

特定有害廃棄物等の輸出入等の規制に関する法律

Act for the Control of Export and Import of Specified Hazardous and Other Wastes

(平成四年十二月十六日法律第百八号)
(Act No. 108 of December 16, 1992)

(目的)

(Purpose)

第一条 この法律は、有害廃棄物の国境を越える移動及びその処分の規制に関するバーゼル条約（以下「条約」という。）等の的確かつ円滑な実施を確保するため、特定有害廃棄物等の輸出、輸入、運搬及び処分の規制に関する措置を講じ、もって人の健康の保護及び生活環境の保全に資することを目的とする。

Article 1 The purpose of this Act is to take measures to regulate the export, import, transportation and disposal of specified hazardous and other wastes in order to ensure accurate and smooth implementation of "the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal" (hereinafter referred to as "the Convention") and other agreements, by which to contribute to the protection of human health and the sound living environment.

(定義等)

(Definition)

第二条 この法律において「特定有害廃棄物等」とは、次に掲げる物（船舶の航行に伴い生ずる廃棄物であって政令で定めるもの並びに放射性物質及びこれによって汚染された物を除く。）をいう。

Article 2 (1) In this Act, "specified hazardous and other wastes" means the following wastes (excluding the wastes specified by Cabinet Order and generated in association with the operations of vessels, and radioactive materials and the materials contaminated by such radioactive materials):

一 条約附属書 I V に掲げる処分作業（以下「処分」という。）を行うために輸出され、又は輸入される物であって、次のいずれかに該当するもの（条約第十一条に規定する二国間の、多数国間の又は地域的な協定又は取決め（以下「条約以外の協定等」という。）に基づきその輸出、輸入、運搬（これに伴う保管を含む。以下同じ。）及び処分について規制を行う必要がない物であって政令で定めるものを除く。）

(i) materials to be exported or imported for the disposal operations listed in Annex IV of the Convention (hereinafter referred to as "disposal") that fall under any of the following (excluding those specified by Cabinet Order which are not required, according to bilateral, multilateral or regional agreement or

arrangement prescribed in Article 11 of the Convention (hereinafter referred to as "agreements, understandings, and commitments other than the Convention"), to be regulated in terms of their export, import, transportation (including storage in association with these; hereinafter the same applies) and disposal);

イ 条約附属書 I に掲げる物のうち、条約附属書 I I I に掲げる有害な特性のいずれかを有するものであって、その処分の目的ごとに、かつ、輸出及び輸入の別に応じて環境省令で定めるもの

(a) among the materials listed in Annex I of the Convention, those having any of the hazardous characteristics listed in Annex III of the Convention and which are specified by the Order of the Ministry of the Environment according to their purposes of disposal as well as whether for export or import;

ロ 条約附属書 I I に掲げる物

(b) materials listed in Annex II of the Convention;

ハ 政令で定めるところにより、条約第三条 1 又は 2 の規定により我が国が条約の事務局へ通報した物

(c) materials on which Japan has notified the Secretariat of the Convention as provided by Cabinet Order pursuant to the provisions of Article 3, paragraph 1 or 2 of the Convention;

ニ 条約第三条 3 の規定により条約の事務局から通報された物であって、当該通報に係る地域を仕向地若しくは経由地とする輸出又は当該地域を原産地、船積地域若しくは経由地とする輸入に係るものとして環境省令で定めるもの

(d) materials for which notification was received from the Secretariat of the Convention pursuant to the provisions Article 3, paragraph (3) of the Convention, and that are specified by the Ministry of the Environment order as materials pertaining to export, with the region pertaining to the notification in question as the region of destination or transit, or pertaining to import, with such a region as the region of origin, shipment or transit;

ホ 条約の締約国である外国（以下このホにおいて「条約締約国」という。）において条約第一条 1 に規定する有害廃棄物とされている物であって、当該条約締約国を仕向地又は経由地とする輸出に係るものとして環境省令で定めるもの

(e) materials defined as hazardous wastes prescribed in Article 1-1 of the Convention in a foreign country that is a signatory to the Convention (hereinafter referred to as a "Convention signatory country" in this item (e)), which are specified by the Order of the Ministry of the Environment as materials pertaining to exports for which the contracting party of the Convention is the region of destination or transit; or

二 条約以外の協定等に基づきその輸出、輸入、運搬及び処分について規制を行うことが必要な物であって政令で定めるもの

(ii) materials, specified by Cabinet Order, for which the export, import, transportation and disposal need to be regulated based on agreements, understandings, and commitments other than the Convention.

2 この法律において「移動書類」とは、条約附属書VBに掲げる事項を記載した条約第四条7(c)の移動書類及びこれに類する書類であつて条約以外の協定等に規定するものをいう。

(2) In this Act, "movement document" means the movement document set forth in Article 4, paragraph 7 (c) of the Convention, which describes the matters listed in Annex VB of the Convention, or an equivalent document specified in agreements, understandings, and commitments other than the Convention.

3 環境大臣は、第一項第一号イ、ニ及びホの環境省令を定めようとするときは、経済産業大臣に協議しなければならない。

(3) The Minister of the Environment must consult the Minister of Economy, Trade and Industry when the Minister of the Environment intends to enact a Ministry of the Environment order set forth in paragraph (1), item (i), (a), (d) and (e),.

(基本的事項の公表)

(Publication of Basic Matters)

第三条 経済産業大臣及び環境大臣は、条約及び条約以外の協定等（以下「条約等」という。）の的確かつ円滑な実施を図るため、次に掲げる事項を定めて公表するものとする。これを変更したときも、同様とする。

Article 3 The Minister of Economy, Trade and Industry and the Minister of the Environment are to specify and make public the following matters in order to ensure the accurate and smooth implementation of the Convention and agreements, understandings, and commitments other than the Convention (hereinafter referred to as "the Convention, agreements, understandings, and commitments"). The same applies when such matters have been amended:

一 特定有害廃棄物等の輸出、輸入、運搬及び処分に伴つて生ずるおそれのある人の健康又は生活環境に係る被害を防止するための施策の実施に関する基本的な事項

(i) basic matters concerning measures to be taken to prevent any damage to human health or the living environment that is likely to occur in association with the export, import, transportation and disposal of specified hazardous and other wastes;

二 特定有害廃棄物等の輸出、輸入、運搬又は処分の事業を行う者がその事業を適正に行うために配慮しなければならない基本的な事項

(ii) basic matters for the proper implementation of the operation that must be considered by a person who implements any operation for export, import, transportation or disposal of specified hazardous and other wastes;

三 特定有害廃棄物等の発生の抑制及び適正な処分が行われることを確保するために国民が配慮しなければならない基本的な事項

(iii) basic matters that must be considered by the citizens to ensure the reduction of generation and the proper disposal of specified hazardous and other wastes; and

四 前三号に掲げるもののほか、特定有害廃棄物等の輸出、輸入、運搬及び処分が適正に行われることを確保するための重要な事項

(iv) in addition to what is listed in the preceding three items, important matters to ensure the proper implementation of the export, import, transportation and disposal of specified hazardous and other wastes.

(輸出の承認)

(Export Approval)

第四条 特定有害廃棄物等を輸出しようとする者は、外国為替及び外国貿易法（昭和二十四年法律第二百二十八号）第四十八条第三項の規定により、輸出の承認を受ける義務を課せられるものとする。

Article 4 (1) Any person who intends to export specified hazardous and other wastes is to be obliged to obtain an export approval pursuant to the provision of Article 48, paragraph (3) of the Foreign Exchange and Foreign Trade Act (Act No. 228 of 1949).

