

# Ministerial Order on Notification of Specified International Species Business and on Registration of Special International Species Business

(Prime Minister's Office and Ministry of International Trade and Industry Order  
No. 2 of June 14, 1995)

Pursuant to the provisions of Article 33-2, paragraph (1), item (iv), Article 33-3, paragraph (2), Article 30, paragraph (4) as applied mutatis mutandis pursuant to Article 33-5, Article 33-6, paragraph (1), Article 33-7, paragraph (2), item (iii) and paragraphs (3) and (5), Article 33-8, paragraph (1), Article 33-9, paragraph (1), Article 24, paragraph (6) as applied mutatis mutandis pursuant to Article 33-14 of the Act on Conservation of Endangered Species of Wild Fauna and Flora (Act No. 75 of 1992), and Article 5-5 of the Order for Enforcement of the Act on Conservation of Endangered Species of Wild Fauna and Flora (Cabinet Order No. 17 of 1993), and for the purpose of giving effect to the same Act, an order on the notification, etc. of specified international species business is issued as follows.

(Definitions)

Article 1 Terms used in this Ministerial Order have the same meanings as those used in the Act on Conservation of Endangered Species of Wild Fauna and Flora (hereinafter referred to as the "Act").

(Notification of Specified International Species Business)

Article 2 (1) The information specified by order issued by the Minister of the Environment and the specified international species-related minister is: the intended date of commencement of transfer or delivery services; and the weights and major characteristics of the specified body parts, etc. (excluding special specified body parts, etc. as defined in Article 33-6, paragraph (1) of the Act; the same applies in Articles 3, 6, 7, and 9) in the actual possession of the notifier at the time of notification.

(2) Notification under the provisions of Article 33-2 of the Act is to be made by submitting a written notification giving the information specified in items (i) through (iii) of the same Article and the preceding paragraph.

(Retention of Documents by Specified International Species Business Operator)

Article 3 A specified international species business operator must document the information set forth in the following items, in addition to the information confirmed or collected pursuant to the provisions of Article 33-3, paragraph (1) of the Act, and must preserve it for a period of five years:

- (i) when a transfer or delivery is received, the following information:
  - (a) weights and major characteristics of the specified body parts, etc. received as transfers or deliveries;
  - (b) if the specified body parts, etc. received as transfers or deliveries were accompanied by manifests, the numbers assigned to them;
  - (c) dates when transfers or deliveries were received;
  - (d) volume of the inventory of the specified body parts, etc. after transfers or deliveries were received.
- (ii) When a transfer or delivery is made, the following information:
  - (a) name and address of the recipient of the transfer or delivery and, in the case of a corporation, the name of its representative;
  - (b) weights and major characteristics of the specified body parts, etc. transferred or delivered;
  - (c) if the specified international species business operator attaches a manifest to the specified body parts, etc. transferred or delivered, the number assigned to the manifest;
  - (d) date of the transfer or delivery;
  - (e) volume of the inventory of the specified body parts, etc. after the transfer or delivery.

(Retention by Electronic or Magnetic Means by Specified International Species Businesses Operator)

Article 4 (1) If the information required to be documented pursuant to the provisions of Article 33-3, paragraph (2) of the Act is recorded by electronic or magnetic means (meaning any electronic or magnetic means or other means that cannot be recognized by human perception; the same applies in Article 19) and if the record is retained in a manner that it can immediately be displayed using a computer or any other equipment as appropriate, then that record may be retained instead of maintaining documents which contain the information prescribed in the same paragraph.

(2) If the required information is maintained pursuant to the provisions of the preceding paragraph, efforts must be made to secure the standards specified by the Minister of the Environment and the Minister of Economy, Trade and Industry.

(Method of Publication of Information on Notifications)

Article 5 Publication under the provisions of Article 30, paragraph (3) of the Act as applied mutatis mutandis pursuant to Article 33-5 of the Act is to be made by using the Internet or by any other appropriate means.

(Information to Be Publicized)

Article 6 The information specified by order of the Minister of the Environment and the specified international species-related minister as referred to in Article 30, paragraph (3) of the Act as applied mutatis mutandis pursuant to Article 33-5 of the Act is the following:

- (i) in the case of a corporation, the name of its representative;
- (ii) name and location of the facility conducting the transferring or delivering of specified body parts, etc.;
- (iii) types of specified body parts, etc. to be transferred or delivered in the services;
- (iv) date of notification of specified international species business.

(Notification of Change in Specified International Species Business)

Article 7 (1) Notification of change under the provisions of Article 30, paragraph (4) of the Act as applied mutatis mutandis pursuant to Article 33-5 of the Act is to be made by submitting a written notification giving the information set forth in the following items:

- (i) name and address of the notifier and, in the case of a corporation, the name of its representative;
- (ii) name and location of the facility conducting the transferring or delivering specified body parts, etc.;
- (iii) date of notification of the specified international species business and the entity which received the notification;
- (iv) types of specified body parts, etc. to be transferred or delivered in the services;
- (v) number assigned to the notification as notified pursuant to the provisions of Article 30, paragraph (3) of the Act as applied mutatis mutandis pursuant to Article 33-5 of the Act (referred to as the "notification number" in item (v) of the following paragraph);
- (vi) matters changed;
- (vii) date of the change;
- (viii) reason for the change.

(2) Notification of discontinuation under the provisions of Article 30, paragraph (4) of the Act as applied mutatis mutandis pursuant to Article 33-5 of the Act is to be made by submitting a written notification giving the information set forth in the following items:

- (i) name and address of the notifier and, in the case of a corporation, the name of its representative;
- (ii) name and location of the facility conducting the transferring or delivering specified body parts, etc.;
- (iii) date of notification of the specified international species business and the entity which received the notification;

- (iv) types of specified body parts, etc. to be transferred or delivered in the services;
- (v) notification number;
- (vi) date of discontinuation;
- (vii) weights and major characteristics of the specified body parts, etc. of internationally rare species of wild fauna and flora possessed by the notifier at the time of discontinuation and how these specified body parts, etc. were disposed of.

