

# Electrical Appliance and Material Safety Act

(Act No. 234 of November 16, 1961)

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## Chapter I General Provisions

(Purpose)

Article 1 The purpose of this Act is to regulate the manufacture, sale, etc. of Electrical Appliances and Materials and to foster voluntary activities by private businesses to ensure the safety of Electrical Appliances and Materials so as to prevent hazards and disturbances resulting from Electrical Appliances and Materials.

(Definitions)

Article 2 (1) The term "Electrical Appliances and Materials" as used in this Act shall mean the following:

(i) Parts of electrical facilities for general use (meaning electrical facilities for general use as prescribed in Article 38, paragraph 1 of the Electricity Utilities Industry Act (Act No. 170 of 1964)) and machines, appliances, and materials used in connection thereto, as specified by a Cabinet Order

(ii) Portable power generators, specified by a Cabinet Order

(2) The term "Specified Electrical Appliances and Materials" as used in this Act shall mean Electrical Appliances and Materials which are especially likely to cause hazards or disturbances because of their structure, methods of use, or

other conditions of use, as specified by a Cabinet Order.

## **Chapter II Notification of Business, etc.**

(Notification of Business)

Article 3 All persons engaged in manufacturing or importing Electrical Appliances and Materials shall notify the Minister of Economy, Trade and Industry of the following items in accordance with the Electrical Appliance and Material classification specified by an Ordinance of the Ministry of Economy, Trade and Industry within 30 days from the commencement of such business.

- (i) Name or trade name and address, and in the case of a juridical person, name of the representative;
- (ii) Classification of the Electrical Appliance and Material product type specified by an Ordinance of the Ministry of Economy, Trade and Industry;
- (iii) The name and location of the plant or workplace where said Electrical Appliances and Materials are manufactured (in the case of persons engaged in importing Electrical Appliances and Materials, the name or trade name and address of the manufacturer of the Electrical Appliances and Materials).

(Succession)

Article 4 (1) When a person who has given a notification set forth in the preceding Article (hereinafter referred to as a "Notifying Supplier") assigns the whole of the business to which such notification pertains to another person, or when there is a succession, merger or company split (limited to those resulting in the succession of the whole of the business to which the notification pertains) involving the Notifying Supplier, the person who acquires the whole of the business of the Notifying Supplier, the successor (or in the case of multiple successors, one successor selected by unanimous agreement of all successors), the juridical person surviving the merger or newly established as a result of the merger, or the juridical person that succeeds to the whole business as a result of the company split shall succeed to the position of the Notifying Supplier.

- (2) Any person who has succeeded to the position of a Notifying Supplier pursuant to the provision of the preceding paragraph shall notify the Minister of Economy, Trade and Industry of such succession, without delay, together with documentation evidencing such fact.

(Notification of Change)

Article 5 In the case of any change in the matters set forth in the items of Article 3, the Notifying Supplier shall notify the Minister of Economy, Trade and Industry of the change without delay; provided, however, that this shall

not apply to a change in minor details as specified by an Ordinance of the Ministry of Economy, Trade and Industry.

(Notification of Permanent Cessation of Business)

Article 6 When a Notifying Supplier permanently ceases the business to which the notification pertains, it shall notify the Minister of Economy, Trade and Industry of such cessation without delay.

(Provision of Information Pertaining to Notified Matters)

Article 7 Any person may request that the Minister of Economy, Trade and Industry provide information pertaining to the matters listed in Article 3, items 1 and 2.

### **Chapter III Conformity Assessment of Electrical Appliances and Materials, etc.**

(Obligation to Comply with Standards, etc.)

Article 8 (1) A Notifying Supplier, when manufacturing or importing Electrical Appliances and Materials of the product type pertaining to a notification given pursuant to the provision of Article 3 (hereinafter referred to as the "Product Type Specified in the Notification") shall comply with the technical standards specified by an Ordinance of the Ministry of Economy, Trade and Industry (hereinafter referred to as the "Technical Standards"); provided, however, that this shall not apply in the following cases:

- (i) When the approval of the Minister of Economy, Trade and Industry has been obtained for the manufacture or import of Electrical Appliances and Materials to be used for a specific application;
- (ii) When the manufacture or import is for experimental purposes.

(2) A Notifying Supplier shall conduct an assessment of the Electrical Appliances and Materials set forth in the preceding paragraph which are manufactured or imported by the Notifying Supplier (excluding Electrical Appliances and Materials manufactured or imported through the application of the proviso of the preceding paragraph) pursuant to the an Ordinance of the Ministry of Economy, Trade and Industry and shall prepare and keep a record of the assessment.

(Conformity Inspection of Specified Electrical Appliances and Materials)

Article 9 (1) When the Electrical Appliances and Materials that are set forth in paragraph 1 of the preceding Article and manufactured or imported by a Notifying Supplier (excluding Electrical Appliances and Materials manufactured or imported through application of the proviso of said

paragraph) are Specified Electrical Appliances and Materials, the Notifying Supplier shall, before their sale, have them inspected with respect to the following items (hereinafter referred to as a "Conformity Inspection") by a body registered by the Minister of Economy, Trade and Industry pursuant to the provision of the following paragraph, and shall obtain and maintain the certificate set forth in said paragraph; provided, however, that the foregoing shall not apply in the case where the certificate set forth in said paragraph pertaining to item 2 has already been obtained and maintained for a Specified Electrical Appliance and Material of the same product type as said Specified Electrical Appliance and Material and the period specified by a Cabinet Order for each Specified Electrical Appliance and Material, calculated from the day on which said certificate was obtained, has not yet lapsed, or in the case where documentation specified by an Ordinance of the Ministry of Economy, Trade and Industry as the equivalent of the certificate set forth in said paragraph is maintained.

(i) Said Specified Electrical Appliances and Materials

(ii) The test-use Specified Electrical Appliances and Materials and assessment facilities and other matters specified by an Ordinance of the Ministry of Economy, Trade and Industry, which are in the Notifying Supplier's plant or workplace pertaining to said Specified Electrical Appliances and Materials

(2) The registered body set forth in the preceding paragraph shall conduct a Conformity Assessment of the matters listed in the items of said paragraph by the method specified by an Ordinance of the Ministry of Economy, Trade and Industry, and when these matters comply with the Technical Standards and other standards specified by an Ordinance of the Ministry of Economy, Trade and Industry relating to the assessment facilities set forth in item 2 of said paragraph and other matters specified by an Ordinance of the Ministry of Economy, Trade and Industry, it may issue to the Notifying Supplier a certificate to that effect pursuant to an Ordinance of the Ministry of Economy, Trade and Industry.

(Labeling)

Article 10 (1) When a Notifying Supplier has performed its obligations pursuant to the provision of Article 8, paragraph 2 (in the case of Specified Electrical Appliances and Materials, Article 8, paragraph 2 and Article 9, paragraph 1) concerning compliance with the Technical Standards for Electrical Appliances and Materials of the product type pertaining to the notification, it may affix labeling to said Electrical Appliances and Materials by the methods specified by an Ordinance of the Ministry of Economy, Trade and Industry.

