

Poisonous and Deleterious Substances Control Act

(Act No. 303 of December 28, 1950)

(Purpose)

Article 1 The purpose of this Act is to implement necessary controls for poisonous substances and deleterious substances from the viewpoint of health and hygiene.

(Definitions)

Article 2 (1) The term "poisonous substance" as used in this Act means a substance as set forth in Appended Table 1 that is not a pharmaceutical product or quasi-pharmaceutical product.

(2) The term "deleterious substance" as used in this Act means a substance as set forth in Appended Table 2 that is not a pharmaceutical product or quasi-pharmaceutical product.

(3) The term "specified poisonous substance" as used in this Act means a poisonous substance as set forth in Appended Table 3.

(Prohibitions)

Article 3 (1) It is prohibited for a person to manufacture a poisonous substance or deleterious substance with the purpose of selling or providing it unless the person has had its commercial manufacture of a poisonous substance or deleterious substance registered.

(2) It is prohibited for a person to import a poisonous substance or deleterious substance with the purpose of selling or providing it unless the person has had its commercial import of a poisonous substance or deleterious substance registered.

(3) It is prohibited for a person to sell or provide or to store, transport, or display for the purpose of selling or providing a poisonous substance or deleterious substance, unless the person has had its commercial sale of poisonous substance or deleterious substance registered; provided, however, that this does not apply if the manufacturer or importer of a poisonous substance or deleterious substance sells or provides the poisonous substance or deleterious substance that it has manufactured or imported to another manufacturer, importer, or seller of a poisonous substance or deleterious substance (hereinafter referred to as a "manufacturer, importer, or seller of a poisonous or deleterious substance"), or stores, transports, or displays such a substance for that purpose.

- Article 3-2 (1) It is prohibited for a person to manufacture a specified poisonous substance unless that person is a manufacturer of a poisonous substance or deleterious substance, or has obtained a license from the governor of the prefecture in which the person's principal research institute is located (if the principal research institute is located within the boundaries of a designated city set forth in Article 252-19, paragraph (1) of the Local Autonomy Act (Act No. 67 of 1947) (hereinafter referred to as a "designated city"), the head of the designated city; the same applies in Article 6-2 and Article 10, paragraph (2)) as a person that is permitted to manufacture or use a specified poisonous substance for the purpose of academic research (hereinafter referred to as a "researcher of a specified poisonous substance").
- (2) It is prohibited for a person to import a specified poisonous substance unless that person is an importer of a poisonous substance or deleterious substance or a researcher of a specified poisonous substance.
- (3) It is prohibited for a person to use a specified poisonous substance unless that person is a researcher of a specified poisonous substance or a person designated by Cabinet Order on an item-by-item basis as a person that is permitted to use that specified poisonous substance (hereinafter referred to as the "user of a specified poisonous substance"); provided, however, that this does not apply if a manufacturer of a poisonous substance or deleterious substance uses a specified poisonous substance for the purpose of manufacturing a poisonous substance or deleterious substance.
- (4) A researcher of a specified poisonous substance must not make a specified poisonous substance available for a use other than academic research.
- (5) A user of a specified poisonous substance must not make a specified poisonous substance available for a use other than the one specified by Cabinet Order on an item-by-item basis.
- (6) It is prohibited for a person to transfer or acquire a specified poisonous substance unless the person is a manufacturer, importer, or seller of a poisonous or deleterious substance, a researcher of a specified poisonous substance, or a user of a specified poisonous substance.
- (7) It is prohibited for a person as prescribed in the preceding paragraph to transfer a specified poisonous substance to a person other than one as prescribed in that paragraph or to acquire such a substance from a person other than one as prescribed in that paragraph.
- (8) It is prohibited for a manufacturer, importer, or seller of a poisonous or deleterious substance or a researcher of a specified poisonous substance to transfer, to a user of a specified poisonous substance, a specified poisonous substance other than the one that the user is permitted to use.
- (9) If a standard involving the quality, coloring, or marking of a specified poisonous substance is established by Cabinet Order in order to prevent a

health or hygiene hazard, a manufacturer, importer, or seller of a poisonous or deleterious substance or a researcher of a specified poisonous substance must not transfer that specified poisonous substance to a user of a specified poisonous substance unless it conforms to the standard.

(10) It is prohibited for a person to possess a specified poisonous substance unless the person is a manufacturer, importer, or seller of a poisonous or deleterious substance, a researcher of a specified poisonous substance, or a user of a specified poisonous substance.

(11) A user of a specified poisonous substance must not acquire or possess a specified poisonous substance other than one that the user is permitted to use.

Article 3-3 It is prohibited for a person to ingest or inhale, or possess for those purposes, a poisonous substance or deleterious substance (or a substance that contains one of these) that causes stimulation, hallucination, or a narcotic influence and that is prescribed by Cabinet Order, without due cause.

Article 3-4 It is prohibited for a person to possess a poisonous substance or deleterious substance that is inflammable, combustible, or explosive and that is specified by Cabinet Order, other than for business reasons or based on other legitimate grounds.

(Business Registration)

Article 4 (1) The commercial manufacture, commercial import, or commercial sale of a poisonous substance or deleterious substance is registered for each manufacturing facility, business office, or shop, by the governor of the prefecture in which the manufacturing facility, business office, or shop is located (or, for commercial sales, by the mayor of the city or mayor of the special ward, if the shop is located within the boundaries of a city specified by Cabinet Order referred to in Article 5, paragraph (1) of the Community Health Act (Act No. 101 of 1947) (hereinafter referred to as a "city with a health center") or a special ward; the same applies in the following paragraph, Article 5, Article 7, paragraph (3), Article 10, paragraph (1), and Article 19, paragraphs (1) to (3)).

(2) A person seeking to have its commercial manufacture, commercial import, or commercial sale of a poisonous substance or deleterious substance registered must file a written application with the governor of the prefecture in the relevant locality; a manufacturer must file one for each manufacturing facility; an importer must file one for each business office; and a seller must file one for each shop.

(3) A commercial manufacture or commercial import registration expires unless it is renewed every five years, and a commercial sales registration expires

unless it is renewed every six years.

(Types of Commercial Sales Registrations)

Article 4-2 Registrations for the commercial sale of poisonous substances and deleterious substances are to be divided and classified as follows:

- (i) general commercial sales registrations;
- (ii) registrations for the commercial sale of agricultural items; and
- (iii) registrations for the commercial sale of specified items.

(Limitation of Items for Sale)

Article 4-3 (1) It is prohibited for a person that has had its commercial sale of agricultural items registered to sell or provide, or to store, transport, or display for the purpose of selling or providing, a poisonous substance or deleterious substance other than one that is necessary for agricultural purposes and that is specified by Order of the Ministry of Health, Labour and Welfare.

(2) It is prohibited for a person that has had its commercial sale of specified items registered to sell or provide, or to store, transport, or display for the purpose of selling or providing, a poisonous substance or deleterious substance other than one that is specified by Order of the Ministry of Health, Labour and Welfare.

(Registration Standards)

Article 5 A prefectural governor must not make a registration as referred to in Article 4, paragraph (1) if the governor finds that the equipment of the person seeking to have its commercial manufacture, commercial import, or commercial sale of a poisonous substance or deleterious substance registered fails to conform to the standards specified by Order of the Ministry of Health, Labour and Welfare, or if the person has had its registration rescinded pursuant to the provisions of Article 19, paragraph (2) or (4) and it has not been two years since the day of the rescission.

(Information Registered)

Article 6 The following information is registered in a registration as referred to in Article 4, paragraph (1):

- (i) the name and address (name and location of principal office in the case of a corporation) of the applicant;
- (ii) if it is a commercial manufacture or commercial import registration, the item constituting a poisonous substance or deleterious substance that the applicant seeks to manufacture or import; and
- (iii) the location of the manufacturing facility, business office, or shop.

(Licensing for Researchers of Specified Poisonous Substances)

- Article 6-2 (1) A person seeking licensing to be a researcher of a specified poisonous substance must file a written application to the governor of the prefecture in which the person's principal research institute is located.
- (2) A prefectural governor must not grant a person a license to be a researcher of a specified poisonous substance unless the person has adequate knowledge of a poisonous substance and needs to manufacture or use the specified poisonous substance in the course of the person's academic research.
- (3) A prefectural governor may choose not to grant a person set forth as follows a license to be a researcher of a specified poisonous substance:
- (i) a person specified by Order of the Ministry of Health, Labour and Welfare as a person who is unable to properly engage in the duties of a researcher of a specified poisonous substance due to a mental or physical disability;
 - (ii) a person who is addicted to narcotics, cannabis, opium, or stimulants;
 - (iii) a person who has committed a crime involving a poisonous substance or deleterious substance or related to pharmaceuticals and has been sentenced to a fine or heavier punishment, if it has not been three years since the day on which the person finished serving the sentence or ceased to be subject to its execution; or
 - (iv) a person whose license has been rescinded pursuant to the provisions of Article 19, paragraph (4), if it has not been two years since the day of the rescission.

(Handlers of Poisonous and Deleterious Substances)

- Article 7 (1) A manufacturer, importer, or seller of a poisonous or deleterious substance must assign a full-time handler of poisonous and deleterious substances for each manufacturing facility, business office, or shop that directly handles a poisonous substance or deleterious substance, and have that person take the lead in preventing health and hygiene hazards due to poisonous substances and deleterious substances; provided, however, that this does not apply to a manufacturing facility, business office, or shop at which the manufacturer, importer, or seller of a poisonous or deleterious substance itself leads the prevention of health and hygiene hazards due to poisonous substances and deleterious substances, as the handler of poisonous and deleterious substances.
- (2) If the manufacturer, importer, or seller of a poisonous or deleterious substance runs combined operations involving two or more undertakings in the commercial manufacture, commercial import, or commercial sale of a poisonous substance or deleterious substance, and the relevant manufacturing facilities, business offices, or shops adjoin one another; or if the manufacturer, importer, or seller of a poisonous or deleterious substance runs combined operations

involving two or more undertakings in the commercial sale of a poisonous substance or deleterious substance within the same shop, it suffices to assign one handler of poisonous and deleterious substances for those facilities, notwithstanding the provisions of the preceding paragraph.

- (3) Once a manufacturer, importer, or seller of a poisonous or deleterious substance has assigned a handler of poisonous and deleterious substances, it must file a notification of the person's name within 30 days, with the governor of the prefecture in which its manufacturing facility, business office, or shop is located. The same applies if it changes its handler of poisonous and deleterious substances.

(Qualifications to Be a Handler of Poisonous and Deleterious Substances)

Article 8 (1) A person may not become a handler of poisonous and deleterious substances as referred to in the preceding Article unless that person is as set forth in one of the following items:

- (i) a pharmacist;
- (ii) a person who has completed academic courses on applied chemistry at a school specified by Order of the Ministry of Health, Labour and Welfare; or
- (iii) a person who has passed an examination for handlers of poisonous substances and deleterious substances conducted by the prefectural governor.

(2) A person as follows may not become a handler of poisonous and deleterious substances as referred to in the preceding Article:

- (i) a person under 18 years of age;
- (ii) a person specified by Order of the Ministry of Health, Labour and Welfare as a person who is unable to properly engage in the duties of a handler of poisonous and deleterious substances due to a mental or physical disability;
- (iii) a person who is addicted to narcotics, cannabis, opium, or stimulants; or
- (iv) a person who has committed a crime involving a poisonous substance or deleterious substance or related to pharmaceuticals and has been sentenced to a fine or heavier punishment, if it has not been three years since the day on which the person finished serving the sentence or ceased to be subject to its execution.