2 経済産業大臣は、その輸出に係る特定有害廃棄物等の処分に伴い生ずるおそれのある大気汚染、水質汚濁その他の環境汚染（以下単に「環境汚染」という。）を防止するため特に必要があるものとして経済産業省令、環境省令で定める地域を仕向地とする経済産業省令、環境省令で定める特定有害廃棄物等の輸出について前項の承認の申請があったときは、その申請書の写しを環境大臣に送付するものとする。

(2) When an application for the export approval set forth in the preceding paragraph is made for specified hazardous and other wastes that are specified by the Ministry of Economy, Trade and Industry and Ministry of the Environment joint order, as specified hazardous and other wastes for which it is particularly necessary to prevent air pollution, water contamination and other environmental pollution (hereinafter simply referred to as "environmental pollution") that is likely to occur in association with the disposal of specified hazardous and other wastes pertaining to the export, with the region of their destination specified by the Ministry of Economy, Trade and Industry and Ministry of the Environment joint order, the Minister of Economy, Trade and Industry is to send a copy of the written application to the Minister of the Environment.

3 環境大臣は、前項の規定により申請書の写しの送付があったときは、その申請書に係る特定有害廃棄物等の処分について環境省令で定める環境汚染を防止するために必要な措置が講じられているかどうかを確認し、その結果を経済産業大臣に通知するものとする。

(3) The Minister of the Environment is to confirm whether necessary measures to prevent environmental pollution prescribed by the Order of the Ministry of the

Environment are taken in regard to the disposal of specified hazardous and other wastes pertaining to the written application and notify the Minister of Economy, Trade and Industry of the confirmation result when the written application is sent to the Minister pursuant to the provision of the preceding paragraph.

4 経済産業大臣は、前項の規定により環境の汚染を防止するために必要な措置が講じられている旨の環境大臣の通知を受けた後でなければ、第一項の輸出の承認をしてはならない。

(4) The Minister of Economy, Trade and Industry must not approve the export set forth in paragraph (1) until the Minister receives notification from the Minister of the Environment that necessary measures to prevent environmental pollution are taken pursuant to the provision of the preceding paragraph.

(輸出移動書類の交付等)

(Issuance of an Export Movement Document)

第五条 経済産業大臣は、前条第一項の輸出の承認をしたときは、速やかに、その承認を受けた者に対し、当該特定有害廃棄物等に係る移動書類（以下「輸出移動書類」という。）を交付しなければならない。

Article 5 (1) The Minister of Economy, Trade and Industry must promptly issue a movement document pertaining to specified hazardous and other wastes (hereinafter referred to as "export movement document") to the person who has been granted the export approval when the Minister has approved the export set forth in paragraph (1) of the preceding Article.

2 経済産業大臣は、前項の規定により輸出移動書類を交付したときは、当該輸出移動書類の写しを環境大臣に送付するものとする。

(2) The Minister of Economy, Trade and Industry is to send a copy of the export movement document to the Minister of the Environment when the former Minister has issued an export movement document pursuant to the provision of the preceding paragraph.

3 第一項の規定により輸出移動書類の交付を受けた者は、当該輸出移動書類が汚損され、又は失われたときは、経済産業省令で定めるところにより、遅滞なく、その旨を経済産業大臣に届け出なければならない。この場合において、当該輸出移動書類の交付を受けた者は、経済産業省令で定めるところにより、経済産業大臣に申請し、その再交付を受けることができる。

(3) Any person to whom an export movement document has been issued pursuant to the provision of paragraph (1) must notify the Minister of Economy, Trade and Industry to that effect without delay as provided in the Ministry of Economy, Trade and Industry order when the export movement document has been rendered unusable or lost. In this case, the person who has obtained the export movement document may apply to the Minister of Economy, Trade and Industry to have the export movement document reissued as provided in the

Ministry of Economy, Trade and Industry order.

4 第一項の規定により輸出移動書類の交付を受けた者は、前項後段の規定により輸出移動書類の再交付を受けた場合において、その失われた輸出移動書類を回復するに至ったときは、経済産業省令で定めるところにより、当該輸出移動書類を添付して、遅滞なく、その旨を経済産業大臣に届け出なければならない。

(4) A person, to whom an export movement document was issued pursuant to the provision of paragraph (1) and was then reissued pursuant to the provision of the second sentence of the preceding paragraph, and when the lost export movement document has since been recovered, must send a notification.

2 前項の規定により輸出移動書類を携帯して運搬を行う者は、当該輸出移動書類にその輸出特定有害廃棄物等の引渡しを受けた日付その他の経済産業省令、環境省令で定める事項を記載し、かつ、署名しなければならない。

(2) Any person who implements transportation by carrying an export movement document pursuant to the provision of the preceding paragraph must enter the matters specified by the Ministry of Economy, Trade and Industry and Ministry of the Environment joint order, including the date of receiving the exported specified hazardous and other wastes, and sign the export movement document in question.

3 輸出特定有害廃棄物等の運搬を行う場合は、当該輸出特定有害廃棄物等に係る輸出移動書類に記載された内容に従ってしなければならない。ただし、当該輸出特定有害廃棄物等の運搬について第十七条第一項の規定又は同項ただし書の政令で定める法律の政令で定める規定による命令がされた場合は、この限りでない。

(3) When exported specified hazardous and other wastes are transported, the transportation must be implemented in accordance with the contents of the export movement document pertaining to such exported specified hazardous and other wastes; provided, however, that this does not apply if an order is issued in regard to the transportation of the exported specified hazardous and other wastes pursuant to the provision of Article 17, paragraph (1) or the provisions specified by the Cabinet Order of the act that is specified by the Cabinet Order set forth in the proviso of the same paragraph.

(輸出移動書類に係る届出)

(Notification Pertaining to an Export Movement Document)

第七条 第五条第一項の規定により輸出移動書類の交付を受けた者は、次に掲げる場合は、経済産業省令、環境省令で定めるところにより、当該輸出移動書類を添付して、遅滞なく、その旨を経済産業大臣及び環境大臣に届け出なければならない。

Article 7 Any person to whom an export movement document has been issued pursuant to the provision of Article 5, paragraph (1) must send a notification to the Minister of Economy, Trade and Industry and the Minister of the Environment to that effect without delay as provided in the Ministry of Economy, Trade and Industry and Ministry of the Environment joint order,

with the export movement document attached in the following cases:

一 輸出移動書類に係る輸出特定有害廃棄物等の輸出又は運搬を行わないこととなったとき。

(i) when the export or transportation of exported specified hazardous and other wastes pertaining to the export movement document is suspended; or

二 輸出移動書類に係る輸出特定有害廃棄物等を失ったとき。

(ii) when exported specified hazardous and other wastes pertaining to the export movement document are lost.

