

Act on Rationalizing Energy Use

(Act No. 49 of June 22, 1979)

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Chapter I General Provisions

(Purpose)

Article 1 The purpose of this Act is, with the aim of contributing to securing the effective utilization of fuel resources in accordance with economic and social conditions relating to energy in and outside Japan, to take the measures necessary for rationalizing the use of energy in factories, etc., transportation, buildings, and machinery and equipment etc., measures required for the leveling of electricity demand, as well as other necessary measures, etc. for

comprehensively promoting rationalizing the use of energy, etc., thereby contributing to the sound development of the national economy.

(Definitions)

- Article 2 (1) The term "Energy" as used in this Act means fuel and heat (excluding heat specified by Cabinet Order used to replace heat generated from fuel; the same applies hereinafter) and electricity (excluding electricity specified by Cabinet Order used to replace the electricity obtained by converting power gained by converting heat generated from fuel; the same applies hereinafter).
- (2) The term "Fuel" as used in this Act means crude oil, volatile oil, heavy oil and other oil products specified by Order of the Ministry of Economy, Trade and Industry, flammable natural gas, and coal, coke and other coal products specified by Order of the Ministry of Economy, Trade and Industry, which are used for combustion and other usages specified by Order of the Ministry of Economy, Trade and Industry.
- (3) The phrase "Leveling Electricity Demand" means reducing changes in the demand for electricity depending on the season or time zone.

Chapter II Basic Policy

(Basic Policy)

- Article 3 (1) The Minister of Economy, Trade and Industry must, from the perspective of comprehensively promoting rationalizing the use of Energy and Leveling Electricity Demand in factories, offices or other workplaces (hereinafter referred to as "Factories, etc."), transportation, buildings, machinery and equipment, etc., formulate and make public a basic policy for rationalizing the use of Energy (hereinafter referred to as the "Basic Policy").
- (2) The Basic Policy is to provide for basic matters concerning the measures to be implemented by users of Energy, etc. for rationalizing the use of Energy, basic matters concerning the measures to be implemented by users of electricity, etc. for achieving the Leveling of Electricity Demand, basic matters concerning the measures to promote rationalizing the use of Energy, etc., and other matters concerning rationalizing the use of Energy, etc., while taking into consideration long-term energy supply-demand forecasts, the environment surrounding the supply and demand of electricity and other Energy, the technical level related to rationalizing the use of Energy, and other circumstances.
- (3) The Minister of Economy, Trade and Industry must formulate the Basic Policy through a cabinet decision.
- (4) The Minister of Economy, Trade and Industry must, when they intend to

formulate the Basic Policy, consult with the Minister of Land, Infrastructure, Transport and Tourism in advance with regard to parts pertaining to transportation, to buildings (excluding parts pertaining to the improvement and indication of the quality of building materials and parts pertaining to the improvement and indication of the heat-loss prevention performance of materials used for the prevention of heat loss through exterior walls, windows, etc. of buildings), and parts pertaining to the performance of automobiles.

(5) The Minister of Economy, Trade and Industry is to amend the Basic Policy when it is necessary to do so due to changes in the circumstances set forth in paragraph (2).

(6) The provisions of paragraphs (1) through (4) apply mutatis mutandis to the amendment of the Basic Policy under the preceding paragraph.

(Efforts of Energy Users)

Article 4 Persons who use Energy must, while giving due consideration to the provisions of the Basic Policy, endeavor to rationalize the use of Energy, and endeavor to take measures conducive to Leveling Electricity Demand.

Chapter III Measures Pertaining to Factories

Section 1 Measures Pertaining to Factories

(Standards of Judgment for Businesses)

Article 5 (1) For the purpose of ensuring rationalizing the appropriate and effective use of Energy in Factories, etc., the Minister of Economy, Trade and Industry is to establish and publicize standards of judgment for Businesses using Energy in Factories, etc. with regard to the following matters as well as the targets for rationalizing the use of Energy and the measures to be taken systematically to achieve the targets:

- (i) improvement of methods for use of Energy, choice of machinery and equipment having a high level of Energy-Consumption Performance, etc. prescribed in Article 78, paragraph (1), and other matters concerning rationalizing the use of Energy in Factories, etc. used exclusively for an office or any other usage similar thereto; and
- (ii) matters concerning rationalizing the use of Energy in Factories, etc. (excluding those which fall under the preceding item), which fall under any of the following subitems:
 - (a) rationalization of combustion of Fuels;
 - (b) rationalization of heating and cooling as well as heat transfer;
 - (c) recovery and utilization of waste heat;
 - (d) rationalization of conversion of heat into power, etc.;
 - (e) prevention of Energy loss due to emission, conduction, resistance, etc.;

and

(f) rationalization of conversion of electricity into power, heat, etc.

- (2) For the purpose of ensuring the appropriate and effective implementation of measures conducive to the Leveling of Electricity Demand by Businesses using electricity in Factories, etc., the Minister of Economy, Trade and Industry is to establish and publicize guidelines for measures to be implemented by the Businesses with regard to the following:
- (i) the shift from the use of electricity to the use of Fuel or heat in time zones for the Leveling of Electricity Demand (meaning the time zones designated by the Minister of Economy, Trade and Industry as times zones for which the promotion of the Leveling of Electricity Demand is considered to be necessary in light of the status of supply and demand of electricity; the same applies hereinafter); and
 - (ii) the change of the times for using electricity-consuming machinery and equipment from the time zones for the Leveling of Electricity Demand to the time zones outside the time zones for the Leveling of Electricity Demand.
- (3) The standards of judgment prescribed in paragraph (1) and the guidelines prescribed in the preceding paragraph are to be established by considering long-term energy supply-demand forecasts, the environment surrounding the supply and demand of electricity and other Energy, the technical level related to rationalizing the use of Energy, the status of rationalizing the use of Energy by each type of business and other circumstances, and is to be amended if necessary depending on any changes in these circumstances.

(Guidance and Advice)

Article 6 The competent minister may, when they find it necessary in order to ensure the proper implementation of rationalizing the use of Energy in Factories, etc. or the proper implementation of measures conducive to the Leveling of Electricity Demand in Factories, etc., provide Businesses using Energy in Factories, etc. with necessary guidance and advice with regard to the implementation of the matters listed in the items of paragraph (1) of the preceding Article, by considering the standards of judgment prescribed in the same paragraph, or provide Businesses using electricity in Factories, etc. with necessary guidance and advice with regard to the implementation of the matters listed in the items of paragraph (2) of the same Article, by considering the guidelines prescribed in the same paragraph.

(Designation of Specified Businesses)

Article 7 (1) The Minister of Economy, Trade and Industry is to designate businesses that have Factories, etc. (excluding chain businesses as prescribed in Article 19, paragraph (1); the same applies in paragraph (3)), for which the

total Energy consumption in all their Factories, etc. for a given business year (from April 1 to March 31 next year; the same applies hereinafter) is beyond the level specified by Cabinet Order, as those especially required to promote rationalizing the use of Energy.

- (2) The Energy consumption for a given business year set forth in the preceding paragraph is calculated pursuant to Cabinet Order provisions.
- (3) A business that has Factories, etc. must, where the total Energy consumption for the previous year in all its factories, etc., as calculated pursuant to Cabinet Order provisions under the preceding paragraph, is beyond the level specified by Cabinet Order under paragraph (1), notify the Minister of Economy, Trade and Industry, pursuant to the Order of the Ministry of Economy, Trade and Industry provisions, of the matters specified by Order of the Ministry of Economy, Trade and Industry with regard to Energy consumption and other status of the use of Energy in all its Factories, etc. for the previous year; provided, however, that this does not apply to businesses designated pursuant to the provisions of the same paragraph (hereinafter referred to as a "Specified Business").
- (4) A Specified Business may, where any of the events listed in the following items has occurred, make an offer to the Minister of Economy, Trade and Industry pursuant to Order of the Ministry of Economy, Trade and Industry provisions, to the effect that the designation made under the provisions of paragraph (1) should be rescinded:
 - (i) the Specified Business has ceased to conduct business, in whole, in all its factories, etc.; or
 - (ii) the total Energy consumption in all its Factories, etc. for a given business year as calculated pursuant to Cabinet Order provisions under paragraph (2) is no longer likely to be beyond the level specified by Cabinet Order under paragraph (1).
- (5) Upon receiving and when finding a reason for an offer made under the preceding paragraph, the Minister of Economy, Trade and Industry is to rescind the designation made under the provisions of paragraph (1) without delay. The same applies where, in the absence of an offer made under the preceding paragraph, it is deemed that any of the events listed in the items of the same paragraph has occurred with respect to the business.
- (6) The Minister of Economy, Trade and Industry is to, when having made a designation pursuant to the provisions of paragraph (1) or having rescinded a designation pursuant to the preceding paragraph, notify the minister with jurisdiction over the business pertaining to the Factories, etc. which belong to the business to that effect.

(Energy Management Control Officer)

- Article 7-2 (1) Pursuant to Order of the Ministry of Economy, Trade and Industry provisions, a Specified Business must, with regard to preparation processes of medium-term and long-term plans prescribed in Article 14, paragraph (1) and rationalizing the use of Energy in its Factories, etc., appoint a person who supervises and manages maintaining energy-consuming facilities, the improvement and supervision of methods for using Energy, and other processes specified by Order of the Ministry of Economy, Trade and Industry (hereinafter referred to as an "Energy Management Control Officer")
- (2) The position of the Energy Management Control Officer must be filled by a person who supervises and manages the implementation of Specified Business operations.
- (3) A Specified Business must, pursuant to Order of the Ministry of Economy, Trade and Industry provisions, notify the Minister of Economy, Trade and Industry of the appointment or dismissal of the Energy Management Control Officer.

(Energy Management Planning Promoter)

- Article 7-3 (1) A Specified Business must, pursuant to Order of the Ministry of Economy, Trade and Industry provisions, appoint an energy management planning promoter from among the persons listed in the items of paragraph (1) of Article 13.
- (2) A Specified Business must, when having appointed an energy management planning promoter from among the persons listed in Article 13, paragraph (1), item (i), have the energy management planning promoter participate in the training prescribed in paragraph (2) of the same Article at regular intervals specified by Order of the Ministry of Economy, Trade and Industry.
- (3) Energy management planning promoters assist an Energy Management Control Officer with respect to the processes prescribed in paragraph (1) of the preceding Article.
- (4) The provisions of paragraph (3) of the preceding Article apply mutatis mutandis to energy management planning promoters.

(Designation of Type-1 Designated Energy Management Factories)

- Article 7-4 (1) The Minister of Economy, Trade and Industry is to designate Factories, etc. which belong to a Specified Business and in which energy consumption for a given business year as calculated pursuant to Cabinet Order provisions under Article 7, paragraph (2) is beyond the level specified by Cabinet Order, as Factories, etc. especially required to promote rationalizing the use of Energy.
- (2) A Specified Business that has Factories, etc. designated pursuant to the provisions of the preceding paragraph (the Factories, etc. are hereinafter

referred to as "Type-1 Designated Energy Management Factories, etc." and this type of business is hereinafter referred to as a "Type-1 Specified Business") may, where any of the events listed in the following items has occurred with respect to the Factories, etc., make an offer to the Minister of Economy, Trade and Industry pursuant to Order of the Ministry of Economy, Trade and Industry provisions to the effect that the designation made under the same paragraph should be rescinded:

- (i) the Type-1 Specified Business has ceased to operate the business; or
 - (ii) the Type-1 Specified Business's energy consumption for a given business year as calculated pursuant to Cabinet Order provisions under Article 7, paragraph (2) is no longer likely to be beyond the level specified by Cabinet Order under the preceding paragraph.
- (3) Upon receiving an offer made under the preceding paragraph, the Minister of Economy, Trade and Industry is to, when they find a reason for the offer, rescind the designation made under the provisions of paragraph (1) without delay. The same applies where, in the absence of an offer made under the preceding paragraph, it is deemed that any of the events listed in the items of the same paragraph has occurred with respect to the factories, etc.
- (4) The Minister of Economy, Trade and Industry is to, when having made a designation pursuant to paragraph (1) or rescinded a designation pursuant to the preceding paragraph, notify the minister with jurisdiction over the business pertaining to the factories, etc., to that effect.

(Type-1 Energy Managers)

Article 8 (1) A Type-1 Specified Businesses must, pursuant to Order of the Ministry of Economy, Trade and Industry provisions and in accordance with the standards established by Cabinet Order, appoint a Type-1 energy manager for each of its Type-1 designated energy management Factories, etc. from among persons who have a qualified energy manager licenses; provided, however, that this does not apply to the following types of Type-1 Designated Energy Management Factories, etc.:

- (i) a Type-1 Specified Business that has Type-1 designated energy management Factories, etc. that are used for a business falling within the manufacturing industry or other industries specified by Cabinet Order and are used exclusively for an office or any other usage similar thereto, which is specified by Cabinet Order: or
 - (ii) a Type-1 Designated Energy Management Factories, etc. that are used for a business falling within an industry other than those prescribed in the preceding item.
- (2) Type-1 Specified Business must, pursuant to Order of the Ministry of Economy, Trade and Industry provisions, notify the Minister of Economy,

Trade and Industry of the appointment or dismissal of Type-1 energy managers.

(Qualified Energy Manager Licenses)

Article 9 (1) Qualified energy manager licenses are issued by the Minister of Economy, Trade and Industry to the following persons:

- (i) a person who has passed a qualified energy manager license examination; or
- (ii) a person who has been recognized by the Minister of Economy, Trade and Industry as having equal or greater knowledge and experience than the person listed in the preceding item.

(2) The procedures concerning the granting of qualified energy manager licenses are specified by Order of the Ministry of Economy, Trade and Industry.

(Examinations for Qualified Energy Manager Licenses)

Article 10 (1) Examinations for qualified energy manager licenses are conducted by the Minister of Economy, Trade and Industry.

- (2) The Minister of Economy, Trade and Industry may designate a person (hereinafter referred to as a "Designated Examining Body") and have the person to administer the processes concerning an examination for qualified energy manager licenses (hereinafter referred to as "Examination Processes").
- (3) The subjects of an examination for qualified energy manager licenses, procedure for participating in the examination and other details concerning the examination for a qualified energy manager licenses are specified by Order of the Ministry of Economy, Trade and Industry.

(Duty of Type-1 Energy Managers)

Article 11 Type-1 energy managers, with regard to rationalizing the use of Energy in Type-1 Designated Energy Management Factories, etc., manage maintaining energy-consuming facilities, the improvement and supervision of methods for using Energy, and other processes specified by Order of the Ministry of Economy, Trade and Industry.

Article 12 Deleted.

(Type-2 Energy Managers)

Article 13 (1) Type-1 Specified Businesses that has Factories, etc. listed in the items of paragraph (1) of Article 8 (hereinafter referred to as a "Type-1 Designated Business Operator") must, pursuant to Order of the Ministry of Economy, Trade and Industry provisions, appoint a Type-2 energy manager for each of its the Factories, etc. from among the following persons:

- (i) a person who has completed training courses on necessary knowledge and skills for rationalizing the use of Energy, which are administered by the

Minister of Economy, Trade and Industry or provided by a person who they designate (hereinafter referred to as a "Designated Training Agency") pursuant to Order of the Ministry of Economy, Trade and Industry provisions; or

(ii) a person who has a qualified energy manager license.