(3) The examinations for handlers of poisonous substances and deleterious substances referred to in paragraph (1), item (iii) are divided into examinations for handlers of general poisonous substances and deleterious substances, examinations for handlers of poisonous substances and deleterious substances in agricultural items, and examinations for handlers of poisonous substances and deleterious substances in specified items.

(4) A person who has passed an examination for handlers of poisonous substances and deleterious substances in agricultural items may become a handler of poisonous and deleterious substances only at a business office for commercial

imports or shop for the commercial sale of agricultural items that handles only the poisonous substances and deleterious substances specified by Order of the Ministry of Health, Labour and Welfare that are referred to in Article 4-3, paragraph (1); and a person who has passed an examination for handlers of poisonous substances and deleterious substances in specified items may become a handler of poisonous and deleterious substances only at a business office for commercial imports or shop for the commercial sale of specified items that handles only the poisonous substances and deleterious substances specified by Order of the Ministry of Health, Labour and Welfare that are referred to in paragraph (2) of that Article.

- (5) Beyond as prescribed in this Act, Order of the Ministry of Health, Labour and Welfare prescribes the examination subjects and other necessary particulars of examinations for handlers of poisonous substances and deleterious substances.

(Alteration of Registration)

Article 9 (1) If a manufacturer or importer of a poisonous substance or deleterious substance seeks to manufacture or import a poisonous substance or deleterious substance other than a poisonous substance or deleterious substance that it has had registered, it must first have its registration altered with regard to the particulars set forth in Article 6, item (ii).

- (2) The provisions of Article 4, paragraph (2) and Article 5 apply mutatis mutandis to the alteration of a registration.

(Filing of Notifications)

Article 10 (1) In a case falling under one of the following items, a manufacturer, importer, or seller of a poisonous or deleterious substance must file a notification indicating this within 30 days, with the governor of the prefecture in which its manufacturing facility, business office, or shop is located:

- (i) if the person's name or address (or its name and the location of its principal office, if the person is a corporation) has changed;
 - (ii) if it has changed an important part of the equipment for manufacture, storage, or transportation of a poisonous substance or deleterious substance;
 - (iii) if it has changed any other thing that is specified by Order of the Ministry of Health, Labour and Welfare; or
 - (iv) if it has discontinued its business in the relevant manufacturing facility, business office, or shop.
- (2) In a case falling under one of the following items, a researcher of a specified poisonous substance must file a notification indicating this within 30 days, with the governor of the prefecture in which its principal research institute is located:
- (i) if the researcher's name or address has changed;

- (ii) if the researcher has changed any other thing specified by Order of the Ministry of Health, Labour and Welfare; or
 - (iii) if the researcher has discontinued the relevant research.
- (3) In the case referred to in paragraph (1), item (iv) or item (iii) of the preceding paragraph, once that notification has been filed, the registration or license ceases to be effective.

(Handling of Poisonous Substances and Deleterious Substances)

Article 11 (1) Manufacturers, importers, and sellers of poisonous and deleterious substances and researchers of specified poisonous substances must take necessary measures to prevent poisonous substances and deleterious substances from being stolen and from being lost.

- (2) Manufacturers, importers, and sellers of poisonous and deleterious substances and researchers of specified poisonous substances must take necessary measures to prevent poisonous substances, deleterious substances, and items containing poisonous substances and deleterious substance that are specified by Cabinet Order, from scattering, leaking, draining, or seeping out to the exterior of their manufacturing facilities, business offices, shops, and research institutes, and from seeping into the ground under those facilities.
- (3) If transporting a poisonous substance or deleterious substance, or an item specified by Cabinet Order set forth in the preceding paragraph, outside its manufacturing facility, business office, shop, or research institute, a manufacturer, importer, or seller of a poisonous or deleterious substance, or a researcher of a specified poisonous substance must take necessary measures to prevent the substance or item from scattering, leaking, draining, or seeping out.
- (4) It is prohibited for a manufacturer, importer, or seller of a poisonous or deleterious substance or a researcher of a specified poisonous substance to use something that is usually used as a container for food or drink as a container for a poisonous substance or deleterious substance that is specified by Order of the Ministry of Health, Labour and Welfare.

(Labeling of Poisonous Substances and Deleterious Substances)

Article 12 (1) A manufacturer, importer, or seller of a poisonous or deleterious substance or a researcher of a specified poisonous substance must label the containers and packaging of a poisonous substance or deleterious substance using the characters "医薬用外" (meaning "not for medical use"); and using the characters "毒物" (meaning "poisonous substance") in white on a red background for a poisonous substance and the characters "劇物" (meaning "deleterious substance") in red on a white background for a deleterious substance.

- (2) A manufacturer, importer, or seller of a poisonous or deleterious substance

must not sell or provide a poisonous substance or deleterious substance without indicating the following information on the containers and packaging of the poisonous substance or deleterious substance:

- (i) the name of the poisonous substance or deleterious substance;
 - (ii) the components of the poisonous substance or deleterious substance and their amounts;
 - (iii) for a poisonous substance or deleterious substance specified by Order of the Ministry of Health, Labour and Welfare, the name of the antidote specified by Order of the Ministry of Health, Labour and Welfare; and
 - (iv) information that is found to be particularly necessary in terms of the handling and use of the poisonous substance or deleterious substance, and that is specified by Order of the Ministry of Health, Labour and Welfare.
- (3) A manufacturer, importer, or seller of a poisonous or deleterious substance or a researcher of a specified poisonous substance must label a place where it stores or displays a poisonous substance or deleterious substance using the characters "医薬用外" (meaning "not for medical use"); and using the characters "毒物" (meaning "poisonous substance") for a poisonous substance and the characters "劇物" (meaning "deleterious substance") for a deleterious substance.

(Sale of Poisonous Substances and Deleterious Substances That Are Used for Specific Purposes)

Article 13 A manufacturer, importer, or seller of a poisonous or deleterious substance must not sell or provide a poisonous substance or deleterious substance that is specified by Cabinet Order for agricultural use unless the substance is colored in a manner specified by Order of the Ministry of Health, Labour and Welfare.

Article 13-2 A manufacturer, importer, or seller of a poisonous or deleterious substance must not sell or provide a poisonous substance or deleterious substance that is found to be provided mainly for use in the daily lives of general consumers and that is specified by Cabinet Order, unless the substance conforms to the standards specified by Cabinet Order for the amounts of its components, or its containers or packaging.

(Procedures for Transferring Poisonous Substances and Deleterious Substances)

Article 14 (1) A manufacturer, importer, or seller of a poisonous or deleterious substance must set down the following information in writing each time it sells or provides a poisonous substance or deleterious substance to another manufacturer, importer, or seller of a poisonous or deleterious substance:

- (i) the name and quantity of the poisonous substance or deleterious substance;

- (ii) the date of sale or provision; and
 - (iii) the name, profession, and address (name and location of principal office in the case of a corporation) of the transferee.
- (2) A manufacturer, importer, or seller of a poisonous or deleterious substance must not sell or provide a poisonous substance or deleterious substance to a person other than a manufacturer, importer, or seller of a poisonous or deleterious substance, unless a document setting down the information set forth in the items of the preceding paragraph and prepared pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare has been submitted to it by the transferee.
- (3) In lieu of having a document submitted to it under the provisions of the preceding paragraph, the manufacturer, importer, or seller of a poisonous or deleterious substance set forth in the preceding paragraph may have the information that is to be set down in that document provided to it by a means that Order of the Ministry of Health, Labour and Welfare prescribes of using an electronic data processing system or of applying other information or communications technology, pursuant to the provisions of Cabinet Order and with the consent of the transferee. In such a case, the manufacturer, importer, or seller of a poisonous or deleterious substance is deemed to have had the document submitted to it.
- (4) A manufacturer, importer, or seller of a poisonous or deleterious substance must retain the documents referred to in paragraphs (1) and (2), and, if the means prescribed in the first sentence of the preceding paragraph is used, must retain any electronic or magnetic record (meaning a record created in electronic form, magnetic form, or any other form that cannot be perceived with the human senses, and that is specified by Order of the Ministry of Health, Labour and Welfare as being meant for use in computerized data processing) therein created, for five years from the day of the sale or provision of the poisonous substance or deleterious substance.

(Limitations on Delivery of a Poisonous Substance or Deleterious Substance)

Article 15 (1) A manufacturer, importer, or seller of a poisonous or deleterious substance must not deliver a poisonous substance or deleterious substance to the following persons:

- (i) a person under 18 years of age;
 - (ii) a person specified by Order of the Ministry of Health, Labour and Welfare as a person who is unable to properly take measures to prevent health and hygiene hazards due to a poisonous substance or deleterious substance because of a mental or physical disability; or
 - (iii) a person who is addicted to narcotics, cannabis, opium, or stimulants.
- (2) A manufacturer, importer, or seller of a poisonous or deleterious substance

must not deliver a substance specified by Cabinet Order as provided in Article 3-4 to a person until it has confirmed the name and address of the person to whom the substance will be delivered, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

(3) A manufacturer, importer, or seller of a poisonous or deleterious substance must keep books and, having confirmed as referred to in the preceding paragraph, must enter information connected with that confirmation pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

(4) A manufacturer, importer, or seller of a poisonous or deleterious substance must retain the books set forth in the preceding paragraph for five years from the day on which the last entry has been made.

(Disposal)

Article 15-2 It is prohibited to dispose of a poisonous substance, deleterious substance, or substance specified by Cabinet Order as provided in Article 11, paragraph (2), unless the method of disposal conforms to the technical standards specified by Cabinet Order.

(Order to Recover)

Article 15-3 If it is found that a method adopted by a manufacturer, importer, or seller of a poisonous or deleterious substance or a researcher of a specified poisonous substance to dispose of a poisonous substance, deleterious substance, or substance specified by Cabinet Order that is referred to in Article 11, paragraph (2), fails to conform to the standards specified by Cabinet Order referred to in the preceding Article, and there is a risk of health or hygiene hazard arising for unspecified persons or for a large number of persons if the situation is left unaddressed, a prefectural governor (or the mayor of the city or mayor of the special ward, for the commercial sale of a poisonous substance or deleterious substance at a shop located within the boundaries of a city with a health center or a special ward; or the head of a designated city, for a researcher of a specified poisonous substance at a principal research institute located within the boundaries of a designated city; the same applies in Article 18, paragraph (1), Article 19, paragraphs (4) and (5), Article 20, paragraph (2), and Article 23-2) may order that person to take necessary measures to prevent health and hygiene hazards, such as recovering the substances of which the person has disposed or ridding them of their toxicity.

(Technical Standards for Transportation)

Article 16 (1) If necessary for preventing health and hygiene hazards, Cabinet Order may be used to establish technical standards for the transportation, storage, or other handling of a poisonous substance or deleterious substance.

- (2) If particularly necessary for preventing health and hygiene hazards, Cabinet Order may be used to establish the following things:
- (i) technical standards for the handling of an item to which a specified poisonous substance is attached or an item containing a specified poisonous substance;
 - (ii) that a manufacturer or importer of an item containing a specified poisonous substance must not sell or provide the item containing the specified poisonous substance unless it complies with certain quality or coloring standards; or
 - (iii) that a manufacturer, importer, or seller of an item containing a specified poisonous substance must make certain indications when selling or providing the item containing the specified poisonous substance.

(Measures to Be Taken at the Time of an Accident)

- Article 17 (1) If a poisonous substance, deleterious substance, or substance specified by Cabinet Order as referred to in Article 11, paragraph (2) that it handles has scattered, leaked, drained, seeped out, or seeped underground, and there is a risk of health or hygiene hazards arising for unspecified persons or for a large number of persons, a manufacturer, importer, or seller of a poisonous or deleterious substance or a researcher of a specified poisonous substance must immediately file a notification of this with the health center, police station, or fire department, while taking the necessary emergency measures to prevent health and hygiene hazards.
- (2) A manufacturer, importer, or seller of a poisonous or deleterious substance or a researcher of a specified poisonous substance must immediately file a notification with the police station if a poisonous substance or deleterious substance that it handles has been stolen or lost.