(2) Except where a Notifying Supplier affixes, pursuant to the provision of the preceding paragraph, labeling to the Electrical Appliances and Materials of the

product type pertaining to the notification, no person shall affix labeling set forth in said paragraph or any other labeling similar thereto to the Electrical Appliances and Materials.

(Order for Improvement)

Article 11 When the Minister of Economy, Trade and Industry finds that a Notifying Supplier has violated the provision of Article 8, paragraph 1, he/she may order the Notifying Supplier to take the necessary measures to improve the method of manufacturing, importing or assessing Electrical Appliances and Materials, or methods of performing other work.

(Prohibition of Labeling)

Article 12 In the cases listed in the following items, the Minister of Economy, Trade and Industry may prohibit, pursuant to the provision of Article 10, paragraph 1, a Notifying Supplier from affixing labeling to the Electrical Appliances and Materials of the product type pertaining to a notification prescribed in those items for a specified period of less than one year.

- (i) Where the Electrical Appliances and Materials of the product type pertaining to the notification that were manufactured or imported by the Notifying Supplier (excluding those manufactured or imported through the application of the proviso of Article 8, paragraph 1) does not comply with the Technical Standards, and when the Minister of Economy, Trade and Industry finds such prohibition especially necessary to prevent hazards or disturbances: Product type pertaining to the notification, to which said Electrical Appliances and Materials that do not conform to said Technical Standards belong
- (ii) In the case of a violation of Article 8, paragraph 2 or Article 9, paragraph 1 with respect to the Electrical Appliances and Materials of the product type pertaining to the notification, which were manufactured or imported by the Notifying Supplier: Product type pertaining to the notification, to which the Electrical Appliances and Materials pertaining to said violation belong
- (iii) In the case of a violation of an order made pursuant to the provision of the preceding Article with respect to the Electrical Appliances and Materials of the product type pertaining to the notification, which were manufactured or imported by the Notifying Supplier: Product type pertaining to the notification, to which the Electrical Appliances and Materials pertaining to said violation belong

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#### **Chapter IV Restriction of Sale, etc.**

(Restriction of Sale)

Article 27 (1) Any person engaged in manufacturing, importing, or selling Electrical Appliances and Materials shall neither sell nor display for the purpose of sale the Electrical Appliances and Materials unless the labeling set forth in Article 10, paragraph 1 is affixed to the Electrical Appliances and Materials.

(2) The provision of the preceding paragraph shall not apply if the person prescribed in said paragraph falls under any of the following items:

(i) When the person has obtained the approval of the Minister of Economy, Trade and Industry in the case of the sale or display for the purpose of sale of the Electrical Appliances and Materials to be used for a specific application;

(ii) When the person sells or displays for the purpose of sale the Electrical Appliances and Materials pertaining to the approval set forth in Article 8,

paragraph 1, item 1.

(Restriction of Use)

Article 28 (1) Electric utility supply business operators prescribed in Article 2, paragraph 1, item 10 of the Electricity Utilities Industry Act, persons who install electrical facilities for private use as prescribed in Article 38, paragraph 4 of said Act, Electrical Engineers prescribed in Article 2, paragraph 4 of the Electrical Engineers Act (Act No. 139 of 1960), Qualified Electrical Engineering Specialists prescribed in Article 3, paragraph 3 of said Act, and Certified Electrical Engineers prescribed in Article 3, paragraph 4 of said Act shall not use Electrical Appliances and Materials in any work for installing or modifying electrical facilities prescribed in Article 2, paragraph 1, item 16 of the Electricity Utilities Industry Act unless the labeling set forth in Article 10, paragraph 1 is affixed to them.

(2) Any person engaged in manufacturing products that are manufactured using Electrical Appliances and Materials as parts or accessories, which are specified by a Cabinet Order, shall not use Electrical Appliances and Materials in manufacturing such products unless the labeling set forth in Article 10, paragraph 1 is affixed to them.

(3) The provision of paragraph 2 of the preceding Article shall apply mutatis mutandis to the cases set forth in the preceding two paragraphs.

## **Chapter V Registration of Conformity Assessment Bodies, etc.**

### **Section 1 Registration of Conformity Assessment Bodies**

(Registration)

Article 29 (1) The registration set forth in Article 9, paragraph 1 shall be carried out based on an application made by a person who intends to conduct a Conformity Assessment for each classification of the Specified Electrical Appliances and Materials (hereinafter referred to as the "Classification of Specified Electrical Appliances and Materials") specified by an Ordinance of the Ministry of Economy, Trade and Industry.

(2) Where the Minister of Economy, Trade and Industry has received an application pursuant to the preceding paragraph, when he/she finds it necessary, he/she may have the National Institute of Technology and Evaluation (hereinafter referred to as the "NITE") conduct the necessary investigation to determine whether or not said application conforms to the items of Article 31, paragraph 1.

(Disqualification)

Article 30 Any person who falls under any of the following items shall not be

able to obtain the registration set forth in Article 9, paragraph 1.

- (i) Any person who has violated this Act or a disposition pursuant to this Act, has been punished by a fine or more severe punishment, and as to which two years has not passed since such person completed punishment or since it became unnecessary for such person to serve out such punishment
- (ii) Any person with respect to which two years has not passed since his/her registration has been rescinded pursuant to the provision of Article 41 or Article 42-4, paragraph 1
- (iii) Any juridical person an officer of which who is engaged in its business falls under any of the preceding two items

(Standards for Registration)

Article 31 (1) The Minister of Economy, Trade and Industry shall grant registration to any person who applies for registration pursuant to Article 29, paragraph 1 (hereinafter referred to as the "Applicant" in this paragraph) if the Applicant conforms with all of the following items. In this case, the procedures necessary for registration shall be specified by an Ordinance of the Ministry of Economy, Trade and Industry.

- (i) The Applicant conforms to the standards set by the International Organization for Standardization and the International Electrotechnical Commission for bodies that certify products.
- (ii) The Applicant does not fall under any of the following as a person controlled by a Notifying Supplier which manufactures or imports Specified Electrical Appliances and Materials and with respect to which a Conformity Inspection is required pursuant to the provision of Article 9, paragraph 1 (hereinafter referred to as a "Supplier Subject to Conformity Inspection" in this item and Article 37, paragraph 2)
  - (a) In the case where the Applicant is a business corporation, the Supplier which May Apply for a Conformity Assessment shall be the parent juridical person of the Applicant (meaning the parent juridical person prescribed in Article 879, paragraph 1 of the Corporate Act (Act No. 86 of 2005))
  - (b) More than half of the officers or employees of the Applicant (in the case of an equity company (which means an equity company prescribed in Article 575, paragraph 1 of the Corporation Act), officers in charge of its business) are officers or employees of the Supplier which May Apply for a Conformity Assessment (including those who have been officers or employees of the Supplier which May Apply for a Conformity Assessment in the past two years).
  - (c) The Applicant (for a juridical person, an officer having representation power thereof) is an officer or employee of a Supplier which May Apply for a Conformity Assessment (including those who were officers or employees



of said Supplier which May Apply for a Conformity Assessment in the past two years).