(Manner of Displaying or Advertising Specified International Species Business)

Article 8 Any display or advertising referred to in Article 31, paragraph (3) of the Act as applied mutatis mutandis pursuant to Article 33-5 of the Act is to be made available to the public in a conspicuous manner.

(Information on Specified International Species Business to be Displayed or Advertised)

Article 9 The information specified by order of the Minister of the Environment and the specified international species-related minister as referred to in Article 31, paragraph (3) of the Act as applied mutatis mutandis pursuant to Article 33-5 of the Act is as set forth in the following items:

- (i) name and address of the notifier and, in the case of a corporation, the name of its representative;
- (ii) types of specified body parts, etc. to be transferred or delivered in the services.

(Form of Identification Referred to in Article 33, Paragraph (3) as Applied Mutatis Mutandis Pursuant to Article 33-5 of the Act)

Article 10 The form of the identification referred to in Article 33, paragraph (3) of the Act as applied mutatis mutandis pursuant to Article 33-5 of the Act is to be as shown in Form 1.

(Application for Registration of a Special International Species Business Operator)

Article 11 (1) A person wishing to obtain registration under Article 33-6, paragraph (1) of the Act pursuant to the provisions of paragraph (2) of the same Article (referred to as the "applicant" in paragraphs (2) and (3) of the following Article) must file a written application giving the information set forth in Article 33-6, paragraph (2), items (i) through (iii) of the Act and in the following paragraph.

(2) The information specified by order issued by the Minister of the Environment and the special international species-related minister as referred to in Article

33-6, paragraph (2), item (iv) (including as applied mutatis mutandis pursuant to Article 33-10, paragraph (2) of the Act) is the weights (or, in the case of products or works-in-process (hereinafter referred to as "products, etc."), quantities; the same applies in Article 16, item (vii), Article 18, item (i), (a) and item (ii), (b), and Article 26, item (v)) and major characteristics of the special specified body parts, etc. possessed by the applicant at the time of application for registration.

(Documents Accompanying a Written Application for Registration)

Article 12 (1) The raw material body parts, etc. specified by order issued by the Minister of the Environment and the special international species-related minister as referred to in Article 33-6, paragraph (3) of the Act (including as applied mutatis mutandis pursuant to Article 33-10, paragraph (2) of the Act; the same applies in the following paragraph) are those related to tusk out of the raw material body parts, etc. set forth in item 2 of Appended Table 6 of the Order for Enforcement of the Act on Conservation of Endangered Species of Wild Fauna and Flora (Cabinet Order No. 17 of 1993; hereinafter referred to as the "Enforcement Order").

(2) The documents that must accompany the written application pursuant to the provisions of Article 33-6, paragraph (3) of the Act are to be: photographs of the raw material body parts, etc. (limited to those specified in the preceding paragraph) possessed by the applicant at the time of application for registration which are taken together with their respective registration cards; and copies of these registration cards.

(3) The Minister of the Environment and the Minister of Economy, Trade and Industry (or, if the relevant business registration-related affair is conducted by a business registration organization, the business registration organization) may request the applicant to submit any documents deemed necessary, in addition to the written application prescribed in Article 33-6, paragraph (2) of the Act, the documents specified in the preceding paragraph, and a document in which the applicant states that it does not fall under any of the items of paragraph (6) of Article 33-6 of the Act.

(Notification of Changes in a Special International Species Business Operator)

Article 13 Notification of change under the provisions of Article 33-7, paragraph (1) of the Act is to be made by submitting a written notification giving the information set forth in the following items.

(i) name and address of the notifier and, in the case of a corporation, the name of its representative;

(ii) name and location of the facility conducting the transferring or delivering special specified body parts, etc.;

- (iii) date of registration of the special international species business operator;
- (iv) types of special specified body parts, etc. to be transferred or delivered in the services;
- (v) registration number referred to in Article 33-6, paragraph (4) of the Act (referred to as the "registration number" in Article 16, item (v), Article 17, paragraph (1), item (ii), and Article 26, item (ix));
- (vi) matters changed;
- (vii) date of the change;
- (viii) reason for the change.

(Method of Publication of a Registry of Special International Species Business Operator)

Article 14 Publication under the provisions of Article 33-8 of the Act is to be made by using the Internet or by any other appropriate means.

(Information to Be Publicized from a Registry of Special International Species Business Operator)

Article 15 The information specified by order of the Minister of the Environment and the special international species-related minister as referred to in Article 33-8 of the Act is as set forth in the following:

- (i) address of the special international species business operator and, in the case of a corporation, the name of its representative;
- (ii) name and location of the facility conducting the transferring or delivering special specified body parts, etc.;
- (iii) types of special specified body parts, etc. to be transferred or delivered in the services;
- (iv) date of registration of the special international species business operator and the date of expiration of the validity period of its registration.

(Notification of Discontinuation of Special International Species Business Operator)

Article 16 Notification of discontinuation under the provisions of Article 33-9 of the Act shall be made by submitting a written notification giving the information set forth in the following items.

- (i) name and address of the notifier and, in the case of a corporation, the name of its representative;
- (ii) name and location of the facility conducting the transferring or delivering special specified body parts, etc.;
- (iii) date of registration of the special international species business operator;
- (iv) types of special specified body parts, etc. to be transferred or delivered in the services;

- (v) registration number;
- (vi) date of discontinuation;
- (vii) weights and major characteristics of the special specified body parts, etc. possessed by the notifier at the time of discontinuation and how these specified body parts, etc. were disposed of.