- (2) Type-1 Designated Businesses must, at regular intervals specified by Order of the Ministry of Economy, Trade and Industry, have the person appointed as a Type-2 energy manager from among the persons listed in item (i) of the preceding paragraph participate in training for improving the quality of Type-2 energy managers administered by the Minister of Economy, Trade and Industry, or provided by a Designated Training Agency pursuant to Order of the Ministry of Economy, Trade and Industry provisions.
- (3) Type-1 Designated Businesses must, pursuant to Order of the Ministry of Economy, Trade and Industry provisions, notify the Minister of Economy, Trade and Industry of the appointment or dismissal of the Type-2 energy manager.
- (4) The provisions of Article 11 apply mutatis mutandis to Type-2 energy managers.

(Preparation of Medium-Term and Long-Term Plans)

- Article 14 (1) A Specified Business must, pursuant to Order of the Ministry of Economy, Trade and Industry provisions, prepare a medium-term and long-term plan each business year for achieving the targets for rationalizing the use of Energy that are specified for its Factories, etc. in the standards of judgment prescribed in Article 5, paragraph (1), and submit the plan to the competent minister.
- (2) The competent minister may establish necessary guidelines for contributing to Specified Businesses' efforts to properly prepare plans set forth in the preceding paragraph.
- (3) The competent minister is to, when having established guidelines set forth in the preceding paragraph, publicize them.

(Periodical Reports)

- Article 15 (1) Specified Businesses must, pursuant to Order of the Ministry of Economy, Trade and Industry provisions, report to the competent minister each business year the matters specified by Order of the Ministry of Economy, Trade and Industry with regard to energy consumption and other status of energy use in its Factories, etc. (including matters concerning efficiency in energy use and CO₂ emissions from energy use) as well as the status of the establishment, modification and abolition of energy-consuming facilities and other facilities relating to rationalizing the use of Energy.

- (2) The Minister of Economy, Trade and Industry must, when they intend to formulate or revise Order of the Ministry of Economy, Trade and Industry set forth in the preceding paragraph (limited to the matters concerning CO2 emissions from energy use), consult with the Minister of the Environment in advance.

(Instructions and Orders on Rationalizing Plans)

- Article 16 (1) The competent minister may, when they find that the status of rationalizing the use of Energy in Factories, etc. which belong to a Specified Business is particularly insufficient in light of the standards of judgment prescribed in Article 5, paragraph (1), instruct the Specified Business to prepare and submit a plan on rationalizing the use of Energy (hereinafter referred to as a "Rationalization Plan"), while taking into consideration the technical level relating to the business run by the Specified Business using Energy, the status of the measures implemented by the Specified Business in accordance with the guidelines prescribed in paragraph (2) of the same Article, and other circumstances, and presenting the grounds for their judgment.
- (2) The competent minister may, when they find the Rationalization Plan to be inappropriate for rationalizing the use of Energy in Factories, etc. which belong to the Specified Business, instruct the Specified Business to revise the Rationalization Plan.
- (3) The competent minister may, when they find that a Specified Business does not implement a Rationalization Plan, instruct the Specified Business to properly implement the Rationalization Plan.
- (4) Where a Specified Business that has received instructions prescribed in the preceding three paragraphs has failed to follow the instructions, the competent minister may publicize this.
- (5) Where a Specified Business that has received instructions prescribed in paragraphs (1) through (3) inclusive has failed to take the measures as instructed without justifiable grounds, the competent minister may, after hearing opinions of Councils, etc. (meaning organs prescribed in Article 8 of the National Administrative Organization Act (Act No. 120 of 1948); the same applies hereinafter) specified by Cabinet Order, order the Specified Business to take the measures as instructed.

(Designation of Type-2 Designated Energy Management Factories)

- Article 17 (1) The Minister of Economy, Trade and Industry is to designate Factories, etc. which belong to a Specified Business other than Type-1 designated energy management Factories, etc. in which energy consumption for a given business year as calculated pursuant to Cabinet Order provisions under Article 7, paragraph (2) is not below the level specified by Cabinet Order

as prescribed in paragraph (1) of the same Article, and beyond the level specified by Cabinet Order, as Factories, etc. especially required to promote rationalizing the use of Energy in the same manner as Type-1 Designated Energy Management Factories, etc.

- (2) A Specified Business that has Factories, etc. designated pursuant to the provisions of the preceding paragraph (the Factories, etc. are hereinafter referred to as "Type-2 Designated Energy Management Factories, etc." and this type of business is hereinafter referred to as a "Type-2 Specified Business") may, where any of the events listed in the following items has occurred with respect to the factories, etc., make an offer to the Minister of Economy, Trade and Industry pursuant to Order of the Ministry of Economy, Trade and Industry provisions to the effect that the designation made under the same paragraph should be rescinded:
 - (i) the Type-2 Specified Business has ceased to operate the business; or
 - (ii) the Type-2 Specified Business's energy consumption for a given business year as calculated pursuant to Cabinet Order provisions under Article 7, paragraph (2) is no longer likely to be beyond the level specified by Cabinet Order under the preceding paragraph.
- (3) Upon receiving an offer made under the preceding paragraph, the Minister of Economy, Trade and Industry must, when they find a reason for the offer, rescind the designation made under the provisions of paragraph (1) without delay. The same applies where, in the absence of an offer made under the preceding paragraph, it is deemed that any of the events listed in the items of the same paragraph has occurred with respect to the Factories, etc.
- (4) Where energy consumption in Type-2 designated energy management Factories, etc. for a given business year, as calculated pursuant to Cabinet Order provisions under Article 7, paragraph (2), is beyond the level specified by Cabinet Order under Article 7-4, paragraph (1), the Minister of Economy, Trade and Industry is to, when they designate the Factories, etc. under the same paragraph, rescind the designation pertaining to the Factories, etc. made under the provisions of paragraph (1).
- (5) The Minister of Economy, Trade and Industry is to, when having made a designation pursuant to paragraph (1) or rescinded a designation pursuant to the preceding two paragraphs, notify the minister with jurisdiction over the business pertaining to the Factories, etc. to that effect.

(Application Mutatis Mutandis)

Article 18 (1) The provisions of Article 13, paragraphs (1) through (3) inclusive apply mutatis mutandis to Type-2 Specified Businesses. In this case, the phrase "the factories, etc." in paragraph (1) of the same Article is deemed to be replaced with "Type-2 Designated Energy Management Factories, etc."

- (2) The provisions of Article 11 apply mutatis mutandis to Type-2 energy managers appointed by Type-2 Specified Businesses for each of their Type-2 Designated Energy Management Factories, etc.

(Designation of Specified Chain Businesses)

Article 19 (1) The Minister of Economy, Trade and Industry is to designate a business engaged in operations in which the business authorizes the use of specified trademarks, trade names or other indications, specify the manner of selling goods or providing services and give guidance continuously on management, pursuant to a standard terms and conditions contract that provides for the matters specified by Order of the Ministry of Economy, Trade and Industry with regard to the conditions of energy use in Factories, etc. which belong to a business that participates in the operations (hereinafter referred to as a "Franchisee") (this type of operation is hereinafter referred to as "Chain Business Operations" and this type of business is hereinafter referred to as a "Chain Business"), for which the total energy consumption for a given business year in all Factories, etc. which belong to the Chain Business and all Factories, etc. pertaining to the Chain Business Operation which belongs to the Franchisee as calculated pursuant to Cabinet Order provisions under Article 7, paragraph (2) is beyond the level specified by Cabinet Order under paragraph (1) of the same Article, as a business especially required to promote rationalizing the use of Energy.

- (2) Chain Businesses must, where the total energy consumption for the previous year in all Factories, etc. which belong to the Chain Business and all Factories, etc. in relation to the Chain Business which belong to a Franchisee of the Chain Business conducted by the Chain Business, as calculated pursuant to Cabinet Order provisions under Article 7, paragraph (2), is beyond the level specified by Cabinet Order under paragraph (1) of the same Article, notify the Minister of Economy, Trade and Industry, pursuant to Order of the Ministry of Economy, Trade and Industry provisions, of the matters specified by Order of the Ministry of Trade and Industry with regard to energy consumption and other status of energy use for the previous year in all Factories, etc. which belong to the Chain Business and all Factories, etc. pertaining to the Chain Business Operation which belong to the Franchisee of the Chain Business Operation conducted by the Chain Business; provided, however, that this does not apply to a business designated pursuant to the provisions of the preceding paragraph (hereinafter referred to as a "Specified Chain Business").
- (3) A Specified Chain Business may, where any of the events listed in the following items has occurred, make an offer to the Minister of Economy, Trade and Industry pursuant to Order of the Ministry of Economy, Trade and Industry provisions to the effect that the designation made under the

provisions of paragraph (1) should be rescinded:

- (i) the Specified Chain Business has ceased to conduct all business operation in its Factories, etc., and in Factories, etc. in which its business operations are conducted which belong to Specified Chain Business Franchisees; or
 - (ii) the total energy consumption for a given year in all Factories, etc. which belong to Specified Chain Business and all Factories, etc. in which its business operations are conducted which belong to Specified Chain Business Franchisees as calculated pursuant to Cabinet Order provisions under Article 7, paragraph (2) is no longer likely to be beyond the level specified by Cabinet Order under paragraph (1) of the same Article.
- (4) Upon receiving an offer made under the preceding paragraph, the Minister of Economy, Trade and Industry is to, when they find a reason for the offer, rescind the designation made under the provisions of paragraph (1) without delay. The same applies where, in the absence of an offer made under the preceding paragraph, it is deemed that any of the events listed in the items of the same paragraph has occurred with respect to the business.
- (5) The Minister of Economy, Trade and Industry is to, when having made a designation pursuant to the provisions of paragraph (1) or rescinded a designation pursuant to the preceding paragraph, notify the minister with jurisdiction over the business pertaining to the Factories, etc. which belong to the business and the Chain Business Operation conducted by the business to that effect.

(Application Mutatis Mutandis)

- Article 19-2 (1) The provisions of Article 7-2, paragraphs (1), (2) and (3) (including the cases where it is applied mutatis mutandis pursuant to Article 7-3, paragraph (4)), Article 7-3 to Article 8 inclusive, Article 11 (including the cases where it is applied mutatis mutandis pursuant to Article 13, paragraph (4)) and Article 13 to Article 17 inclusive apply mutatis mutandis to Specified Chain Businesses. In this case, the phrase "its factories, etc." in Article 7-2, paragraph (1), Article 14, paragraph (1) and Article 15, paragraph (1) is deemed to be replaced with "its Factories, etc. and Factories, etc. in which its business operation is conducted which belong to Specified Chain Business Franchisees Chain Business Operation", the phrase "Factories, etc. which belong to a Specified Business" in Article 16, paragraphs (1) and (2) is deemed to be replace with "Factories, etc. which belong to a Specified Chain Business and Factories, etc. in which its business operation is conducted which belong to Specified Chain Business Franchisees."
- (2) The provisions of Article 13, paragraphs (1) through (3) inclusive as applied mutatis mutandis pursuant to the preceding paragraph apply mutatis mutandis to Specified Chain Businesses that have Type-2 Designated Energy

Management Factories, etc.

- (3) The provisions of Article 11 as applied mutatis mutandis pursuant to paragraph (1) apply mutatis mutandis to Type-2 energy managers appointed by Specified Chain Businesses that have the Factories, etc. for each of their Type-2 Designated Energy Management Factories, etc.

(Obligations of Type-1 Energy Managers)

Article 19-3 (1) Type-1 energy managers and Type-2 energy managers must perform their duties in good faith.

- (2) Energy management control officers must respect the opinions given by the Type-1 energy managers or Type-2 energy managers, with regard to rationalizing the use of Energy in Factories, etc. where Type-1 energy managers or Type-2 energy managers perform their duties.
- (3) Employees of Factories, etc. for which Type-1 energy managers or Type-2 energy managers are appointed must follow the instructions given by Type-1 energy managers or Type-2 energy managers necessary for performing their duties.

(Special Provisions on Investigations by Registered Investigation Bodies)

Article 20 (1) A Specified Business may, pursuant to Order of the Ministry of Economy, Trade and Industry provisions, undergo an investigation conducted by a person registered by the Minister of Economy, Trade and Industry (hereinafter referred to as a "Registered Investigation Body") with regard to the energy consumption and other status of energy use in its Factories, etc. (including the matters concerning efficiency in energy use and CO2 emissions from energy use) as well as the status of establishment, modification and abolition of energy-consuming facilities and other facilities relating to rationalizing the use of Energy (this investigation is hereinafter referred to as an "Investigation for Verification"); provided, however, that a Specified Business that has received instructions under Article 16, paragraph (1) does not undergo an Investigation for Verification until three years have elapsed since the day when the instructions or recommendations were received.

- (2) When a Registered Investigation Body finds, pursuant to Order of the Ministry of Economy, Trade and Industry provisions, that the status of rationalizing the use of Energy in all Factories, etc. which belong to a Specified Business, for which an Investigation for Verification has been conducted, conforms to the standards of judgment prescribed in Article 5, paragraph (1), it must issue a document to that effect.
- (3) Registered Investigation Bodies must, when having issued the document set forth in the preceding paragraph, report to the competent minister without delay, pursuant to Order of the Ministry of Economy, Trade and Industry

provisions, the results of the Investigation for Verification pertaining to the document issued.

- (4) With respect to Specified Businesses for which the document set forth in paragraph (2) has been issued, the provisions of Article 15, paragraph (1) and Article 16 do not apply in a business year that contains the date of issuance of the document.
- (5) The Minister of Economy, Trade and Industry must, when they intend to formulate or revise Order of the Ministry of Economy, Trade and Industry set forth in paragraph (1) (limited to the matters concerning CO2 emissions from energy use), consult with the Minister of the Environment in advance.
- (6) The provisions of paragraph (1) to the preceding paragraph inclusive apply mutatis mutandis to Specified Chain Businesses. In this case, the phrase "its factories, etc." in paragraph (1) is deemed to be replaced with "its Factories, etc. and Factories, etc. in which its business operation is conducted which belong to Specified Chain Business Franchisees," the term "Article 16, paragraph (1)" is deemed to be replaced with "Article 16, paragraph (1) as applied mutatis mutandis pursuant to Article 19-2, paragraph (1)", the phrase "all Factories, etc. which belong to a Specified Business" in paragraph (2) is deemed to be replaced with "all Factories, etc. which belong to a Specified Chain Business and all Factories, etc. in which its business operation is conducted which belong to Specified Chain Business Franchisees," and the term "Article 15, paragraph (1) and Article 16" in paragraph (4) is deemed to be replaced with "Article 15, paragraph (1) and Article 16 as applied mutatis mutandis pursuant to Article 19-2, paragraph (1)".

Section 2 Designated Examining Body

(Designation)

- Article 21 (1) The designation set forth in Article 10, paragraph (2) will be made pursuant to Order of the Ministry of Economy, Trade and Industry provisions upon application by a person who intends to administer Examination Processes.
- (2) When having made the designation set forth in Article 10, paragraph (2), the Minister of Economy, Trade and Industry must not administer Examination Processes.