(輸入の承認)

(Import Approval)

第八条 特定有害廃棄物等を輸入しようとする者は、外国為替及び外国貿易法第五十二条の規定により、輸入の承認を受ける義務を課せられるものとする。ただし、第十四条第一項の認定を受けた者が、第十五条第一項の認定を受けた者が同項の認定に係る条約附属書IV Bに掲げる処分作業（以下「再生利用等」という。）を行うために使用する目的で、特定有害廃棄物等を輸入しようとする場合は、この限りでない。

Article 8 (1) Any person who intends to import specified hazardous and other wastes is to be obliged to obtain an import approval pursuant to the provision of Article 52 of the Foreign Exchange and Foreign Trade Act; provided, however, that this does not apply if a person certified under Article 14, paragraph (1) intends to import specified hazardous and other wastes to be used by a person certified under Article 15, paragraph (1) for the purpose of carrying out disposal operations set forth in Annex IV B of the Convention in relation to the certification under the same paragraph (hereinafter referred to as "recycling activities").

2 環境大臣は、環境の汚染を防止するため必要があると認めるときは、経済産業大臣が前項の承認を行うに際し、事前に、経済産業大臣に対し、必要な説明を求め、及び意見を述べることができる。

(2) The Minister of the Environment may request explanations as needed from and state opinions to the Minister of Economy, Trade and Industry in advance before the Minister of Economy, Trade and Industry approves the export set forth in the preceding paragraph when the Minister finds it necessary to prevent environmental pollution.

(輸入移動書類の交付等)

(Issuance of an Import Movement Document)

第九条 経済産業大臣は、前条第一項の輸入の承認をした場合において、その承認を受けた者から当該特定有害廃棄物等に係る移動書類の提出を受けたときは、当該移動書類が当該特定有害廃棄物等に関し条約第六条1の規定により通告された内容（同条2又は4の規定により条件を付して同意した場合にあっては、その条件を付したもの）と一致することを確認の上、速やかに、その承認を受けた者に対し、その旨を証明す

る文書（以下「輸入移動書類」という。）を交付しなければならない。

Article 9 (1) When the Minister of Economy, Trade and Industry has approved the import set forth in paragraph (1) of the preceding Article and received a movement document pertaining to specified hazardous and other wastes from the person who has been granted the import approval, the Minister must, after confirming that such a movement document is consistent with the details of the notification pursuant to the provision of Article 6, paragraph 1 of the Convention (including conditions if an agreement is made with conditions pursuant to the provision of paragraph 2 or 4 of the same Article), promptly issue a document certifying to that effect (hereinafter referred to as an "import movement document").

2 前項の規定により輸入移動書類の交付を受けた者又は第十一条の規定により輸入移動書類とともに当該輸入移動書類に係る特定有害廃棄物等を譲り受け、若しくはその引渡しを受けた者（以下「輸入移動書類の交付を受けた者等」という。）が当該輸入移動書類を汚損し、又は失ったときは、経済産業省令で定めるところにより、遅滞なく、その旨を経済産業大臣に届け出なければならない。この場合において、当該輸入移動書類の交付を受けた者等は、経済産業省令で定めるところにより、経済産業大臣に申請し、その再交付を受けることができる。

(2) When any person to whom an import movement document has been issued pursuant to the provision of paragraph (1) or specified hazardous and other wastes have been transferred pursuant to the provision of Article 11 (hereinafter referred to as "person to whom an import movement document has been issued, transferred, or delivered") has rendered unusable or lost the import movement document, the person must notify the Minister of Economy, Trade and Industry without delay as provided in the Ministry of Economy, Trade and Industry order. In this case, the person to whom an import movement document has been issued, transferred, or delivered may apply to the Minister of Economy, Trade and Industry to have the import movement document reissued as provided in the Ministry of Economy, Trade and Industry order.

3 輸入移動書類の交付を受けた者等は、前項後段の規定により輸入移動書類の再交付を受けた場合において、その失った輸入移動書類を回復するに至ったときは、経済産業省令で定めるところにより、当該輸入移動書類を添付して、遅滞なく、その旨を経済産業大臣に届け出なければならない。

(3) Any person to whom an import movement document has been issued, transferred, or delivered must send a notification to the Minister of Economy, Trade and Industry to that effect without delay, with the recovered import movement document attached, as provided in the Ministry of Economy, Trade and Industry order when the lost import movement document has been recovered in the case in which the import movement document has been reissued pursuant to the provision of the second sentence of the preceding

paragraph.

4 第五条第二項及び第五項の規定は、輸入移動書類について準用する。この場合において、同条第二項中「前項」とあるのは、「第九条第一項」と読み替えるものとする。

(4) The provisions of Article 5, paragraphs (2) and (5) apply mutatis mutandis to an import movement document. In this case, the term "the preceding paragraph" in paragraph (2) of the same Article is to be deemed replaced with "Article 9, paragraph (1)."

(輸入特定有害廃棄物等の運搬又は処分)

(Transportation or Disposal of Imported Specified Hazardous and Other Wastes)

第十条 前条第一項の規定により輸入移動書類が交付された特定有害廃棄物等（以下「輸入特定有害廃棄物等」という。）の運搬又は処分を行う場合は、当該輸入移動書類を携帯してしなければならない。

Article 10 (1) When any person transports or disposes of specified hazardous and other wastes for which an import movement document has been issued pursuant to the provision of paragraph (1) of the preceding Article (hereinafter referred to as "imported specified hazardous and other wastes"), the person must carry such an import movement document

2 前項の規定により輸入移動書類を携帯して運搬又は処分を行う者は、当該輸入移動書類にその輸入特定有害廃棄物等の引渡しを受けた日付その他の経済産業省令、環境省令で定める事項を記載し、かつ、署名しなければならない。

(2) Any person who implements transportation or disposal while carrying an import movement document pursuant to the provision of the preceding paragraph must enter the matters specified by the Ministry of Economy, Trade and Industry and Ministry of the Environment joint order, including the date of receiving imported specified hazardous and other wastes, and sign the import movement document in question.

3 輸入特定有害廃棄物等の運搬又は処分を行う場合は、当該輸入特定有害廃棄物等に係る輸入移動書類に記載された内容に従ってしなければならない。ただし、次に掲げる場合は、この限りでない。

(3) When imported specified hazardous and other wastes are transported or disposed of, the transportation or disposal must be implemented in accordance with the contents of the import movement document pertaining to such imported specified hazardous and other wastes. However, this does not apply in the following cases:

一 当該輸入特定有害廃棄物等の運搬又は処分について廃棄物の処理及び清掃に関する法律（昭和四十五年法律第百三十七号）その他輸入特定有害廃棄物等の運搬又は処分の適正な実施が確保されるものとして政令で定める法律の政令で定める規定の適用を受けるとき。

(i) when the provisions of the Waste Disposal and Public Cleansing Act (Act No.

137 of 1970) or the provisions specified by the Cabinet Order set forth in the acts that are specified by the Cabinet Order to ensure the proper implementation of transportation or disposal of imported specified hazardous and other wastes apply, in regard to the transportation or disposal of such imported specified hazardous and other wastes; or

二 当該輸入特定有害廃棄物等の運搬又は処分について第十七条第二項の規定又は同項ただし書の政令で定める法律の政令で定める規定による命令がされたとき。

(ii) when an order is issued in regard to the transportation or disposal of such imported specified hazardous and other wastes pursuant to the provision of Article 17, paragraph (2) or the provisions specified by the Cabinet Order set forth in the acts that are specified by the Cabinet Order set forth in the proviso of the same paragraph.