(Renewal of Registration of Special International Species Business Operator)

Article 17 (1) A person wishing to renew registration under the provisions of Article 33-10, paragraph (1) of the Act must file with the Minister of the Environment and the Minister of Economy, Trade and Industry (or, if the relevant business registration-related affair is conducted by a business registration organization, the business registration organization) a written application giving the following information in addition to the information set forth in Article 33-6, paragraph (2), items (i) through (iii) of the Act as applied mutatis mutandis pursuant to Article 33-10, paragraph (2) of the Act and Article 11, paragraph (2), within one year and six months preceding the date of expiration of the validity period of the registration.

- (i) date of registration of the special international species business operator;
- (ii) registration number.

(2) The provisions of Article 12, paragraphs (1) and (2) apply mutatis mutandis to cases where the provisions of Article 33-6, paragraph (3) of the Act apply mutatis mutandis pursuant to Article 33-10, paragraph (2) of the Act; and the provisions of Article 12, paragraph (3) apply mutatis mutandis to cases where an application for renewal is filed pursuant to the provisions of the preceding paragraph.

(Retention of Documents by Special International Species Business Operator)

Article 18 A special international species business operator must document the information set forth in the following items, in addition to the information confirmed or collected pursuant to the provisions of Article 33-11, paragraph (1) of the Act, for each of its facilities for conducting its special international species business, and must preserve the documentation for a period of five years:

- (i) when a transfer or delivery is received, the following information:
  - (a) weights and major characteristics of the special specified body parts, etc. received as transfers or deliveries;
  - (b) if the special specified body parts, etc. received as transfers or deliveries were accompanied by manifests, the numbers assigned to them;
  - (c) dates when transfers or deliveries were received;
  - (d) volume of the inventory of the special specified body parts, etc. after transfers or deliveries were received.

- (ii) in the event of a transfer or delivery (excluding a transfer or delivery of products, etc. to any person other than a special international species business operator), the following information:
  - (a) name and address of the recipient of the transfer or delivery and, in the case of a corporation, the name of its representative;
  - (b) weights and major characteristics of the special specified body parts, etc. transferred or delivered;
  - (c) if the manifest is attached to the special specified body parts, etc. transferred or delivered, the number assigned to the manifest;
  - (d) date of the transfer or delivery;
  - (e) volume of the inventory of the special specified body parts, etc. after the transfer or delivery.
- (iii) When a transfer or delivery of products, etc. is made to a person other than a special international species business operator, the following information:
  - (a) quantities and major characteristics of the products, etc. transferred or delivered;
  - (b) date of the transfer or delivery;
  - (c) volume of the inventory of the products after the transfer or delivery.

(Retention by Electronic or Magnetic Means by Special International Species Business Operator)

- Article 19 (1) If the information required to be documented pursuant to the provisions of Article 33-11, paragraph (2) of the Act is recorded by electronic or magnetic means and if the record is retained in a manner that it can immediately be displayed using a computer or any other equipment as appropriate, then that record may be retained instead of retaining documents which contain the information prescribed in the same paragraph.
- (2) If the required information is maintained pursuant to the provisions of the preceding paragraph, efforts must be made to secure the standards specified by the Minister of the Environment and the Minister of Economy, Trade and Industry.

(Manner of Display in Displays or Advertisements by Special International Species Businesses)

- Article 20 Any display or advertising referred to in Article 33-11, paragraph (3) of the Act is made available to the public in a conspicuous manner.

(Information to Be Displayed or Advertised on Special International Species Business)

- Article 21 The information specified by order of the Minister of the Environment and the special international species-related minister as referred to in Article



33-11, paragraph (3) of the Act is as set forth in the following items:

- (i) name and address of the special international species business operator and, in the case of a corporation, the name of its representative;
- (ii) types of special specified body parts, etc. to be transferred or delivered in the services;
- (iii) date of expiration of the validity period of the registration of the special international species business operator.

(Form of the Identification Referred to in Article 33-14, Paragraph (3) of the Act)

Article 22 The form of the identification referred to in Article 33-14, paragraph (3) of the Act is as shown in Form 2.

(Application for Registration of a Business Registration Organization)

Article 23 (1) An application for registration under the provisions of Article 33-15, paragraph (2) of the Act is to be filed by submitting a written application giving the following information:

- (i) name and address of the applicant (or, in the case of a corporation, its name, the name of its representative, and the location of its principal office);
  - (ii) name and location of the office at which the applicant intends to conduct the business registration-related affairs;
  - (iii) intended date of commencement of the business registration-related affairs.
- (2) The written application prescribed in the preceding paragraph must be accompanied by the following documents:
- (i) the applicant's articles of incorporation or articles of endowment and a certificate of its registered information, or documents equivalent to the above;
  - (ii) the applicant's balance sheet and an inventory of the applicant's assets at the end of the business year immediately before the business year to which the date of application belongs, or documents equivalent to the above (or, in the case of a corporation established in the business year to which the date of application belongs, a list of assets at the time of establishment);
  - (iii) a document which explains that the applicant conforms to the provisions of Article 33-15, paragraph (4), items (i) and (ii);
  - (iv) a document providing an outline of the business actually engaged in by the applicant;
  - (v) beyond what is set forth in the preceding items, other documents containing helpful information.