(On-Site Inspections)

- Article 18 (1) On finding there to be a need to do so for health and hygiene purposes, a prefectural governor may collect the necessary reports from a manufacturer, importer, or seller of a poisonous or deleterious substance or from a researcher of a specified poisonous substance; may have a person who is designated in advance from among pharmaceutical affairs inspectors enter its manufacturing facility, business office, shop, research institute, or other place where the poisonous substance or deleterious substance is handled in the course of business to inspect books and other articles, question persons concerned, or remove a poisonous substance, a deleterious substance, a substance specified by Cabinet Order as referred to in Article 11, paragraph (2), or a substance suspected of being one of those substances, within the scope of an amount that is minimally necessary for testing purposes.

- (2) A person that has been designated pursuant to the provisions of the preceding paragraph is to be called an inspector of poisonous and deleterious substances.
- (3) An inspector of poisonous and deleterious substances must carry an identification card and produce it at the request of relevant persons.
- (4) The provisions of paragraph (1) must not be construed as being granted for criminal investigation purposes.

(Rescission of Registration)

Article 19 (1) On finding that the equipment owned by a manufacturer, importer, or seller of a poisonous or deleterious substance has ceased to conform to the standards specified by Order of the Ministry of Health, Labour and Welfare referred to in Article 5, the prefectural governor may order it to take the necessary measures to make the equipment conform to those standards, specifying a reasonable period of time in which it is to do so.

- (2) If a person that has been issued an order set forth in the preceding paragraph fails to take the necessary measures within the designated period, the prefectural governor must rescind that person's registration.
- (3) If a handler of poisonous and deleterious substances connected with the commercial manufacture, commercial import, or commercial sale of a poisonous substance or deleterious substance has acted in a way that violates this Act or is found to be inappropriate as a handler of poisonous and deleterious substances, the prefectural governor may order the manufacturer, importer, or seller of a poisonous or deleterious substance to change the handler of poisonous and deleterious substances.
- (4) If a manufacturer, importer, or seller of a poisonous or deleterious substance or a researcher of a specified poisonous substance has acted in a way that violates this Act or a disposition hereunder (this includes if a researcher of a specified poisonous substance has come to fall under one of items (i) to (iii) of Article 6-2, paragraph (3)), the prefectural governor may rescind the business registration or the person's license to be a researcher of a specified poisonous substance, or order the suspension of the business in whole or in part for a specified period.
- (5) If the Minister of Health, Labour and Welfare finds it to be necessary to do so in an emergency in order to prevent the occurrence or expansion of health or hygiene hazards, the minister may instruct a prefectural governor to undertake a disposition as under the provisions of the preceding paragraphs (if instructing the head of a designated city to undertake a disposition, this is limited to a disposition as under the provisions of the preceding paragraph).

(Special Provisions on the Manner of Conducting Hearings)

Article 20 (1) A person must be notified as referred to in Article 15, paragraph

- (1) or Article 30 of the Administrative Procedure Act (Act No. 88 of 1993) in connection with a disposition under the provisions of paragraphs (2) to (4) of the preceding Article no later than one week prior to the date of the hearing or the deadline for submission of a written statement of explanation (if an opportunity for an oral explanation is granted, the date and time of the oral explanation).
- (2) Having notified a person as referred to in Article 15, paragraph (1) of the Administrative Procedure Act regarding the rescission of a registration under the provisions of paragraph (2) of the preceding Article, an order to change the handler of poisonous and deleterious substances under the provisions of paragraph (3) of that Article, or the rescission of a license under the provisions of paragraph (4) of that Article (referred to as a "disposition to rescind a registration or license" in the following paragraph), the prefectural governor must issue public notice of the date and place of the hearing.
- (3) The proceedings on the date of a hearing regarding a disposition to rescind a registration or license must be open to the public.

(Measures Taken upon Lapse of Registration)

- Article 21 (1) Upon the lapse of a business registration or a person's license to be a researcher of a specified poisonous substance, or upon ceasing to be a user of a specified poisonous substance, a manufacturer, importer, or seller of a poisonous or deleterious substance, a researcher of a specified poisonous substance, or a user of a specified poisonous substance, within 15 days, must file a notification of the name and quantity of any specified poisonous substance it owns at that time; with the governor of the prefecture in which the manufacturing facility, business office, or shop is located, in the case of a manufacturer, importer, or seller of a poisonous or deleterious substance (or to the mayor of the city or mayor of the special ward, for their commercial sale, if the shop is located within the boundaries of a city with a health center or a special ward); with the governor of the prefecture in which the principal research institute is located, in the case of a researcher of a specified poisonous substance (or with the head of a designated city if the principal research institute is located within the boundaries of a designated city); or with the applicable prefectural governor, in the case of a user of a specified poisonous substance.
- (2) As long as a person that is required to file a notification pursuant to the provisions of the preceding paragraph transfers the specified poisonous substance referred to in that paragraph to a manufacturer, importer, or seller of a poisonous or deleterious substance, a researcher of a specified poisonous substance, or a user of a specified poisonous substance within 50 days from the day on which it comes to be required that the person file the notification, the

provisions of Article 3-2, paragraphs (6) and (7) do not apply to its transfer or acquisition, and the provisions of Article 3-2, paragraph (10) do not apply to that person's possession of the specified poisonous substance as referred to in the preceding paragraph, but only during that period.

- (3) If a person that was a manufacturer, importer, or seller of a poisonous or deleterious substance or a researcher of a specified poisonous substance transfers a specified poisonous substance as referred to in paragraph (1) during the period set forth in the preceding paragraph, that person is deemed to be a manufacturer, importer, or seller of a poisonous or deleterious substance or a researcher of a specified poisonous substance as concerns the application of the provisions of Article 3-2, paragraphs (8) and (9).
- (4) If a manufacturer, importer, or seller of a poisonous or deleterious substance, a researcher of a specified poisonous substance, or a user of a specified poisonous substance dies or, if that person is a corporation, disappears as a result of a merger, the provisions of the preceding three paragraphs apply mutatis mutandis to the heir or the person administering the estate on behalf of the heir, or to the representative of the corporation surviving the merger or incorporated in the merger.

(Filing of Notifications by Persons Handling Poisonous Substances or Deleterious Substances in Their Business)

Article 22 (1) A person that is engaged in a business specified by Cabinet Order and that handles sodium cyanide, or other poisonous substance or deleterious substances specified by Cabinet Order in the course of business must file a notification with the governor of the prefecture in which the workplace is located (or the mayor of the city or mayor of the special ward, if the workplace is located within the boundaries of a city with a health center or a special ward; the same applies in paragraph (3)) of the following particulars, for each workplace, within 30 days from the day on which the person comes to handle the poisonous substance or deleterious substance in the course of business, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare:

- (i) the person's name and address (or the name and location of the person's principal office, if it is a corporation);
 - (ii) the item constituting a poisonous substance or deleterious substance that is either sodium cyanide or another poisonous substance or deleterious substance specified by Cabinet Order, which the person is handling;
 - (iii) the location of the workplace; and
 - (iv) other particulars specified by Order of the Ministry of Health, Labour and Welfare.
- (2) A person that, upon enactment of the Cabinet Order referred to in the

preceding paragraph, has come to fall under the category of a person as prescribed in that paragraph as a result of the Cabinet Order's entry into effect, must file a notification of the particulars set forth in the items of that paragraph within 30 days from the effective date of that Cabinet Order, in accordance with the provisions of that paragraph.

- (3) If a person that has filed a notification pursuant to the provisions of the preceding two paragraphs discontinues business at the workplace, ceases to handle the poisonous substance or deleterious substance referred to in paragraph (1) at the workplace in the course of business, or changes one of the particulars set forth in the items of that paragraph, the person must file a notification of this with the governor of the prefecture in which the workplace is located.
- (4) The provisions of Article 7, Article 8, Article 11, Article 12, paragraphs (1) and (3), Article 15-3, Article 17, Article 18, and Article 19, paragraphs (3) and (5) apply mutatis mutandis to a person prescribed in paragraph (1) (including a person prescribed in paragraph (2); hereinafter the same applies in this Article). In such a case, the phrase "with the governor of the prefecture in which its manufacturing facility, business office, or shop is located" in Article 7, paragraph (3) is deemed to be replaced with "with the governor of the prefecture in which its workplace is located (or with the mayor of the city or mayor of the special ward, if the workplace is located within the boundaries of a city with a health center or a special ward; the same applies in Article 15-3, Article 18, paragraph (1), and Article 19, paragraphs (3) and (5))", and the phrase "a prefectural governor (or the mayor of the city or mayor of the special ward, for the commercial sale of a poisonous substance or deleterious substance at a shop located within the boundaries of a city with a health center or a special ward; or the head of a designated city, for a researcher of a specified poisonous substance at a principal research institute located within the boundaries of a designated city; the same applies in Article 18, paragraph (1), Article 19, paragraphs (4) and (5), Article 20, paragraph (2), and Article 23-2)" in Article 15-3 is deemed to be replaced with "a prefectural governor".
- (5) The provisions of Article 11, Article 12, paragraphs (1) and (3), Article 17, and Article 18 apply mutatis mutandis to a person that is not a manufacturer, importer, or seller of a poisonous or deleterious substance, a researcher of a specified poisonous substance, or a person prescribed in paragraph (1), and that handles a poisonous substance or deleterious substance specified by Order of the Ministry of Health, Labour and Welfare in the course of business. In such a case, the term "a prefectural governor" in Article 18, paragraph (1) is deemed to be replaced with "a prefectural governor (or the mayor of the city or mayor of the special ward, if the place where the person prescribed in Article 22, paragraph (5) handles the poisonous substance or deleterious substance in

the course of business is located within the boundaries of a city with a health center or a special ward)".

- (6) If the Minister of Health, Labour and Welfare or a prefectural governor (or the mayor of the city or mayor of the special ward, if the workplace of the person prescribed in paragraph (1) or the place where the person prescribed in the preceding paragraph handles the poisonous substance or deleterious substance in the course of business is located within the boundaries of a city with a health center or a special ward; the same applies in the following paragraph) finds that the person prescribed in paragraph (1) is in violation of the provisions of Article 7 or Article 11, as applied mutatis mutandis pursuant to paragraph (4), or in violation of a disposition as referred to in Article 19, paragraph (3), as applied mutatis mutandis pursuant to paragraph (4), or that the person prescribed in the preceding paragraph is in violation of the provisions of Article 11, as applied mutatis mutandis pursuant to that paragraph, the minister, governor, mayor of the city, or mayor of the special ward may order the person to take the necessary measures within a reasonable period of time specified thereby.
- (7) The provisions of Article 20 apply mutatis mutandis if the Minister of Health, Labour and Welfare or a prefectural governor seeks to undertake a disposition as referred to in Article 19, paragraph (3), as applied mutatis mutandis pursuant to paragraph (4), or a disposition as referred to in the preceding paragraph.

(Consulting the Pharmaceutical Administrative Functions and Food Sanitation Council)

Article 23 Before seeking to draw up a draft enactment, amendment, or repeal of the Cabinet Order referred to in Article 16, paragraph (1), or in Appended Table 1, item (xxviii), Appended Table 2, item (xciv), and Appended Table 3, item (x), the Minister of Health, Labour and Welfare must first hear the opinions of the Pharmaceutical Administrative functions and Food Sanitation Council; provided, however, that this does not apply with regard to a matter that the Pharmaceutical Administrative functions and Food Sanitation Council finds to be minor.