4 輸入移動書類の交付を受けた者等は、前項第一号に規定する規定により、又は同項第二号に規定する命令に従って、運搬を行う場合において、当該輸入移動書類に記載された内容と異なる運搬を行ったときは、経済産業省令で定めるところにより、遅滞なく、その旨を経済産業大臣に届け出て、その書換えを受けなければならない。

(4) Any person to whom an import movement document has been issued, transferred, or delivered must notify the Minister of Economy, Trade and Industry to that effect without delay as provided in the Ministry of Economy, Trade and Industry order and have the import movement document amended when having implemented the transportation in a manner different from the contents of the import movement document in the case of transportation pursuant to the provision specified in item (i) of the preceding paragraph or in accordance with an order specified in item (ii) of the same paragraph.

5 経済産業大臣は、前項の規定により輸入移動書類の書換えをしたときは、その旨を環境大臣に通知するものとする。

(5) The Minister of Economy, Trade and Industry is to, when the Minister has amended an import movement document pursuant to the provision of the preceding paragraph, notify the Minister of the Environment thereof.

(輸入特定有害廃棄物等の譲渡等)

(Transfer of Imported Specified Hazardous and Other Wastes)

第十一条 輸入特定有害廃棄物等を譲り渡し、若しくは譲り受け、又は引き渡し、若しくはその引渡しを受ける場合は、当該輸入特定有害廃棄物等に係る輸入移動書類とともにしなければならない。

Article 11 Transferring or receiving, or delivering or receiving the delivery of imported specified hazardous and other wastes must be accompanied by the import movement document pertaining to such imported specified hazardous and other wastes.

(輸入移動書類に係る届出)

(Notification Pertaining to an Import Movement Document)

第十二条 輸入移動書類の交付を受けた者等は、次に掲げる場合は、経済産業省令、環境省令で定めるところにより、当該輸入移動書類を添付して、遅滞なく、その旨を経済産業大臣及び環境大臣に届け出なければならない。

Article 12 (1) Any person to whom an import movement document has been issued, transferred, or delivered must send a notification of the fact to the Minister of Economy, Trade and Industry and the Minister of the Environment without delay as provided in the Ministry of Economy, Trade and Industry and Ministry of the Environment joint order with the import movement document, in the following cases:

一 輸入移動書類に係る輸入特定有害廃棄物等の処分を行ったとき。

(i) when imported specified hazardous and other wastes pertaining to the import movement document are disposed of;

二 輸入移動書類に係る輸入特定有害廃棄物等の運搬又は処分を行わないこととなったとき。

(ii) when the transportation or disposal of imported specified hazardous and other wastes pertaining to the import movement document is suspended; or

三 輸入移動書類に係る輸入特定有害廃棄物等を失ったとき。

(iii) when imported specified hazardous and other wastes pertaining to the import movement document are lost.

2 輸入移動書類に係る輸入特定有害廃棄物等が廃棄物の処理及び清掃に関する法律第二条第一項の廃棄物（第十七条第二項において単に「廃棄物」という。）に該当する場合における前項の規定の適用については、同項中「経済産業省令、環境省令」とあるのは「環境省令」と、「経済産業大臣及び環境大臣」とあるのは「環境大臣」とする。

(2) In regard to the application of the provision of the preceding paragraph when imported specified hazardous and other wastes pertaining to the import movement document fall under Article 2, paragraph (1) of the Waste Disposal and Public Cleansing Act (simply referred to as "wastes" in Article 17, paragraph (2)), the term "the Ministry of Economy, Trade and Industry and Ministry of the Environment joint order" in the same paragraph is to be deemed replaced with "the Ministry of the Environment order", and the term "the Minister of Economy, Trade and Industry and the Minister of the Environment" in the same paragraph is to be deemed replaced with "the Minister of the Environment".

(通知)

(Notice)

第十三条 輸入移動書類に係る処分を行う者は、当該輸入移動書類に係る輸入特定有害廃棄物等の引渡しを受けたとき、及び当該輸入移動書類に記載された内容に従って輸入特定有害廃棄物等の処分を行ったときは、経済産業省令、環境省令で定めるところ

により、遅滞なく、その旨を次に掲げる者に通知しなければならない。

Article 13 Any person who implements disposal pertaining to an import movement document must, when having received the delivery of imported specified hazardous and other wastes and disposed of imported specified hazardous and other wastes in accordance with the contents of the import movement document in question, notify the following persons thereof without delay as provided in the Ministry of Economy, Trade and Industry and Ministry of the Environment joint order:

一 当該輸入特定有害廃棄物等の輸入の相手方

(i) the other party from which imported specified hazardous and other wastes are imported; or

二 当該輸入特定有害廃棄物等の原産地、船積地域又は経由地の権限のある当局

(ii) competent authorities of the region of origin, shipment or transit of imported specified hazardous and other wastes.

(再生利用等目的輸入事業者の認定)

(Certification of Import Operators for the Purpose of Recycling)

第十四条 特定有害廃棄物等を輸入しようとする者は、経済産業省令、環境省令で定めるところにより、次の各号のいずれにも適合していることについて、経済産業大臣及び環境大臣の認定を受けることができる。

Article 14 (1) Any person who intends to import specified hazardous and other wastes may be certified by the Minister of Economy, Trade and Industry and the Minister of the Environment, pursuant to the Ministry of Economy, Trade and Industry and Ministry of the Environment joint order, for compliance with every item in the following:

一 当該輸入の目的が、次条第一項の認定を受けた者が行う当該認定に係る再生利用等であること。

(i) that the purpose of the import is recycling activities performed by the person certified under the following Article, paragraph (1), which is relevant to such certification;

二 当該輸入を行おうとする者が、当該輸入を的確に行うことができる者として経済産業省令、環境省令で定める基準に適合する者であること。

(ii) that the person intending to perform the import is the one who complies with the requirements prescribed by the Ministry of Economy, Trade and Industry and Ministry of the Environment joint order as a person capable of properly performing such import; or

三 当該輸入及び次条第一項の認定に係る施設への運搬が、人の健康の保護及び生活環境の保全上支障のないものとして経済産業省令、環境省令で定める基準に適合すること。

(iii) that the import and the transportation pertaining to the certification under the following Article, paragraph (1) comply with the requirements

prescribed by the Ministry of Economy, Trade and Industry and Ministry of the Environment joint order as not hindering the protection of human health and the conservation of the living environment.

2 前項の認定を受けようとする者は、経済産業省令、環境省令で定めるところにより、次に掲げる事項を記載した申請書その他経済産業省令、環境省令で定める書類を経済産業大臣及び環境大臣に提出しなければならない。

(2) Any person applying for a certification under the preceding paragraph must submit, pursuant to the Ministry of Economy, Trade and Industry and Ministry of the Environment joint order, an application form containing the particulars set forth in the following and other documents prescribed by the Ministry of Economy, Trade and Industry and Ministry of the Environment joint order, to the Minister of Economy, Trade and Industry and the Minister of the Environment:

一 氏名又は名称及び住所並びに法人にあっては、その法人番号及び代表者の氏名

(i) name and address, and, in case of a corporation, the corporate number and the name of the representative;

二 前項第三号に係る次条第一項の認定を受けた者に関する事項

(ii) information about the person certified under the following Article, paragraph (1) in relation to the preceding paragraph, item (iii); and

三 輸入しようとする特定有害廃棄物等の種類及び輸入の方法

(iii) the type of specified hazardous and other wastes for which the import is intended, and the manner in which they will be imported.