(Disqualification)

- Article 22 A person who falls under any of the following items may not be designated under Article 10, paragraph (2):
- (i) a person whose designation was rescinded pursuant to Article 32, paragraph (2), before the elapse of a period of two years since the date of rescission.
 - (ii) a person, any of whose officers in charge of its business falls under any of

the following conditions:

- (a) a person who was sentenced to a punishment for violation of this Act or any order issued under this Act, before the elapse of a period of two years since that person served out the sentence or ceased to be subject to the sentence.
- (b) a person who was dismissed by an order under Article 28, before the elapse of a period of two years since the date of dismissal.

(Standards for Designation)

Article 23 The Minister of Economy, Trade and Industry must not make the designation under Article 10, paragraph (2) unless no other person has been designated under the same paragraph and the application for designation filed under the same paragraph conforms to the following:

- (i) the applicant's plan for the administration of the Examination Processes, which covers personnel, equipment, methods of administering Examination Processes and other matters, is appropriate for the proper administration of the Examination Processes;
- (ii) the applicant has a sufficient financial base and the technical capabilities to properly implement the plan for the administration of the Examination Processes set forth in the preceding item;
- (iii) the applicant is a general incorporated association or general incorporated foundation; or
- (iv) where the applicant is engaged in services other than Examination Processes, there is no risk that the applicant will fail to fairly administer the Examination Processes by performing relevant other services.

(Operational Rules for Examination Processes)

Article 24 (1) A Designated Examining Body must formulate rules concerning the administration of Examination Processes (hereinafter referred to as "Operational Rules for Examination Processes"), and obtain approval of the rules from the Minister of Economy, Trade and Industry. The same applies where a Designated Examining Body intends to revise the rules.

- (2) The matters to be provided for by the operational rules for Examination Processes are specified by Order of the Ministry of Economy, Trade and Industry.
- (3) The Minister of Economy, Trade and Industry may, when they find that the operational rules for Examination Processes approved under paragraph (1) have become inappropriate for the fair administration of Examination Processes, order the Designated Examining Body to revise the operational rules for Examination Processes.

(Suspension or Abolition of Examination Processes)

Article 25 A Designated Examining Body must not suspend nor abolish all or part of Examination Processes unless it is permitted by the Minister of Economy, Trade and Industry.

(Business Plans)

Article 26 (1) Designated Examining Bodies must, prior to the beginning of each business year (or without delay after designation under Article 10, paragraph (2) in the case of a business year that contains the date of designation), prepare a business plan and income and expenditure budget for the business year, and obtain approval of them from the Minister of Economy, Trade and Industry. The same applies where a Designated Examining Body intends to revise them.

(2) Designated Examining Bodies must, within three months after the end of each business year, prepare a business report and statement of accounts, and submit them to the Minister of Economy, Trade and Industry.

(Appointment and Dismissal of Officers)

Article 27 The appointment and dismissal of officers of a Designated Examining Body will not become effective unless it is approved by the Minister of Economy, Trade and Industry.

(Order of Dismissal of Officers)

Article 28 Where any officer of a Designated Examining Body has violated this Act (including dispositions made under this Act) or the operational rules for Examination Processes or committed any inappropriate act in connection with the Examination Processes, the Minister of Economy, Trade and Industry may order the Designated Examining Body to dismiss the officer.

(Examiners for Qualified Energy Manager Licenses)

Article 29 (1) Designated Examining Bodies must, when administering the Examination Processes, have examiners for the qualified energy manager licenses (hereinafter referred to as "Examiners") to administer the processes in determining whether or not an applicant for a qualified energy manager licenses has the necessary knowledge and abilities as a qualified energy manager.

(2) Designated Examining Bodies must appoint Examiners from among persons who satisfy the requirements specified by Order of the Ministry of Economy, Trade and Industry.

(3) Designated Examining Bodies must, when having appointed Examiners, notify the Minister of Economy, Trade and Industry to that effect pursuant to Order of the Ministry of Economy, Trade and Industry provisions. The same

applies where any Examiner has been replaced.

(4) The provisions of the preceding Article apply mutatis mutandis to Examiners.

(Obligation of Confidentiality)

Article 30 (1) Current or former officers or employees (including Examiners; hereinafter the same applies in the following paragraph) of a Designated Examining Body must not divulge secrets that they have become aware of in the course of administering the Examination Processes.

(2) With regard to the application of the Penal Code (Act No. 45 of 1907) and other penal provisions, officers or employees of a Designated Examining Body who are engaged in Examination Processes are deemed to be personnel engaged in public services under laws and regulations.

(Order for Conformity)

Article 31 (1) The Minister of Economy, Trade and Industry may, when they find that a Designated Examining Body has ceased to conform to any of the items of Article 23 (excluding item (iii); hereinafter the same applies in this paragraph), order the Designated Examining Body to take any measures necessary to ensure conformity to the provisions of the same items.

(2) Beyond what is provided for in the preceding paragraph, the Minister of Economy, Trade and Industry may, when they find it necessary for the enforcement of this Act, issue to a Designated Examining Body an order necessary for the supervision of the Examination Processes.

(Rescission of Designation)

Article 32 (1) Where a Designated Examining Body has ceased to conform to Article 23, item (iii), the Minister of Economy, Trade and Industry must rescind the designation made under Article 10, paragraph (2).

(2) Where a Designated Examining Body falls under any of the following items, the Minister of Economy, Trade and Industry may rescind the designation made under Article 10, paragraph (2), or order the Designated Examining Body to suspend all or part of the Examination Processes within a specified period:

(i) where the Designated Examining Body has violated the provisions of this Section;

(ii) Where the Designated Examining Body now falls under Article 22, item (ii);

(iii) Where the Designated Examining Body has not administered the Examination Processes in accordance with the operational rules for Examination Processes approved under Article 24, paragraph (1);

(iv) Where the Designated Examining Body has violated an order issued under Article 24, paragraph (3), Article 28 (including the cases where it is applied mutatis mutandis pursuant to Article 29, paragraph (4)), or the preceding

Article; or

- (v) Where the Designated Examining Body has been designated under Article 10, paragraph (2) by wrongful means.

(Bookkeeping)

Article 33 (1) A Designated Examining Body must keep books and state in the books the matters concerning the Examination Processes specified by Order of the Ministry of Economy, Trade and Industry.

- (2) The books set forth in the preceding paragraph must be preserved pursuant to Order of the Ministry of Economy, Trade and Industry provisions.

(Examination Conducted by Minister of Economy, Trade and Industry)

Article 34 (1) The Minister of Economy, Trade and Industry may personally administer all or part of the Examination Processes of a Designated Examining Body in the cases where: the Designated Examining Body has suspended all or part of the Examination Processes with permission granted under Article 25; an order has been issued to the Designated Examining Body to suspend all or part of the Examination Processes pursuant to Article 32, paragraph (2); or the Minister finds it necessary to do so because it has become difficult for the Designated Examining Body to administer all or part of the Examination Processes as a result of a natural disaster or otherwise.

- (2) The transfer of the Examination Processes and other necessary matters, in the cases where the Minister of Economy, Trade and Industry personally administers all or part of the Examination Processes pursuant to the preceding paragraph, a Designated Examining Body abolishes all or part of the Examination Processes with permission granted under Article 25, or the Minister of Economy, Trade and Industry has rescinded the designation of a Designated Examining Body pursuant to Article 32, will be specified by Order of the Ministry of Economy, Trade and Industry.

(Public Notices)

Article 35 In any of the following cases, the Minister of Economy, Trade and Industry must make a public notice of the relevant matters in the Official Gazette:

- (i) where the Minister has made a designation under Article 10, paragraph (2);
- (ii) Where the Minister has granted permission under Article 25;
- (iii) where the Minister has rescinded a designation pursuant to Article 32 or ordered the suspension of all or part of the Examination Affairs pursuant to paragraph (2) of the same Article; or
- (iv) where the Minister personally administers all or part of the Examination Processes pursuant to paragraph (1) of the preceding Article, or ceases to

administer all or part of the Examination Processes that they have personally administered.

Section 3 Designated Training Agency

(Designation)

- Article 36 (1) The designation set forth in Article 13, paragraph (1), item (i) (including cases where it is applied mutatis mutandis pursuant to Article 18, paragraph (1); hereinafter the same applies in this Article, Article 38, item (i), and Article 88, paragraph (1)) will be made pursuant to Order of the Ministry of Economy, Trade and Industry provisions upon application by a person who intends to provide training set forth in Article 13, paragraph (1), item (i) and paragraph (2) of the same Article (including the cases where it is applied mutatis mutandis pursuant to Article 18, paragraph (1); hereinafter the same applies in Article 88, paragraph (1); this training is hereinafter referred to as "energy management training" in this Section and Article 94).
- (2) The provisions of Article 22 (excluding item (ii)(b)), Article 23, and Article 32 apply mutatis mutandis to the designation under Article 13, paragraph (1), item (i), and the provisions of Article 24, Article 26, Article 30, paragraph (2), Article 31, and Article 33 apply mutatis mutandis to a Designated Training Agency. In this case, the phrase "no other person has been designated under the same paragraph [Article 10, paragraph (2)] and the application for designation filed under the same paragraph" in Article 23 is deemed to be replaced with "the application for designation filed under Article 13, paragraph (1), item (i)"; the term "Examination processes " in Article 23, item (i), item (ii) and item (iv), Article 24, paragraph (1) and paragraph (3), Article 30, paragraph (2), Article 31, paragraph (2), Article 32, paragraph (2), and Article 33, paragraph (1) is deemed to be replaced with "energy management training services"; the term "operational rules for Examination Processes " in Article 24 and Article 32, paragraph (2), item (iii) is deemed to be replaced with "operational rules for energy management training services"; the phrase "Article 10, paragraph (2)" in Article 26, paragraph (1) is deemed to be replaced with "Article 13, paragraph (1), item (i)"; the phrase "Article 28 (including the cases where it is applied mutatis mutandis pursuant to Article 29, paragraph (4)), or" in Article 32, paragraph (2), item (iv) is deemed to be replaced with "or."

(Suspension or Abolition of Energy Management Training Services)

- Article 37 Designated Training Agencies must, when having suspended or abolished all or part of the energy management training services, notify the Minister of Economy, Trade and Industry to that effect within a period

specified by Order of the Ministry of Economy, Trade and Industry.

(Public Notices)

Article 38 In any of the following cases, the Minister of Economy, Trade and Industry must make a public notice of the relevant matters in the Official Gazette:

- (i) where the Minister has made a designation under Article 13, paragraph (1), item (i);
- (ii) where the Minister has rescinded a designation pursuant to Article 32 as applied mutatis mutandis pursuant to Article 36, paragraph (2), or ordered the suspension of all or part of the energy management training services pursuant to Article 32, paragraph (2) as applied mutatis mutandis pursuant to Article 36, paragraph (2); or
- (iii) where the Minister has received a notification made under the preceding Article.

Section 4 Registered Investigation Bodies

(Registration)

Article 39 The registration set forth in Article 20, paragraph (1) (hereinafter referred to as the "registration" in this Section) is to be made, pursuant to Order of the Ministry of Economy, Trade and Industry provisions, upon application by a person who intends to conduct investigations for verification.

(Disqualification)

Article 40 A person who falls under any of the following items may not obtain the registration:

- (i) a person who was sentenced to a punishment for a violation of this Act or any order issued under this Act, before the elapse of a period of two years since that person served out the sentence or ceased to be subject to the sentence;
- (ii) a person whose registration was rescinded pursuant to Article 49, before the elapse of a period of two years since the date of rescission; or
- (iii) a corporation, any of whose officers in charge of its business falls under any of the preceding two items.

(Standards for Registration)

Article 41 (1) The Minister of Economy, Trade and Industry must register a person who has applied for registration pursuant to Article 39 if the person conforms to all of the following requirements. In this case, necessary procedures for the registration are specified by Order of the Ministry of

Economy, Trade and Industry:

- (i) investigations for verification will be conducted by two or more persons who have a qualified energy manager licenses;
 - (ii) the following measures will be taken to ensure the reliability of investigations for verification;
 - (a) a dedicated supervisor is assigned to the division engaging in investigations for verification;
 - (b) documents are prepared for controlling the operation of and securing accuracy in investigations for verification; and
 - (c) a dedicated division is established for controlling the operation of and securing accuracy in investigations for verification in accordance with the descriptions in the documents listed in (b).
- (2) The registration is to be made, with the following particulars stated in the registry of registered investigation bodies
- (i) the date of registration and registration number; and
 - (ii) the name and address of the person registered, as well as the name of the representative if such a person is a corporation.

(Renewal of Registration)

- Article 42 (1) Unless it is renewed at an interval of not less than three years as determined by Cabinet Order, the registration will cease to be effective upon expiration of such a period.
- (2) The provisions of the preceding three Articles apply mutatis mutandis to the renewal of registration set forth in the preceding paragraph.

(Obligation to Investigate)

- Article 43 (1) Registered Investigation Bodies must, without delay, conduct an Investigation for Verification when requested except where there are justifiable grounds.
- (2) Registered Investigation Bodies must conduct an Investigation for Verification fairly by a means specified by Order of the Ministry of Economy, Trade and Industry.
- (3) Registered Investigation Bodies must not conduct an Investigation for Verification with respect to Factories, etc. which belong to a person whose business is effectively controlled by the Registered Investigation Body or any other business specified by Order of the Ministry of Economy, Trade and Industry as having a close relationship to the Registered Investigation Body.

(Change of Place of Business)

- Article 44 A Registered Investigation Body must, when intending to change the location of the place of business where an Investigation for Verification is to be

conducted, notify the Minister of Economy, Trade and Industry by two weeks prior to the day when the change is scheduled.

(Operational Rules for Investigation Services)

Article 45 (1) Registered Investigation Bodies must formulate rules concerning the services for investigations for verification (hereinafter referred to as "Operational Rules for Investigation Services"), and notify the Minister of Economy, Trade and Industry of the rules before commencing the services for investigations for verification. The same applies where a Registered Investigation Body intends to revise the rules.

(2) Operational rules for investigation services must provide for a means of conducting an Investigation for Verification, means of calculating the fees for investigations for verification, and other matters specified by Order of the Ministry of Economy, Trade and Industry.

(Suspension or Discontinuation of Investigations)

Article 46 Registered Investigation Bodies must, when intending to suspend or discontinue all or part of the services for investigations for verification, notify the Minister of Economy, Trade and Industry to that effect in advance pursuant to Order of the Ministry of Economy, Trade and Industry provisions.

(Keeping and Making Available Financial Statements for Public Inspection
Financial Statements)

Article 47 (1) Registered Investigation Bodies must, within three months after the end of each business year, prepare a property inventory, balance sheet, profit and loss statement or income and expenditure statement and business report (in the case where these documents are prepared as electronic or magnetic records (which means records produced by an electronic device, magnetic device or any other device not recognizable to human the senses, which are used for information processing by a computer; hereinafter the same applies in this Article), or electronic or magnetic records are prepared instead of preparing the documents, the electronic or magnetic records will be included; these documents are hereinafter referred to as "financial statements, etc." in the following paragraph and Article 99, item (ii)) and keep them in its place of business for five years.

(2) A Specified Business or Specified Chain Business and other interested persons may, at any time during the business hours of the Registered Investigation Body, make any of the following requests to the body; provided, however, that when making a request set forth in item (ii) or item (iv), the business or interested persons must pay the fee determined by the Registered Investigation Body:

- (i) where financial statements, etc. are prepared as written documents, a request for public inspection or copying of the written documents;
- (ii) a request for a transcript or extract of the written documents set forth in the preceding item;
- (iii) where financial statements, etc. are prepared as electronic or magnetic records, a request for public inspection or copying of the content of the electronic or magnetic records indicated by a means specified by Order of the Ministry of Economy, Trade and Industry; or
- (iv) a request for provision of the content of the electronic or magnetic records set forth in the preceding item by an electronic or magnetic device specified by Order of the Ministry of Economy, Trade and Industry or a request for delivery of documents stating the content.