(Execution of Administrative Functions by the Minister of Health, Labour and Welfare in an Emergency)

Article 23-2 (1) Administrative functions that the provisions of Article 18, paragraph (1) prescribe to be part of the authority of a prefectural governor (excluding the administrative functions that are part of the authority prescribed in that paragraph regarding a manufacturer solely engaging in the manufacture of preparations (including individual packaging of preparations)

or packaging of raw substances or an importer solely engaging in the import of preparations; hereinafter the same applies in this Article) are to be carried out by the Minister of Health, Labour and Welfare or the prefectural governor when the Minister of Health, Labor and Welfare finds there to be an urgent need for this to be done in order to prevent the occurrence or expansion of a health or hygiene hazard. In such a case, the provisions concerning prefectural governors (limited to pertaining to the relevant administrative functions) in the provisions of this Act apply to the Minister of Health, Labor and Welfare as provisions that concern the Minister of Health, Labor and Welfare.

- (2) In a case as referred to in the preceding paragraph, when the Minister of Health, Labour and Welfare or the prefectural governor carries out the relevant administrative functions, the minister or governor is to do so in close coordination with the other.

(Delegation of Authority)

Article 23-3 (1) The authority of the Minister of Health, Labour and Welfare provided for in this Act may be delegated to the Director-General of a Regional Bureau of Health and Welfare, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

- (2) The authority delegated to the Director-General of a Regional Bureau of Health and Welfare pursuant to the provisions of the preceding paragraph may be delegated to the Director-General of a Regional Branch Bureau of Health and Welfare, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

(Delegation to Cabinet Order)

Article 23-4 Beyond as prescribed in this Act, Cabinet Order provides for the necessary particulars in connection with registrations and the renewal of registrations for the commercial manufacture, commercial import, and commercial sale of poisonous substances and deleterious substances, in connection with the granting of licenses to and filing of notifications by researchers of specified poisonous substances, and in connection with dispositions as referred to in Article 19, paragraph (4) regarding researchers of specified poisonous substances.

(Transitional Measures)

Article 23-5 When Cabinet Order or Order of the Ministry of Health, Labour and Welfare is enacted, amended, or repealed pursuant to the provisions of this Act, the necessary transitional measures may be specified by the relevant Cabinet Order or the Order of the Ministry of Health, Labour and Welfare, to the extent considered reasonably necessary for the enactment, amendment, or

repeal.

(Penal Provisions)

Article 24 A person falling under one of the following items is subject to imprisonment for no more than three years, a fine of not more than two million yen, or both:

- (i) a person violating the provisions of Article 3, Article 3-2, Article 4-3, or Article 9;
- (ii) a person failing to make an indication referred to in Article 12 (including as applied *mutatis mutandis* pursuant to Article 22, paragraphs (4) and (5)) or making a false indication;
- (iii) a person violating the provisions of Article 13, Article 13-2, or Article 15, paragraph (1);
- (iv) a person violating the provisions of Article 14, paragraph (1) or (2);
- (v) a person violating the provisions of Article 15-2; or
- (vi) a person violating an order to suspend the operation of services under the provisions of Article 19, paragraph (4).

Article 24-2 A person falling under one of the following items is subject to imprisonment for no more than two years, a fine of not more than one million yen, or both:

- (i) a person selling or providing a substance specified by Cabinet Order as prescribed in Article 3-3, knowing that a person, without due cause, will ingest the substance, inhale it, or possess it for the purpose of ingestion or inhalation without due cause;
- (ii) a person selling or providing a substance specified by Cabinet Order as prescribed in Article 3-4, knowing that a person will possess the substance other than for business reasons or based on other legitimate grounds; or
- (iii) a person violating an order issued under the provisions of Article 22, paragraph (6).

Article 24-3 A person violating the provisions of Article 3-3 is subject to imprisonment for no more than one year, a fine of not more than five hundred thousand yen, or both.

Article 24-4 A person violating the provisions of Article 3-4 is subject to imprisonment for no more than six months, a fine of not more than five hundred thousand yen, or both.

Article 25 A person falling under one of the following items is subject to a fine of not more than three hundred thousand yen:

- (i) a person failing to file a notification or filing a false notification regarding a particular prescribed in Article 10, paragraph (1), item (iv) or paragraph (2), item (iii) of that Article;
- (ii) a person violating the provisions of Article 14, paragraph (4);
- (ii)-2 a person violating the provisions of Article 15, paragraphs (2) to (4);
- (iii) a person violating the provisions of Article 17 (including as applied mutatis mutandis pursuant to Article 22, paragraphs (4) and (5));
- (iv) a person failing to make a report or making a false report when required by a prefectural governor, head of a designated city, mayor of a city with a health center, or ward head of a special ward under the provisions of Article 18, paragraph (1) (including as applied mutatis mutandis pursuant to Article 22, paragraphs (4) and (5));
- (v) a person that has refused, obstructed, or evaded the entrance, inspection, questioning, or removal under the provisions of Article 18, paragraph (1) (including as applied mutatis mutandis pursuant to Article 22, paragraphs (4) and (5));
- (vi) a person violating the provisions of Article 21, paragraph (1) (including as applied mutatis mutandis pursuant to paragraph (4) of that Article); or
- (vii) a person failing to file a notification prescribed in Article 22, paragraphs (1) to (3), or filing a false notification.

Article 26 If the representative of a corporation, or the agent, employee, or other worker of a corporation or individual, commits a violation of Article 24, Article 24-2, Article 24-4, or the preceding Article with regard to the business of the corporation or individual, in addition to the offender being subject to punishment, the corporation or individual is subject to the fine prescribed in the relevant Article; provided, however, that, if it has been proven that reasonable care and supervision were exercised with regard to the duties of the agent, employee, or other worker of the corporation or individual in order to prevent the violation committed thereby, this does not apply to that corporation or individual.

Article 27 Provisions may be established, in a Cabinet Order that is based on the provisions of Article 16, to prescribe that a person violating the Cabinet Order be punished by imprisonment for no more than two years, a fine of not more than one million yen, or both; and to prescribe that, if the representative of a corporation or the agent, employee, or other worker of a corporation or individual has committed a violation in connection with the business of the corporation or person, in addition to the offender being subject to punishment, the corporation or individual is subject to the fine prescribed in the relevant Articles.

Supplementary Provisions [Extract]

(Effective Date)

- (1) This Act comes into effect as of the date of promulgation.

(Repeal of the Poisonous and Deleterious Substances Business Control Act)

- (2) The Poisonous and Deleterious Substances Business Control Act (Act No. 206 of 1947; hereinafter referred to as "the former Act") is repealed.

(Transitional Provisions)

- (4) A person who has passed the business manager examination referred to in Article 4 of the Regulation for Enforcement of the Poisonous and Deleterious Substances Business Control Act (Order of the Ministry of Health and Welfare No. 38 of 1947) is deemed to be a person who has passed an examination for handlers of poisonous substances and deleterious substances as referred to in Article 8.
- (7) A disposition or other such action that has been undertaken with regard to a person engaging in business involving a poisonous substance or deleterious substance before this Act comes into effect pursuant to the provisions of the former Act, and for which there are corresponding provisions in this Act is deemed to be a disposition or other such action that has been undertaken pursuant to the corresponding provisions of this Act.

Supplementary Provisions [Act No. 213 of August 15, 1953] [Extract]

- (1) This Act comes into effect as of September 1, 1953.

Supplementary Provisions [Act No. 71 of April 22, 1954] [Extract]

(Effective Date)

- (1) This Act comes into effect as of May 1, 1954.

Supplementary Provisions [Act No. 162 of August 12, 1955] [Extract]

- (1) This Act comes into effect as of the day calculated as falling 50 days after the date of promulgation.

Supplementary Provisions [Act No. 145 of August 10, 1960] [Extract]

(Effective Date)

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

Supplementary Provisions [Act No. 165 of July 10, 1964]

(Effective Date)

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

(Transitional Provisions)

(2) A person that, as of the time this Act comes into effect, has had its commercial sale of a poisonous substance or deleterious substance registered under the Poisonous and Deleterious Substances Control Act prior to its amendment is deemed, in accordance with the classification prescribed in the left hand column of the following table, to be a person that has been registered for the commercial sale of a poisonous substance or deleterious substance under the Poisonous and Deleterious Substances Control Act after its amendment, as provided in the right hand column of that table.

A seller other than one dealing only in poisonous substances and deleterious substances that are necessary for agriculture or dealing only in poisonous substances and deleterious substances that are designated by the Minister of Health and Welfare pursuant to the provisions of Article 8, paragraph (5) prior to its amendment	A general commercial sales registration
A seller dealing only in poisonous substances and deleterious substances that are necessary for agriculture	A registration for the commercial sale of agricultural items
A seller dealing only in poisonous substances and deleterious substances that are designated by the Minister of Health and Welfare pursuant to the provisions of Article 8, paragraph (5) prior to its amendment	A registration for the commercial sale of specified items

(3) A person that has passed an examination for handlers of poisonous substances and deleterious substances under the Poisonous and Deleterious Substances Control Act prior to its amendment is deemed, in accordance with the classification prescribed in the left hand column of the following table, to be a person that has passed an examination for handlers of poisonous substances and deleterious substances under the Poisonous and Deleterious Substances Control Act after its amendment as provided in the right hand

column of that table.

A person that has passed an examination for handlers of poisonous substances and deleterious substances that had an unlimited range of subjects	an examination for handlers of general poisonous substances and deleterious substances
A person that has passed an examination for handlers of poisonous substances and deleterious substances whose range of subjects has been limited pursuant to the provisions of Article 8, paragraph (3) prior to its amendment	an examination for handlers of poisonous substances and deleterious substances in agricultural items
A person that has passed an examination for handlers of poisonous substances and deleterious substances whose range of subjects has been limited pursuant to the provisions of Article 8, paragraph (3) prior to its amendment as applied mutatis mutandis pursuant to paragraph (5) of that Article	an examination for handlers of poisonous substances and deleterious substances in specified items

Supplementary Provisions [Act No. 131 of December 25, 1970]

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

Supplementary Provisions [Act No. 103 of June 26, 1972] [Extract]

(Effective Date)

- (1) This Act comes into effect as of the day specified by Cabinet Order, within a period not exceeding three months from the date of promulgation.

(Transitional Provisions)

- (2) Prior laws continue to govern the applicability of penal provisions to actions that a person undertakes before this Act comes into effect.

Supplementary Provisions [Act No. 112 of October 12, 1973] [Extract]

(Effective Date)

- (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 upon Partial Amendment of the Poisonous and Deleterious Substances Control Act)

- (3) Prior laws continue to govern the applicability of penal provisions to actions that a person undertakes before this Act comes into effect.

Supplementary Provisions [Act No. 51 of May 25, 1981]

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

Supplementary Provisions [Act No. 90 of September 1, 1982]

This Act comes into effect as of the day calculated as falling 30 days after the date of promulgation.

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 set forth in the following items come into effect as of the dates prescribed respectively in those items:

(i) omitted;

(ii) the provisions of Articles 1 to 3, Article 21, and Article 23, the provisions in Article 24 to amend Article 29 of the Narcotics Control Act, the provisions of Article 41, Article 47, and Articles 54 to 56, and the provisions of Article 2, Article 6, Article 13, and Article 20 of the Supplementary Provisions: April 1, 1984.