(Procedures for Conducting Business Registration-related Affairs)

Article 24 (1) The procedures specified by order of the Minister of the

Environment and the special international species-related minister as referred to in Article 33-16, paragraph (2) of the Act are as set forth in the following:

- (i) to verify that the specified body parts, etc. relevant to an application for registration (including renewal; the same applies in item (ii) and Article 26, items (i), (iii), and (v) through (ix)) of a special international species business operator are special specified body parts, etc.;
  - (ii) to verify that a person wishing to be registered as a special international species business operator does not fall under any of the items of paragraph (6) of Article 33-6 of the Act;
  - (iii) to confirm with the registration organization of the relevant individuals that a person wishing to be registered (including to renew its registration) as a special international species business operator has obtained registration under Article 20, paragraph (1) of the Act of all raw material body parts, etc. (limited to those specified in Article 12, paragraph (1)) possessed by it at the time of application.
- (2) The changes to minor information specified by order issued by the Minister of the Environment and the special international species-related minister as referred to in the proviso of paragraph (3) of Article 33-16 of the Act are changes to the address of the person that has been registered under Article 33-15, paragraph (1) of the Act (or, in the case of a corporation, the name of its representative and the location of its principal office).
- (3) The rules for conducting the business registration-related affairs referred to in Article 33-16, paragraph (5) of the Act prescribe the following matters:
- (i) matters regarding the hours during which the business registration-related affairs are conducted and regarding holidays;
  - (ii) matters regarding the office at which the business registration-related affairs are conducted;
  - (iii) matters regarding the system for conducting the business registration-related affairs;
  - (iv) matters regarding methods of the verification set forth in paragraph (1), items (ii) and (iii);
  - (v) matters regarding receipt of fees;
  - (vi) matters regarding the maintenance of the confidentiality of business registration-related affairs;
  - (vii) matters regarding the management of books, documents, etc. related to the business registration-related affairs;
  - (viii) beyond what is set forth in the preceding items, other matters necessary for conducting the business registration-related affairs.
- (4) If a business registration organization wishes to obtain the authorization under the first sentence of paragraph (5) of Article 33-16 of the Act, the business registration organization must submit to the Minister of the

Environment and the Minister of Economy, Trade and Industry a written application stating to that effect accompanied by the organization's rules for conducting the business registration-related affairs.

- (5) If a business registration organization wishes to obtain the authorization under the second sentence of paragraph (5) of Article 33-16 of the Act, the business registration organization must submit to the Minister of the Environment and the Minister of Economy, Trade and Industry a written application giving the following information:
- (i) matters planned to be changed;
  - (ii) intended date of change;
  - (iii) reason for the change.

(Electronic or Magnetic Means to Be Used to Display Information by a Business Registration Organization)

Article 25 (1) The means specified by order issued by the Minister of the Environment and the special international species-related minister referred to in Article 33-16, paragraph (7), item (iii) of the Act are showing information recorded in the electromagnetic records on paper or on the imaging screen of an output device.

- (2) The electronic or magnetic means specified by order of the Minister of the Environment and the special international species-related minister as referred to in Article 33-16, paragraph (7), item (iv) of the Act are as set forth in the following:
- (i) using an electronic data processing system connecting a computer used by the sender and a computer used by the recipient through telecommunication lines, sending the relevant information through the telecommunication lines and recording the information in a file prepared in the computer used by the recipient;
  - (ii) providing a file which has been created on a magnetic disk or any other device that reliably keeps a record of certain information by means similar to a magnetic disk and which contains the relevant information.
- (3) The means set forth in the items of the preceding paragraph must be those that allow the recipient to produce documents by reading out records in the file.

(Books of a Business Registration Organization)

Article 26 The information specified by order of the Minister of the Environment and the special international species-related minister as referred to in Article 33-16, paragraph (8) of the Act are as set forth in the following:

- (i) name and address of the person wishing to be registered as a special international species business operator and, in the case of a corporation, the name of its representative;

- (ii) name and location of the facility conducting the transferring or delivering special specified body parts, etc.;
- (iii) date of receipt of the application for registration as a special international species business operator;
- (iv) types of special specified body parts, etc. to be transferred or delivered in the services;
- (v) weights and major characteristics of the special specified body parts, etc. which were possessed by the applicant at the time of application for registration and which were to be transferred or delivered in the services;
- (vi) number assigned to the copy of the registration card attached to the written application for registration as a special international species business operator;
- (vii) whether registration was granted or rejected;
- (viii) if registration as a special international species business operator was rejected, the reason therefor;
- (ix) if registration as a special international species business operator was granted, the date of registration and the registration number.

(Application for Permission of Suspension or Discontinuation of Business Registration-related Affairs)

Article 27 If a business registration organization wishes to obtain the authorization under Article 33-16, paragraph (9) of the Act, the business registration organization must submit to the Minister of the Environment and the Minister of Economy, Trade and Industry a written application giving the following information:

- (i) scope of the business registration-related affairs intended to be suspended or discontinued;
- (ii) intended date of suspension or discontinuation;
- (iii) in the case of suspension, the duration thereof;
- (iv) reason for the suspension or discontinuation.

(Handover of Business Registration-related Affairs)

Article 28 A business registration organization must take the following actions if all or part of its business registration-related affairs are to be conducted by the Minister of the Environment and the Minister of Economy, Trade and Industry pursuant to the provisions of Article 24, paragraph (10) of the Act as applied mutatis mutandis pursuant to Article 33-22 of the Act, or if the business registration organization discontinues all or part of its business registration-related affairs with the permission under Article 33-16, paragraph (9) of the Act, or if the organization registration of the business registration organization is cancelled by the Minister of the Environment and the Minister of Economy,

Trade and Industry pursuant to the provisions of Article 33-18, paragraph (4) or (5) of the Act:

- (i) to hand over the relevant business registration-related affairs to the Minister of the Environment and the Minister of Economy, Trade and Industry;
- (ii) to hand over its books and documents related to the relevant business registration-related affairs to the Minister of the Environment and the Minister of Economy, Trade and Industry;
- (iii) any other actions deemed necessary by the Minister of the Environment and the Minister of Economy, Trade and Industry.