3 経済産業大臣及び環境大臣は、第一項の認定を受けようとする者が同項各号のいずれにも適合していると認めるときは、同項の認定をするものとする。

(3) The Minister of Economy, Trade and Industry and the Minister of the Environment are to grant the certification under paragraph (1) when the Minister finds that the person intending to be certified under that paragraph complies every item of that paragraph.

4 第一項の認定は、五年を超えない範囲内で政令で定める期間ごとにその更新を受けなければ、その期間の経過によって、その効力を失う。

(4) If the certification under paragraph (1) is not renewed at each period prescribed by Cabinet Order, which does not exceed five years, it ceases to be effective after such a period expires.

5 第一項の認定を受けた者は、第二項各号に掲げる事項を変更しようとするときは、経済産業省令、環境省令で定めるところにより、経済産業大臣及び環境大臣の認定を受けなければならない。ただし、その変更が経済産業省令、環境省令で定める軽微な変更であるときは、この限りでない。

(5) If the person certified under paragraph (1) intends to change the particulars set forth in each item of paragraph (2), the person must be certified by the Minister of Economy, Trade and Industry and the Minister of the Environment pursuant to the Ministry of Economy, Trade and Industry and Ministry of the

Environment joint order; provided, however, that this does not apply if such changes are minor changes prescribed by the Ministry of Economy, Trade and Industry and Ministry of the Environment joint order.

6 第三項の規定は、第四項の認定の更新及び前項の認定について準用する。この場合において、第三項中「同項各号」とあるのは、「第一項各号」と読み替えるものとする。

(6) The provision of paragraph (3) applies mutatis mutandis to the renewal of the certification under paragraph (4) and the certification under the preceding paragraph. In this case, the term "every item of the paragraph" in paragraph (3) is deemed to be replaced with "every item in paragraph (1)".

7 第一項の認定を受けた者は、第五項ただし書の経済産業省令、環境省令で定める軽微な変更をしたときは、経済産業省令、環境省令で定めるところにより、遅滞なく、その旨を経済産業大臣及び環境大臣に届け出なければならない。

(7) When the person certified under paragraph (1) makes a minor change pursuant to the Ministry of Economy, Trade and Industry and Ministry of the Environment joint order under the proviso of paragraph (5), the person must notify the Minister of Economy, Trade and Industry and the Minister of the Environment to that effect, pursuant to the Ministry of Economy, Trade and Industry and Ministry of the Environment joint order without delay.

8 経済産業大臣及び環境大臣は、第一項の認定を受けた者が同項各号のいずれかに適合しなくなったと認めるとき、又は第五項若しくは前項の規定に違反したときは、当該認定を取り消すことができる。

(8) When the Minister of Economy, Trade and Industry and the Minister of the Environment find that the person certified under paragraph (1) no longer complies with any of the items of that paragraph, or has violated the provisions of paragraph (5) or of the preceding paragraph, the Minister may withdraw such certification.

9 前各項に規定するもののほか、第一項及び第五項の認定並びに第四項の認定の更新に関し必要な事項は、政令で定める。

(9) In addition to those prescribed in each of the preceding paragraphs, any particulars required for certification under paragraphs (1) and (5) as well as renewal of the certification under paragraph (4) are prescribed by Cabinet Order.

(再生利用等事業者の認定)

(Certification of Recycling Operators)

第十五条 特定有害廃棄物等の再生利用等を行おうとする者は、経済産業省令、環境省令で定めるところにより、次の各号のいずれにも適合していることについて、経済産業大臣及び環境大臣の認定を受けることができる。

Article 15 (1) Any person who intends to perform recycling activities of specified hazardous and other wastes may be certified by the Minister of Economy,

Trade and Industry and the Minister of the Environment, pursuant to the Ministry of Economy, Trade and Industry and Ministry of the Environment joint order, for compliance with all of the following items:

一 当該再生利用等を行おうとする者が、当該再生利用等を的確に行うことができる者として経済産業省令、環境省令で定める基準に適合する者であること。

(i) that the person intending to perform the recycling activities is the person complying with the requirements prescribed by the Ministry of Economy, Trade and Industry and Ministry of the Environment joint order, as a person capable of properly performing the recycling activities; and

二 当該再生利用等を行おうとする者が設置し、又は設置しようとする当該再生利用等を行おうとする施設及び当該施設における当該再生利用等が、人の健康の保護及び生活環境の保全上支障のないものとして経済産業省令、環境省令で定める基準に適合すること。

(ii) that the facility established, or intended to be established, by the person intending to perform the recycling activities, and in which the recycling activities is intended to be performed, and the recycling activities that are performed at such a facility, comply with the requirements prescribed by the Ministry of Economy, Trade and Industry and Ministry of the Environment joint order, as not hindering the protection of human health and the conservation of the living environment.

2 前項の認定を受けようとする者は、経済産業省令、環境省令で定めるところにより、次に掲げる事項を記載した申請書その他経済産業省令、環境省令で定める書類を経済産業大臣及び環境大臣に提出しなければならない。

(2) The person applying for a certification under the preceding paragraph must submit, pursuant to the Ministry of Economy, Trade and Industry and Ministry of the Environment joint order, an application form containing the particulars set forth in the following and other documents prescribed by the Ministry of Economy, Trade and Industry and Ministry of the Environment joint order, to the Minister of Economy, Trade and Industry and the Minister of the Environment:

一 氏名又は名称及び住所並びに法人にあっては、その法人番号及び代表者の氏名

(i) name and address, and, in case of a corporation, the corporate number and the name of the representative;

二 再生利用等を行おうとする施設

(ii) facility in which the recycling activities are intended to be performed; and

三 再生利用等を行おうとする特定有害廃棄物等の種類及び処理の方法

(iii) the type of specified hazardous and other wastes for which the recycling is intended, and the manner of disposal.

3 経済産業大臣及び環境大臣は、第一項の認定を受けようとする者が同項各号のいずれにも適合していると認めるときは、同項の認定をするものとする。

(3) The Minister of Economy, Trade and Industry and the Minister of the

Environment are to grant the certification under paragraph (1) when the Minister finds that the person intending to be certified under that paragraph complies every item of that paragraph.

4 第一項の認定は、五年を超えない範囲内で政令で定める期間ごとにその更新を受けなければ、その期間の経過によって、その効力を失う。

(4) If the certification under paragraph (1) is not renewed at each period prescribed by Cabinet Order, which does not exceed five years, it ceases to be effective after such a period expires.

5 前条第五項から第八項までの規定は、第一項の認定について準用する。この場合において、同条第五項中「第二項各号」とあるのは「次条第二項各号」と、同条第六項中「第三項の」とあるのは「次条第三項の」と、「第四項」とあるのは「同条第四項」と、「第三項中」とあるのは「同条第三項中」と読み替えるものとする。

(5) The provisions of the preceding Article, paragraphs (5) through (8) apply mutatis mutandis to the certification under paragraph (1). In this case, the term "each item of paragraph (2)" in paragraph (5) of the Article is deemed to be replaced with "each item of the following Article, paragraph (2)," the term "of paragraph (3)" in paragraph (6) of the Article with "of paragraph (3) of the following Article," the term "paragraph (4)" with "paragraph (4) of the same Article," and the term "in paragraph (3)" with "in paragraph (3) of the same Article".

6 前各項に規定するもののほか、第一項及び前項の規定により準用する前条第五項の認定並びに第四項の認定の更新に関し必要な事項は、政令で定める。

(6) In addition to those prescribed in each of the preceding paragraphs, any particulars required for certification under paragraph (1) and paragraph (5) of the preceding Article, as applied mutatis mutandis pursuant to the preceding paragraph, as well as the renewal of certification under paragraph (4), are prescribed by Cabinet Order.