(Transitional Measures upon Partial Amendment of the Poisonous and Deleterious Substances Control Act)

Article 6 The valid period of a registration as prescribed in Article 4, paragraph (4) of the Poisonous and Deleterious Substances Control Act as amended by the provisions of Article 23 for a person that has been registered for the commercial sale of a poisonous substance or deleterious substance as of the entry into effect of Article 23 is to be calculated from the date of the registration or registration renewal that the person holds at the time.

(Transitional Measures for Other Dispositions and Applications)

Article 14 To apply the relevant Acts after their amendment on or after the effective date of this Act, with the exception of what is prescribed in Article 2 of the Supplementary Provisions through the preceding Article and the provisions on transitional measures in the relevant Acts after their amendment (including orders thereunder), a disposition or any other such action regarding something such as licensing that is undertaken, pursuant to one of the relevant Acts prior to its amendment, before this Act comes into effect (for the provisions set forth in the items of Article 1 of the Supplementary Provisions,

this means before those provisions come into effect; the same applies hereinafter in this Article and Article 16) (hereinafter referred to in this Article as a "disposition or other such action") or an application or any other such action regarding something such as licensing that is undertaken, pursuant to one of the relevant Acts prior to its amendment, by the time this Act comes into effect (hereinafter referred to as an "application or other such action"), which involves an administrative function that will start to be carried out by a different person on the effective date of this Act, is deemed to be a disposition or other such action or an application or other such action that is taken or undertaken pursuant to the corresponding provisions of the relevant Act after its amendment.

(Transitional Measures Concerning Penal Provisions)

Article 16 Prior laws continue to govern the applicability of penal provisions to actions that a person undertakes before this Act comes into effect and to actions that a person undertakes after the provisions of Article 17, Article 22, Article 36, Article 37, or Article 39 come into effect in a situation that is to continue to be governed by prior laws pursuant to the provisions of Article 3, Article 5, paragraph (5), Article 8, paragraph (2), Article 9, or Article 10 of the Supplementary Provisions.

Supplementary Provisions [Act No. 90 of July 12, 1985] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the date of promulgation; provided, however, that the provisions set forth in the following items come into effect as of the dates prescribed respectively in those items:

(i) and (ii) omitted;

(iii) the provisions of Article 22 and the provisions of Article 6 of the Supplementary Provisions: the day calculated as falling one month after the date of promulgation.

(Transitional Measures upon Partial Amendment of the Poisonous and Deleterious Substances Control Act)

Article 6 A person who, at the time Article 22 enters into effect, is an inspector of poisonous and deleterious substances as referred to in Article 18 of the Poisonous and Deleterious Substances Control Act prior to its amendment under the provisions of Article 22, and who is also a pharmaceutical affairs inspector is deemed to be a person who has been designated pursuant to the provisions of Article 17, paragraph (1) of the Poisonous and Deleterious Substances Control Act as amended by the provisions of Article 22.

(Transitional Measures Concerning Penal Provisions)

Article 11 Prior laws continue to govern the applicability of penal provisions to actions that a person undertakes before this Act (or, with regard to the provisions set forth in the items of Article 1 of the Supplementary Provisions, the respective provisions) comes into effect.

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

(Effective Date)

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

(Transitional Measures for Adverse Dispositions Under Pending Consultations and Requests)

Article 2 Notwithstanding related Acts amended by this Act, if, before this Act comes into effect, a consultation has been sought or other request has been filed with a council or other panel based on laws and regulations, in a matter that is to be put into proceedings that are equivalent to the hearing proceedings, proceedings for providing a person with an opportunity for explanation, or other proceedings for hearing statements of opinion that are prescribed in Article 13 of the Administrative Procedure Act, prior laws continue to govern any adverse disposition proceedings to which that consultation or other request pertains.

(Transitional Measures Concerning Penal Provisions)

Article 13 Prior laws continue to govern the applicability of penal provisions to actions that a person undertakes before this Act comes into effect.

(Transitional Measures upon Arrangement of Provisions on Hearings)

Article 14 Procedures for hearings (other than those involving adverse dispositions) undertaken pursuant to law before this Act comes into effect and proceedings incidental thereto are deemed to have been undertaken pursuant to the corresponding provisions of the related Acts amended by this Act.

(Delegation to Cabinet Order)

Article 15 Beyond as provided in Article 2 to the preceding Article of the Supplementary Provisions, Cabinet Order provides for the necessary transitional measures connected with the entry into effect of this Act.

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

(Effective Date)

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

(Transitional Measures upon Partial Amendment of the Poisonous and Deleterious Substances Control Act)

(4) Notwithstanding the provisions of Article 4, paragraph (4) of the Poisonous and Deleterious Substances Control Act as amended by the provisions of Article 6, prior laws continue to govern the valid period of a registration referred to in Article 4, paragraph (3) of that Act for a person that has been registered as of the entry into effect of Article 6,.

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

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2000; provided, however, that the provisions set forth in the following items come into effect as of the dates prescribed respectively in those items:

(i) the provisions in Article 1 for an amendment to add five Articles, a Section heading, two Subsections and Subsection headings after Article 250 of the Local Autonomy Act (limited to the part connected with Article 250-9, paragraph (1) of that Act (limited to the part connected with obtaining the consent of both Houses of the Diet)); the provisions in Article 40 to amend paragraphs (9) and (10) of the Supplementary Provisions of the Natural Parks Act (limited to the part connected with paragraph (10) of the Supplementary Provisions of that Act); the provisions of Article 244 (excluding the part connected with the provisions to amend Article 14-3 of the Agricultural Improvement Promotion Act); the provisions of Article 472 (excluding the part connected with the provisions to amend Article 6, Article 8, and Article 17 of the Act on Special Provisions Concerning Merger of Municipalities); and the provisions of Article 7, Article 10, Article 12, the proviso to Article 59, Article 60, paragraphs (4) and (5), Article 73, Article 77, Article 157, paragraphs (4) to (6), Article 160, Article 163, Article 164, and Article 202 of the Supplementary Provisions: the date of promulgation.

(Transitional Measures Concerning Administrative Functions, Powers, and Authority Under Prior Laws)

Article 69 An administrative function, power, or authority of a prefectural governor in a matter that prior laws continue to govern pursuant to the provisions of Article 32, paragraph (1), Article 78, paragraph (1), and Article 87, paragraphs (1) and (13) of the Supplementary Provisions of the Act Partially

Amending the National Pension Act (Act No. 34 of 1985) (hereinafter referred to as an "administrative function, power, or authority" in this Article) is regarded as an administrative function or power of the Minister of Health and Welfare or the Director-General of the Social Insurance Agency who is required to administer or exercise the administrative function or power corresponding to the relevant administrative function, power, or authority pursuant to the provisions of the National Pension Act, the Employees' Pension Insurance Act, and the Mariners Insurance Act, as amended by this Act, or the provisions of an order under these Acts, or of the head of a regional social insurance bureau delegated by the foregoing or the head of a social insurance office delegated by the head of the regional social insurance bureau.

(Special Application of Article 156, Paragraph (4) of the New Local Autonomy Act)

Article 70 The provisions of Article 156, paragraph (4) of the new Local Autonomy Act do not apply to a regional social insurance bureau and a social insurance office referred to in Article 14 of the Act for Establishment of the Ministry of Health and Welfare amended by the provisions of Article 166, which has been established as of the entry into effect of this Act, in the same location as the prefectural government organ for administering the administrative functions referred to in Article 8 of the Supplementary Provisions of the former Local Autonomy Act (limited to one handling administrative functions related to social insurance) (in the case of a regional social insurance bureau, limited to one established in the city (or the special ward), where the prefectural capital is located).

(Transitional Measures Concerning Regional Officials Engaged in Functions Related to Social Insurance)

Article 71 A person who is an official as prescribed in Article 8 of the Supplementary Provisions of the former Local Autonomy Act at the time of this Act's entry into effect (limited to a person appointed by the Minister of Health and Welfare or by a person delegated by the minister; referred to as a "regional official engaged in functions related to social insurance" in Article 158 of the Supplementary Provisions) is to become an official of the corresponding regional social insurance bureau or social insurance office unless a separate appointment is issued for that person.

(Transitional Measures Concerning Regional Social Insurance Medical Councils)

Article 72 A regional social insurance medical council established under the provisions of the Social Insurance Medical Council Act prior to its amendment

by the provisions of Article 169 and its chairperson, members, and expert advisors are to become the corresponding regional social insurance bureau's regional social insurance medical council and its chairperson, members, and expert advisors, and are to maintain their integrity.

(Preparatory Actions)

Article 73 A designation under the provisions of Article 92-3, paragraph (1), item (ii) of the National Pension Act as amended by the provisions of Article 200, and a public notice under the provisions of the Article 92-3, paragraph (2) of that Act may be made even prior to the entry into effect of the provisions of Article 200.

(Transitional Measures Concerning the Filing of Requests for Reexamination with the Minister of Health and Welfare)

Article 74 Prior laws continue to govern a request for reexamination involving a disposition undertaken by an administrative agency prior to the effective date pursuant to the provisions of Article 59-4, paragraph (2) of the Child Welfare Act, Article 12-4 of the Act on Massage and Finger Pressure Practitioners, Acupuncturists, Moxibustion Practitioners, etc., Article 29-4 of the Food Sanitation Act, Article 9-3 of the Inns and Hotels Act, Article 7-3 of the Public Bath Houses Act, Article 71-3 of the Medical Care Act, Article 43-2, paragraph (2) of the Act on Welfare of Persons with Physical Disabilities, Article 51-12, paragraph (2) of the Act on Mental Health and Welfare for Persons with Mental Disabilities, Article 14-2, paragraph (2) of the Laundries Act, Article 25-2 of the Rabies Prevention Act, Article 83-2, paragraph (2) of the Social Welfare Services Act, Article 69 of the Tuberculosis Prevention Act, Article 20 of the Slaughterhouse Act, Article 27-2 of the Dental Technicians Act, Article 20-8-2 of the Act on Clinical Laboratory Technicians, Public Health Laboratory Technicians, etc., Article 30, paragraph (2) of the Act on Welfare of Persons with Intellectual Disabilities, Article 34, paragraph (2) of the Act on Social Welfare for the Elderly, Article 26, paragraph (2) of the Maternal and Child Health Act, Article 23 of the Judo Therapists Act, Article 14, paragraph (2) of the Act on Maintenance of Sanitation in Buildings, Article 24 of the Waste Management and Public Cleaning Act, Article 41, paragraph (3) of the Poultry Slaughtering Business Control and Poultry Meat Inspection Act, or Article 65 of the Act on Prevention of Infectious Diseases and Medical Care for Patients Suffering Infectious Diseases, prior to amendment by the provisions of Articles 149 to 151, Article 157, Article 158, Article 165, Article 168, Article 170, Article 172, Article 173, Article 175, Article 176, Article 183, Article 188, Article 195, Article 201, Article 208, Article 214, Articles 219 to 221, Article 229, or Article 238.