(Payment of Fees for Registration of Special International Species Business Operator)

Article 29 (1) The fee referred to in Article 33-21 of the Act must be paid: if to the State, by affixing to the written application prescribed in Article 11 a revenue stamp of the amount equivalent to the fee for the application; or if to a business registration organization, pursuant to the provisions of such rules for conducting its business registration-related affairs as are referred to in Article 33-16, paragraph (5) of the Act.

(2) No fee paid pursuant to the provisions of the preceding paragraph is refundable.

(Form of Identification Referred to in Article 27, Paragraph (2) of the Act as Applied Mutatis Mutandis Pursuant to Article 33-22 of the Act)

Article 30 The form of the identification referred to in Article 27, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 33-22 of the Act is as shown in Form 3.

(Manifests)

Article 31 A manifest required to be prepared pursuant to the provisions of Article 33-23, paragraph (1) or (2) of the Act is prepared by providing in the manifest the information set forth in the following items:

- (i) name and address of the preparer and, in the case of a corporation, the name of its representative;
- (ii) name and location of the facility for the preparer's conducting the transferring or delivering specified body parts, etc.;
- (iii) types, weights, and major characteristics of the specified body part, etc.
- (iv) name and address of the person that transferred or delivered the specified body part, etc. to the preparer and, in the case of a corporation, the name of its representative;
- (v) the number assigned to the registration card for the raw material body part,

- etc. whose transfer or delivery was received or the number assigned to the manifest for the specified body part, etc. whose transfer or delivery was received and the number assigned to the registration card accompanying the raw material body part, etc. relevant to the specified body part, etc. (or, in the case of direct import by the preparer, the number assigned to the document certifying completion of certain procedures specified as being required for importing certain goods in the publication referred to in Article 3, paragraph (1) of the Import Trade Control Order (Cabinet Order No. 414 of 1949) or the number assigned to the document certifying approval of the import under Article 4, paragraph (1) of the same Order);
- (vi) date of receipt of the transfer or delivery (or, in the case of direct import by the preparer, the date of direct import).

Article 32 (1) The cases specified by order issued by the Minister of the Environment and the special international species-related minister as referred to in Article 33-23, paragraph (1), item (iii) are cases where the special specified body part, etc. (limited to that prescribed in Article 33-23, paragraph (1) of the Act; the same applies hereinafter in this paragraph) has been newly obtained by dividing a raw material body part, etc. legally imported by the special international species business operator pursuant to the provisions of the Foreign Exchange and Foreign Trade Act (Act No. 228 of 1949), or where the special specified body part, etc. has been legally imported by the special international species business operator pursuant to the provisions of the same Act, or where the special specified body part, etc. has been newly obtained by dividing that special specified body part, etc.

- (2) The cases specified by order issued by the Minister of the Environment, etc. as referred to in Article 33-22, paragraph (2), item (iii) are those set forth in the following items:
- (i) in the case of a transfer or delivery of: a specified body part, etc. (limited to that prescribed in Article 33-23, paragraph (2) of the Act) which is a portion obtained by dividing a raw material body part, etc. legally imported by the specified international species business operator or special international species business operator pursuant to the provisions of the Foreign Exchange and Foreign Trade Act; or a specified body part, etc. legally imported by the specified international species business operator or special international species business operator pursuant to the provisions of the same Act; or a specified body part, etc. which is a portion obtained by dividing that specified body part, etc.;
- (ii) in the case of a transfer or delivery of a specified body part, etc. (limited to that acknowledged by the Minister of the Environment and the Minister of Economy, Trade and Industry as properly acquired) which newly became a

specified body part, etc. for which notification of a specified international species business prescribed in Article 33-2 of the Act or registration of a special international species business operator prescribed in Article 33-6, paragraph (1) of the Act is required under the provisions of Article 10 or 13 of the Enforcement Order (hereinafter referred to as a "business-related specified body part, etc." in this item), by the person that possesses the specified body part, etc. with just title as of the date on which it became a business-related specified body part, etc. (hereinafter referred to as the "application date"), within a period of three months following the application date (including cases where specified body parts, etc. obtained by dividing that specified body part, etc. are likewise transferred or delivered).

(Retention of Copies of Manifests)

Article 33 A copy of the manifest required to be retained under the provisions of Article 33-23, paragraph (5) of the Act are retained for a period of five years from the date of transfer or delivery of the specified body part, etc.

(Products Eligible for Certification)

Article 34 (1) The products specified by Ministry of the Environment Order and the Ministry of Economy, Trade and Industry Order referred to in Article 18 of the Enforcement Order are accessories, furniture, musical instruments, seals, indoor entertainment equipment, table equipment, stationery, smoking articles, miscellaneous daily goods, Buddhist altar articles, and teaware.

(2) The requirements prescribed by Ministry of the Environment Order or Ministry of Economy, Trade and Industry Order are those set forth in the following items:

- (i) the raw material body parts, etc. which are a raw material for the products are used in a substantial portion of the products;
- (ii) the raw material body parts, etc. which are a raw material for the products allow easy identification of the species.