(2) The registration set forth in Article 9, paragraph 1 shall be completed by describing the following matters in the Registration Record for Conformity Assessment Bodies.

(i) Date of registration and registration number

(ii) Name or trade name and address of the registered person as well as the name of the representative for a juridical person

(iii) Classification of Specified Electrical Appliances and Materials on which the registered person conducts a Conformity Assessment

(iv) Name and location of the office where the registered person conducts a Conformity Assessment

(Renewal of Registration)

Article 32 (1) If the registration set forth in Article 9, paragraph 1 is not renewed at such interval as specified by a Cabinet Order, which specified interval shall not be less than three years, then the registration shall cease to be effective at the time of expiration of the period.

(2) The provisions of the preceding three Articles shall apply mutatis mutandis to the renewal of registration set forth in the preceding paragraph.

## **Section 2 Domestic Registered Conformity Assessment Bodies**

(Obligation to Conduct a Conformity Assessment)

Article 33 (1) When any body that has obtained the registration set forth in Article 9, paragraph 1 (limited to those that have obtained registration in terms of conducting a Conformity Assessment at a place of business located in Japan; hereinafter referred to as the "Domestic Registered Conformity Assessment Bodies") is requested to conduct a Conformity Assessment, it shall conduct the Conformity Assessment without delay except when there are justifiable grounds.

(2) Domestic Registered Conformity Assessment Bodies shall conduct Conformity Assessments in a fair manner by a method that conforms to the Technical Standards.

(Change of Place of Business)

Article 34 When a Domestic Registered Conformity Assessment Body intends to change the location of its place of business where it conducts Conformity Assessments, it shall notify the Minister of Economy, Trade and Industry of such change of location at least two weeks prior to the date of change.

(Rules of Operation)

Article 35 (1) Domestic Registered Conformity Assessment Bodies shall establish the rules of operation of Conformity Assessments (hereinafter referred to as the "Rules of Operation") and shall notify the Minister of Economy, Trade and Industry of them prior to the commencement of the operation of the Conformity Assessment. The same shall apply to the cases where they intend to change the Rules of Operation.

(2) The Rules of Operation shall prescribe the method of conducting the Conformity Assessment, the method of calculating the fees relating to the Conformity Assessment, and any other matters specified by an Ordinance of the Ministry of Economy, Trade and Industry.

(Suspension or Abolition of Operation)

Article 36 When a Domestic Registered Conformity Assessment Body intends to suspend or abolish the whole or part of its operation of a Conformity Assessment, it shall notify the Minister of Economy, Trade and Industry of such in advance, pursuant to an Ordinance of the Ministry of Economy, Trade and Industry.

(Preparation and Inspection of Financial Statements, etc.)

Article 37 (1) Domestic Registered Conformity Assessment Bodies shall prepare an inventory of property, balance sheet and profit and loss statement or income and expenditure account statement as well as an operating statement (including electromagnetic records in the case where these documents are prepared in the form of an electromagnetic record (records prepared by electronic methods, magnetic methods or any other methods that cannot be recognized by human perception, which are used for information processing by computer; hereinafter the same shall apply in this Article), or in the case where electromagnetic records are prepared by way of those in paper form; hereinafter referred to as "Financial Statements, etc." in the next paragraph and Article 60, item 2) within three months from the end of each business year and shall keep them in the place of business for five years

(2) Suppliers which May Apply for a Conformity Assessment and other interested persons may make the following requests at any time within the business hours of Domestic Registered Conformity Assessment Bodies; provided, however, that they shall pay fees set by the Domestic Registered Conformity Assessment Bodies to make a request set forth in item 2 or 4.

(i) When Financial Statements, etc. have been prepared in writing, a request for inspection or a copy of documents

(ii) A request for a copy or extract of the documents set forth in the preceding item

- (iii) When Financial Statements, etc. have been prepared in the form of an electromagnetic record, a request for inspection or a copy of those which indicate matters recorded in the electromagnetic record by a method specified by an Ordinance of the Ministry of Economy, Trade and Industry
- (iv) A request for the provision of matters recorded in the electromagnetic record set forth in the preceding paragraph by an electromagnetic method specified by an Ordinance of the Ministry of Economy, Trade and Industry, or a request for the issuance of documents in which said matters are described

Article 38 Deleted.

Article 39 Deleted.

(Order for Compliance)

Article 40 When the Minister of Economy, Trade and Industry finds that a Domestic Registered Conformity Assessment Body has come to not comply with any of the items of Article 31, paragraph 1, he/she may order it to take the necessary measures to comply with such item.

(Order for Improvement)

Article 40-2 When the Minister of Economy, Trade and Industry finds that a Domestic Registered Conformity Inspection Body is in violation of the provisions of Article 33, he/she may order it to conduct a Conformity Inspection or to take necessary measures to improve its methods for conducting a Conformity Inspection or its methods for performing its other business operations.

(Rescission of Registration, etc.)

Article 41 When a Domestic Registered Conformity Assessment Body falls under any of the following items, the Minister of Economy, Trade and Industry may rescind the registration thereof or may order the suspension of the whole or part of the operation of a Conformity Assessment for a specified period.

- (i) When the Domestic Registered Conformity Assessment Body has come to fall under Article 30, item 1 or 3
- (ii) When the Domestic Registered Conformity Assessment Body has violated the provision of Article 33, Article 34, Article 35, paragraph 1, Article 36, Article 37, paragraph 1, or Article 42
- (iii) When the Domestic Registered Conformity Assessment Body has refused a request made pursuant to the provision of any item of Article 37, paragraph 2 without any justifiable grounds
- (iv) When the Domestic Registered Conformity Assessment Body has violated

an order pursuant to the provisions of the preceding two Articles  
(v) When the Domestic Registered Conformity Assessment Body has obtained the registration set forth in Article 9, paragraph by wrongful means.

(Description in Books)

Article 42 (1) Domestic Registered Conformity Assessment Bodies shall prepare books and describe therein the matters specified by an Ordinance of the Ministry of Economy, Trade and Industry relating to the Conformity Assessment.

(2) Books set forth in the preceding paragraph shall be kept pursuant to an Ordinance of the Ministry of Economy, Trade and Industry.

(Execution of the Conformity Assessment by the Minister of Economy, Trade and Industry)

Article 42-2 (1) The Minister of Economy, Trade and Industry may him/herself conduct the whole or part of the operation of a Conformity Assessment when there is no person who is able to obtain the registration set forth in Article 9, paragraph 1, when a notification of suspension or abolition of the whole or part of the operation of a Conformity Assessment has been given pursuant to Article 36, when the Minister has, pursuant to the provision of Article 41, rescinded the registration set forth in said paragraph or ordered a Domestic Registered Conformity Assessment Body to suspend the whole or part of the operation of a Conformity Assessment, when it has become difficult for a Domestic Registered Conformity Assessment Body to conduct the whole or part of the operation of a Conformity Assessment due to a natural disaster or other reason, or other cases when the Minister finds it necessary.