(Transitional Measures Concerning Orders for Suspension of Business or Other Dispositions by the Minister of Health and Welfare or by the Prefectural Governor or Any Other Local Government Agency)

Article 75 A business suspension order or other disposition issued or undertaken by the Minister of Health and Welfare or by a prefectural governor or any other local government agency pursuant to the provisions of Article 46, paragraph (4) or Article 59, paragraph (1) or (3) of the Child Welfare Act, Article 8, paragraph (1) of the Act on Massage and Finger Pressure Practitioners, Acupuncturists, Moxibustion Practitioners, etc. (including as applied mutatis mutandis pursuant to Article 12-2, paragraph (2) of that Act), Article 22 of the Food Sanitation Act, Article 5, paragraph (2) or Article 25, paragraph (1) of the Medical Care Act, Article 17, paragraph (1) of the Poisonous and Deleterious Substances Control Act (including as applied mutatis mutandis pursuant to Article 22, paragraphs (4) and (5) of that Act), Article 100, paragraph (1) of the Employees' Pension Insurance Act, Article 39, paragraph (1) of the Water Supply Act, Article 106, paragraph (1) of the National Pension Act, Article 69, paragraph (1) or Article 72 of the Pharmaceutical Administrative functions Act, or Article 18, paragraph (1) of the Judo Therapists Act, prior to amendment by this Act is deemed to be a business suspension order or other disposition issued or undertaken by the Minister of Health and Welfare or a local public entity pursuant to the provisions of Article 46, paragraph (4) or Article 59, paragraph (1) or (3) of the Child Welfare Act, Article 8, paragraph (1) of the Act on Massage and Finger Pressure Practitioners, Acupuncturists, Moxibustion Practitioners, etc. (including as applied mutatis mutandis pursuant to Article 12-2, paragraph (2) of that Act), Article 22 or Article 23 of the Food Sanitation Act, Article 5, paragraph (2) or Article 25, paragraph (1) of the Medical Care Act, Article 17, paragraph (1) or (2) of the Poisonous and Deleterious Substances Control Act (including as applied mutatis mutandis pursuant to Article 22, paragraphs (4) and (5) of that Act), Article 100, paragraph (1) of the Employees' Pension Insurance Act, Article 39, paragraph (1) or (2) of the Water Supply Act, Article 106, paragraph (1) of the National Pension Act, Article 69, paragraph (1) or (2) or Article 72, paragraph (2) of the Pharmaceutical Affairs Act, or Article 18, paragraph (1) of the Judo Therapists Act, as amended by this Act, respectively.

(Administrative Functions of the National Government and Other Public Entities)

Article 159 Beyond what is prescribed in each of the relevant Acts prior to their amendment by this Act, the administrative functions of the national government, local governments other than itself, and other public entities that,

before this Act comes into effect, the agency of a local government manages or performs pursuant to an Act or a Cabinet Order based on an Act (referred to as "administrative functions of the national government and other public entities" in Article 161 of the Supplementary Provisions) are administrative functions that, after this Act comes into effect, the relevant local government is to handle as its own pursuant to an Act or a Cabinet Order based on an Act.

(Transitional Measures Concerning Dispositions and Applications)

Article 160 (1) To apply the relevant Acts after their amendment on or after the effective date of this Act, with the exception of what is prescribed in Article 2 of the Supplementary Provisions through the preceding Article and the provisions on transitional measures in the relevant Acts after their amendment (including orders thereunder), a disposition or any other such action regarding something such as licensing that is undertaken, pursuant to one of the relevant Acts prior to its amendment, before this Act comes into effect (for the provisions set forth in the items of Article 1 of the Supplementary Provisions, this means before those provisions come into effect; the same applies hereinafter in this Article and Article 163 of the Supplementary Provisions) (hereinafter referred to in this Article as a "disposition or other such action") or an application or any other such action regarding something such as licensing that is undertaken, pursuant to one of the relevant Acts prior to its amendment, by the time this Act comes into effect (hereinafter referred to as an "application or other such action"), which involves an administrative function that will start to be carried out by a different person on the effective date of this Act, is deemed to be a disposition or other such action or an application or other such action that is taken or undertaken pursuant to the corresponding provisions of the relevant Act after its amendment.

(2) Beyond as otherwise provided for in this Act and Cabinet Order based hereupon, information that, before this Act comes into effect, a person must report to, file with, submit to, or otherwise process with the national government or a local government agency pursuant to the relevant Acts prior to their amendment, but that has not been processed before the effective date of this Act, is deemed to be information that a person must report to, file with, submit to, or otherwise process with the national government or corresponding agency of the local government pursuant to the corresponding provisions of the relevant Acts after their amendment but that has not been processed, and the relevant Acts after their amendment by this Act apply.

(Transitional Measures Concerning Appeals)

Article 161 (1) For an appeal under the Administrative Appeal Act against a disposition that has been undertaken, before the effective date and in

connection with an administrative function of the national government or another public entity, by an administrative agency (hereinafter referred to in this Article as the "agency undertaking the disposition") that answered to a higher administrative agency as prescribed in that Act (hereafter in this Article referred to as the "higher administrative agency") before the effective date, the agency undertaking the disposition is deemed to continue to answer to a higher administrative agency even after the effective date, and the provisions of the Administrative Appeal Act apply. In such a case, the agency deemed to be the higher administrative agency to which the agency undertaking the disposition answers is that to which it answered before the effective date.

- (2) In a case as referred to in the preceding paragraph, if the agency that is deemed to be the higher administrative agency is a local government agency, the administrative functions to be handled by the entity pursuant to the Administrative Appeals Act constitute item (i) statutorily entrusted functions as prescribed in Article 2, paragraph (9), item (i) of the New Local Autonomy Act.

(Transitional Measures Concerning Fees)

Article 162 Except as otherwise provided for in this Act or a Cabinet Order hereunder, prior laws continue to govern a fee that a person was required to have paid before the effective date pursuant to the provisions of one of the relevant Acts prior to its amendment by this Act (including orders thereunder).

(Transitional Measures Concerning Penal Provisions)

Article 163 Prior laws continue to govern the applicability of penal provisions to actions that a person undertakes before this Act comes into effect.

(Delegation of Other Transitional Measures to Cabinet Order)

Article 164 (1) Beyond what is prescribed in these Supplementary Provisions, Cabinet Order provides for the transitional measures (including transitional measures concerning penal provisions) that come to be necessary in association with the entry into effect of this Act.

- (2) Cabinet Order provides for the necessary particulars in connection with the application of the provisions of Article 18, Article 51, and Article 184 of the Supplementary Provisions.

(Review)

Article 250 As well as reviews being made of item (i) statutorily entrusted administrative functions as prescribed in Article 2, paragraph (9), item (i) of the New Local Autonomy Act from the perspective of ensuring, to the greatest

extent possible, that no new functions are created, reviews are also made of the functions set forth in Appended Table I of the New Local Autonomy Act and functions provided for by Cabinet Order based on the New Local Autonomy Act from the perspective of promoting decentralization of authority, and these functions are to be amended as appropriate.

Article 251 The government is to examine how to secure adequate sources of local tax revenue based on the sharing of roles between the national government and local governments in consideration of the prevailing economic trends, and take the necessary measures based on the results of its examination, in order to enable local governments to perform their administrative functions and undertakings autonomously and independently.

Article 252 The government is to review things such as what should be done with regard to administrative processing systems for social insurance and the officials engaged in them in line with reforms in the medical insurance system, pension system, and other such systems, from perspective of securing convenience for insured persons and others and of improving the efficiency of administrative processing, and is to take the requisite measures based on the results of its review if it finds this to be necessary.

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. 126 of November 27, 2000] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the day specified by Cabinet Order, within a period not exceeding five months from the date of promulgation; provided, however, that the provisions set forth in the following items come into effect as of the dates prescribed respectively in those items.

(Transitional Measures Concerning Penal Provisions)

Article 2 Prior laws continue to govern the applicability of penal provisions to actions that a person undertakes before this Act comes into effect.

Supplementary Provisions [Act No. 87 of June 29, 2001] [Extract]

(Effective Date)

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

(Reviews)

Article 2 Approximately five years after the entry into effect of this Act, the national government is to review what the grounds for disqualification should be in each of the relevant Acts amended by this Act as relates to persons with disabilities, taking into account the status of the entry into effect of the provisions concerning those grounds for disqualification, and is to take the necessary measures based on the results of that review.

(Transitional Measures for Relicensing)

Article 3 If a person's license has been revoked based on a grounds for revocation of a license that is provided for in one of the relevant Acts prior to its amendment by this Act that is equivalent to a grounds for revocation that, pursuant to that Act as amended by this Act, allows for a person to be relicensed (hereinafter referred to as a "grounds for revocation of a license that allows relicensing" in this Article), the person is deemed to have had a license revoked on a grounds for revocation of a license that allows relicensing, and the provisions concerning relicensing in that Act as amended by this Act apply.

(Transitional Measures for Penal Provisions)

Article 4 Prior laws continue to govern the applicability of penal provisions to actions that a person undertakes before this Act comes into effect.

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

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2012; provided, however, that the provisions of the following Article come into effect as of the date of promulgation, and the provisions of Article 17 of the Supplementary Provisions come into effect as of the date of promulgation of the Act on the Adjustment of Related Acts to Further Reforms That Aim to Increase the Autonomy and Independence of Local Authorities (Act No. 105 of 2011) or the date of promulgation of this Act, whichever comes later.

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

(Effective Date)

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

however, that the provisions set forth in the following items come into effect as of the dates prescribed respectively in those items:

(ii) The provisions of Article 2; Article 10 (limited to the provisions to amend Article 18 of the Act on Special Districts for Structural Reform); Article 14 (limited to the provisions to amend Article 252-19 and Article 260 of the Local Autonomy Act; and in Appended Table 1 of the Act, the row for the Noise Regulation Act (Act No. 98 of 1968); the row for the City Planning Act (Act No. 100 of 1968); the row for the Urban Renewal Act (Act No. 38 of 1969); the row for the Basic Environment Act (Act No. 91 of 1993); and the row for the Act on Promotion of Improvement of Disaster Control Districts in Populated Urban Districts (Act No. 49 of 1997); as well as in Appended Table 2 of the Local Autonomy Act, the row for the Urban Renewal Act (Act No. 38 of 1969); the row for the Act on Advancement of Expansion of Public Lands (Act No. 66 of 1972); the row for the Act on Special Measures concerning Promotion of Supply of Houses and Housing Land in Urban Districts (Act No. 67 of 1975); the row for the Act on Promotion of Improvement of Disaster Control Districts in Populated Urban Districts (Act No. 49 of 1997); and the row for the Act on Facilitation of Reconstruction of Condominiums (Act No. 78 of 2002)); Article 17 to Article 19; Article 22 (limited to the provisions to amend Article 21-5-6, Article 21-5-15, Article 21-5-23, Article 24-9, Article 24-17, Article 24-28, and Article 24-36 of the Child Welfare Act); Article 23 to Article 27; Article 29 to Article 33; Article 34 (limited to the provisions to amend Article 62, Article 65, and Article 71 of the Social Welfare Act); Article 35; Article 37; Article 38 (excluding the provisions to amend Article 46, Article 48-2, Article 50, and Article 50-2 of the Water Supply Act); Article 39; Article 43 (limited to the provisions to amend Article 19, Article 23, Article 28, and Article 30-2 of the Human Resources Development Promotion Act); Article 51 (limited to the provisions to amend Article 64 of the Act on Prevention of Infectious Diseases and Medical Care for Patients Suffering Infectious Diseases); Article 54 (excluding the provisions to amend Article 88 and Article 89 of the Services and Supports for Persons with Disabilities Act); Article 65 (excluding the provisions to amend Article 3, paragraph (1), item (ix), Article 4, Article 5, and Article 57 of the Agricultural Land Act); Article 87 to Article 92; Article 99 (limited to the provisions to amend Article 24-3 and Article 48-3 of the Road Act); Article 101 (limited to the provisions to amend Article 76 of the Land Readjustment Act); Article 102 (limited to the provisions to amend Article 18 to Article 21, Article 27, Article 49, and Article 50 of the Act on Special Measures concerning Road Construction and Improvement); Article 103; Article 105 (excluding the provisions to amend Article 4 of the Parking Lot Act); Article 107; Article 108; Article 115 (limited to the provisions to amend Article 15 and Article 17 of the Act on the