(Application for Certification)

Article 35 The cases specified by order issued by the Minister of the Environment, etc. as referred to in Article 33-25, paragraph (2), item (iii) are as set forth in the following:

- (i) cases where the applicant is a person that has legally imported the raw material body part, etc. or specified body part, etc. which are a raw material for the product pursuant to the provisions of the Foreign Exchange and Foreign Trade Act;
- (ii) cases where the applicant (limited to a person that files an application for certification of the relevant product within a period of three months following

the date on which the product newly becomes a product eligible for certification under Article 33-25, paragraph (1) of the Act pursuant to the provisions of Article 18 of the Enforcement Order (hereinafter referred to as the "certification eligibility date") is a person that possesses the relevant product (limited to a product manufactured by using as a raw material body part, etc. or specified body part, etc. which has been confirmed by the Minister of the Environment and the Minister of Economy, Trade and Industry (or, if the Minister of the Environment and the Minister of Economy, Trade and Industry have registered a certifying organization under the provisions of Article 33-26, paragraph (1) of the Act, the certifying organization) as properly acquired, based on how the raw material was acquired, among other things) with just title on the certification eligibility date.

Article 36 The form of the mark referred to in Article 33-25, paragraph (3) of the Act is as shown in Form 4.

Article 37 (1) An application for certification under the provisions of Article 33-25, paragraph (1) of the Act is to be filed by submitting to the Minister of the Environment and the Minister of Economy, Trade and Industry (or, if the relevant certification-related affair is conducted by a certifying body, the certifying body) a written application giving the following information:

- (i) name and address of the applicant and, in the case of a corporation, the name of its representative;
- (ii) type and weight of the product;
- (iii) weight of the raw material body part, etc. or the weight and major characteristics of the specified body part, etc. which are a raw material of the product;
- (iv) name and address of the person that transferred or delivered to the applicant the raw material body part, etc. or specified body part, etc. which are a raw material of the product and, in the case of a corporation, the name of its representative;
- (v) number assigned to the registration card for the raw material body part, etc. or to the manifest for the specified body part, etc., in each case where their transfer or delivery was received (or, in the case of direct import by the applicant, the number assigned to the document certifying completion of certain procedures specified as required for importing certain goods in the publication referred to in Article 3, paragraph (1) of the Import Trade Control Order or the number assigned to the document certifying approval of the import under Article 4, paragraph (1) of the same Order);
- (vi) date of receipt of the transfer or delivery of the raw material body part, etc.



or specified body part, etc. which are a raw material of the product (or, in the case of direct import by the applicant, the date of direct import).

- (2) The written application prescribed in the preceding paragraph must be accompanied by photographs of the relevant product.

(Procedures Using an Optical Disc)

Article 38 Submission of a written application under the provisions of paragraph (1) of the preceding Article may be done by submitting an optical disc (including any device that is capable of reliably keeping a record of certain information by means similar to an optical disc) containing information required to be given in the written application, only if this is found by the Minister of the Environment and the Minister of Economy, Trade and Industry (or, if a certifying organization conducts the certification-related affairs, the certifying organization) to cause no problems.

(Application for Registration of a Certifying Organization)

Article 39 (1) An application for registration under the provisions of Article 33-26, paragraph (2) of the Act is to be filed by submitting a written application giving the following information:

- (i) name and address of the applicant (or, in the case of a corporation, its name, the name of its representative, and the location of its principal office);
- (ii) name and location of the office at which the applicant intends to conduct certification-related affairs;
- (iii) intended date of commencement of certification-related affairs

(2) The written application prescribed in the preceding paragraph must be accompanied by the following documents:

- (i) the applicant's articles of incorporation or articles of endowment and a certificate of its registered information, or documents equivalent to the above;
- (ii) the applicant's balance sheet and an inventory of the applicant's assets at the end of the business year immediately before the business year to which the date of application belongs, or documents equivalent to the above (or, in the case of a corporation established in the business year to which the date of application belongs, a list of assets at the time of establishment);
- (iii) a document which explains that the applicant conforms to the provisions of Article 33-26, paragraph (4), items (i) and (ii);
- (iv) a document providing an outline of the business actually engaged in by the applicant;
- (v) beyond what is set forth in the preceding items, other documents containing helpful information.

(Procedures for Conducting Certification-related Affairs)

Article 40 (1) The procedures specified by order of the Minister of the Environment, etc. as referred to in Article 33-27, paragraph (2) of the Act are as set forth in the following:

- (i) to verify that the product for which the application for certification is being filed is one of the products specified in Article 34, paragraph (1);
  - (ii) to check the number assigned to the registration card for the raw material body part, etc. or to the manifest for the specified body part, etc., in each case where the raw material body part, etc. or specified body part, etc. are a raw material of the product for which the application for certification is being filed (or, in the case of direct import by the applicant, the number assigned to the document certifying completion of certain procedures specified as required for importing certain goods in the publication referred to in Article 3, paragraph (1) of the Import Trade Control Order or the number assigned to the document certifying approval of the import under Article 4, paragraph (1) of the same Order);
  - (iii) to check the weight of the raw material body part, etc. or specified body part, etc. which are a raw material of the product for which the application for certification is being filed with the registration organization of the relevant individuals (unless directly imported by the applicant);
  - (iv) to check the total weight of the products which have already been certified after being manufactured from the raw material body part, etc. or specified body part, etc. which are a raw material of the product for which the application for certification is being filed; and to check that the sum of that total weight and the weight of the product for which the application is being filed is within a range considered appropriate when taking into account, among other things, the weight of the raw material body part, etc. or specified body part, etc. which is a raw material of the relevant product, and the shape of the product.
- (2) The changes to minor information specified by order issued by the Minister of the Environment, etc. as referred to in the proviso of paragraph (3) of Article 33-27 of the Act are changes to the address of the person that has been registered under Article 33-26, paragraph (1) of the Act (or, in the case of a corporation, the name of its representative and the location of its principal office).
- (3) The rules for conducting the certification-related affairs referred to in Article 33-27, paragraph (5) of the Act is to prescribe the following matters:
- (i) matters regarding the hours during which the certification-related affairs are conducted and regarding holidays;
  - (ii) matters regarding the office at which the certification-related affairs are conducted;