(Order for Improvement)

Article 48 The Minister of Economy, Trade and Industry may, when they find that a Registered Investigation Body is in violation of Article 43, paragraph (1) or paragraph (2), order the Registered Investigation Body to conduct an Investigation for Verification or take any other necessary measures to improve the investigation method or other operational procedures.

(Rescission of Registration)

Article 49 Where a Registered Investigation Body falls under any of the following items, the Minister of Economy, Trade and Industry may rescind its registration or order the Registered Investigation Body to suspend all or part of the services for inspections for verification within a specified period:

- (i) where the Registered Investigation Body now falls under Article 40, item (i) or item (iii);
- (ii) where the Registered Investigation Body has violated Article 43, paragraph (3), Article 44, Article 45, paragraph (1), Article 46, Article 47, paragraph (1), or Article 33 as applied mutatis mutandis pursuant to Article 51;
- (iii) where the Registered Investigation Body has refused the request made under the items of paragraph (2) of Article 47 without justifiable grounds;
- (iv) where the Registered Investigation Body has violated an order issued under the preceding Article, or Article 31, paragraph (1) as applied mutatis mutandis pursuant to Article 51; or
- (v) where the Registered Investigation Body has been registered by wrongful means.

(Public Notice)

Article 50 In any of the following cases, the Minister of Economy, Trade and Industry must make a public notice of the relevant matters in the Official

Gazette:

- (i) where the Minister has made a registration;
- (ii) where the Minister has received a notification made under Article 44 or Article 46; or
- (iii) where the Minister has rescinded a registration or ordered the suspension of all or part of the services for investigations for verification pursuant to the preceding Article.

(Application Mutatis Mutandis)

Article 51 The provisions of Article 30, paragraph (1), Article 31, paragraph (1), and Article 33 apply mutatis mutandis to registered investigation bodies. In this case, the phrase "employees (including Examiners; hereinafter the same applies in the following paragraph)" in Article 30, paragraph (1) is deemed to be replaced with "employees," the term "Examination Processes" in the same paragraph and Article 33, paragraph (1) is deemed to be replaced with "services for investigations for verification," and the phrase "any of the items of Article 23 (excluding item (iii); hereinafter the same applies in this paragraph)" in Article 31, paragraph (1) is deemed to be replaced with "any of the items of paragraph (1) of Article 41."

Chapter IV Measures Pertaining to Transportation

Section 1 Measures Pertaining to Freight Transportation

Subsection 1 Measures Pertaining to Freight Carriers

(Standards of Judgment for Freight Carriers)

Article 52 (1) For the purpose of ensuring the appropriate and effective implementation of rationalizing the use of Energy in freight transportation, the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism is to establish and publicize standards of judgment for freight carriers (which means Businesses that transport, with the use of Energy, their own freight or others' freight departing from or arriving at places in Japan; the same applies hereinafter), with regard to the following matters as well as the targets for rationalizing the use of Energy in freight transportation and the measures to be taken systematically to achieve the targets:

- (i) use of transportation machinery and equipment with a high level of energy-consumption performance, etc. prescribed in Article 78, paragraph (1);
- (ii) operation or control of transportation machinery and equipment that contributes to rationalizing the use of Energy;
- (iii) use of transportation machinery and equipment with high transportation capacity; and

- (iv) efficient utilization of the transportation capacity of transportation machinery and equipment.
- (2) For the purpose of ensuring the appropriate and effective implementation of measures conducive to the Leveling of Electricity Demand in freight transportation by freight carriers engaged in freight transportation using electricity, the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism are to establish and publicize guidelines for measures to be implemented by the freight carriers.
- (3) The standards of judgment prescribed in paragraph (1) and the guidelines prescribed in the preceding paragraph will be established by considering long-term energy supply-demand forecasts, the environment surrounding the supply and demand of electricity and other Energy, the technical level related to rationalizing the use of Energy and other circumstances, and will be amended, if necessary, depending on any changes in these circumstances. The provisions of Article 5, paragraph (2) apply mutatis mutandis to the standards of judgment prescribed in the preceding paragraph.

(Guidance and Advice)

Article 53 The Minister of Land, Infrastructure, Transport and Tourism may, when they find it necessary in order to ensure the proper implementation of rationalizing the use of Energy in freight transportation or the proper implementation of measures conducive to the Leveling of Electricity Demand in freight transportation, provide freight carriers with necessary guidance and advice with regard to the implementation of the matters listed in the items of paragraph (1) of the preceding Article, by considering the standards of judgment prescribed in the same paragraph, or provide freight carriers engaged in freight transportation using electricity with necessary guidance and advice with regard to the implementation of measures conducive to the Leveling of Electricity Demand, by considering the guidelines prescribed in paragraph (2) of the same Article.

(Designation of Specified Freight Carriers)

Article 54 (1) The Minister of Land, Infrastructure, Transport and Tourism is to designate freight carriers whose transportation capacity specified by Cabinet Order is beyond the level specified by Cabinet Order for the respective categories of freight transportation specified by Cabinet Order (hereinafter referred to as "Freight Transportation Categories"), as freight carriers especially required to promote rationalizing the use of Energy in freight transportation for the respective Freight Transportation Categories.

(2) Freight carriers are to, where its transportation capacity specified by Cabinet Order under the preceding paragraph as of the last day of the previous

business year for the respective Freight Transportation Categories is beyond the level specified by Cabinet Order, notify the Minister of Land, Infrastructure, Transport and Tourism, pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism, of the matters concerning the transportation capacity as specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism for the respective Freight Transportation Categories; provided, however, that this does not apply to a freight carrier designated pursuant to the same paragraph (hereinafter referred to as a "Specified Freight Carrier") with respect to the Freight Transportation Category pertaining to the designation.

- (3) A Specified Freight Carrier may, where any of the events listed in the following items has occurred with respect to the Freight Transportation Category pertaining to the designation, make an offer to the Minister of Land, Infrastructure, Transport and Tourism pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism to the effect that the designation for the Freight Transportation Category should be rescinded:
- (i) the Specified Freight Carrier has ceased to operate the freight transportation business; or
 - (ii) the Specified Freight Carrier's transportation capacity specified by Cabinet Order under paragraph (1) is no longer likely to be beyond the level specified by Cabinet Order under the same paragraph.
- (4) Upon receiving an offer made under the preceding paragraph, the Minister of Land, Infrastructure, Transport and Tourism is to , when they find a reason for the offer, rescind the designation made under the provision of paragraph (1) without delay. The same applies where, in the absence of an offer made under the preceding paragraph, it is deemed that any of the events listed in the items of the same paragraph has occurred.

(Preparation of Medium-Term and Long-Term Plans)

Article 55 Specified Freight Carriers must, pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism, prepare in the business year following the business year that contains the date of designation under paragraph (1) of the preceding Article and each subsequent business year, a medium-term and long-term plan for the respective Freight Transportation Categories pertaining to the designation for achieving the targets for rationalizing the use of Energy in freight transportation that are specified in the standards of judgment prescribed in Article 52, paragraph (1), and submit the plan to the Minister of Land, Infrastructure, Transport and Tourism.

(Periodical Reports)

Article 56 (1) Specified Freight Carriers must, pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism, report to the Minister of Land, Infrastructure, Transport and Tourism in the business year following the business year that contains the date of designation under Article 54, paragraph (1) and each subsequent business year, the matters specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism for the respective Freight Transportation Categories pertaining to the designation, with regard to the energy consumption in freight transportation and other status of energy use in freight transportation (including the matters concerning efficiency in energy use in freight transportation and CO₂ emissions from energy use in freight transportation) as well as the status of implementation of the necessary measures for rationalizing the use of Energy in freight transportation.

(2) The Minister of Land, Infrastructure, Transport and Tourism must, when they intend to formulate or revise Order of the Ministry of Land, Infrastructure, Transport and Tourism set forth in the preceding paragraph (limited to the matters concerning CO₂ emissions from energy use in freight transportation), consult with the Minister of the Environment in advance.

(Recommendations and Orders)

Article 57 (1) The Minister of Land, Infrastructure, Transport and Tourism may, when they find that the status of rationalizing the use of Energy in freight transportation by a Specified Freight Carrier with respect to the Freight Transportation Category pertaining to the designation made under Article 54, paragraph (1) is significantly insufficient in light of the standards of judgment prescribed in Article 52, paragraph (1), recommend the Specified Freight Carrier to take necessary measures for rationalizing the use of Energy in freight transportation with respect to the Freight Transportation Category, while considering the technical level relating to the freight transportation carried out by the Specified Freight Carrier using Energy, the status of the measures implemented by the Specified Freight Carrier in accordance with the guidelines prescribed in paragraph (2) of the same Article, and other circumstances, and presenting the grounds for their judgment.

(2) Where a Specified Freight Carrier that has received recommendations made under the preceding paragraph has failed to follow the recommendations, the Minister of Land, Infrastructure, Transport and Tourism may publicize this.

(3) Where a Specified Freight Carrier that has received recommendations prescribed in paragraph (1) has failed to take the measures as recommended without justifiable grounds, the Minister of Land, Infrastructure, Transport and Tourism may, after hearing opinions of Councils, etc. specified by Cabinet Order, order the Specified Freight Carrier to take the measures as

recommended.

Subsection 2 Measures Pertaining to Consigners

(Efforts of Consigners)

Article 58 Consigners (which means Businesses that, in connection with their business activity, continuously have freight carriers transport their freight; the same applies hereinafter) must, while giving due consideration to the provisions of the Basic Policy, endeavor to contribute to rationalizing the use of Energy in freight transportation consigned to freight carriers, and endeavor to contribute to the Leveling of Electricity Demand, by properly implementing the following measures:

- (i) measures to choose means of transportation with a high level of performance as evaluated on the basis of the amount of Energy consumed in transportation under certain conditions;
- (ii) measures to improve the efficiency in utilizing the transportation capacity that is provided in a fixed quantity; and
- (iii) the change of the times for carrying out freight transportation using electricity from the time zones for the leveling of electricity demand to the time zones outside the time zones for the leveling of electricity demand.

(Standards of Judgment for Consigners)

Article 59 (1) For the purpose of ensuring the appropriate and effective implementation of rationalizing the use of Energy in freight transportation consigned by consigners to freight carriers, the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism are to establish and publicize standards of judgment for consigners, with regard to the measures listed in items (i) and (ii) of the preceding Article as well as the targets for rationalizing the use of Energy in the freight transportation and the measures to be taken systematically to achieve the targets.

(2) For the purpose of ensuring the appropriate and effective implementation by consignors of measures conducive to the Leveling of Electricity Demand in freight transportation using electricity consigned to freight carriers, the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism are to establish and publicize guidelines for the matters listed in item (iii) of the preceding Article and other measures to be implemented by the consignors.

(3) The provisions of Article 52, paragraph (3) apply mutatis mutandis to the standards of judgment prescribed in paragraph (1) and the guidelines prescribed in the preceding paragraph.

(Guidance and Advice)

Article 60 The competent minister may, when they find it necessary in order to ensure the proper implementation of rationalizing the use of Energy in freight transportation consigned by consigners to freight carriers or the proper implementation of measures conducive to the Leveling of Electricity Demand in the freight transportation, provide consigners with necessary guidance and advice with regard to the implementation of the measures listed in Article 58, items (i) and (ii), by considering the standards of judgment prescribed in paragraph (1) of the preceding Article, or provide consigners of freight transportation using electricity with necessary guidance and advice with regard to the implementation of the measures listed in Article 58, item (iii), by considering the guidelines prescribed in paragraph (2) of the preceding Article.

(Designation of Specified Consigners)

Article 61 (1) The Minister of Economy, Trade and Industry is to designate consigners whose volume of freight transportation consigned to freight carriers for a given business year as calculated pursuant to Cabinet Order provisions is beyond the level specified by Cabinet Order, as consigners especially required to promote rationalizing the use of Energy in freight transportation consigned to freight carriers.

(2) Consigners are to, where its volume of freight transportation consigned to freight carriers for the previous business year as calculated pursuant to Cabinet Order provisions under the preceding paragraph is beyond the level specified by Cabinet Order under the same paragraph, notify the Minister of Economy, Trade and Industry, pursuant to Order of the Ministry of Economy, Trade and Industry provisions, of the matters concerning the volume of freight transportation as specified by Order of the Ministry of Economy, Trade and Industry; provided, however, that this does not apply to a consigner designated pursuant to the same paragraph (hereinafter referred to as a "Specified Consigner").

(3) A Specified Consigner may, where any of the events listed in the following items has occurred, make an offer to the Minister of Economy, Trade and Industry pursuant to Order of the Ministry of Economy, Trade and Industry provisions to the effect that the designation made under the provisions of paragraph (1) should be rescinded:

- (i) the Specified Consigner, in connection with its business activities, has ceased to continuously have freight carriers transport its freight; or
- (ii) the Specified Consigner's volume of freight transportation consigned to freight carriers as calculated pursuant to Cabinet Order provisions under paragraph (1) is no longer likely to be beyond the level specified by Cabinet

Order under the same paragraph.

- (4) Upon receiving an offer made under the preceding paragraph, the Minister of Economy, Trade and Industry is to, when they find a reason for the offer, rescind the designation made under the provisions of paragraph (1) without delay. The same applies where, in the absence of an offer made under the preceding paragraph, it is deemed that any of the events listed in the items of the same paragraph has occurred.
- (5) The Minister of Economy, Trade and Industry is to, when having made a designation pursuant to paragraph (1) or rescinded a designation pursuant to the preceding paragraph, notify the minister with jurisdiction over the consigner's business to that effect.

(Preparation of Plans)

Article 62 A Specified Consigner must, pursuant to Order of the Ministry of Economy, Trade and Industry provisions, prepare each business year a plan for achieving the targets for rationalizing the use of Energy in freight transportation consigned to freight carriers that are specified in the standards of judgment prescribed in Article 59, paragraph (1), and submit the plan to the competent minister.

(Periodical Reports)

Article 63 (1) Specified Consigners must, pursuant to Order of the Ministry of Economy, Trade and Industry provisions, report to the competent minister each business year the matters specified by Order of the Ministry of Economy, Trade and Industry with regard to the energy consumption in freight transportation consigned to freight carriers and other status of energy use in the freight transportation (including the matters concerning efficiency in energy use in the freight transportation and CO₂ emissions from energy use in the freight transportation) as well as the status of implementation of the necessary measures for rationalizing the use of Energy in the freight transportation.

- (2) The Minister of Economy, Trade and Industry must, when they intend to formulate or revise Order of the Ministry of Economy, Trade and Industry set forth in the preceding paragraph (limited to matters concerning CO₂ emissions from energy use in freight transportation consigned to freight carriers), consult with the Minister of the Environment in advance.