(2) The Minister of Economy, Trade and Industry may, when he/she finds it necessary in the case set forth in the preceding paragraph, have the National Institute of Advanced Industrial Science and Technology (hereinafter referred to as the "AIST") or the NITE conduct the whole or part of the operation of a Conformity Assessment.

(3) The succession of the operation of a Conformity Assessment and any other necessary matters in the case where the Minister of Economy, Trade and Industry him/herself conducts or has the AIST or the NITE conduct the whole or part of the operation of a Conformity Assessment pursuant to the provisions of the preceding two paragraphs shall be specified by an Ordinance of the Ministry of Economy, Trade and Industry.

### **Section 3 Foreign Registered Conformity Assessment Bodies**

(Obligation to a Conduct Conformity Assessment, etc.)

Article 42-3 (1) When any body that has obtained the registration set forth in Article 9, paragraph 1 (limited to those that have obtained registration in terms of conducting a Conformity Assessment at a place of business overseas; hereinafter referred to as the "Foreign Registered Conformity Assessment Bodies") is requested to conduct a Conformity Assessment, it shall conduct the Conformity Assessment without delay except when there are justifiable grounds.

(2) The provisions of Article 33, paragraph 2, Articles 34 to 37 inclusive, Article 40, Article 40-2 and Article 42 shall apply mutatis mutandis to the Foreign Registered Conformity Assessment Bodies. In this case, the term "order" in Article 40 and 40-2 shall be deemed to be replaced with "request."

(Rescission of Registration, etc.)

Article 42-4 (1) When a Foreign Registered Conformity Assessment Body falls under any of the following items, the Minister of Economy, Trade and Industry may rescind the registration thereof:

- (i) When the Foreign Registered Conformity Assessment Body has come to fall under the Article 30, item 1 or 3
- (ii) When the Foreign Registered Conformity Assessment Body has violated the provision of Article 42-3, paragraph 1, or the provision of Article 33, paragraph 2, Article 34, Article 35, paragraph 1, Article 36, Article 37 paragraph 1 or Article 42, as applied mutatis mutandis pursuant to paragraph 2 of the preceding Article
- (iii) When the Foreign Registered Conformity Assessment Body has refused a request made pursuant to any of the items of Article 37, paragraph 2, as applied mutatis mutandis pursuant to paragraph 2 of the preceding Article without any justifiable grounds
- (iv) When the Foreign Registered Conformity Assessment Body has refused a request made pursuant to the provision of Article 40 or Article 40-2, as applied mutatis mutandis pursuant to paragraph 2 of the preceding Article
- (v) When the Foreign Registered Conformity Assessment Body has obtained the registration set forth in Article 9, paragraph 1 by wrongful means
- (vi) When the Foreign Registered Conformity Assessment Body has refused a request for the suspension of the whole or part of the operation of a Conformity Assessment for a specified period, which was made by the Minister of Economy, Trade and Industry when he/she finds that the Foreign Registered Conformity Assessment Body falls under any of the preceding items
- (vii) When the Foreign Registered Conformity Assessment Body has failed to submit a report or has submitted a false report when the Minister of Economy, Trade and Industry requested the Foreign Registered Conformity

Assessment Body to submit a report on the operation as he/she finds it necessary

- (viii) When the Foreign Registered Conformity Assessment Body has refused, obstructed, or avoided inspection, or failed to make a statement in response to questions without any justifiable grounds or has made a false statement, in the case where the Minister of Economy, Trade and Industry intended to have its officer inspect the matters prescribed in Article 46, paragraph 2 or have him/her ask questions of persons concerned at the office or place of business of the Foreign Registered Conformity Assessment Body
- (ix) When the Foreign Registered Conformity Assessment Body does not bear the expenses pursuant to the provision of the next paragraph
- (2) Expenses required for the inspection set forth in item 8 of the preceding paragraph (limited to those specified by a Cabinet Order) shall be borne by the Foreign Registered Conformity Assessment Body which is subject to inspection.
- (3) The Minister of Economy, Trade and Industry may, when he/she finds it necessary, have the NITE inspect or ask questions pursuant to the provision of paragraph 1, item 8.
- (4) When the Minister of Economy, Trade and Industry has the NITE inspect or ask questions pursuant to the provision of the preceding paragraph, he/she shall instruct the NITE to do so while designating the place of the inspection and any other necessary matters.
- (5) When the NITE has conducted an inspection or asked questions prescribed in paragraph 3 following the instruction set forth in the preceding paragraph, it shall report the results to the Minister of Economy, Trade and Industry.

#### **Chapter V-2 Order for Prevention of Hazards, etc.**

(Order for Prevention of Hazards, etc.)

Article 42-5 Where there seems to be a risk of the occurrence of hazards or interference as a result of any of the causes listed in the following items, the Minister of Economy, Trade and Industry may, when he/she finds it particularly necessary in order to prevent the spreading of such hazards or interference, order the person prescribed in the respective items to collect the Electrical Appliances and Materials that the person has sold or take any other necessary measures to prevent the spreading of the hazards or interference caused by the Electrical Appliances and Materials.

- (i) The person engaged in manufacturing, importing or selling Electrical Appliances and Materials has, in violation of Article 27, paragraph 1, sold Electrical Appliances and Materials.
- (ii) A Notifying Supplier has manufactured, imported or sold Electrical Appliances and Materials of the Product Type Specified in the Notification,

which do not conform to the Technical Standards (excluding the cases where a Notifying Supplier has manufactured or imported the Electrical Appliances and Materials pursuant to the proviso of Article 8, paragraph 1).

## **Chapter VI Miscellaneous Provisions**

(Conditions Attached to Approval)

Article 43 (1) Conditions may be attached to the approval to be granted under Article 8, paragraph 1, item 1 or Article 27, paragraph 2, item 1.

(2) The conditions set forth in the preceding paragraph shall be limited to the minimum required for ensuring the successful implementation of the matters concerning the approval, and shall not impose any unreasonable obligation on the person who is to obtain the approval.

(Public Notice)

Article 44 In any of the following cases, the Minister of Economy, Trade and Industry shall make a public notice of the relevant matters in official gazettes.

(i) Where the Minister has made a registration under Article 9, paragraph 1.

(ii) Where the Minister has prohibited labeling pursuant to Article 12.

(iii) Where the Minister has received a notification given under Article 34 (including the cases where it is applied *mutatis mutandis* pursuant to Article 42-3, paragraph 2).

(iv) Where the Minister has received a notification given under Article 36 (including the cases where it is applied *mutatis mutandis* pursuant to Article 42-3, paragraph 2).

(v) Where the Minister has rescinded a registration or ordered the suspension of the operation of a Conformity Assessment pursuant to Article 41.

(vi) Where the Minister conducts the whole or part of the operation of a Conformity Assessment him/herself pursuant to Article 42-2 paragraph 1, or ceases to perform the whole or part of the operation of a Conformity Assessment that he/she has conducted him/herself.

(vii) Where the Minister has the AIST or the NITE conduct the whole or part of the operation of a Conformity Assessment pursuant to Article 42-2, paragraph 2, or ceases to have the AIST or the NITE conduct the whole or part of the operation of a Conformity Assessment that the AIST or the NITE has conducted.