(輸入移動書類に関する規定の準用)

(Application Mutatis Mutandis of Provisions Concerning Import Movement Documents)

第十六条 前条第一項の認定を受けた者による同項の認定に係る再生利用等に使用する目的で、第十四条第一項の認定を受けた者が特定有害廃棄物等を輸入する場合については、第九条第二項前段及び第三項並びに第十条から第十三条までの規定（これらの規定に係る罰則を含む。）を準用する。この場合において、次の表の上欄に掲げる規定中同表の中欄に掲げる字句は、それぞれ同表の下欄に掲げる字句に読み替えるものとする。

Article 16 When a person certified under Article 14, paragraph (1) imports specified hazardous and other wastes for the purpose of using them for recycling activities pertaining to the certification under the preceding Article, paragraph (1), performed by the person certified under the same paragraph,

the provisions (including penalties pertaining to such provisions) in Article 9, paragraph (2), first sentence and paragraph (3), and Articles 10 through 13 apply mutatis mutandis. In this case, the terms listed in the middle column of the following table, included in the provision indicated in the left column of the same table, are deemed to be replaced with the terms indicated in the right column of the same table.

<p>第九条第二項前段 Article 9, paragraph (2), first sentence</p>	<p>前項の規定により輸入移動書類の交付を受けた者 any person to whom an import movement document has been issued pursuant to the provision of paragraph (1)</p>	<p>特定有害廃棄物等を輸入した第十四条第一項の認定を受けた者 any person certified under Article 14, paragraph (1), who has imported specified hazardous and other wastes.</p>
	<p>輸入移動書類とともに with an import movement document</p>	<p>当該特定有害廃棄物等に係る移動書類とともに with a movement document pertaining to the specified hazardous and other wastes.</p>
	<p>当該輸入移動書類 the import movement document</p>	<p>当該移動書類 the movement document</p>
	<p>輸入移動書類の交付を受けた者等 the person to whom an import movement document has been issued, transferred, or delivered</p>	<p>再生利用等目的輸入事業者等 the import operators for the purpose of recycling activities</p>
<p>第九条第三項 Article 9, paragraph (3)</p>	<p>輸入移動書類の交付を受けた者等 the person to whom an import movement document has been issued, transferred, or delivered</p>	<p>再生利用等目的輸入事業者等 the import operators for the purpose of recycling activities</p>

	<p>前項後段の規定により輸入移動書類の再交付を受けた場合において、 in the case in which the import movement document has been reissued pursuant to the provision of the second sentence of the preceding paragraph,</p>	<p>前項前段の場合において汚損し、若しくは失った移動書類と同一の内容の移動書類を入手したとき、又は when the person obtains a movement document substantively identical to the one that has been rendered unusable or lost under the condition referred to in the first sentence of the preceding paragraph, or</p>
	<p>失った輸入移動書類 the lost import movement document</p>	<p>失った移動書類 the lost movement document</p>
	<p>当該輸入移動書類を添付して、遅滞なく without delay, with the import movement document attached,</p>	<p>遅滞なく without delay,</p>
<p>第十条第一項 Article 10, paragraph (1)</p>	<p>前条第一項の規定により輸入移動書類が交付された for which an import movement document has been issued pursuant to the provision of paragraph (1) of the preceding Article</p>	<p>第十四条第一項の認定を受けた者により輸入された which has been imported by the person certified under Article 14, paragraph (1)</p>
	<p>当該輸入移動書類 the import movement document</p>	<p>当該輸入特定有害廃棄物等に係る移動書類 a movement document pertaining to the imported specified hazardous and other wastes</p>
<p>第十条第二項及び第三項 Article 10, paragraphs (2) and (3)</p>	<p>輸入移動書類 import movement document</p>	<p>移動書類 movement document</p>

第十条第四項 Article 10, paragraph (4)	輸入移動書類の交付を受けた者等 Any person to whom an import movement document has been issued, transferred, or delivered	再生利用等目的輸入事業者等 import operators for the purpose of recycling activities
	当該輸入移動書類 the import movement document	当該再生利用等目的輸入事業者等が携帯する移動書類 the movement document carried by the import operators for the purpose of recycling activities
第十条第五項、 第十一条及び第十二条の見出し Article 10, paragraph (5), Article 11 and Heading of Article 12	輸入移動書類 import movement document	移動書類 movement document
第十二条第一項 Article 12, paragraph (1)	輸入移動書類の交付を受けた者等 Any person to whom an import movement document has been issued, transferred, or delivered	再生利用等目的輸入事業者等 import operators for the purpose of recycling activities
	当該輸入移動書類 the import movement document	当該再生利用等目的輸入事業者等が携帯する移動書類 the movement document carried by the import operators for the purpose of recycling activities
	輸入移動書類に係る pertaining to the import movement document	移動書類に係る pertaining to the movement document

第十二条第二 項、第十三条、 第二十五条第三 号及び第二十六 条第一号 Article 12, paragraph (2), Article 13, Article 25, item (iii) and Article 26, item (i)	輸入移動書類 import movement document	移動書類 movement document
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(措置命令)

(Order for Measures)

第十七条 経済産業大臣及び環境大臣は、特定有害廃棄物等の輸出又はこれに伴う運搬若しくは処分（以下この項において「特定有害廃棄物等の輸出等」という。）がこの法律の規定又は外国為替及び外国貿易法第四十八条第三項の規定に基づく政令の規定に違反した場合その他の特定有害廃棄物等の輸出等が適正に行われない場合において、人の健康又は生活環境に係る被害を防止するため特に必要があると認めるときは、当該特定有害廃棄物等を輸出した者又は輸出された特定有害廃棄物等の運搬を行う者若しくはその排出者等（当該特定有害廃棄物等を排出した者をいい、その者が明らかでない場合にあつては、当該特定有害廃棄物等を所有し、又は管理していた者をいう。以下同じ。）であつて当該特定有害廃棄物等の輸出等が適正に行われないことについてその責めに帰する事由があるものに対し、当該特定有害廃棄物等の回収又は適正な処分のための措置その他の必要な措置をとるべきことを命ずることができる。ただし、当該特定有害廃棄物等の輸出等の適正な実施が確保されるものとして政令で定める法律の政令で定める規定の適用を受ける場合は、この限りでない。

Article 17 (1) The Minister of Economy, Trade and Industry and the Minister of the Environment may, when it is found particularly necessary in order to

prevent damage to human health or the living environment if specified hazardous and other wastes are not properly exported, including the case in which the export of specified hazardous and other wastes or the transportation or disposal in association with the export (hereinafter referred to as "export or associated transportation or disposition of specified hazardous and other wastes" in this paragraph) violates the provisions of this Act or the provisions of the Cabinet Order pursuant to the provision of Article 48, paragraph (3) of the Foreign Exchange and Foreign Trade Act, issue an order to the person who has exported such specified hazardous and other wastes or transports exported specified hazardous and other wastes or the discharger thereof (referring to the person who has discharged such specified hazardous and other wastes, and in the case such a person is not clear, the person who has owned or managed specified hazardous and other wastes; hereinafter the same applies), to whom the export or associated transportation or disposition of specified hazardous and other wastes not being properly implemented is attributable, to take necessary measures, including measures for recovering or properly disposing of such specified hazardous and other wastes. However, this does not apply if the provisions specified by the Cabinet Order set forth in the acts that are specified by the Cabinet Order to ensure the proper implementation of export or associated transportation or disposition of such specified hazardous and other wastes apply.