Conservation of Suburban Green Zones in the National Capital Region); Article 116 (excluding the provisions to amend Article 3-2 of the Act on the Improvement of Urban Distribution Centers); Article 118 (limited to the provisions to amend Article 16 and Article 18 of the Act on Arrangement of Conservation Districts in Kinki Area); Article 120 (excluding the provisions to amend Article 6-2, Article 7-2, Article 8, Article 10-2 to Article 12-2, Article 12-4, Article 12-5, Article 12-10, Article 14, Article 20, Article 23, Article 33, and Article 58-2 of the City Planning Act); Article 121 (limited to the provisions to amend Article 7-4 to Article 7-7, Article 60 to Article 62, Article 66, Article 98, Article 99-8, Article 139-3, Article 141-2, and Article 142 of the Urban Renewal Act); Article 125 (excluding the provisions to amend Article 9 of the Act on Advancement of Expansion of Public Lands); Article 128 (excluding the provisions to amend Article 20 and Article 39 of the Urban Green Space Conservation Act); Article 131 (limited to the provisions to amend Article 7, Article 26, Article 64, Article 67, Article 104, and Article 109-2 of the Act on Special Measures concerning Promotion of Supply of Houses and Housing Lands in Urban Districts); Article 142 (limited to the provisions to amend Article 18 and Article 21 to Article 23 of the Act on Comprehensive Development of Regional Core Cities with Relocation of Office-Work Function); Article 145; Article 146 (excluding the provisions to amend Article 5 and Article 7, paragraph (3) of the Act on Special Measures concerning Reconstruction of Urban Districts Damaged by Disaster); Article 149 (limited to the provisions to amend Article 20, Article 21, Article 191, Article 192, Article 197, Article 233, Article 241, Article 283, Article 311, and Article 318 of the Act on Promotion of Improvement of Disaster Control Districts in Populated Urban Districts); Article 155 (limited to the provisions to amend Article 51, paragraph (4) of the Act on Special Measures concerning Urban Reconstruction); Article 156 (excluding the provisions to amend Article 102 of the Act on Facilitation of Reconstruction of Condominiums); Article 157; Article 158 (limited to the provisions to amend Article 57 of the Landscapes Act); Article 160 (limited to the provisions to amend Article 6, paragraph (5) of the Act on Special Measures concerning Development of Public Rental Housing, etc. to Accommodate Various Demands of Communities (excluding the part to amend the phrase "paragraph (2), item (ii), (a)" to "paragraph (2), item (i), (a)"), and the provisions to amend Article 11 and Article 13 of the Act); Article 162 (limited to the provisions to amend Article 10, Article 12, Article 13, Article 36, paragraph (2), and Article 56 of the Act on Promotion of Smooth Transportation, etc. of Elderly Persons, Disabled Persons, etc.); Article 165 (limited to the provisions to amend Article 24 and Article 29 of the Act on Maintenance and Improvement of Traditional Scenery in Certain Districts);

Article 169; Article 171 (limited to the provisions to amend Article 21 of the Waste Management and Public Cleaning Act); Article 174; Article 178; Article 182 (limited to the provisions to amend Article 16 and Article 40-2 of the Basic Environment Act); and Article 187 (limited to the provisions to amend Article 15 of the Wildlife Protection and Proper Hunting Act, the provisions to amend Article 28, paragraph (9) of the Act (excluding the part to amend the phrase "Article 4, paragraph (3)" to "Article 4, paragraph (4)"), the provisions to amend Article 29, paragraph (4) of the Act (excluding the part to amend the phrase "Article 4, paragraph (3)" to "Article 4, paragraph (4)"), and the provisions to amend Article 34 and Article 35 of the Act); and the provisions of Article 13; Article 15 to Article 24; Article 25, paragraph (1); Article 26; Article 27, paragraphs (1) to (3); Article 30 to Article 32; Article 38; Article 44; Article 46, paragraphs (1) and (4); Article 47 to Article 49; Article 51 to Article 53; Article 55; Article 58; Article 59; Article 61 to Article 69; Article 71; Article 72, paragraphs (1) to (3); Article 74 to Article 76; Article 78; Article 80, paragraphs (1) and (3); Article 83; Article 87 (excluding the provisions to amend Article 587-2 of the Local Tax Act and Article 11 of the Supplementary Provisions); Article 89; Article 90; Article 92 (limited to the provisions to amend Article 25 of the National Highway Act), Article 101; Article 102; Article 105 to Article 107; Article 112; Article 117 (limited to the provisions to amend Article 4, paragraph (8) of the Act on the Promotion of Conservation for Biodiversity Activities through the Cooperation among Regional Diversified Actors (Act No. 72 of 2010)); Article 119; Article 121-2; and Article 123, paragraph (2) of the Supplementary Provisions: April 1, 2012

(Transitional Measures upon Partial Amendment of the Poisonous and Deleterious Substances Control Act)

Article 24 (1) To apply the Poisonous and Deleterious Substances Control Act as amended by the provisions of Article 33 (hereinafter referred to as "the new Poisonous and Deleterious Substances Control Act" in this Article) on and after the date of enforcement of those provisions, an order that has been issued or any other action that has been undertaken prior to the entry into effect of Article 33 pursuant to the provisions of the Poisonous and Deleterious Substances Control Act prior to its amendment by the provisions of that Article (hereinafter referred to as "the former Poisonous and Deleterious Substances Control Act" in this Article) or a notification that has been filed pursuant to the provisions of the former Poisonous and Deleterious Substances Control Act as of the entry into effect of Article 33, which involves an administrative function that will start to be carried out by a different person on the effective date of that Article, is deemed to be an order issued, action undertaken, or

notification filed pursuant to the corresponding provisions of the new Poisonous and Deleterious Substances Control Act.

- (2) A particular for which, prior to the entry into force of Article 33, a person must file a notification or undertake any other procedure with the prefectural governor pursuant to the provisions of the former Poisonous and Deleterious Substances Control Act, but for which that procedure has not been undertaken before the effective date of that Article, is deemed to be a particular for which a person must file a notification or undertake that other procedure with the mayor of a city specified by Cabinet Order under Article 5, paragraph (1) of the Community Health Act or the mayor of the ward in a special ward pursuant to the corresponding provisions of the new Poisonous and Deleterious Substances Control Act, but for which that procedure has not been undertaken, and the provisions of the new Poisonous and Deleterious Substances Control Act apply.

(Transitional Measures Concerning Penal Provisions)

Article 81 Prior laws continue to govern the applicability of penal provisions to actions that a person undertakes before this Act (or, with regard to the provisions set forth in the items of Article 1 of the Supplementary Provisions, the relevant provisions; hereinafter the same applies in this Article) comes into effect, and to actions that a person undertakes after this Act comes into effect in a situation that prior laws are to continue to govern pursuant to the provisions of these Supplementary Provisions.

(Delegation to Cabinet Order)

Article 82 Beyond what is prescribed in these Supplementary Provisions, Cabinet Order provides for the necessary transitional measures connected with the entry into effect of this Act (including transitional measures concerning penal provisions).

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

(Effective Date)

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

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

Supplementary Provisions [Act No. 50 of June 26, 2015] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2016; provided, however, that the provisions set forth in the following items come into effect as of the dates prescribed respectively in those items:

- (i) the provisions of Article 6, Article 8 (limited to the provisions to amend Article 3-2 and Article 3-3, paragraph (2) of the Act on Establishment of Agricultural Promotion Regions), Article 9 (limited to the provisions to amend Article 4, paragraph (8) of the Act for Promotion of Infrastructure Development for Vitalizing Agriculture and Forestry, etc. in Specified Rural Areas), Article 11 (limited to the provisions to add one Article after Article 33-17 of the Quarrying Act), and Article 17 (excluding the provisions to delete Article 80 of the Building Standards Act, the provisions to amend Article 80-2 of that Act to Article 80 of that Act, the provisions to amend Article 80-3 of that Act to Article 80-2 of that Act, and the provisions to amend Article 83 of that Act), and the provisions of Article 4 and Articles 6 to 8 of the Supplementary Provisions: the date of promulgation;
- (ii) the provisions of Article 11 (excluding the provisions to add one Article after Article 33-17 of the Quarrying Act) and Article 14: the day calculated as falling six months after the date of promulgation;
- (iii) the provisions of Articles 10 and 19: April 1, 2017;
- (iv) the provisions of Articles 13, 15, and 16, and the provisions of Article 5 and Article 9 (limited to the provisions to amend item (i) of the row for the Act on Special Measures Concerning Taxation (Act No. 26 of 1957) in Appended Table 1 of the Local Autonomy Act (Act No. 67 of 1947)) of the Supplementary Provisions: the day specified by Cabinet Order, within a period not exceeding two years from the date of promulgation;
- (v) the provisions of Article 12 and the provisions of Article 11 of the Supplementary Provisions: April 1, 2018.

(Transitional Measures Concerning Dispositions, Applications, and Other Such Actions)

Article 6 (1) To apply the relevant Acts amended by this Act on or after the effective date of this Act, with the exception of what is prescribed in Article 2 to the preceding Article of the Supplementary Provisions and in the provisions of Cabinet Order based on the provisions of Article 8 of the Supplementary Provisions, a disposition or any other such action regarding something such as licensing that is undertaken, pursuant to one of the relevant Acts prior to its amendment by this Act, before this Act comes into effect (for the provisions set forth in the items of Article 1 of the Supplementary Provisions, this means before those provisions come into effect; hereinafter the same applies in this Article and the following Article) (hereinafter referred to in this paragraph as a

"disposition or other such action") or an application or any other such action regarding something such as licensing that is undertaken, pursuant to one of the relevant Acts prior to its amendment by this Act, by the time this Act comes into effect (hereinafter referred to in this paragraph as an "application or other such action"), which involves an administrative function that will start to be carried out by a different person on the effective date of this Act, is deemed to be a disposition or other such action or an application or other such action that is undertaken pursuant to the corresponding provisions of the relevant Act after its amendment by this Act.

(2) Beyond as provided for in the provisions of Article 2 to the preceding Article of the Supplementary Provisions or in the provisions of Cabinet Order based on the provisions of Article 8 of the Supplementary Provisions, a particular that, before this Act comes into force, a person must report to, file with, submit to, or otherwise undertake a procedure for with the national government or a local government agency pursuant to one of the relevant Acts prior to its amendment by this Act, but for which that procedure has not been undertaken before the effective date of this Act, is deemed to be a particular that a person must report to, file with, submit to, or otherwise undertake a procedure for with the national government or the corresponding agency of the local government pursuant to the corresponding provisions of the relevant Act after its amendment by this Act but for which that procedure has not been undertaken, and the relevant Act after its amendment by this Act applies.

(Transitional Measures Concerning Penal Provisions)

Article 7 Prior laws continue to govern the applicability of penal provisions to actions that a person undertakes before this Act comes into effect.

(Delegation to Cabinet Order)

Article 8 Beyond what is prescribed in Article 2 to the preceding Article of the Supplementary Provisions, Cabinet Order provides for the necessary transitional measures connected with the entry into effect of this Act (including transitional measures concerning penal provisions).