(viii) Where the Minister has rescinded a registration pursuant to Article 42-4, paragraph 1.

(Collection of Reports)

Article 45 (1) The Minister of Economy, Trade and Industry may, to the extent

necessary for the enforcement of this Act, pursuant to the provision of a Cabinet Order, have persons engaged in manufacturing, importing or selling Electrical Appliances and Materials or persons engaged in the business prescribed in Article 28, paragraph 2 report on their operations.

- (2) The Minister of Economy, Trade and Industry may, to the extent necessary for the enforcement of this Act, have Domestic Registered Conformity Assessment Bodies report on their operational or financial conditions.

(On-site Inspections, etc.)

Article 46 (1) The Minister of Economy, Trade and Industry may, to the extent necessary for the enforcement of this Act, have officials of the Ministry of Economy, Trade and Industry enter the offices, factories, workplaces, stores or warehouses of persons engaged in manufacturing, importing or selling Electrical Appliances and Materials or persons engaged in the business prescribed in Article 28, paragraph 2, inspect the Electrical Appliances and Materials, books, documents, and any other objects, or ask questions of the persons concerned.

- (2) The Minister of Economy, Trade and Industry may, to the extent necessary for the enforcement of this Act, have officials of the Ministry of Economy, Trade and Industry enter the offices or places of business of Domestic Registered Conformity Assessment Bodies, inspect their operational conditions or books, documents, and any other objects, or ask questions of the persons concerned.
- (3) The officials who conduct an on-site inspection or ask questions pursuant to the preceding two paragraphs shall carry a certificate of identification and show it to any person concerned.
- (4) The Minister of Economy, Trade and Industry may, when he/she finds it necessary, have the NITE conduct an on-site inspection or ask questions pursuant to paragraph 1 or paragraph 2.
- (5) The Minister of Economy, Trade and Industry shall, when he/she has the NITE conduct an on-site inspection or ask questions pursuant to the preceding paragraph, give instructions to the NITE with respect to the site to be inspected and any other necessary matters.
- (6) The NITE shall, when having conducted an on-site inspection or asked questions as prescribed in paragraph 4 following the instruction given under the preceding paragraph, report the results thereof to the Minister of Economy, Trade and Industry.
- (7) The employees of the NITE who conduct an on-site inspection or ask questions pursuant to paragraph 4 shall carry a certificate of identification and show it to any person concerned.
- (8) The authority under paragraphs 1 or paragraph 2 shall not be construed as



being vested for criminal investigation.

(Submission of Electrical Appliances and Materials)

Article 46-2 (1) Where the Minister of Economy, Trade and Industry has had officials of the Minister of Economy, Trade and Industry pursuant to paragraph 1 of the preceding Article or had the NITE pursuant to paragraph 4 of the same Article conduct an inspection, and as a result, any Electrical Appliances and Materials have been found that seem significantly difficult for the ministry officials or the NITE to inspect at the place where they are located, the Minister may order the owner or possessor of such Electrical Appliances and Materials to submit them by a certain time limit.

(2) The national government (or the respective prefectural government in the case where the prefectural governor shall, pursuant to the provision of a Cabinet Order under Article 55-2, take charge of the affairs that fall within the authority of the Minister of Economy, Trade and Industry under the preceding paragraph) shall compensate the owner or possessor for any loss arising from the order issued under the said paragraph.

(3) The loss to be compensated for under the preceding paragraph shall be any such loss that would generally arise from the order issued under paragraph 1.

(Order to NITE)

Article 46-3 The Minister of Economy, Trade and Industry may, when he/she finds it necessary in order to ensure the appropriate performance of the operation of the inspection or questioning prescribed in Article 42-4, paragraph 3, or the operation of the on-site inspection or questioning prescribed in Article 46, paragraph 4, issue the necessary order to the NITE with respect to these operations.

Article 47 Deleted.

Article 48 Deleted.

Article 49 Deleted.

(Request for Review of Disposition, etc. Made by the AIST or the NITE)

Article 50 Any person who is dissatisfied with a disposition made by the AIST or the NITE or their inaction with regard to a Conformity Assessment may make a request for review to the Minister of Economy, Trade and Industry pursuant to the Administrative Appeal Act (Act No. 160 of 1962).

(Hearing of Opinions in Appeal Procedure)

- Article 51 (1) An award or decision on a request for review or an objection with respect to a disposition made pursuant to this Act or any order issued thereunder shall be made after giving advance notice of a reasonable period to the person subject to the disposition and holding a public hearing.
- (2) The advance notice set forth in the preceding paragraph shall specify the date and place of the hearing and the content of the case concerned.
- (3) When holding a public hearing set forth in paragraph 1, the person subject to the disposition and any interested persons shall be given the opportunity to present evidence and state their opinions with regard to the case.

(Application for Conformity Assessment, and Order of the Minister of Economy, Trade and Industry)

- Article 52 (1) A Notifying Supplier may, where a Domestic Registered Conformity Assessment Body does not conduct a Conformity Assessment or the Notifying Supplier has objections to the results of the Conformity Assessment conducted by a Domestic Registered Conformity Assessment Body, file an application in order to request that the Minister of Economy, Trade and Industry order the Domestic Registered Conformity Assessment Body to conduct a Conformity Assessment at least one or more times.
- (2) Where the Minister of Economy, Trade and Industry has received an application under the preceding paragraph, he/she shall, when finding that the Domestic Registered Conformity Assessment Body specified in the application is in violation of Article 33, issue an order under Article 40-2 to the Domestic Registered Conformity Assessment Body specified in the application.
- (3) In the case referred to in the preceding paragraph, the Minister of Economy, Trade and Industry shall, when he/she has issued an order under Article 40-2 or decided not to issue an order, notify the Notifying Supplier that has filed the application to that effect without delay.
- (4) The provisions of the preceding three paragraphs shall apply mutatis mutandis to Foreign Registered Conformity Assessment Bodies. In this case: in paragraph 1, the term "order" shall be deemed to be replaced with "request"; in paragraph 2, the term "Article 33" shall be deemed to be replaced with "Article 42-3, paragraph 1, or Article 33, paragraph 2 as applied mutatis mutandis pursuant Article 42-3, paragraph 2"; in paragraph 2 and the preceding paragraph, the term "Article 40-2" shall be deemed to be replaced with "Article 40-2 as applied mutatis mutandis pursuant to Article 42-3, paragraph 2," and the term "order" shall be deemed to be replaced with "request."

(Fees)

- Article 53 (1) A person who intends to undergo a Conformity Assessment conducted by the Minister of Economy, Trade and Industry pursuant to Article

42-2, paragraph 1 or a Conformity Assessment conducted by the AIST or the NITE pursuant to paragraph 2 of the same Article shall pay the fee determined by a Cabinet Order in light of the actual cost.

- (2) The fee paid under the preceding paragraph shall be regarded as national revenue where it is paid by the person who intends to undergo a Conformity Assessment conducted by the Minister of Economy, Trade and Industry, as income of the AIST where it is paid by the person who intends to undergo a Conformity Assessment conducted by the AIST, or as income of the NITE where it is paid by the person who intends to undergo a Conformity Assessment conducted by the NITE.