- 2 経済産業大臣及び環境大臣は、特定有害廃棄物等（廃棄物に該当するものを除く。以下この項、次条第二項及び第十九条第二項において同じ。）の輸入、運搬又は処分（以下この項において「特定有害廃棄物等の輸入等」という。）がこの法律の規定又は外国為替及び外国貿易法第五十二条の規定に基づく政令の規定に違反した場合その他の特定有害廃棄物等の輸入等が適正に行われられない場合において、人の健康又は生活環境に係る被害を防止するため特に必要があると認めるときは、当該特定有害廃棄物等を輸入した者又は輸入された特定有害廃棄物等の運搬若しくは処分を行う者に対し、当該特定有害廃棄物等の適正な処分その他の必要な措置をとるべきことを命ずることができる。ただし、当該特定有害廃棄物等の輸入等の適正な実施が確保されるものとして政令で定める法律の政令で定める規定の適用を受ける場合は、この限りでない。

- (2) The Minister of Economy, Trade and Industry and the Minister of the Environment may, when it is found particularly necessary in order to prevent damage to human health or the living environment if specified hazardous and other wastes are not properly imported, including the case in which the import, transportation or disposal of specified hazardous and other wastes (excluding those that fall under wastes; hereinafter the same applies in paragraph (2) of the following Article and Article 19, paragraph (2)) (hereinafter referred to as "import or associated transportation or disposition of specified hazardous and other wastes" in this paragraph) violates the provisions of this Act or the provisions of the Cabinet Order pursuant to the provision of Article 52 of the

Foreign Exchange and Foreign Trade Act, issue an order to the person who has imported such specified hazardous and other wastes or the person who transports or disposes of imported specified hazardous and other wastes to take necessary measures, including proper disposal of specified hazardous and other wastes. However, this does not apply if the provisions specified by the Cabinet Order set forth in the acts that are specified by the Cabinet Order to ensure the proper implementation of import or associated transportation or disposition of specified hazardous and other wastes apply.

(報告徴収)

(Collection of Report)

第十八条 経済産業大臣及び環境大臣は、この法律の施行に必要な限度において、特定有害廃棄物等を輸出した者、輸出された特定有害廃棄物等の運搬を行う者又はその排出者等に対し、その業務に関し報告をさせることができる。

Article 18 (1) Within the limit necessary to effectuate this Act, the Minister of Economy, Trade and Industry and the Minister of the Environment may have the person who has exported specified hazardous and other wastes, the person who transports exported specified hazardous and other wastes or the discharger thereof report on their operation.

2 経済産業大臣及び環境大臣は、この法律の施行に必要な限度において、特定有害廃棄物等を輸入した者、輸入された特定有害廃棄物等の運搬若しくは処分を行う者又は第十四条第一項若しくは第十五条第一項の認定を受けた者に対し、その業務に関し報告をさせることができる。

(2) The Minister of Economy, Trade and Industry and the Minister of the Environment may, within the limit necessary to effectuate this Act, have the person who has imported specified hazardous and other wastes, the person who transports or disposes of imported specified hazardous and other wastes or the person certified under Article 14, paragraph (1) or Article 15, paragraph (1), report on their operation.

(立入検査)

(On-Site Inspection)

第十九条 経済産業大臣及び環境大臣は、この法律の施行に必要な限度において、その職員に、特定有害廃棄物等を輸出した者、輸出された特定有害廃棄物等の運搬を行う者又はその排出者等の事務所その他の事業所に立ち入り、帳簿、書類その他の物件を検査させ、関係者に質問させ、又は検査のために必要な最小限度の分量に限り当該特定有害廃棄物等を収去させることができる。

Article 19 (1) The Minister of Economy, Trade and Industry and the Minister of the Environment may, within the limit necessary to effectuate this Act, have the employees enter the place of business, including the office, of the person who has exported specified hazardous and other wastes, the person who

transports exported specified hazardous and other wastes or the discharger thereof to inspect books, documents and other articles, ask the persons concerned questions or remove only the minimum amount of specified hazardous and other wastes necessary for inspection.

2 経済産業大臣及び環境大臣は、この法律の施行に必要な限度において、その職員に、特定有害廃棄物等を輸入した者、輸入された特定有害廃棄物等の運搬若しくは処分を行う者又は第十四条第一項若しくは第十五条第一項の認定を受けた者の事務所その他の事業所に立ち入り、帳簿、書類その他の物件を検査させ、関係者に質問させ、又は検査のために必要な最小限度の分量に限り当該特定有害廃棄物等を収去させることができる。

(2) The Minister of Economy, Trade and Industry and the Minister of the Environment may have the employees enter the place of business, including the office, of the person who has imported specified hazardous and other wastes, the person who transports or disposes of imported specified hazardous and other wastes, or the person certified under Article 14, paragraph (1) or Article 15, paragraph (1), to inspect books, documents and other articles, ask the persons concerned questions or remove only the minimum amount of specified hazardous and other wastes necessary for inspection within the limit necessary to effectuate this Act.

3 前二項の規定により職員が立ち入るときは、その身分を示す証明書を携帯し、関係者に提示しなければならない。

(3) The employees must carry their personal identification card on them and present it to the persons concerned when entering the place of business pursuant to the provisions of the preceding two paragraphs.

4 第一項又は第二項の規定による立入検査、質問及び収去の権限は、犯罪捜査のために認められたものと解釈してはならない。

(4) The authority for on-site inspection, asking questions and removal of items pursuant to the provision of paragraph (1) or (2) must not be construed to encompass criminal investigations.

(手数料)

(Fees)

第二十条 次に掲げる者は、実費を勘案して政令で定める額の手数料を納めなければならない。

Article 20 The following persons must pay a fee specified by the Cabinet Order in consideration of the actual cost:

一 輸出移動書類の交付を受けようとする者

(i) person who applies for issuance of an export movement document;

二 輸出移動書類の再交付を受けようとする者

(ii) person who applies for re-issuance of an export movement document;

三 輸入移動書類の交付を受けようとする者

- (iii) person who applies for issuance of an import movement document;
四 輸入移動書類の再交付を受けようとする者
- (iv) person who applies for re-issuance of an import movement document;
五 輸入移動書類の書換えを受けようとする者
- (v) person who applies for the amendment of an import movement document;
六 第十四条第一項の認定又はその更新を受けようとする者
- (vi) person who applies for the certification under Article 14, paragraph (1), or for the renewal thereof;
七 第十四条第五項の認定を受けようとする者
- (vii) person who applies for the certification under Article 14, paragraph (5);
八 第十五条第一項の認定又はその更新を受けようとする者
- (viii) person who applies for the certification under Article 15, paragraph (1) or for the renewal thereof;
九 第十五条第五項において準用する第十四条第五項の認定を受けようとする者
- (ix) person who applies for the certification under Article 14, paragraph (5), as applied mutatis mutandis pursuant to Article 15, paragraph (5); or
十 第十六条において準用する第十条第四項の規定により移動書類の書換えを受けようとする者
- (x) person who applies for the amendment of a movement document under the provision of Article 10, paragraph (4), as applied mutatis mutandis pursuant to Article 16.