(Recommendations and Orders)

Article 64 (1) The competent minister may, when they find that the status of rationalizing the use of Energy in freight transportation consigned by a Specified Consigner to freight carriers is significantly insufficient in light of

the standards of judgment prescribed in Article 59, paragraph (1), recommend the Specified Consigner to take necessary measures for rationalizing the use of Energy in the freight transportation, while considering the status of the measures implemented by the Specified Consigner in accordance with the guidelines prescribed in paragraph (2) of the same Article, and other circumstances, and presenting the grounds for their judgment.

(2) Where a Specified Consigner that has received recommendations made under the preceding paragraph has failed to follow the recommendations, the competent minister may publicize this.

(3) Where a Specified Consigner that has received recommendations prescribed in paragraph (1) has failed to take the measures as recommended without justifiable grounds, the competent minister may, after hearing opinions of Councils, etc. specified by Cabinet Order, order the Specified Consigner to take the measures as recommended.

(Opinions of the Minister of Land, Infrastructure, Transport and Tourism)

Article 65 The Minister of Land, Infrastructure, Transport and Tourism may, when they find it particularly necessary in order to ensure the proper implementation of rationalizing the use of Energy in freight transportation by freight carriers or the proper implementation of measures conducive to the Leveling of Electricity Demand in the freight transportation, state their opinions to the competent minister about the operations in the provisions of Article 60 or the preceding Article.

Section 2 Measures Pertaining to Passenger Transportation

(Standards of Judgment for Passenger Carriers)

Article 66 (1) For the purpose of ensuring the appropriate and effective implementation of rationalizing the use of Energy in passenger transportation, the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism is to establish and publicize standards of judgment for passenger carriers (which means Businesses that transport, with the use of Energy, passengers departing from or arriving at places in Japan; the same applies hereinafter), with regard to the following matters as well as the targets for rationalizing the use of Energy in passenger transportation and the measures to be taken systematically to achieve the targets:

- (i) use of transportation machinery and equipment with excellent energy-consumption performance, etc. prescribed in Article 78, paragraph (1);
- (ii) operation or control of transportation machinery and equipment that contributes to rationalizing the use of Energy; and

- (iii) reduction of the distance of driving or navigation without passengers.
- (2) For the purpose of ensuring the appropriate and effective implementation of measures conducive to the Leveling of Electricity Demand in passenger transportation by passenger carriers engaged in passenger transportation using electricity, the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism must establish and publicize guidelines for measures to be implemented by the passenger carriers.
- (3) The provisions of Article 52, paragraph (3) apply mutatis mutandis to the standards of judgment prescribed in paragraph (1) and the guidelines prescribed in the preceding paragraph.

(Guidance and Advice)

Article 67 The Minister of Land, Infrastructure, Transport and Tourism may, when they find it necessary in order to ensure the proper implementation of rationalizing the use of Energy in passenger transportation or the proper implementation of measures conducive to the Leveling of Electricity Demand in passenger transportation, provide passenger carriers with necessary guidance and advice with regard to the implementation of the matters listed in the items of paragraph (1) of the preceding Article, by considering the standards of judgment prescribed in the same paragraph, or provide passenger carriers engaged in passenger transportation using electricity with necessary guidance and advice with regard to the implementation of measures conducive to the Leveling of Electricity Demand, by considering the guidelines prescribed in paragraph (2) of the same Article.

(Designation of Specified Passenger Carriers)

Article 68 (1) The Minister of Land, Infrastructure, Transport and Tourism is to designate passenger carriers whose transportation capacity specified by Cabinet Order is beyond the level specified by Cabinet Order for the respective categories of passenger transportation specified by Cabinet Order (hereinafter referred to as "Passenger Transportation Categories"), as passenger carriers especially required to promote rationalizing the use of Energy in passenger transportation for the respective Freight Transportation Categories.

(2) Passenger carriers must, where its transportation capacity specified by Cabinet Order under the preceding paragraph as of the last day of the previous business year for the respective Passenger Transportation Categories is beyond the level specified by Cabinet Order under the same paragraph, notify the Minister of Land, Infrastructure, Transport and Tourism, pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism, of the matters concerning the transportation capacity as specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism for the

respective Passenger Transportation Categories; provided, however, that this does not apply to a passenger carrier designated pursuant to the same paragraph (hereinafter referred to as a "Specified Passenger Carrier") with respect to the Passenger Transportation Category pertaining to the designation.

(3) Specified Passenger Carriers may, where any of the events listed in the following items has occurred with respect to the Passenger Transportation Category pertaining to the designation, make an offer to the Minister of Land, Infrastructure, Transport and Tourism pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism to the effect that the designation for the Passenger Transportation Category should be rescinded:

- (i) the Specified Passenger Carrier has ceased to operate the passenger transportation business; or
- (ii) the Specified Passenger Carrier's transportation capacity specified by Cabinet Order under paragraph (1) is no longer likely to be beyond the level specified by Cabinet Order under the same paragraph.

(4) Upon receiving an offer made under the preceding paragraph, the Minister of Land, Infrastructure, Transport and Tourism is to, when they find a reason for the offer, rescind the designation made under the provisions of paragraph (1) without delay. The same applies where, in the absence of an offer made under the preceding paragraph, it is deemed that any of the events listed in the items of the same paragraph has occurred.

(Application Mutatis Mutandis)

Article 69 The provisions of Articles 55 to 57 inclusive apply mutatis mutandis to Specified Passenger Carriers. In this case: in Article 55, the phrase "paragraph (1) of the preceding Article" is deemed to be replaced with "Article 68, paragraph (1)," the phrase "Article 52, paragraph (1)" is deemed to be replaced with "Article 66, paragraph (1)," the phrase "freight transportation" is deemed to be replaced with "passenger transportation," and the phrase "Freight Transportation Categories" is deemed to be replaced with "Passenger Transportation Categories"; in Article 56, paragraph (1), the phrase "Article 54, paragraph (1)" is deemed to be replaced with "Article 68, paragraph (1)," the phrase "freight transportation" is deemed to be replaced with "passenger transportation," and the phrase "Freight Transportation Categories" is deemed to be replaced with "Passenger Transportation Categories"; in Article 56, paragraph (2), the phrase "freight transportation" is deemed to be replaced with "passenger transportation"; in Article 57, paragraph (1), the phrase "Article 54, paragraph (1)" is deemed to be replaced with "Article 68, paragraph (1)," the phrase "Freight Transportation Category" is deemed to be replaced with "Passenger Transportation Category," the phrase "freight transportation"

is deemed to be replaced with "passenger transportation," and the phrase "Article 52, paragraph (1)" is deemed to be replaced with "Article 66, paragraph (1)".

(Efforts of Businesses)

Article 70 Businesses must, while giving due consideration to the provisions of the Basic Policy, endeavor to contribute to rationalizing the use of Energy in transportation, and endeavor to contribute to the Leveling of Electricity Demand, by properly encouraging their employees to commute by public transportation and implementing other measures.

Section 3 Special Provisions on Air Transportation

(Special Provisions for Air Carriers)

Article 71 (1) The Minister of Land, Infrastructure, Transport and Tourism is to designate air carriers (which means Businesses that transport, by aircraft, freight or passengers departing from or arriving at places in Japan; the same applies hereinafter), whose transportation capacity specified by Cabinet Order is beyond the level specified by Cabinet Order, as air carriers especially required to promote rationalizing the use of Energy in freight or passenger transportation.

(2) The provisions of Article 54 and Article 68 do not apply to Air Carriers.

(3) An air carrier must, where its transportation capacity specified by Cabinet Order under paragraph (1) as of the last day of the previous business year is beyond the level specified by Cabinet Order under the same paragraph, notify the Minister of Land, Infrastructure, Transport and Tourism, pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism, of the matters concerning the transportation capacity as specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism; provided, however, that this does not apply to an air carrier designated pursuant to the same paragraph (hereinafter referred to as a "Specified Air Carrier").

(4) A Specified Air Carrier may, where any of the events listed in the following items has occurred, make an offer to the Minister of Land, Infrastructure, Transport and Tourism pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism to the effect that the designation made under the provisions of paragraph (1) should be rescinded:

(i) the Specified Air Carrier has ceased to operate the freight or passenger transportation business; or

(ii) the Specified Air Carrier's transportation capacity specified by Cabinet Order under paragraph (1) is no longer likely to be beyond the level specified

- by Cabinet Order under the same paragraph.
- (5) Upon receiving an offer made under the preceding paragraph, the Minister of Land, Infrastructure, Transport and Tourism is to, when they find a reason for the offer, rescind the designation made under the provisions of paragraph (1) without delay. The same applies where, in the absence of an offer made under the preceding paragraph, it is deemed that any of the events listed in the items of the same paragraph has occurred.
- (6) The provisions of Articles 55 to 57 inclusive apply mutatis mutandis to Specified Air Carriers. In this case: in Article 55, the phrase "paragraph (1) of the preceding Article" is deemed to be replaced with "Article 71, paragraph (1)," the phrase "Article 52, paragraph (1)" is deemed to be replaced with "Article 52, paragraph (1) and Article 66, paragraph (1)," the phrase "freight transportation" is deemed to be replaced with "freight or passenger transportation," and the phrase "for the respective Freight Transportation Categories pertaining the designation for achieving" is deemed to be replaced with "for achieving"; in Article 56, paragraph (1), the phrase "Article 54, paragraph (1)" is deemed to be replaced with "Article 71, paragraph (1)," the phrase "freight transportation" is deemed to be replaced with "freight or passenger transportation," the phrase "by Order of the Ministry of Land, Infrastructure, Transport and Tourism for each Freight Transportation Category pertaining to the designation" is deemed to be replaced with "by Order of the Ministry of Land, Infrastructure, Transport and Tourism"; in Article 56, paragraph (2), the phrase "freight transportation" is deemed to be replaced with "freight or passenger transportation"; in Article 57, paragraph (1), the phrase "freight transportation by a Specified Freight Carrier with respect to the Freight Transportation Category pertaining to the designation made under Article 54, paragraph (1)" is deemed to be replaced with "freight or passenger transportation by a Specified Air Carrier," the phrase "Article 52, paragraph (1)" is deemed to be replaced with "Article 52, paragraph (1) and Article 66, paragraph (1)," the phrase "freight transportation carried out by" is deemed to be replaced with "freight or passenger transportation carried out by," and the phrase "paragraph (2) of the same Article" is deemed to be replaced with "Article 52, paragraph (2) and Article 66, paragraph (2)," and the phrase "freight transportation with respect to the Freight Transportation Category" is deemed to be replaced with "freight or passenger transportation."

Chapter V Measures Pertaining to Buildings

Article 72 The following persons must, while giving due consideration to the provisions of the Basic Policy, endeavor to contribute to rationalizing the use of Energy for buildings by properly implementing the measures to prevent heat

loss through exterior walls, windows, etc. of buildings and realize the efficient utilization of Energy for air conditioning systems or other building equipment specified by Cabinet Order which are installed in buildings (hereinafter referred to as "Air Conditioning Systems, etc." in the item (iv)), and endeavor to contribute to the Leveling of Electricity Demand by properly implementing the measures to ensure the utilization of electricity conducive to the Leveling of Electricity Demand in relation to electricity-consuming machinery and equipment installed in buildings:

- (i) a person who intends to construct a building;
- (ii) the owner of a building (in the case of a building managed by a person other than the owner, the manager of the building);
- (iii) a person who intends to repair or remodel the roofs, walls or floors of a building that are directly exposed to the outside (including windows or other openings established therein); or
- (iv) a person who intends to install Air Conditioning Systems, etc. in a building or modify the Air Conditioning Systems, etc. installed in a building.

(Standards of Judgment for Construction Clients and Owners of Specified Buildings)

Article 73 to 76 Deleted.

Chapter VI Measures Pertaining to Machinery, Equipment, and Other Items

Section 1 Measures Pertaining to Machinery and Equipment

(Efforts of Manufacturers of Energy-Consuming Equipment)

Article 77 (1) Businesses engaged in manufacturing or importing energy-consuming equipment, etc. (meaning energy-consuming equipment (meaning machinery and equipment that consumes Energy; the same applies hereinafter) or related equipment (meaning machinery and equipment used as components of energy-consuming equipment or used exclusively in combination with energy-consuming equipment, which has an effect on the amount of Energy consumed in the use of the energy-consuming equipment; the same applies hereinafter); the same applies hereinafter) (the Businesses are hereinafter referred to as "Manufacturers of Energy-Consuming Equipment, etc.") must endeavor to contribute to rationalizing the use of Energy related to energy-consuming equipment, etc., by improving the energy-consumption performance (meaning the performance as evaluated on the basis of the amount of Energy consumed in the use of energy-consuming equipment under certain conditions; the same applies hereinafter) or the related energy-consumption performance (meaning the performance of the related equipment affecting the energy-

consumption performance of the energy-consuming equipment involving the related equipment; the same applies hereinafter) of the energy-consuming equipment, etc. that they manufacture or import, while giving due consideration to the provisions of the Basic Policy.

- (2) Businesses engaged in manufacturing or importing electricity-consuming machinery and equipment (limited to those for which it is technically and economically possible to add a function conducive to the Leveling of Electricity Demand; hereinafter the same applies in this paragraph) must endeavor to contribute to the Leveling of Electricity Demand related to electricity-consuming machinery and equipment, by improving the performance in relation to the Leveling of Electricity Demand of the electricity-consuming machinery and equipment that they manufacture or import, while giving due consideration to the provisions of the Basic Policy.

(Standards of Judgment for Manufacturers of Energy-Consuming Equipment)
Article 78 (1) With respect to automobiles (limited to those specified by Cabinet Order in the respect that it is particularly necessary to improve the energy-consumption performance thereof; the same applies hereinafter) and other energy-consuming machinery, etc. that is heavily used in Japan and consumes a considerable amount of Energy when in use, which is specified by Cabinet Order in the respect that it is particularly necessary to improve the energy-consumption performance thereof (hereinafter referred to as "Specified Energy-Consuming Equipment"), and related equipment of energy-consuming equipment that is heavily used in Japan and consumes a considerable amount of Energy when in use, which is specified by Cabinet Order in the respect that it is particularly necessary to improve the related energy-consumption performance thereof (hereinafter referred to as "Specified Related Equipment"), the Minister of Economy, Trade and Industry (or in the case of automobiles and Specified Related Equipment thereof, the Minister of Economy, Trade and Industry and the Minister of Land, Infrastructure, Transport and Tourism; hereinafter the same applies in this Chapter and Article 87, paragraph (10)) is to establish and publicize standards of judgment for Manufacturers of Energy-Consuming Equipment, etc., with regard to the improvement of the energy-consumption performance or related energy-consumption performance (hereinafter referred to as "Energy-Consumption Performance, etc.") for the respective Specified Energy-Consuming Equipment or Specified Related Equipment (hereinafter referred to as "Specified Energy-Consuming Equipment, etc.").

- (2) The standards of judgment prescribed in the preceding paragraph are to be established by considering the highest level of Energy-Consumption Performance, etc. of the respective Specified Energy-Consuming Equipment,

etc., future prospects for technological development related to the respective Specified Energy-Consuming Equipment, etc. and other circumstances, and are to be revised if necessary depending on any changes in these circumstances.

