuant to the same Act, as specified by order of the Ministry of Internal Affairs and Communications.
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Paragraph (7) of the Appended Table 2 is to be deleted, and paragraph (7-2) of the Table is to become paragraph (7) of the Table.

Paragraph (12) of the Appended Table 3 is amended as follows.

12 a prefectural governor	Affairs related to a registration referred to in Article 20, paragraph (1) of, renewal referred to in Article 30, paragraph (1) of, or notification referred to in Article 31, paragraph (1) of the Act on Rational Use and Proper Management of Fluorocarbons pursuant to the same Act, as specified by order of the Ministry of Internal Affairs and Communications.
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Paragraph (6) of the Appended Table 4 is to be deleted, and paragraph (6-2) of the Table is to become paragraph (6) of the Table.

Item (xvi) of the Appended Table is amended as follows.

(xvi) affairs concerning a registration referred to in Article 27, paragraph (1) of the Act on Rational Use and Proper Management of Fluorocarbons, renewal referred to in Article 30, paragraph (1) of the same Act, or notification referred to in Article 31, paragraph (1) of the same Act, pursuant to the same Act, as specified by Order of the Ministry of Internal Affairs and Communications.

(Partial Amendment of the Act on Recycling of End-of-Life Vehicles)

Article 14 Parts of the Act on Recycling of End-of-Life Vehicles (Act No. 87 of 2002) are amended as follows.

The term "Act for Securing the Implementation of Recovery and Destruction of Fluorocarbons Contained in Specified Products" in Article 2, paragraph (7) is amended to "Act on Rational Use and Proper Management of Fluorocarbons", "Fluorocarbons Recovery and Destruction Act" in the paragraph is amended to "Fluorocarbons Act", and "Article 33, paragraph (3) of the Fluorocarbons Recovery and Destruction Act" in paragraph (10) of the same Article is amended to "Article 69, paragraph (4) of the Fluorocarbons Act".

The term "Article 26, item (ii), (d) of the Fluorocarbons Recovery and Destruction Act" in Article 26, paragraph (1) is amended to "Article 2, paragraph (12) of the Fluorocarbons Act".

The term "Fluorocarbons Recovery and Destruction Act" in Article 45, paragraph (1), item (ii) and Article 56, paragraph (1), item (ii) is amended to

"Fluorocarbons Act".

(Partial Amendment of the Act Partially Amending the Act on Prevention of Marine Pollution and Maritime Disaster)

Article 15 (1) Part of the Act Partially Amending the Act on Prevention of Marine Pollution and Maritime Disaster (Act No. 36 of 2004) is amended as follows.

The term "Act for Securing the Implementation of Recovery and Destruction of Fluorocarbons Contained in Specified Products" in Article 9, paragraph (2) of the Supplementary Provisions is amended to "Act on Rational Use and Proper Management of Fluorocarbons", and "Article 38" is amended to "Article 86".  
[Revision omitted]

#### **Supplementary Provisions [Act No.69 of July 4, 2018] [Extract]**

(Effective Date)

Article 1 This Act comes into effect as of the day on which amendment of the Montreal Protocol on Substances that Deplete the Ozone Layer adopted on October 15, 2016 (referred to as the "Protocol" in Article 3 of the Supplemental Provisions) [Treaty No.14 of December 2018] becomes effective in Japan (January 1, 2019). [Rest omitted]

#### **Supplementary Provisions [Act No.25 of June 5, 2019]**

(Effective Date)

Article 1 (1) This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding one year from the date of promulgation; provided, however, that the amended provisions to add an Article after Article 99 and the provisions of Article 3 of the Supplementary Provisions come into effect as of the date of promulgation.

[Effective as of April 1, 2020 pursuant to Cabinet Order No.119 of October 2019]

(Transitional Measures concerning Collection Certificates)

Article 2 With regard to the application of the provisions of Article 45, paragraph (3) through paragraph (5), Article 45-2, and Article 105, item (iv) through item (vi) of the Act on Rational Use and Proper Management of Fluorocarbons after revision by this Act (hereinafter referred to as the "New Act"), the collection certificate (meaning collection certificate prescribed in Article 45, paragraph (1) of the Act on Rational Use and Proper Management of Fluorocarbons; the same applies hereinafter) delivered or the copy of the

collection certificate sent pursuant to the provisions of paragraph (2) of the same Article prior to amendment by this Act prior to the enforcement of this Act is deemed to be the copy of collection the certificate delivered or collection certificate sent pursuant to the provisions of Article 45, paragraph (2) of the New Act respectively.

(Delegation to Cabinet Order)

Article 3 Beyond what is provided for in the preceding Article, transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

(Review)

Article 4 When five years have elapsed since the enforcement of this Act, the government is to review the provisions of the New Act and take necessary measures based on the results thereof, if it finds it necessary to do so taking the status of enforcement of the New Act into consideration.

### **Supplementary Provisions [Act No.37 of June 14, 2019] [Extract]**

(Effective Date)

Article 1 This Act comes into effect as of the day on which three months have elapsed from the date of promulgation; provided, however, that the provisions set forth in the following items come into effect as of the day specified in each item.

(i) [Omitted] The date of promulgation of the provisions of the following Article and Articles 3 and 6 of the Supplementary Provisions

(ii) [Omitted] The day on which six months have elapsed from the date of promulgation of the provisions of Article 172 (limited to the provisions amending Article 29, paragraph (1), item (i) of the Act on Rational Use and Proper Management of Fluorocarbons) and Article 173 and Article 16, Article 17, Article 20, Article 21, and Articles 23 through 29 of the Supplementary Provisions

(iii) , (iv) [Omitted]

(Transitional Measures concerning Acts Committed by Administrative Agencies)

Article 2 With regard to the effect of the disposition or other acts conducted by administrative agencies pursuant to the provisions of the Act prior to amendment by this Act or orders pursuant to the prior Act (limited to disqualification clauses or other clauses specifying measures concerning restriction of rights) and the loss of employment due to the provisions that

occurred prior to the date of enforcement of this Act (in the case of the provisions set forth in the items of the preceding Article, those provisions; hereinafter the same in this Article and the following Article), prior laws continue to govern.

(Transitional Measures concerning Penal Provisions)

Article 3 With regard to the application of penal provisions to any act committed prior to the enforcement of this Act, prior laws continue to govern.

(Review)

Article 7 The government is to review the provisions to restrict the qualifications of the officers of juridical persons provided for in the Companies Act (Act No.86 of 2005) and the Act on General Incorporated Associations and General Incorporated Foundations (Act No.48 of 2006) for the reason of being an adult ward or a person under curatorship within approximately one year from the promulgation of this Act, and take necessary legislative measures such as deleting the provisions based on the results thereof.