- (iii) matters regarding the system for conducting the certification-related affairs;
  - (iv) matters regarding the procedures for conducting the checks under items (ii) through (iv) of the preceding paragraph;
  - (v) matters regarding receipt of fees;
  - (vi) matters regarding the maintenance of the confidentiality of certification-related affairs;
  - (vii) matters regarding the management of books, documents, etc. related to the certification-related affairs;
  - (viii) beyond what is set forth in the preceding items, other matters necessary for conducting the certification-related affairs.
- (4) If a certifying organization wishes to obtain the authorization under the first sentence of paragraph (5) of Article 33-27 of the Act, the certifying organization must submit to the Minister of the Environment and the Minister of Economy, Trade and Industry a written application stating to that effect accompanied by the organization's rules for conducting the certification-related affairs.
- (5) If a certifying organization wishes to obtain the authorization under the second sentence of paragraph (5) of Article 33-27 of the Act, the certifying organization must submit to the Minister of the Environment and the Minister of Economy, Trade and Industry a written application giving the following information:
- (i) matters planned to be changed;
  - (ii) intended date of change;
  - (iii) reason for the change.

(Electronic or Magnetic Means to Be Used to Display Information by a Certifying Organization)

- Article 41 (1) The method specified by order issued by the Minister of the Environment, etc. referred to in Article 33-27, paragraph (7), item (iii) of the Act is the display of information recorded in the electromagnetic records on paper or on the imaging screen of an output device.
- (2) The electronic or magnetic means specified by order of the Minister of the Environment, etc. as referred to in Article 33-27, paragraph (7), item (iv) of the Act are as set forth in the following:
- (i) using an electronic data processing system connecting a computer used by the sender and a computer used by the recipient through telecommunication lines, and sending the relevant information through the telecommunication lines and recording the information in a file prepared in the computer used by the recipient;
  - (ii) providing a file which has been created on a magnetic disk or any other

device that reliably keeps a record of certain information by means similar to a magnetic disk and which contains the relevant information.

- (3) The means set forth in the items of the preceding paragraph must be those that allow the recipient to produce documents by reading out records in the file.

(Books of a Certification Organization)

Article 42 The information specified by order of the Minister of the Environment, etc. as referred to in Article 33-27, paragraph (8) of the Act are as set forth in the following:

- (i) name and address of the applicant and, in the case of a corporation, the name of its representative;
- (ii) date of receipt of the application for certification;
- (iii) type and weight of the product;
- (iv) weight of the raw material body part, etc. or the weight and major characteristics of the specified body part, etc. which are a raw material of the product;
- (v) name and address of the person that transferred or delivered to the applicant the raw material body part, etc. or specified body part, etc. which are a raw material of the product and, in the case of a corporation, the name of its representative;
- (vi) number assigned to the registration card for the raw material body part, etc. or to the manifest for the specified body part, etc., in each case where their transfer or delivery was received (or, in the case of direct import by the applicant, the number assigned to the document certifying completion of certain procedures specified as being required for importing certain goods in the publication referred to in Article 3, paragraph (1) of the Import Trade Control Order or to the document certifying approval of the import under Article 4, paragraph (1) of the same Order);
- (vii) date of certification;
- (viii) certification number.

(Application for Permission of Suspension or Discontinuation of Certification-related Affairs)

Article 43 If a certifying organization wishes to obtain the authorization under Article 33-27, paragraph (9) of the Act, the certifying organization must submit to the Minister of the Environment and the Minister of Economy, Trade and Industry a written application giving the following information:

- (i) scope of the certification-related affairs intended to be suspended or discontinued;
- (ii) intended date of suspension or discontinuation;
- (iii) in the case of suspension, the duration thereof;

(iv) reason for the suspension or discontinuation.

(Handover of Certification-related Affairs)

Article 44 A certifying organization must take the following actions if all or part of its certification-related affairs are to be conducted by the Minister of the Environment and the Minister of Economy, Trade and Industry pursuant to the provisions of Article 24, paragraph (10) of the Act as applied mutatis mutandis pursuant to Article 33-33 of the Act, or if the certifying organization discontinues all or part of its certification-related affairs with the permission under Article 33-27, paragraph (9) of the Act, or if the organization registration of the certifying organization is cancelled by the Minister of the Environment and the Minister of Economy, Trade and Industry pursuant to the provisions of Article 33-29, paragraph (4) or (5) of the Act:

- (i) to hand over the relevant certification-related affairs to the Minister of the Environment and the Minister of Economy, Trade and Industry;
- (ii) to hand over its books and documents related to the relevant certification-related affairs to the Minister of the Environment and the Minister of Economy, Trade and Industry;
- (iii) any other actions deemed necessary by the Minister of the Environment and the Minister of Economy, Trade and Industry.

(Payment of Fees for Certification)

Article 45 (1) The fee referred to in Article 33-32 of the Act must be paid: if to the State, by affixing to the written application prescribed in Article 37 a revenue stamp of the amount equivalent to the fee for the application; or if to a certifying organization, pursuant to the provisions of such rules for conducting its certification-related affairs as are referred to in Article 33-27, paragraph (5) of the Act.

(2) No fee paid pursuant to the provisions of the preceding paragraph is refundable.

(Form of Identification Referred to in Article 27, Paragraph (2) of the Act as Applied Mutatis Mutandis Pursuant to Article 33-33 of the Act)

Article 46 The form of the identification referred to in Article 27, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 33-33 of the Act is as shown in Form 5.