(Recommendations and Orders Concerning Improvement of Performance)

Article 79 (1) When the Minister of Economy, Trade and Industry finds it necessary, in light of the standards of judgment prescribed in paragraph (1) of the preceding Article, to improve the Energy-Consumption Performance, etc. to a considerable extent with respect to the Specified Energy-Consuming Equipment, etc. manufactured or imported by a Manufacturer of Energy-Consuming Equipment, etc. where the production or import volume of the Specified Energy-Consuming Equipment, etc. manufactured or imported thereby satisfies the requirements specified by Cabinet Order, the Minister may recommend the Manufacturer of Energy-Consuming Equipment, etc. to improve the Energy-Consumption Performance, etc. of the Specified Energy-Consuming Equipment, etc. manufactured or imported thereby, while setting targets for improvement.

(2) Where a Manufacturer of Energy-Consuming Equipment, etc. that has received recommendations made under the preceding paragraph has failed to follow the recommendations, the Minister of Economy, Trade and Industry may publicize this.

(3) Where a Manufacturer of Energy-Consuming Equipment, etc. that has received recommendations prescribed in paragraph (1) has failed to take the measures as recommended without justifiable grounds, the Minister of Economy, Trade and Industry may, when they find that this failure significantly affects rationalizing the use of Energy for the Specified Energy-Consuming Equipment, etc., order the Manufacturer of Energy-Consuming Equipment, etc. to take the measures as recommended, after hearing opinions of Councils, etc. specified by Cabinet Order.

(Indication)

Article 80 The Minister of Economy, Trade and Industry is to specify the following particulars for the respective Specified Energy-Consuming Equipment, etc. (excluding the equipment that falls into the category of household goods prescribed in Article 2, paragraph (1), item (i) of the Household Goods Quality Labeling Act (Act No. 104 of 1962); hereinafter the same applies in this Article and the following Article), and make public notice of them:

(i) particulars specified in (a) or (b) below according to the respective categories of Specified Energy-Consuming Equipment, etc. listed therein:

(a) specified Energy-Consuming Equipment: Particulars to be indicated by

Manufacturers of Energy-Consuming Equipment, etc. with regard to the energy consumption efficiency (meaning the value calculated pursuant to Order of the Ministry of Economy, Trade and Industry provisions (or in the case of automobiles, Order of the Ministry of Economy, Trade and Industry and Order of the Ministry of Land, Infrastructure, Transport and Tourism) as representing the energy-consumption performance of Specified Energy-Consuming Equipment; the same applies hereinafter); or

- (b) specified Related Equipment: Matters to be indicated by Manufacturers of Energy-Consuming Equipment, etc. with regard to the contribution rate (meaning the value calculated pursuant to Order of the Ministry of Economy, Trade and Industry provisions (or in the case of automobiles, Order of the Ministry of Economy, Trade and Industry and Order of the Ministry of Land, Infrastructure, Transport and Tourism) as representing the related energy-consumption performance of Specified Related Equipment; the same applies hereinafter); and
- (ii) the method of indication and other matters to be observed by Manufacturers of Energy-Consuming Equipment, etc. when indicating the energy consumption efficiency or contribution rate.

(Recommendations and Orders Concerning Indication)

Article 81 (1) The Minister of Economy, Trade and Industry may, when they find that a Manufacturer of Energy-Consuming Equipment, etc. does not indicate the energy consumption efficiency or contribution rate in accordance with the public notice made under the preceding Article with respect to Specified Energy-Consuming Equipment, etc., recommend the Manufacturer of Energy-Consuming Equipment, etc. to indicate the energy consumption efficiency or contribution rate, in accordance with the public notice, to the Specified Energy-Consuming Equipment, etc. manufactured or imported thereby.

(2) Where a Manufacturer of Energy-Consuming Equipment that has received recommendations made under the preceding paragraph has failed to follow the recommendations, the Minister of Economy, Trade and Industry may publicize this.

(3) Where a Manufacturer of Energy-Consuming Equipment, etc. that has received recommendations prescribed in paragraph (1) has failed to take the measures as recommended without justifiable grounds, the Minister of Economy, Trade and Industry may, when they find that this failure significantly affects rationalizing the use of Energy for the Specified Energy-Consuming Equipment, etc., order the Manufacturer of Energy-Consuming Equipment, etc. to take the measures as recommended, after hearing opinions of Councils, etc. specified by Cabinet Order.

Section 2 Measures Pertaining to Building Materials Designed to Prevent Heat Loss

(Efforts of Manufacturers of Building Materials Designed to Prevent Heat Loss)

Article 81-2 Businesses engaged in manufacturing, processing or importing building materials used for the prevention of heat loss through exterior walls, windows, etc. of buildings (hereinafter the materials are referred to as "Building Materials Designed to Prevent Heat Loss" and the Businesses are referred to as "Manufacturers of Building Materials Designed to Prevent Heat Loss") must endeavor to contribute to rationalizing the use of Energy related to Building Materials Designed to Prevent Heat Loss, by improving the heat loss prevention performance of the Building Materials Designed to Prevent Heat Loss that they manufacture, process or import, while giving due consideration to the provisions of the Basic Policy.

(Standards of Judgment for Manufacturers of Building Materials Designed to Prevent Heat Loss)

Article 81-3 (1) With respect to Building Materials Designed to Prevent Heat Loss that are heavily used in Japan and are used mainly for parts of buildings through which a considerable amount of heat is lost, and that are specified by Cabinet Order in the respect that it is particularly necessary to improve the performance prescribed in the preceding Article (hereinafter referred to as "Specified Building Materials Designed to Prevent Heat Loss"), the Minister of Economy, Trade and Industry is to establish and publicize standards of judgment for Manufacturers of Building Materials Designed to Prevent Heat Loss, with regard to the improvement of the performance for the respective Specified Building Materials Designed to Prevent Heat Loss.

(2) The standards of judgment prescribed in the preceding paragraph are to be established by considering the highest level of the performance prescribed in the preceding Article of the respective Specified Building Materials Designed to Prevent Heat Loss, future prospects for technological development related to the respective Specified Building Materials Designed to Prevent Heat Loss, and other circumstances, and are to be revised if necessary depending on any changes in these circumstances.

(Indication)

Article 81-4 The Minister of Economy, Trade and Industry is to specify the following particulars for the respective Specified Building Materials Designed to Prevent Heat Loss, and make public notice of them:

(i) particulars to be indicated by Manufacturers of Building Materials Designed

to Prevent Heat Loss with regard to the heat loss prevention performance of Specified Building Materials Designed to Prevent Heat Loss (meaning the value calculated pursuant to Order of the Ministry of Economy, Trade and Industry provisions as representing the heat loss prevention performance of Specified Building Materials Designed to Prevent Heat Loss; the same applies hereinafter); and

- (ii) the method of indication and other matters to be observed by Manufacturers of Building Materials Designed to Prevent Heat Loss when indicating the heat loss prevention performance.

(Application Mutatis Mutandis)

Article 81-5 The provisions of Articles 79 and 81 apply mutatis mutandis to Manufacturers of Building Materials Designed to Prevent Heat Loss. In this case: in Article 79, paragraph (1), the phrase "manufactured or imported by" is deemed to be replaced with "manufactured, processed or imported by," the term "Specified Energy-Consuming Equipment, etc." is deemed to be replaced with "Specified Building Materials Designed to Prevent Heat Loss," the phrase "manufactured or imported thereby" is deemed to be replaced with "manufactured, processed or imported thereby," the phrase "in light of the standards of judgment prescribed in paragraph (1) of the preceding Article, to improve the Energy-Consumption Performance, etc." is deemed to be replaced with "in light of the standards of judgment prescribed in Article 81-3, paragraph (1), to improve the performance prescribed in Article 81-2," and the phrase "to improve the Energy-Consumption Performance, etc. of" is deemed to be replaced with "to improve the performance," and in paragraph (3) of the same Article, the term "Specified Energy-Consuming Equipment, etc." is deemed to be replaced with "Specified Building Materials Designed to Prevent Heat Loss"; in Article 81, paragraph (1), the term "Specified Energy-Consuming Equipment, etc." is deemed to be replaced with "Specified Building Materials Designed to Prevent Heat Loss," the term "the preceding Article" is deemed to be replaced with "Article 81-4," the phrase "energy consumption efficiency or contribution rate" is deemed to be replaced with "heat loss prevention performance," and the phrase "manufactured or imported thereby" is deemed to be replaced with "manufactured, processed or imported thereby," and in paragraph (3) of the same Article, the term "Specified Energy-Consuming Equipment, etc." is deemed to be replaced with "Specified Building Materials Designed to Prevent Heat Loss."

Chapter VII Measures Pertaining to Electricity Utilities

(Disclosure)

Article 81-6 When an electricity utility (meaning the general electricity utility prescribed in Article 2, paragraph (1), item (ii) of the Electricity Business Act (Act No. 170 of 1964), the specified electricity utility prescribed in item (vi) of the same paragraph, or the specified-scale electricity utility prescribed in item (viii) of the same paragraph; the same applies hereinafter) is requested by a person who uses electricity supplied thereby to disclose information that is specified by Order of the Ministry of Economy, Trade and Industry as information concerning the status of use of electricity related to the person who uses electricity and that is retained by the electricity utility (excluding the retained personal data prescribed in Article 2, paragraph (7) of the Act on the Protection of Personal Information (Act No. 57 of 2003)), the electricity utility must, without delay, disclose the information to the person who uses electricity (including those designated by the person who uses electricity), by a method specified by Order of the Ministry of Economy, Trade and Industry; provided, however, that in the case as specified by Order of the Ministry of Economy, Trade and Industry as where the disclosure is likely to significantly hinder the proper implementation of the business by the electricity utility, the electricity utility may keep the information undisclosed in whole or part.

(Preparation and Publication of Plans)

Article 81-7 (1) An electricity utility (excluding those who meet the requirements specified by Order of the Ministry of Economy, Trade and Industry; the same applies in the following paragraph) must, while giving due consideration to the provisions of the Basic Policy, prepare a plan concerning the implementation of the following measures and other measures conducive for persons who use electricity to make efforts to contribute to the Leveling of Electricity Demand effectively and efficiently:

- (i) establishment of the electricity rates and other supply conditions for encouraging persons who use electricity supplied by the electricity utility to make efforts to contribute to the Leveling of Electricity Demand;
- (ii) development of equipment with the function to enable the acquisition of information on the changes in the amount of electricity used in a given period of time by persons who use electricity supplied by the electricity utility and other useful information specified by Order of the Ministry of Economy, Trade and Industry for the persons in making efforts to contribute to the Leveling of Electricity Demand, and the provision of the information to the persons who use electricity (including those designated by the persons who use electricity); and
- (iii) beyond what is listed in the preceding item, development of an environment for providing information on the supply and demand results and forecasts of the electricity supplied by the electricity utility.

- (2) Electricity utilities must, when they have prepared a plan pursuant to the provisions of the preceding paragraph, publicize the plan without delay. The same applies where the electricity utility has revised the plan.

Chapter VIII Miscellaneous Provisions

(Fiscal Measures)

Article 82 The State must endeavor to take fiscal, financial and taxation measures necessary to promote rationalizing the use of Energy, etc.

(Advancement of Science and Technology)

Article 83 With the aim of achieving the advancement of science and technology that will contribute to the promotion of rationalizing the use of Energy, etc., the State must endeavor to take measures to promote research and development and disseminate the results thereof and other necessary measures.

(Measures to Increase Public Understanding)

Article 84 The State must, through educational and publicity activities, endeavor to increase the public understanding of rationalizing the use of Energy, etc. and to ask for public cooperation for the implementation thereof.

(Consideration in Enforcement of this Act)

Article 84-2 For the purpose of promoting rationalizing the use of Energy, etc. in the whole nation, the Minister of Economy, Trade and Industry must, in enforcing this Act, give due consideration so as to encourage efforts of Businesses to contribute to promoting rationalizing the use of Energy, etc. of other persons by providing technology, giving advice and coordinating businesses, etc. made of their own accord.

(Consideration of Local Public Entities in Educational Activities)

Article 85 Local public entities are to, when carrying out educational and publicity activities, give as much consideration as possible to contributing to increasing local residents' understanding of rationalizing the use of Energy, etc.

(Provision of Information to General Consumers)

Article 86 (1) Businesses engaged in supplying energy to general consumers, Businesses engaged in retailing energy-consuming equipment, etc. and Building Materials Designed to Prevent Heat Loss, and other Businesses capable of cooperating, through their business activities, in general consumers' efforts towards rationalizing the use of Energy must endeavor to make notifications on the status of use of Energy by consumers, give indications of

the Energy-Consumption Performance, etc., give indications of the heat loss prevention performance of Building Materials Designed to Prevent Heat Loss, and provide other information that contributes to general consumers' efforts towards rationalizing the use of Energy.

- (2) Businesses engaged in selling or renting buildings, Businesses engaged in retailing electricity-consuming machinery and equipment, and other Businesses capable of cooperating, through their business activities, in general consumers' efforts towards the Leveling of Electricity Demand must endeavor to give indications of the performance required for buildings to realize the utilization of electricity conducive to the Leveling of Electricity Demand in relation to electricity-consuming machinery and equipment installed in buildings, give indications of the functions conducive to the Leveling of Electricity Demand incorporated in electricity-consuming machinery and equipment (limited to those for which it is technically and economically possible to add a function conducive to the Leveling of Electricity Demand), and provide other information that contributes to general consumers' efforts towards the implementation of measures conducive to the Leveling of Electricity Demand.

(Reports and On-site Inspections)

Article 87 (1) To the extent necessary for the enforcement of Article 7, paragraphs (1) and (5), Article 7-4, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 19-2, paragraph (1); the same applies in this Article) and paragraph (3) (including the cases where it is applied mutatis mutandis pursuant to Article 19-2, paragraph (1); the same applies in this Article), Article 17, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 19-2, paragraph (1); the same applies in this Article) and paragraph (3) (including the cases where it is applied mutatis mutandis pursuant to Article 19-2, paragraph (1); the same applies in this Article) and Article 19, paragraphs (1) and (4), the Minister of Economy, Trade and Industry may, pursuant to Cabinet Order provisions, have Businesses using Energy in Factories, etc. to report the status of their business in their Factories, etc. or have officials of the Ministry of the Economy, Trade and Industry to enter the Factories, etc. and inspect energy-consuming facilities, books, documents and other items.

- (2) To the extent necessary for the enforcement of Article 7-2, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 19-2, paragraph (1); the same applies in this Article), Article 7-3, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 19-2, paragraph (1); the same applies in this Article), Article 8, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article

19-2, paragraph (1); the same applies in this Article) and Article 13, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 18, paragraph (1) and Article 19-2, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to paragraph (2) of the same Article); the same applies in this Article), the Minister of Economy, Trade and Industry may, pursuant to Cabinet Order provisions, have Specified Businesses or Specified Chain Businesses to report the status of their business in their Factories, etc. or have officials of the Ministry of the Economy, Trade and Industry to enter their Factories, etc. and inspect energy-consuming facilities, books, documents and other items.