(Special Provisions on Electrical Appliances and Materials Intended for Export)

Article 54 Electrical Appliances and Materials intended for export may be excluded from the application of some provisions of this Act and subjected to special provisions as necessary.

(Transitional Measures)

Article 55 When enacting, revising or abolishing a Cabinet Order or Ordinance of the Ministry of Economy, Trade and Industry pursuant to this Act, necessary transitional measures may be provided for by a Cabinet Order or an Ordinance of the Ministry of Economy, Trade and Industry to the extent considered reasonably necessary for the enactment, revision or abolition.

(Affairs Administered by Prefectural Governments)

Article 55-2 Part of the affairs within the authority of the Ministry of Economy, Trade and Industry prescribed in this Act may be administered by prefectural governors pursuant to the provision of a Cabinet Order.

(Delegation of Authority)

Article 56 The authority of the Ministry of Economy, Trade and Industry under this Act may be delegated to the Director of a Regional Bureau of Economy, Trade and Industry or the Director of a Regional Industrial Safety and Inspection Department pursuant to the provision of a Cabinet Order.

## **Chapter VII Penal Provisions**

Article 57 A person who falls under any of the following items shall be punished by imprisonment with work for not more than one year or a fine of not more than one million yen, or both.

- (i) A person who has, in violation of Article 10-2, affixed labels.

- (ii) A person who has violated Article 12 (limited to the part concerning item 1).
- (iii) A person who has, in violation of Article 27, paragraph 1, sold or displayed for sale Electrical Appliances and Materials.
- (iv) A person who has, in violation of Article 28, paragraph 1 or paragraph 2, used Electrical Appliances and Materials.
- (v) A person who has violated an order of suspension of operation issued under Article 41.
- (vi) A person who has violated an order issued under Article 42-5.

Article 58 A person who falls under any of the following items shall be punished by a fine of not more than 300,000 yen.

- (i) A person who has failed to give a notification under Article 3 or given a false notification.
- (ii) A person who has, in violation of Article 8, paragraph 2, failed to make assessment records or made false assessment records, or failed to preserve assessment records.
- (iii) A person who has, in violation of Article 9, paragraph 1, failed to obtain or preserve a certificate.
- (iv) A person who has failed to give a notification under Article 36 or given a false notification.
- (v) A person who has failed to describe in the books the matters prescribed in said paragraph in violation of Article 42, paragraph 1 or made false descriptions, or has failed to preserve the books in violation of paragraph 2 of the same Article.
- (vi) A person who has failed to make reports under Article 45, paragraph 1 or paragraph 2, or made false reports.
- (vii) A person who has refused, obstructed or avoided the inspection under Article 46, paragraph 1 or paragraph 2, or has failed to make statements in response to the questions given under the same paragraph without justifiable grounds or made false statements.
- (viii) A person who has violated an order issued under Article 46-2, paragraph 1.

Article 59 Where the representative of a juridical person or an agent, employee or other worker of a juridical person or an individual has, with regard to the business of the juridical person or individual, committed the violations prescribed in the following items, not only shall the offender be punished but also the juridical person shall be punished by the fine prescribed in the respective items or the individual shall be punished by the fine prescribed in the respective Articles.

- (i) Article 57 (limited to the parts concerning item 2 and item 6): Fine of not

more than 100 million yen.

- (ii) Article 57 (excluding the parts concerning item 2 and item 6) or the preceding Article: Fines prescribed in the respective Articles.

Article 60 A person who falls under any of the following items shall be punished by a civil fine of not more than 200,000 yen.

- (i) A person who has failed to give a notification under Article 4, paragraph 2, Article 5 or Article 6, or given a false notification.
- (ii) A person who has, in violation of Article 37 paragraph 1, failed to keep Financial Statements, etc., failed to state the necessary matters in the Financial Statements, etc. or made false statements, or refused the request made under the items of paragraph 2 of the same Article without justifiable grounds.

Article 61 In the event of the violation of an order issued under Article 46-3, the officer of the NITE who has committed the violation shall be punished by a civil fine of not more than 200,000 yen.

### **Supplementary Provisions [Extract]**

(Effective date)

Article 1 This Act shall come into force as from the date specified by a Cabinet Order within nine months from the day of promulgation; provided, however, that the provisions set forth in Article 49 shall come into force as from the day of promulgation.

(Transitional Measures)

Article 3 A person who has obtained approval for product types under Article 3 or Article 4 of the old Ordinance at the time of the enforcement of this Act shall be deemed to have obtained approval for classification equivalent to said product types under Article 18 or Article 23, paragraph 1. In this case, with regard to the application of the provisions of Article 24, paragraph 1 concerning a person who obtained approval for product types before March 31, 1958, that person shall be deemed to have obtained said approval on April 1, 1958.

Article 4 In addition to what is provided for in the preceding two Articles, any dispositions, procedures, and other acts carried out pursuant to the provisions of the old Ordinance shall be deemed to have been carried out pursuant to the provisions of this Act if there are equivalent provisions in this Act.

Article 5 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.

**Supplementary Provisions [Act No. 161 of September 15, 1962 Extract]  
[Extract]**

- (1) This Act shall come into force as from October 1, 1962.
- (2) The provisions revised by this Act shall also apply to disposition by administrative agencies prior to the enforcement of this Act, inaction by administrative agencies prior to the enforcement of this Act, and any other matters that occurred prior to the enforcement of this Act, except when there are special provisions in these Supplementary Provisions; provided, however, that it shall not preclude the effect derived from this Act.
- (3) With regard to a petition, application for examination, filing of an objection, and any other appeals (hereinafter referred to as "Petitions, etc.") filed prior to the enforcement of this Act, the provisions then in force shall remain applicable even after the enforcement of this Act. The same shall apply to petitions, etc. in the case where a person is dissatisfied with any determination, decision, or other disposition (hereinafter referred to as "Determination, etc.") for Petitions, etc. filed prior to the enforcement of this Act or Determination, etc. after the enforcement of this Act for Petitions, etc. filed prior to the enforcement of this Act.
- (4) Among Petitions, etc. prescribed in the preceding paragraph, those concerning dispositions for which appeals may be filed under the Act for Investigation of Objections Against Administration after the enforcement of this Act shall be deemed to be appeals filed under the Act for Investigation of Objections Against Administration with regard to the application of Acts other than said Act.
- (5) Appeals under the Act for Investigation of Objections Against Administration may not be filed for Determination, etc. for application for examination, filing of an objection, or any other appeals filed after the enforcement of this Act pursuant to the provisions of paragraph 3.
- (6) With regard to dispositions by administrative agencies prior to the enforcement of this Act for which Petitions, etc. may be filed pursuant to the provisions prior to the revision by this Act and where the period for filing is not specified, the period during which appeals under the Act for Investigation of Objections Against Administration may be filed shall be counted as from the day of the enforcement of this Act.
- (8) With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions then in force shall remain

applicable.