(審査請求の手續における意見の聴取)

(Hearing of Opinions in Request for Administrative Review)

第二十一条 第十七条の規定による命令についての審査請求に対する裁決は、行政不服審査法（平成二十六年法律第六十八号）第二十四条の規定により当該審査請求を却下する場合を除き、審査請求人に対し、相当な期間において予告をした上、同法第十一条第二項に規定する審理員が公開による意見の聴取を行った後にしなければならない。

Article 21 (1) Any determination on a request for administrative review with respect to an order pursuant to the provisions of Article 17 must be rendered with a reasonable amount of advanced notice given to the requester and after holding a public hearing of opinions by review officers prescribed under Article 11, paragraph (2) of the Administrative Complaint Review Act (Act No. 68 of 2014), except for the cases in which such a request for administrative review is dismissed pursuant to Article 24 of the Act.

2 前項の意見の聴取に際しては、審査請求人及び利害関係人に対し、当該事案について証拠を提出し、意見を述べる機会を与えなければならない。

(2) For a hearing of opinions set forth in the preceding paragraph, the requester and the interested parties must be given an opportunity to present evidence relating to the case and to state their opinions.

3 第一項に規定する審査請求については、行政不服審査法第三十一条の規定は適用せ

ず、同項の意見の聴取については、同条第二項から第五項までの規定を準用する。

(3) The provision of Article 31 of the Administrative Complaint Review Act does not apply to the request for administrative review prescribed in paragraph (1), and the provisions of paragraphs (2) through (5) of the Article apply *mutatis mutandis* to the hearing of opinions under that paragraph.

(経過措置)

(Transitional Measures)

第二十二條 この法律の規定に基づき命令を制定し、又は改廃する場合においては、その命令で、その制定又は改廃に伴い合理的に必要と判断される範囲内において、所要の経過措置（罰則に関する経過措置を含む。）を定めることができる。

Article 22 (1) When an order is introduced, revised or abolished pursuant to the provisions of this Act, necessary transitional measures (including those relating to penal provisions) may be specified in such an order within the scope found reasonably necessary in association with the introduction, revision or abolition.

2 前項に規定するもののほか、条約附属書Ⅰ若しくは条約附属書Ⅱに掲げる物、条約附属書Ⅲに掲げる特性又は処分が条約の定める手続により変更された場合の経過措置その他の条約等の実施に伴い必要とされる事項については、政令で必要な規定（罰則に関する経過措置を含む。）を設けることができる。

(2) In addition to the matters set forth in the preceding paragraph, necessary provisions (including transitional measures relating to penal provisions) may be established by Cabinet Order for the matters necessary in association with the implementation of the Convention, agreements, understandings, and commitments, including transitional measures when materials listed in Annex I or Annex II of the Convention or the characteristics or disposal listed in Annex III of the Convention have been amended in accordance with the procedures specified by the Convention.

(権限の委任)

(Delegation of Authority)

第二十三條 この法律に規定する経済産業大臣の権限は、経済産業省令で定めるところにより、経済産業局長に委任することができる。

Article 23 (1) The authority of the Minister of Economy, Trade and Industry specified by this Act may be delegated to Director Generals of the Bureau of Economy, Trade and Industry as provided in the Ministry of Economy, Trade and Industry order.

2 この法律に規定する環境大臣の権限は、環境省令で定めるところにより、地方環境事務所長に委任することができる。

(2) The authority of the Minister of the Environment specified by this Act may be delegated to Director Generals of the Regional Environment Offices as

provided in the Ministry of the Environment order.

(罰則)

(Penal Provisions)

第二十四条 第十七条の規定による命令に違反した者は、三年以下の懲役若しくは三百万円以下の罰金に処し、又はこれを併科する。

Article 24 Any person who has violated an order pursuant to the provision of Article 17 is punished by imprisonment with labor of not more than three years or a fine of not more than three million yen, or both.

第二十五条 次の各号の一に該当する者は、六月以下の懲役若しくは五十万円以下の罰金に処し、又はこれを併科する。

Article 25 Any person who falls under any of the following items is punished by imprisonment with labor of not more than six months or a fine of not more than five hundred thousand yen, or both:

一 第五条第三項前段又は第九条第二項前段の規定による届出をせず、又は虚偽の届出をした者

(i) any person who has failed to file a notification pursuant to the provision of the first sentence of Article 5, paragraph (3) or the first sentence of Article 9, paragraph (2) or has filed a false notification;

二 第六条第一項若しくは第三項、第十条第一項若しくは第三項又は第十一条の規定に違反した者

(ii) any person who has violated the provision of Article 6, paragraph (1) or (3); Article 10, paragraph (1) or (3); or Article 11;

三 第六条第二項又は第十条第二項の規定に違反して、輸出移動書類又は輸入移動書類に、それぞれ第六条第二項に規定する事項若しくは第十条第二項に規定する事項の記載をせず、若しくは虚偽の記載をし、又は署名をせず、若しくは虚偽の署名をした者

(iii) any person who, in violation of the provision of Article 6, paragraph (2) or Article 10, paragraph (2), has failed to enter the respective matters specified in Article 6, paragraph (2) or Article 10, paragraph (2) or had a false entry, or has failed to sign or has written a false signature on an export movement document or an import movement document;

四 第十八条の規定による報告をせず、又は虚偽の報告をした者

(iv) any person who has failed to submit a report pursuant to the provision of Article 18 or has submitted a false notification; or

五 第十九条第一項又は第二項の規定による検査若しくは収去を拒み、妨げ、若しくは忌避し、又はこれらの規定による質問に対して答弁をせず、若しくは虚偽の答弁をした者

(v) any person who has refused, obstructed or challenged inspection or removal of the wastes pursuant to the provision of Article 19, paragraph (1) or (2), or

has failed to answer or gave false answers to the questions under these provisions.

第二十六条 次の各号の一に該当する者は、五十万円以下の罰金に処する。

Article 26 Any person who falls under any of the following items is punished by a fine of not more than five hundred thousand yen:

一 第五条第四項、第七条、第九条第三項又は第十二条の規定による届出をせず、若しくは虚偽の届出をし、又は輸出移動書類若しくは輸入移動書類を添付せず、若しくは虚偽の輸出移動書類若しくは虚偽の輸入移動書類を添付した者

(i) any person who has failed to file a notification pursuant to the provision of Article 5, paragraph (4); Article 7; Article 9, paragraph (3) or Article 12, or has filed a false notification, or has failed to attach an export movement document or an import movement document, or has attached a false export movement document or a false import movement document;

二 第十条第四項の規定による届出をせず、又は虚偽の届出をした者

(ii) any person who has failed to file a notification pursuant to the provision of Article 10, paragraph (4) or has filed a false notification; or

三 第十三条の規定による通知をせず、又は虚偽の通知をした者

(iii) any person who has failed to file a notice pursuant to the provision of Article 13 or has filed a false notice.

第二十七条 法人の代表者又は法人若しくは人の代理人、使用人その他の従業者が、その法人又は人の業務に関し、前三条の違反行為をしたときは、行為者を罰するほか、その法人又は人に対して各本条の罰金刑を科する。

Article 27 When a representative of a corporation, or an agent, employee, or any other worker of a corporation or individual, has committed a violation set forth in the preceding three Articles, not only is the perpetrator punished, but the corporation or the individual principal is also punished by the imposition of fine set forth in the relevant Article.