- (3) To the extent necessary for the enforcement of Chapter III, Section 1 (excluding Article 7, paragraphs (1) and (5), Article 7-2, paragraph (1), Article 7-3, paragraph (1), Article 7-4, paragraphs (1) and (3), Article 8, paragraph (1), Article 13, paragraph (1), Article 17, paragraphs (1) and (3) and Article 19, paragraphs (1) and (4)), the competent minister may, pursuant to Cabinet Order provisions, have Specified Businesses or Specified Chain Businesses to report the status of their business in their Factories, etc. (or, for Specified Chain Businesses, Factories, etc. including those pertaining to the Chain Business Operation which belong to a Franchisee of the Chain Business Operation conducted by the Specified Chain Businesses), or have officials of the competent ministry to enter the Factories, etc. and inspect energy-consuming facilities, books, documents and other objects; provided, however, that when the officials enter the Factories, etc. in which its business operation is conducted which belong to Specified Chain Business Franchisees, they must obtain the consent of the Franchisee in advance.
- (4) To the extent necessary for the enforcement of Chapter III, Section 2 and Section 3, the Minister of Economy, Trade and Industry may have a Designated Examining Body or Designated Training Agency to report the status of their business or accounting, or have officials of the Ministry of the Economy, Trade and Industry to enter the offices of a Designated Examining Body or Designated Training Agency and inspect books, documents and other items.
- (5) To the extent necessary for the enforcement of Chapter III, Section 4, the Minister of Economy, Trade and Industry may have a Registered Investigation Body to report the status of its business or accounting, or have officials of the Ministry of the Economy, Trade and Industry to enter the offices of a Registered Investigation Body and inspect books, documents and other items.
- (6) To the extent necessary for the enforcement of Article 54, paragraph (1) and paragraph (4), Article 68, paragraph (1) and paragraph (4), and Article 71, paragraph (1) and paragraph (5), the Minister of Land, Infrastructure, Transport and Tourism may, pursuant to Cabinet Order provisions, have freight carriers, passenger carriers or air carriers (hereinafter simply referred

to as "carriers" in this paragraph) to report the status of their business concerning freight or passenger transportation, or have officials of the Ministry of Land, Infrastructure, Transport and Tourism to enter carriers' offices or other workplaces, the sites where their transportation machinery and equipment are located, or the transportation machinery and equipment and inspect the transportation machinery and equipment, books, documents and other items.

- (7) To the extent necessary for the enforcement of Chapter IV (excluding Article 54, paragraph (1) and paragraph (4), Section 1, Subsection 2, Article 68, paragraph (1) and paragraph (4), and Article 71, paragraph (1) and paragraph (5)), the Minister of Land, Infrastructure, Transport and Tourism may, pursuant to Cabinet Order provisions, have Specified Freight Carriers, Specified Passenger Carriers or Specified Air Carriers (hereinafter simply referred to as "specified carriers" in this paragraph) to report the status of their business concerning freight or passenger transportation, or have officials of the Ministry of Land, Infrastructure, Transport and Tourism to enter specified carriers' offices or other workplaces, the sites where their transportation machinery and equipment are located, or the transportation machinery and equipment and inspect the transportation machinery and equipment, books, documents and other items.
- (8) To the extent necessary for the enforcement of Article 61, paragraph (1) and paragraph (4), the Minister of Economy, Trade and Industry may, pursuant to Cabinet Order provisions, have consigners to report the status of their business concerning freight transportation consigned to freight carriers, or have officials of the Ministry of Economy, Trade and Industry to enter consigners' offices or other workplaces and inspect books, documents and other items.
- (9) To the extent necessary for the enforcement of Chapter IV, Section 1, Subsection 2 (excluding Article 61, paragraph (1) and paragraph (4)), the competent minister may, pursuant to Cabinet Order provisions, have consigners to report the status of their business concerning freight transportation consigned to freight carriers, or have officials of the competent ministry to enter consigners' offices or other workplaces and inspect books, documents and other items.
- (10) To the extent necessary for the enforcement of Chapter VI, the Minister of Economy, Trade and Industry may, pursuant to Cabinet Order provisions, have Manufacturers of Specified Energy-Consuming Equipment, etc. or Manufacturers, etc. of Specified Building Materials Designed to Prevent Heat Loss to report the status of their business pertaining to the Specified Energy-Consuming Equipment, etc. or Specified Building Materials Designed to Prevent Heat Loss, or have officials of the Ministry of Economy, Trade and Industry to enter offices, factories or warehouses of Manufacturers, etc. of

Specified Energy-Consuming Equipment, etc. or Manufacturers of Specified Building Materials Designed to Prevent Heat Loss and inspect the Specified Energy-Consuming Equipment, etc. or Specified Building Materials Designed to Prevent Heat Loss, books, documents and other items.

- (11) The officials who conduct on-site inspection pursuant to the preceding paragraphs must carry a certification for identification and present it to any person concerned.
- (12) The authority to conduct on-site inspections under paragraphs (1) through (10) inclusive must not be construed as being vested for criminal investigation.

(Fees)

Article 88 (1) Persons who intend to take an examination for a qualified energy manager licenses, those who intend to obtain recognition under Article 9, paragraph (1), item (ii), those who intend to obtain a qualified energy manager licenses by reason of having passed an examination for a qualified energy manager licenses for which a Designated Examining Body administers Examination processes, those who intend to apply for the re-issuance of a qualified energy manager licenses, those who intend to participate in the training under Article 13, paragraph (1), item (i) (excluding training provided by a Designated Training Agency) or those who intend to participate in the training under paragraph (2) of the same Article (excluding training provided by a Designated Training Agency) must pay the fee determined by Cabinet Order in light of the actual cost.

- (2) The fee paid under the preceding paragraph is regarded as income of the Designated Examining Body where it is paid by the person who intends to take an examination for a qualified energy manager licenses for which the Designated Examining Body administers Examination Processes, or as national revenue where it is paid by other persons.

(Special Provisions for Hearing)

Article 89 (1) Proceedings on the date of a hearing with respect to a disposition under Article 28 (including the cases where it is applied mutatis mutandis pursuant to Article 29, paragraph (4)), Article 32 (including the cases where it is applied mutatis mutandis pursuant to Article 36, paragraph (2)) or Article 49 must be open to the public.

- (2) The person chairing the hearing set forth in the preceding paragraph must, upon request of any person interested in the disposition under Article 17, paragraph (1) of the Administrative Procedure Act (Act No. 88 of 1993), permit the a person to participate in the proceedings for the hearing.

(Appeals against Dispositions Made by Designated Examining Body)

Article 90 Any person who is dissatisfied with a disposition made by a Designated Examining Body on the Examination Processes(excluding those on the examination results) or its inaction may make a request for review to the Minister of Economy, Trade and Industry pursuant to the Administrative Appeal Act (Act No. 160 of 1962).

(Delegation of Transitional Measures to Orders)

Article 91 When enacting, revising or abolishing an order pursuant to this Act, necessary transitional measures (including transitional measures concerning penal provisions) may be provided for by that order to the extent considered reasonably necessary for the enactment, revision or abolition.

(Competent Ministers)

Article 92 (1) The competent ministers under Chapter III, Section 1 and Article 87, paragraph (3) are the Minister of Economy, Trade and Industry and the ministers who have jurisdiction over the business pertaining to the Factories, etc. which belong to the business and the Chain Business Operation conducted by the business.

(2) The competent ministers under Chapter IV, Section 1, Subsection 2 and Article 87, paragraph (9) are the Minister of Economy, Trade and Industry and the ministers who have jurisdiction over the business of the consigner.

(3) The Prime Minister will delegate their authority under this Act (or, for those under jurisdiction of the Financial Services Agency, authority excluding those specified by Cabinet Order) to the Commissioner of the Financial Services Agency.

(4) The authority under this Act may be delegated to the head of a local branch office pursuant to Cabinet Order provisions.

(5) The Commissioner of the Financial Services Agency may, pursuant to Cabinet Order provisions, delegate part of their authority that has been delegated pursuant to the provisions of paragraph (3) to the head of a Local Finance Bureau or the head of a Local Finance Branch Bureau.

Chapter IX Penal Provisions

Article 93 A person who falls under any of the following items is punished by imprisonment for not more than one year or a fine of not more than one million yen:

- (i) a person who has, in violation of Article 30, paragraph (1), divulged secrets that they have become aware of in the course of performing their duty;
- (ii) a person who has violated an order of suspension of the services for inspections for verification issued under Article 49; or

(iii) a person who has, in violation of Article 30, paragraph (1) as applied mutatis mutandis pursuant to Article 51, divulged secrets that they has become aware of in the course of performing their duty.

Article 94 In the event of violation of an order of suspension of Examination Processes or energy management training services issued under Article 32, paragraph (2) (including the cases where it is applied mutatis mutandis pursuant to Article 36, paragraph (2)), the officers or employees concerned at the Designated Examining Body or the Designated Training Agency that has committed the violation is punished by imprisonment with work for not more than one year or a fine of not more than one million yen.

Article 95 A person who falls under any of the following items is punished by a fine of not more than one million yen:

- (i) a person who has violated Article 7-2, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 19-2, paragraph (1)), Article 7-3, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 19-2, paragraph (1)), Article 8, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 19-2, paragraph (1)) or Article 13, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 18, paragraph (1) and Article 19-2, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to paragraph (2) of the same Article)); or
- (ii) a person who has violated an order issued under Article 16, paragraph (5) (including the cases where it is applied mutatis mutandis pursuant to Article 19-2, paragraph (1)), Article 57, paragraph (3) (including the cases where it is applied mutatis mutandis pursuant to Article 69 and Article 71, paragraph (6)), Article 64, paragraph (3), Article 79, paragraph (3) (including the cases where applied mutatis mutandis pursuant to Article 81-5), or Article 81, paragraph (3) (including the cases where applied mutatis mutandis pursuant to Article 81-5).

Article 96 A person who falls under any of the following items is punished by a fine of not more than 500,000 yen:

- (i) a person who has failed to make a notification under Article 7, paragraph (3), Article 19, paragraph (2), Article 46, Article 54, paragraph (2), Article 61, paragraph (2), Article 68, paragraph (2) or Article 71, paragraph (3), or made a false notification;
- (ii) a person who has failed to submit plans under Article 14, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 19-2, paragraph (1)), Article 55 (including the cases where it is applied

mutatis mutandis pursuant to Article 69 and Article 71, paragraph (6)) or Article 62;

- (iii) a person who has failed to make reports under Article 15, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 19-2, paragraph (1)), Article 56, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 69 and Article 71, paragraph (6)), Article 63, paragraph (1) or Article 87, paragraphs (1) through (3) inclusive or paragraphs (5) through (10) inclusive, or made false reports, or has refused, obstructed or avoided an inspection under paragraphs (1) through (3) inclusive or paragraphs (5) through (10) inclusive of the same Article; or
- (iv) a person who has, in violation of Article 33, paragraph (1) as applied mutatis mutandis pursuant to Article 51, failed to keep books or state necessary matters in books or made false statements in books, or in violation of Article 33, paragraph (2) as applied mutatis mutandis pursuant to Article 51, failed to keep books.

Article 97 In any of the following cases, the officers or employees concerned at the Designated Examining Body or the Designated Training Agency that has committed the violation are punished by a fine of not more than 500,000 yen:

- (i) where the Designated Examining Body has discontinued all of the Examination Processes without obtaining permission under Article 25;
- (ii) where the Designated Examining Body or the Designated Training Agency has, in violation of Article 33, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 36, paragraph (2)), failed to keep books or state necessary matters in books or made false statements in books, or in violation of Article 33, paragraph (2) (including the cases where it is applied mutatis mutandis pursuant to Article 36, paragraph (2)), failed to preserve books;
- (iii) where the Designated Examining Body or the Designated Training Agency has failed to make a notification under Article 37, or made a false notification; or
- (iv) where the Designated Examining Body or the Designated Training Agency has failed to make reports under Article 87, paragraph (4) or made false reports, or has refused, obstructed or avoided an inspection under the same paragraph.

Article 98 When the representative of a corporation, or the agent, employee or other worker of a corporation or an individual has committed a violation set forth in Article 93, item (ii) or item (iii), Article 95, or Article 96 with regard to the business of the corporation or individual, not only is the offender punished

but the corporation or individual is also punished by the fine prescribed in the respective Articles.

Article 99 A person who falls under any of the following items is punished by a non-penal fine of not more than 200,000 yen:

- (i) a person who has failed to make a notification under Article 7-2, paragraph (3) (including the cases where it is applied mutatis mutandis pursuant to Article 7-3, paragraph (4) and where these provisions are applied mutatis mutandis pursuant to Article 19-2, paragraph (1)), Article 8, paragraph (2) (including the cases where it is applied mutatis mutandis pursuant to Article 19-2, paragraph (1)) or Article 13, paragraph (3) (including the cases where it is applied mutatis mutandis pursuant to Article 18, paragraph (1) and Article 19-2, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to paragraph (2) of the same Article), or made a false notification; or
- (ii) a person who has, in violation of Article 47 paragraph (1), failed to keep financial statements, etc., failed to state the necessary particulars in the financial statements, etc. or made false statements, or refused the request made under the items of paragraph (2) of the same Article without justifiable grounds.

Supplementary Provisions

(Effective Date)

- (1) This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding nine months from the date of promulgation; provided, however, that the provisions of Article 8 comes into effect as of the date of promulgation.

(Review)

- (2) The government is to, in accordance with the energy situation in and outside Japan and other changes in the economic and social environment, review the provisions of this Act and take necessary measures based on the review results.

(Abolition of the Heat Management Act)

- (3) The Heat Management Act (Act No. 146 of 1951) will be abolished.

(Transitional Measures upon Abolition of the Heat Management Act)

- (4) A qualified heat manager's license granted pursuant to Article 12 of the Heat Management Act prior to the abolition by the preceding paragraph is deemed to be a qualified heat manager's license granted pursuant to Article 8,

paragraph (1).

- (5) The provisions previously in force continue to apply to the application of penal provisions to acts committed prior to the enforcement of this Act.

(Partial Amendment of the Act for Establishment of the Ministry of International Trade and Industry)

- (6) Part of the Act for Establishment of the Ministry of International Trade and Industry (Act No. 275 of 1952) will be amended as follows.

The following item will be added following Article 36-6, item (x).

(x)-2 Matters concerning the enforcement of the Act on rationalizing the use of Energy (Act No. 49 of 1979)

(Partial Amendment of the Act for Establishment of the Ministry of Construction)

- (7) Part of the Act for Establishment of the Ministry of Construction (Act No. 113 of 1948) will be amended as follows.

In Article 3, item (xxii)-6 will be moved and placed as item (xxii)-7, items (xxii)-2 through (xxii)-5 will be moved forward by one item respectively, and the following item will be added following item (xxii).

(xxii)-2 Administer the processes concerning the enforcement of the Act on rationalizing the use of Energy (Act No. 49 of 1979).

In Article 4, paragraph (3), the phrase "items (xxii)-2 through (xxii)-5" will be revised as "items (xxii)-3 through (xxii)-6"; in paragraph (7) of the same Article, the phrase "the processes prescribed in item (xix) of the same Article, the processes prescribed in item (xx) of the same Article, [the processes prescribed in] items (xxi), item (xxii), item (xxii)-6...of the same Article" will be revised as "[the processes prescribed in] items (xix) through (xxii)-2, item (xxii)-7...of the same Article."

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

(Effective Date)

Article 1 This Act comes into effect as of the date of promulgation; provided, however, that the provisions listed in the following items come into effect as of the dates prescribed in the respective items.

(i) through (iv) Omitted

(v) the provisions of Article 25, Article 26, Articles 28 through 30, Article 33, and Article 35, the provisions of Article 36 (excluding the provisions to amend Article 54 of the Electricity Business Act; hereinafter the same applies in Article 8 (excluding paragraph (3)) of the Supplementary Provisions), the provisions of Article 37, Article 39, and Article 43, and the

provisions of Article 8 (excluding paragraph (3)) of the Supplementary Provisions: the day specified by Cabinet Order within a period not exceeding three months from the date of promulgation.