- (9) In addition to what is provided for in the preceding eight paragraphs, the necessary transitional measures concerning the enforcement of this Act shall be specified by a Cabinet Order.

**Supplementary Provisions [Act No. 170 of July 11, 1964 Extract]  
[Extract]**

- (1) This Act shall come into force as from the date specified by a Cabinet Order within one year from the day of promulgation.

**Supplementary Provisions [Act No. 56 of May 20, 1968]**

This Act shall come into force as from the date specified by a Cabinet Order within six months from the day of promulgation.

**Supplementary Provisions [Act No. 27 of April 24, 1978 Extract] [Extract]**

(Effective Date)

- (1) This Act shall come into force as from the date of promulgation; provided, however, that the provision in Article 1 to revise Article 11, paragraph 1 of the Act on Real Estate Appraisal, the provisions of Article 2, Article 3, Article 5, and Article 6, the provision in Article 19 to revise Article 107, paragraph 1 of the Patent Act, the provision in Article 20 to revise Article 31, paragraph 1 of the Utility Model Act, the provision in Article 21 to revise Article 42, paragraph 1 and paragraph 2 of the Design Act, the provision in Article 22 to revise Article 40, paragraph 1 and paragraph 2 of the Trademark Act, the provision in Article 28 to revise Article 5, paragraph 2 of the Guide Interpreter Act, and the provisions of Article 29 and Article 30 shall come into force as from May 1, 1978.

**Supplementary Provisions [Act No. 45 of May 19, 1981 Extract] [Extract]**

(Effective Date)

- (1) This Act shall come into force as from the day of promulgation.

**Supplementary Provisions [Act No. 57 of May 25, 1983 Extract] [Extract]**

(Effective Date)

- Article 1 This Act shall come into force as from the date specified by a Cabinet Order within three months from the day of promulgation.

(Transitional Measures in accordance with Partial Revision of the Electrical Appliance and Material Control Act)

Article 3 (1) When a person who had obtained registration under Article 17-2 of the Electrical Appliance and Material Control Act revised by Article 6 (hereinafter referred to as the "New Electrical Appliance and Material Act" in this paragraph) (hereinafter such person shall be referred to as a "Foreign Registered Manufacturer" in this paragraph) received a confirmation from the Minister of International Trade and Industry, with regard to a product type of Class-A Electrical Appliances and Materials set forth in Article 2, paragraph 2 of the New Electrical Appliance and Material Act which he/she manufactures and for which an importer of Class-A Electrical Appliances and Materials set forth in Article 23, paragraph 1 of the New Electrical Appliance and Material Act had obtained approval under the same paragraph at the time of the enforcement of this Act, that said product type belongs to the business category set forth in Article 17-2 of the New Electrical Appliance and Material Act in which he/she had obtained said registration, said Foreign Registered Manufacturer shall be deemed to have obtained approval under Article 25-3, paragraph 1 of the New Electrical Appliance and Material Act with regard to said Class-A Electrical Appliances and Materials.

(2) When the Minister of International Trade and Industry has given a confirmation set forth in the preceding paragraph, he/she shall make a public notice to that effect in an official gazette.

(3) A person who intends to receive a confirmation set forth in paragraph 1 shall pay a fee specified by a Cabinet Order, calculated by taking actual expenses into consideration.

**Supplementary Provisions [Act No. 23 of May 1, 1984 Extract] [Extract]**

(Effective Date)

(1) This Act shall come into force as from the day on which 20 days have elapsed from the day of promulgation.

**Supplementary Provisions [Act No. 84 of September 1, 1987 Extract] [Extract]**

(Effective Date)

Article 1 This Act shall come into force as from the day on which one year has elapsed from the day of promulgation.

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



**[Extract]**

(Effective Date)

Article 1 This Act shall come into force as from the effective date of the Administrative Procedures Act (Act No. 88 of 1993).

(Transitional Measures Concerning Adverse Dispositions Following Appeal, etc.)

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

(Transitional Measures Concerning Penal Provisions)

Article 13 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.

(Transitional Measures upon Arrangement of Provisions on Hearings)

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

(Delegation to a Cabinet Order)

Article 15 In addition to what is provided for in Article 2 to the preceding Article of the Supplementary Provisions, the necessary transitional measures concerning the enforcement of this Act shall be specified by a Cabinet Order.

**Supplementary Provisions [Act No. 75 of April 21, 1995 Extract] [Extract]**

(Effective Date)

Article 1 This Act shall come into force as from the date specified by a Cabinet Order within nine months from the day of promulgation.

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

(Effective Date)

Article 1 This Act shall come into force as from the day of promulgation.

(Transitional Measures in accordance with Partial Revision of the Electrical Appliance and Material Control Act)

Article 14 The provisions of Article 26-2, paragraph 2 and paragraph 3, and Article 26-3, paragraph 2 and paragraph 3 of the Electrical Appliance and Material Control Act revised by Article 13 shall not apply, where an assignment of the whole of a business or inheritance or merger has taken place prior to the enforcement of Article 13, to the assignee of the whole of the business, the heir, or the juridical person surviving after the merger or the juridical person newly established upon the merger.

(Transitional Measures Concerning Penal Provisions)

Article 17 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act and the acts committed after the enforcement of this Act in the case where the provisions then in force shall remain applicable by the Supplementary Provisions of this Act, the provisions then in force shall remain applicable.

(Delegation to a Cabinet Order)

Article 18 In addition to what is provided for in Article 2 to the preceding Article of the Supplementary Provisions, the necessary transitional measures pertaining to the enforcement of this Act shall be specified by a Cabinet Order.

**Supplementary Provisions [Act No. 50 of May 21, 1999 Extract] [Extract]**

(Effective Date)

Article 1 This Act shall come into force as from March 21, 2000.

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

(Effective Date)

Article 1 This Act shall come into force as from April 1, 2000; provided, however, that the provisions set forth in the following items shall come into force as from the date specified in each item.

- (i) The provisions for revision in Article 1 to add five articles, the section title, and two subsections and the titles thereof following Article 250 of the Local Autonomy Act (limited, however, to the part concerning Article 250-9, paragraph 1 of said Act (limited, however, to the part concerning the

requirement of consent of both Houses)), the provisions in Article 40 to revise paragraph 9 and paragraph 10 of the Supplementary Provisions of the Natural Parks Act (limited, however, to the part concerning paragraph 10 of the Supplementary Provisions of said Act), the provisions of Article 244 (excluding, however, the part concerning the provision to revise Article 14-3 of the Agricultural Improvement and Promotion Act), and the provisions of Article 472 (excluding, however, the part concerning the provisions to revise Article 6, Article 8, and Article 17 of the Act on Special Provisions Concerning Merger of Municipalities), and the provisions of Article 7, Article 10, Article 12, proviso of Article 59, Article 60, paragraph 4 and paragraph 5, Article 73, Article 77, Article 157, paragraphs 4 to 6, Article 160, Article 163, Article 164, and Article 202 of the Supplementary Provisions: The date of promulgation

(Affairs of the State, etc.)