Supplementary Provisions [Act No. 66 of June 27, 2018] [Extract]

(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; provided, however, that the provisions set forth in the following items come into effect as of the dates prescribed respectively in those items:

(i) the provisions of Article 1, Article 5 (excluding the provisions to amend rows

- 20 and 53 of Appended Table 2 of the Act on the Use of Numbers to Identify a Specific Individual in Administrative Procedures), and Article 13, and the provisions of Articles 11 to 13, and Articles 16 and 17 of the Supplementary Provisions: the date of promulgation;
- (ii) the provisions of Article 3 (limited to the provisions to amend paragraph (2) of the Supplementary Provisions of the Act on Advancement of Comprehensive Service Related to Education, Child Care, etc. of Preschool Children), Article 4 (excluding the amending provisions set forth in item (iv)), and Article 14, and the provisions of Article 4 of the Supplementary Provisions: the day calculated as falling three months after the date of promulgation;
- (iii) the provisions of Article 15 and the provisions of Article 14 (limited to the provisions to amend the row for the Act on Real Property Appraisal (Act No. 152 of 1963) in Appended Table 1 of the Local Autonomy Act (Act No. 67 of 1947)) and Article 15 of the Supplementary Provisions: January 1, 2019;
- (iv) the provisions of Article 2, Article 3 (excluding the amending provisions set forth in item (ii)), Article 4 (limited to the provisions to amend Article 34, paragraph (1), item (i), Article 39, paragraph (2), and Article 40, paragraph (1), item (ii) of the Child and Child Care Support Act), and Article 7, and the provisions of the following Article and Article 3 of the Supplementary Provisions: April 1, 2019;
- (v) the provisions of Article 10 and the provisions of Article 8 and Article 14 (excluding the amending provisions set forth in item (iii)) of the Supplementary Provisions: April 1, 2020.

(Transitional Measures upon Partial Amendment of the Poisonous and Deleterious Substances Control Act)

Article 8 Prior laws continue to govern a fee that a person was required to have paid pursuant to the provisions of Article 23 of the Poisonous and Deleterious Substances Control Act prior to the amendment by the provisions of Article 10 as of the entry into effect of the provisions set forth in Article 1, item (v) of the Supplementary Provisions.

(Transitional Measures Concerning Dispositions, Applications, and Other Such Actions)

Article 11 (1) To apply the relevant Acts after their amendment by this Act on or after the effective date of this Act, with the exception of what is prescribed in Article 2 to the preceding Article of the Supplementary Provisions and in the provisions of Cabinet Order based on the provisions of Article 13 of the Supplementary Provisions, a disposition or any other such action regarding something such as approval that is undertaken, pursuant to one of the relevant

Acts prior to its amendment by this Act, before the effective date of this Act (for the provisions set forth in the items of Article 1 of the Supplementary Provisions, this means before the effective date of those provisions; hereinafter the same applies in this Article and the following Article) (hereinafter referred to in this paragraph as a "disposition or other such action") or an application or any other such action regarding something such as approval that is undertaken, pursuant to one of the relevant Acts prior to its amendment by this Act, by the time this Act comes into effect (hereinafter referred to in this paragraph as an "application or other such action"), which involves an administrative function that will start to be carried out by a different person on the effective date of this Act, is deemed to be a disposition or other such action or an application or other such action that is undertaken pursuant to the corresponding provisions of the relevant Act after its amendment by this Act.

- (2) Beyond as provided for in the provisions of Article 2 to the preceding Article of the Supplementary Provisions or in the provisions of Cabinet Order based on the provisions of Article 13 of the Supplementary Provisions, a particular that, before the effective date of this Act, a person must report to, file with, or otherwise undertake a procedure for with the national government or a local government agency pursuant to one of the relevant Acts prior to its amendment by this Act, but for which that procedure has not been undertaken before the effective date of this Act, is deemed to be a particular that a person must report to, file with, or otherwise undertake a procedure for with the national government or the corresponding agency of the local government pursuant to the corresponding provisions of the relevant Act after its amendment by this Act but for which that procedure has not been undertaken, and the relevant Act after its amendment by this Act applies.

(Transitional Measures Concerning Penal Provisions)

Article 12 Prior laws continue to govern the applicability of penal provisions to actions that a person undertakes before this Act comes into effect.

(Delegation to Cabinet Order)

Article 13 Beyond what is provided for in Article 2 to the preceding Article of the Supplementary Provisions, Cabinet Order provides for the necessary transitional measures connected with the entry into effect of this Act (including transitional measures concerning penal provisions).

Appended Table 1

- (i) Ethylparanitrophenylthiono benzenephosphonate (also known as EPN)
- (ii) Yellow phosphorus
- (iii) Octachlorotetrahydro methanophthalan

- (iv) Octamethyl pyrophosphoramidate (also known as schradan)
- (v) Curare
- (vi) Tetraalkyl lead
- (vii) Hydrogen cyanide
- (viii) Sodium cyanide
- (ix) Diethyl paranitrophenyl thiophosphate (also known as parathion)
- (x) Dinitrocresol
- (xi) 2,4-Dinitro-6-(1-methylpropyl)-phenol
- (xii) Dimethylethylmercapto ethylthiophosphate (also known as demeton-methyl)
- (xiii) Dimethyl-(diethylamido-1-chlorocrotonyl)-phosphate
- (xiv) Dimethylparanitrophenyl thiophosphate (also known as parathion-methyl)
- (xv) Mercury
- (xvi) Selenium
- (xvii) Thiosemicarbazide
- (xviii) Tetraethylpyrophosphate (also known as TEPP)
- (xix) Nicotine
- (xx) Nickel carbonyl
- (xxi) Arsenic
- (xxii) Hydrogen fluoride
- (xxiii) Hexachloro-epoxy-octahydro-endo, endo-dimethanonaphthalene (also known as endrin)
- (xxiv) Hexachloro-hexahydro-methano-benzo-dioxathiepine oxide
- (xxv) Monofluoroacetate
- (xxvi) Fluoroacetamide
- (xxvii) Phosphorus sulfide
- (xxviii) A preparation that contains a substance set forth in one of the preceding items or any other poisonous substance that is specified by Cabinet Order, other than a substance that is also set forth in one of the preceding items.

Appended Table 2

- (i) Acrylonitrile
- (ii) Acrolein
- (iii) Aniline
- (iv) Ammonia
- (v) 2-isopropyl-4-methylpyrimidyl-6-diethylthiophosphate (also known as diazinon)
- (vi) Ethyl-N-(diethyldithiophosphorylacetyl)-N-methylcarbamate
- (vii) Ethylene chlorohydrin

- (viii) Hydrogen chloride
- (ix) Mercurous chloride
- (x) Hydrogen peroxide
- (xi) Sodium peroxide
- (xii) Urea peroxide
- (xiii) Potassium
- (xiv) Alloy of potassium and sodium
- (xv) Cresol
- (xvi) Ethyl chloride
- (xvii) Chlorosulfonic acid
- (xviii) Chloropicrin
- (xix) Methyl chloride
- (xx) Chloroform
- (xxi) Fluorosilicic acid
- (xxii) Sodium cyanate
- (xxiii) Diethyl-4- chlorophenylmercaptomethyl dithiophosphate
- (xxiv) Diethyl-(2,4-dichlorophenyl)-thiophosphate
- (xxv) Diethyl-2,5-dichlorophenyl mercapto methyl dithiophosphate
- (xxvi) Carbon tetrachloride
- (xxvii) Cycloheximide
- (xxviii) Dichloroacetic acid
- (xxix) Dichlorobutylene
- (xxx) 2,3-dl-(Diethyldithiophosphoro)-paradoxan
- (xxxii) 2,4-Dinitro-6- cyclohexylphenol
- (xxxiii) 2,4-Dinitro-6-(1-methylpropyl)-phenylacetate
- (xxxiv) 2,4-Dinitro-6-methylpropylphenoldimethylacrylate
- (xxxv) 2,2'-Dipyridinium-1,1'-ethylene-dibromide
- (xxxvi) 1,2-Dibromoethane (also known as EDB)
- (xxxvii) Dibromochloropropane (also known as DBCP)
- (xxxviii) 3,5-Dibromo-4-hydroxy-4'-nitroazobenzene
- (xxxix) Dimethyl ethylsulfony isopropyl thiophosphate
- (xl) O,O-dimethyl-S-ethylthioethyl-dithiophosphate (also known as thiometon)
- (xli) Dimethyl-2,2-dichlorovinyl-phosphate (also known as DDVP)
- (xlii) Dimethyldithiophosphorylphenyl acetic acid ethylester
- (xliii) Dimethyldibromdichloroethylphosphate
- (xliv) Dimethyl-phthalylimide methyl dithiophosphate
- (xlv) Dimethyl-methylcarbamylethyl thioethyl thiophosphate
- (xlvi) O,O-Dimethyl-N-methylcarbamylmethyl-dithiophosphate (also known as dimethoate)
- (xlvii) O,O-Dimethyl-O-4-(methylmercapto)-3-methylphenylthiophosphate

- (xlvi) Dimethyl sulfate
- (xlviii) Dichromic acid
- (xlix) Oxalic acid
- (l) Bromine
- (li) Nitric acid
- (lii) Thallium nitrate
- (liii) Potassium hydroxide
- (liv) Sodium hydroxide
- (lv) Sulfonal
- (lvi) Tetraethylmethylenedithiophosphate
- (lvii) Triethanolammonium-2,4-dinitro-6-(1-methylpropyl)-phenolate
- (lviii) Trichloroacetic acid
- (lix) Trichlorohydroxyethyl dimethylphosphonate
- (lx) Trithiocycloheptadiene-3,4,6,7-tetranitrile
- (lxi) Toluidine
- (lxii) Sodium
- (lxiii) Nitrobenzene
- (lxiv) Carbon disulfide
- (lxv) Fuming sulfuric acid
- (lxvi) p-Toluylene-diamine
- (lxvii) p-Phenylenediamine
- (lxviii) Picric acid, except for explosives.
- (lxix) Hydroxylamine
- (lxx) Phenol
- (lxxi) Blasticidin-S
- (lxxii) Ethyl bromide
- (lxxiii) Hydrogen bromide
- (lxxiv) Methyl bromide
- (lxxv) Hexachloro-epoxy-octahydro-endo,exo-dimethnonaphthalene (also known as dieldrin)
- (lxxvi) 1,2,3,4,5,6-Hexachlorocyclohexane (also known as lindane)
- (lxxvii) Hexachloro hexahydro dimethanonaphthalene (also known as aldrin)
- (lxxviii) Beta-naphthol
- (lxxix) 1,4,5,6,7-Pentachloro-3a,4,7,7a-tetrahydro-4,7-(8,8-dichloromethano)-indene (also known as heptachlor)
- (lxxx) Pentachlorophenol (also known as PCP)
- (lxxxii) Formaldehyde
- (lxxxiii) Chromium trioxide
- (lxxxiv) Methanol
- (lxxxv) Methyl sulfonal
- (lxxxvi) N-Methyl-1-Naphthylcarbamate

- (lxxxvi) Monochloroacetic acid
- (lxxxvii) Hydrogen iodine
- (lxxxviii) Iodine
- (lxxxix) Sulfuric acid
- (xc) Thallium sulfate
- (xci) Zinc phosphide
- (xcii) Ethyl thiocynoacetate
- (xciii) Rotenone
- (xciv) A preparation that contains a substance set forth in one of the preceding items or any other deleterious substance that is specified by Cabinet Order, other than a substance that is also set forth in one of the preceding items.

Appended Table 3

- (i) Octamethyl pyrophosphoramidate
- (ii) Tetraalkyl lead
- (iii) Diethyl paranitrophenyl thiophosphate
- (iv) Dimethylethylmercapto ethylthiophosphate
- (v) Dimethyl-(diethylamido-1-chlorocrotonyl)-phosphate
- (vi) Dimethylparanitrophenyl thiophosphate
- (vii) Tetraethylpyrophosphate
- (viii) Monofluoroacetate
- (ix) Monofluoroacetamide
- (x) A preparation that contains a substance set forth in one of the preceding items or any other poisonous substance with extremely poisonous properties that is specified by Cabinet Order, other than a poisonous substance that is also set forth in one of the preceding items.