(Transitional Measures Concerning Other Dispositions and Applications)

Article 14 With respect to dispositions to grant licenses or permission, etc. and other acts conducted, prior to the enforcement of this Act (or the respective provisions listed in the items of Article 1 of the Supplementary Provisions; hereinafter the same applies in this Article and Article 16), pursuant to the respective Acts prior to the amendment (hereinafter referred to as "dispositions and other acts" in this Article) or applications for licenses or permission, etc. and other acts conducted, prior to the enforcement of this Act, pursuant to the respective Acts prior to the amendment (hereinafter referred to as "applications and other acts" in this Article), if administrative processes pertaining to these acts come under the jurisdiction of different persons on the date of enforcement of this Act, these acts, except those prescribed in Article 2 to the preceding Article in the Supplementary Provisions or in the provisions of the respective amended Acts (including orders issued thereunder) concerning transitional measures, are deemed, with regard to the application of the respective amended Acts after the date of enforcement of this Act, as dispositions and other acts or applications and other acts conducted pursuant to the relevant provisions of the respective amended Acts.

(Transitional Measures Concerning Penal Provisions)

Article 16 With regard to the application of penal provisions to any acts committed prior to the enforcement of this Act as well as any acts committed after the enforcement of Article 17, Article 22, Article 36, Article 37 or Article 39 in the cases where the provisions previously in force remain applicable pursuant to Article 3, Article 5, paragraph (5), Article 8, paragraph (2), Article 9 or Article 10 of the Supplementary Provisions, previous provisions remain applicable.

Supplementary Provisions [Act No. 17 of March 31, 1993] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of April 1, 1993; provided, however, that the provisions of Article 1 (excluding the provisions to revise the table of contents of the Act on rationalizing the use of Energy (limited to the part amending the phrase "Chapter IV Measures Pertaining to Machinery and Equipment (Articles 17 to 21)" to "Chapter IV Measures Pertaining to Machinery and Equipment Chapter IV-2 Business for Rational Use of Energy

by the New Energy and Industrial Technology Development Organization (Article 21-2 and Article 21-3)" and the provisions to amend the same Act by adding one chapter following Chapter IV) and the provisions of Article 8 of the Supplementary Provisions come into effect as of the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation.

(Transitional Measures Concerning Penal Provisions)

Article 4 The provisions previously in force continue to apply to penal provisions to any acts committed prior to the enforcement of this Act.

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

(Effective Date)

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

(Transitional Measures Concerning Adverse Dispositions Following Appeal)

Article 2 Where, prior to the enforcement of this Act, an appeal or other request has been filed or made under laws and regulations to a council or any other panel to require that procedures equivalent to the procedures to hold hearings or grant the opportunity for explanation and other procedures to hear statements of opinions prescribed in Article 13 of the Administrative Procedure Act should be implemented, with regard to the procedures to make adverse dispositions pertaining to the appeal or request, the provisions previously in force remain applicable notwithstanding the provisions of the relevant Acts amended by this Act.

(Transitional Measures Concerning Penal Provisions)

Article 13 The provisions previously in force continue to apply to the application of penal provisions to any acts committed prior to the enforcement of this Act.

(Transitional Measures upon Arrangement of Provisions on Hearings)

Article 14 Procedures for hearings (excluding those concerning adverse dispositions) implemented under Acts prior to the enforcement of this Act or procedures incidental thereto are deemed to have been implemented under the relevant provisions of respective Acts amended by this Act.

(Delegation to Cabinet Orders)

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

Supplementary Provisions [Act No. 33 of April 9, 1997] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the date of promulgation.

(Transitional Measures upon Partial Amendment of the Act on Rationalizing the Use of Energy)

Article 9 The provisions previously in force continue to apply to the notification of an appointment, death or dismissal of a Type-1 Energy Manager prior to the enforcement of Article 8.

(Transitional Measures Concerning Penal Provisions)

Article 17 With regard to the application of penal provisions to any acts committed prior to the enforcement of this Act as well as any acts committed after the enforcement of this Act in the cases where prior provisions remain applicable pursuant to the Supplementary Provisions of this Act, those prior provisions remain applicable.

(Delegation to Cabinet Order)

Article 18 Beyond what is provided for in Article 2 to the preceding Article in the Supplementary Provisions, any necessary transitional measures for the enforcement of this Act are specified by Cabinet Order.

Supplementary Provisions [Act No. 96 of June 5, 1998]

(Effective Date)

Article 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.

(Transitional Measures Concerning Designation of Factories)

Article 2 Factories that have been designated, prior to the enforcement of this Act, pursuant to Article 6, paragraph (1) of the Act on rationalizing the use of Energy prior to the amendment (hereinafter referred to as the "Former Act") are deemed to have been designated pursuant to Article 6, paragraph (1) of the Act on rationalizing the use of Energy after the amendment (hereinafter referred to as the "New Act").

(Effect of Dispositions)

Article 3 Beyond what is provided for in the preceding Article, any dispositions, procedures or other acts conducted pursuant to the provisions of the Old Act

are deemed to have been conducted under the relevant provisions of the New Act.

(Transitional Measures Concerning Penal Provisions)

Article 4 The provisions previously in force continue to apply to the application of penal provisions to any acts committed prior to the enforcement of this Act.

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

(Effective Date)

Article 1 This Act (excluding Article 2 and Article 3) comes into effect as of January 6, 2001.

Supplementary Provisions [Act No. 59 of June 7, 2002]

(Effective Date)

Article 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.

(Transitional Measures Concerning Reports)

Article 2 The provisions previously in force continue to apply to reports that have been requested under Article 25, paragraph (4) of the Act on rationalizing the use of Energy prior to the amendment by this Act but not yet made prior to the enforcement of this Act.

(Transitional Measures Concerning Penal Provisions)

Article 3 With regard to the application of penal provisions to any acts committed prior to the enforcement of this Act as well as any acts committed after the enforcement of this Act in the cases where provisions previously in force remain remain applicable pursuant to the preceding Article, those provisions previously force remain applicable.

(Delegation to Cabinet Order)

Article 4 Beyond what is provided for in the preceding two Articles, any necessary transitional measures for the enforcement of this Act are specified by Cabinet Order.

Supplementary Provisions [Act No. 145 of December 11, 2002] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the date of promulgation; provided,

however, that the provisions of Articles 15 to 19, Article 26, and Article 27, and the provisions of Articles 6 to 34 of the Supplementary Provisions comes into effect as from October 1, 2003.

(Transitional Measures Concerning Penal Provisions)

Article 34 With regard to the application of penal provisions to any acts committed prior to the enforcement of this Act (or the proviso of Article 1 of the Supplementary Provisions; hereinafter the same applies in this Article) as well as any acts committed after the enforcement of this Act with respect to the matters for which the provisions previously in force remain applicable pursuant to the Supplementary Provisions, those provisions previously in force remain applicable.

(Delegation to Cabinet Order)

Article 35 Beyond what is provided for in the Supplementary Provisions, any necessary transitional measures upon the establishment of the NEDO and any other necessary measures for the enforcement of this Act will be specified by Cabinet Order.

Supplementary Provisions [Act No. 61 of June 17, 2005] [Extract]

(Effective Date)

Article 1 This Act comes into effect as from April 1, 2006; provided, however, that the provisions of Article 3 of the Supplementary Provisions come into effect as from January 1, 2006.

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

This Act comes into effect as of the date of enforcement of the Companies Act.

Supplementary Provisions [Act No. 93 of August 10, 2005] [Extract]

(Effective Date)

Article 1 This Act comes into effect as from April 1, 2006; provided, however, that the provisions of Article 16 of the Supplementary Provisions comes into effect as of the date of promulgation of this Act or the date of promulgation of the Act for Partial Amendment of the Act on Promotion of Measures to Cope with Global Warming (Act No. 61 of 2005), whichever comes later.

(Transitional Measures Concerning the Appointment of Type-1 Energy Managers)

Article 2 With regard to the application of the provisions of Article 8, paragraph (1) of the Act on rationalizing the use of Energy amended by this Act (hereinafter referred to as the "New Act") to Type-1 Specified Businesses prescribed in Article 7, paragraph (3) of the New Act, for the period until March 31, 2011, the phrase "from among persons who have a qualified energy manager licenses" in Article 8, paragraph (1) of the New Act is deemed to be replaced with "from among persons who have a qualified energy manager licenses or persons specified by Cabinet Order in accordance with the standards established by Cabinet Order."

(Special Provisions Concerning Qualified Heat Manager's Licenses and Qualified Electricity Manager's Licenses)

Article 3 Persons who have, prior to the enforcement of this Act, obtained a qualified heat manager's license pursuant to Article 8, paragraph (1) of the Act on rationalizing the use of Energy prior to the amendment by this Act (hereinafter referred to as the "Old Act") and also obtained a qualified electricity manager's license pursuant to the same paragraph are deemed to have obtained a qualified energy manager licenses pursuant to Article 9, paragraph (1) of the New Act.

(Special Provisions Concerning Examination for Qualified Energy Manager Licenses)

Article 4 In an examination for a qualified energy manager licenses prescribed in Article 10, paragraph (1) of the New Act, persons who have obtained, prior to the enforcement of this Act, a qualified heat manager's license or qualified electricity manager's license pursuant to Article 8, paragraph (1) of the Old Act are exempt from some subjects of the examination pursuant to Order of the Ministry of Economy, Trade and Industry provisions.

(Transitional Measures Concerning Appointment of Type-1 Energy Manager)

Article 5 (1) With regard to the application of the provisions of Article 13, paragraph (1) of the New Act to Type-1 Designated Businesses prescribed in Article 8, paragraph (1) of the New Act (hereinafter referred to as "Type-1 Designated Businesses"), for the period until March 31, 2009, the phrase "from among the following persons" in Article 13, paragraph (1) of the New Act is deemed to be replaced with "from among the following persons or persons specified by Order of the Ministry of Economy, Trade and Industry."
(2) The provisions of the preceding paragraph apply mutatis mutandis to Type-2 Specified Businesses prescribed in Article 17, paragraph (3) of the New Act. In this case, the phrase "Article 13, paragraph (1)" in the same paragraph is deemed to be replaced with "Article 13, paragraph (1) of the New Act as applied

mutatis mutandis pursuant to Article 18, paragraph (1)."

(Transitional Measures Concerning Participation in Preparing Medium-Term and Long-Term Plans)

Article 6 With regard to the application of the provisions of Article 14, paragraph (2) of the New Act to Type-1 Designated Businesses, for the period until March 31, 2011, the phrase "persons who have a qualified energy manager license" in the same paragraph is deemed to be replaced with "persons who have a qualified energy manager license or persons who have obtained, prior to the enforcement of the Act for Partial Amendment of the Act on rationalizing the use of Energy (Act No. 93 of 2005), a qualified heat manager's license and a qualified electricity manager's license under Article 8, paragraph (1) of the Act on rationalizing the use of Energy prior to the amendment by the Act for Partial Amendment."

(Transitional Measures Concerning Consigners)

Article 7 The provisions of Articles 61 to 64 of the New Act (including the penal provisions relating to these provisions) do not apply until March 31, 2007.

(Transitional Measures Concerning Notification of Buildings)

Article 8 A person who has made a notification pursuant to Article 15-2, paragraph (1) of the Old Act prior to the enforcement of this Act is deemed, with regard to the application of the provisions of Article 75, paragraph (4) of the New Act, to have made a notification pursuant to Article 75, paragraph (1) of the New Act.

(Transitional Measures Concerning Rationalization Plans)

Article 9 The provisions previously in force continue to apply to the instructions given under Article 12, paragraph (2) and paragraph (3) of the Old Act to the Type-1 Specified Businesses that have received instructions under paragraph (1) of the same Article prior to the enforcement of this Act, the publication made under paragraph (4) of the same Article, the order issued under paragraph (5) of the same Article, as well as the reports and on-site inspections under Article 25, paragraph (2) pertaining to the instructions, publication and order.

(Effect of Dispositions)

Article 10 Any dispositions, procedures or other acts conducted pursuant to the provisions of the Old Act are deemed to have been conducted under the relevant provisions of the New Act, except those otherwise provided for by the Supplementary Provisions.

(Transitional Measures Concerning Penal Provisions)

Article 11 Prior provisions continue to govern the applicability of penal provisions to conduct that a person engages in after the enforcement of this Act comes into effect but which, pursuant to the Supplementary Provisions, is to continue to be governed by prior laws.

(Delegation to Cabinet Order)

Article 12 Beyond what is provided for in Article 2 through the preceding Article in the Supplementary Provisions, any necessary transitional measures for the enforcement of this Act will be specified by Cabinet Order.

(Review)

Article 13 When five years have elapsed since the enforcement of this Act, the government is to, while taking into account the status of enforcement of the New Act, review the provisions of the New Act and take any necessary measures based on the review where it finds it necessary.

Supplementary Provisions [Act No. 50 of June 2, 2006] [Extract]

(Effective Date)

(1) This Act comes into effect as of the date of enforcement of the Act on General Associations and Foundations.

Supplementary Provisions [Act No. 47 of May 30, 2008] [Extract]

(Effective Date)

Article 1 This Act comes into effect as from April 1, 2009; provided, however, that the provisions of Article 5 of the Supplementary Provisions comes into effect as of the date of promulgation of this Act, and the provisions of Article 2 and the following Article and the provisions of Article 3, Article 8 and Article 9 of the Supplementary Provisions comes into effect as of April 1, 2010.

(Transitional Measures upon Amendment under the Provisions of Article 2)

Article 2 With regard to the application of the provisions of Article 8, paragraph (1) of the Act on rationalizing the use of Energy amended under the provisions of Article 2 (hereinafter referred to as the "Act Amended under Article 2") to Type-1 Specified Businesses prescribed in Article 7-4, paragraph (2) of the Act Amended under Article 2, for the period until March 31, 2011, the phrase "from among persons who have a qualified energy manager licenses" in Article 8, paragraph (1) of the same Act is deemed to be replaced with "from among

persons who have a qualified energy manager licenses or persons specified by Cabinet Order in accordance with the standards established by Cabinet Order."

(Transitional Measures Concerning Specified Buildings)

Article 3 A person who has made, prior to the enforcement of the provisions of Article 2, a notification pursuant to Article 75, paragraph (1) of the Act on rationalizing the use of Energy prior to the amendment under the provisions of Article 2 is deemed to have made a notification pursuant to Article 75, paragraph (1) or Article 75-2, paragraph (1) of the Act Amended under Article 2, pursuant to Cabinet Order provisions.

(Transitional Measures Concerning Penal Provisions)

Article 4 Prior provisions continue to apply to the application of penal provisions to any acts committed prior to the enforcement of this Act.

(Delegation to Cabinet Order)

Article 5 Beyond what is provided for in the preceding three Articles, any necessary transitional measures for the enforcement of this Act will be specified by Cabinet Order.

(Reviews)

Article 6 When five years have elapsed since the enforcement of this Act, the government must, while taking into account the status of enforcement of the Act on rationalizing the use of Energy amendment by this Act (hereinafter referred to as the "New Act"), review the provisions of the New Act and take any necessary measures based on the review where it finds it necessary.