**Supplementary Provisions**

This Order comes into effect as of the date on which the Act Partially Amending the Act on Conservation of Endangered Species of Wild Fauna and

Flora (Act No. 52 of 1994) comes into effect (June 28, 1995).

**Supplementary Provisions [Prime Minister's Office and Ministry of International Trade and Industry Order No. 2 of March 31, 1997]**

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

**Supplementary Provisions [Prime Minister's Office and Ministry of International Trade and Industry Order No. 3 of May 20, 1997]**

This Order comes into effect as of June 3, 1997.

**Supplementary Provisions [Prime Minister's Office and Ministry of International Trade and Industry Order No. 2 of March 15, 1999]**

This Order comes into effect as of the date on which the Cabinet Order Partially Amending the Order for Enforcement of the Act on Conservation of Endangered Species of Wild Fauna and Flora (Cabinet Order No. 169 of 1998) comes into effect (March 18, 1999).

**Supplementary Provisions [Prime Minister's Office and Ministry of International Trade and Industry Order No. 9 of August 14, 2000]**

This Order comes into effect as of the date on which the Act Partially Amending the Cabinet Act (Act No. 88 of 1999) comes into effect (January 6, 2001).

**Supplementary Provisions [Ministry of Economy, Trade and Industry and Ministry of the Environment Order No. 5 of April 27, 2001]**

This Ministerial Order comes into effect as of the date of promulgation.

**Supplementary Provisions [Ministry of Economy, Trade and Industry and Ministry of the Environment Order No. 4 of July 17, 2003 Excerpts]  
[Extract]**

(Effective Date)

Article 1 This Ministerial Order comes into effect as of the date on which the Act Partially Amending the Act on Conservation of Endangered Species of Wild Fauna and Flora comes into effect (July 20, 2003).

(Transitional Measures)

Article 2 An identification which has actually been issued at the time this Ministerial Order comes into effect and which is in the form of Form 1 or 4 of the Ministerial Order on Notification of Specified International Species Business prior to amendment by the provisions of Article 1 (hereinafter referred to as the "former Ministerial Order") is deemed to be in the corresponding form of the Ministerial Order on Notification of Specified International Species Business as amended by the provisions of the same Article (hereinafter referred to as the "new Ministerial Order").

Article 3 A mark in the form of Form 2 of the former Ministerial Order is deemed to be in the corresponding form of the new Ministerial Order until otherwise provided for by law.

**Supplementary Provisions [Ministry of Economy, Trade and Industry and Ministry of the Environment Order No. 6 of September 28, 2004]**

This Ministerial Order comes into effect as of the date on which the Cabinet Order Partially Amending the Order for Enforcement of the Act on Conservation of Endangered Species of Wild Fauna and Flora (Cabinet Order No. 222 of 2004) comes into effect (October 1, 2004).

**Supplementary Provisions [Ministry of Economy, Trade and Industry and Ministry of the Environment Order No. 1 of March 4, 2005]**

This Ministerial Order comes into effect as of the date on which the Act Prescribing Adjustments to the Relevant Acts to Coordinate with the Enforcement of the Real Property Registration Act (March 7, 2005) comes into effect.

**Supplementary Provisions [Ministry of Economy, Trade and Industry and Ministry of the Environment Order No. 6 of April 20, 2007]**

(Effective Date)

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

(Transitional Measures)

Article 2 (1) Any document which is used in the form specified by the Ministerial Order on Notification of Specified International Species Business prior to amendment by this Ministerial Order (referred to as the "former form" in the following paragraph) and which actually exists at the time this Ministerial

Order comes into effect is deemed to be in the form specified by the Ministerial Order on Notification of Specified International Species Business as amended by this Ministerial Order.

- (2) By making amendments thereto, forms which have been prepared in the former form and actually exist at the time this Ministerial Order comes into effect may continue to be used after this Ministerial Order comes into effect until otherwise provided for by law.

**Supplementary Provisions [Ministry of Economy, Trade and Industry and Ministry of the Environment Order No. 6 of May 30, 2014]**

This Ministerial Order comes into effect as of the date on which the Act Partially Amending the Act on Conservation of Endangered Species of Wild Fauna and Flora (Act No. 37 of 2013) comes into effect (June 1, 2014).

**Supplementary Provisions [Ministry of Economy, Trade and Industry and Ministry of the Environment Order No. 9 of November 26, 2005]**

This Ministerial Order comes into effect as of December 1, 2015.

**Supplementary Provisions [Ministry of Economy, Trade and Industry and Ministry of the Environment Order No. 7 of December 28, 2016]**

This Ministerial Order comes into effect as of January 2, 2017.

**Supplementary Provisions [Ministry of Economy, Trade and Industry and Ministry of the Environment Order No. 1 of February 19, 2018]**

(Effective Date)

- (1) This Ministerial Order comes into effect as of the date on which the Act Partially Amending the Act on Conservation of Endangered Species of Wild Fauna and Flora comes into effect (June 1, 2018).

(Transitional Measures)

- (2) Any certificate in the form prior to amendment by this Ministerial Order actually existing at the time this Ministerial Order comes into effect is deemed to be in the form as amended by this Ministerial Order.

**Supplementary Provisions [Ministry of Economy, Trade and Industry and Ministry of the Environment Order No. 2 of June 17, 2019]**



This Ministerial Order comes into effect as of July 1, 2019.

**Supplementary Provisions [Ministry of Economy, Trade and Industry and  
Ministry of the Environment Order No. 1 of February 19, 2020]**

This Ministerial Order comes into effect as of the date of promulgation.

Form 1 omitted

Form 2 omitted

Form 3 omitted

Form 4 omitted

Form 5 omitted