Article 159 In addition to what is provided for in the respective Acts prior to the revision by this Act, affairs that shall be managed or performed, prior to the enforcement of this Act, by an organ of a local public entity on behalf of the State, another local public entity or other public bodies pursuant to Acts or a Cabinet Order enacted thereunder (hereinafter referred to as "Affairs of the State, etc." in Article 161 of the Supplementary Provisions) shall, after the enforcement of this Act, be handled by the local public entity as its own affairs pursuant to Acts or a Cabinet Order enacted thereunder.

(Transitional Measures Concerning Dispositions, Applications, etc.)

Article 160 (1) With respect to dispositions to grant licenses or permissions, etc. and other acts carried out, prior to the enforcement of this Act (or the respective provisions listed in the items of Article 1 of the Supplementary Provisions; hereinafter the same shall apply in this Article and Article 163 of the Supplementary Provisions), pursuant to the respective Acts prior to the revision (hereinafter referred to as "Dispositions and Other Acts" in this Article) or applications for licenses or permissions, etc. and other acts carried out, prior to the enforcement of this Act, pursuant to the respective Acts prior to the revision (hereinafter referred to as "Applications and Other Acts" in this Article), if administrative affairs pertaining to these acts come under the jurisdiction of different persons on the date of the enforcement of this Act, these acts, except those prescribed in Article 2 to the preceding Article in the Supplementary Provisions or in the provisions of the respective revised Acts (including orders issued thereunder) concerning transitional measures, shall be deemed, with regard to the application of the respective revised Acts after the date of the enforcement of this Act, as Dispositions and Other Acts or

Applications and Other Acts carried out pursuant to the relevant provisions of the respective revised Acts.

- (2) With respect to matters for which reports, notification, submission or other procedures shall be carried out before the organs of the State or local public entities, prior to the enforcement of this Act, pursuant to the respective Acts prior to the revision, if these procedures have not yet been carried out by the date of the enforcement of this Act, the provisions of the respective Acts revised by this Act shall apply to such procedures, except those otherwise provided by this Act or a Cabinet Order enacted thereunder, on the assumption that reports, notification, submission or other procedures have not yet been made with respect to matters for which such procedures shall be carried out before the organs of the State or local public entities pursuant to the relevant provisions of the respective revised Acts.

(Transitional Measures Concerning Appeal)

Article 161 (1) With respect to dispositions pertaining to Affairs of the State, etc. made prior to the Date of Enforcement by the administrative agencies (hereinafter referred to as the "Administrative Agencies Having Made the Dispositions" in this Article) that have been subordinated, prior to the Date of Enforcement, to higher administrative agencies prescribed under the Administrative Appeal Act (hereinafter referred to as the "Higher Administrative Agencies" in this Article), the Administrative Appeal Act shall apply to appeals filed against such dispositions pursuant to said Act, on the assumption that the Administrative Agencies Having Made the Dispositions are still subordinate to the Higher Administrative Agencies after the date of enforcement. In this case, the administrative agencies that shall be deemed to be Higher Administrative Agencies of the Administrative Agencies Having Made the Dispositions shall be the administrative agencies to which the Administrative Agencies Having Made the Dispositions have been subordinated prior to the date of enforcement.

- (2) In the case referred to in the preceding paragraph, where the administrative agencies that shall be deemed to be Higher Administrative Agencies are organs of local public entities, the affairs to be handled by the organs pursuant to the provisions of the Administrative Appeal Act shall be Item 1 Statutory Entrusted Affairs prescribed in Article 2, paragraph 9, item 1 of the new Local Autonomy Act.

(Transitional Measures Concerning Fees)

Article 162 With regard to fees payable prior to the Date of Enforcement pursuant to the provisions of the respective Acts prior to the revision by this Act (including orders issued thereunder), except those otherwise provided for

by this Act or a Cabinet Order enacted thereunder, the provisions then in force shall remain applicable.

(Transitional Measures Concerning Penal Provisions)

Article 163 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.

(Delegation of Other Transitional Measures to Cabinet Order)

Article 164 (1) In addition to what is provided for in the Supplementary Provisions, any necessary transitional measures for the enforcement of this Act (including transitional measures concerning penal provisions) shall be specified by a Cabinet Order.

(2) Any necessary matters concerning the application of the provisions of Article 18, Article 51, and Article 184 of the Supplementary Provisions shall be specified by a Cabinet Order.

(Review)

Article 250 Item 1 Statutory Entrusted Affairs prescribed in Article 2, paragraph 9, item 1 of the new Local Autonomy Act shall, in addition, be created to the minimum possible extent, and such affairs listed in Appended Table I of the new Local Autonomy Act and those provided for by a Cabinet Order enacted under the new Local Autonomy Act shall be examined from the perspective of promoting decentralization and be reviewed as appropriate.

Article 251 The government shall, in order to enable local public entities to execute their affairs and services voluntarily and independently, examine how to secure adequate sources of local tax revenue based on the sharing of roles between the State and local public entities taking into account the prevailing economic trends, and take the necessary measures based on the results of such examination.

Article 252 The government shall, along with various reforms such as the medical insurance system reform and the pension system reform, instigate study to identify an ideal administrative system for social insurance and a desirable personnel system therefor from the viewpoint of ensuring convenience for the insured and increasing efficiency in administration, and take measures as required based on the study results where it finds it necessary.

**Supplementary Provisions [Extract from Act No. 121 of August 6, 1999**

**Extract] [Extract]**

(Effective Date)

Article 1 This Act shall come into force as from July 1, 2000; provided, however, that the provisions set forth in the following items shall come into force as from the date specified in each item.

(ii) The provisions of Article 2, Article 14, Article 27, Article 33, Article 44, and Article 52 of the Supplementary Provisions: April 1, 2000

(v) The provisions to revise Article 28, paragraph 1 of the Explosives Control Act (limited to the part adding "containing organizations and methods to ensure safety and any other matters specified by an Ordinance of the Ministry of Economy, Trade and Industry" before "in order to prevent") in Article 3, the provisions to revise Article 35, paragraph 1 of the same Act (limited to the part revising "(with regard to) powder magazines" to "(with regard to) powder magazines and organizations and methods to ensure safety at these facilities"), the provisions to revise paragraph 2 of the same Article (limited to the part adding "and whether they implement matters specified by an Ordinance of the Ministry of International Trade and Industry as those pertaining to organizations and methods to ensure safety, among what is specified in the damage prevention rules approved as prescribed in Article 28, paragraph 1" after "whether (specified facilities and powder magazines) comply with ..."), and the provisions of Article 5 and Article 10, and the provisions of Articles 31 to 34 inclusive, Articles 45 to 50 inclusive, Article 76, Article 77, and Article 79 of the Supplementary Provisions: April 1, 2001

(Transitional Measures in accordance with Partial Revision of the Electrical Appliance and Material Control Act)

Article 44 A person who intends to receive approval or permission pursuant to the provisions of Article 9, paragraph 1 of the Electrical Appliance and material Safety Act revised by Article 10 (hereinafter referred to as the "Electrical Appliance and Material Safety Act") may file an application prior to the enforcement of Article 10. The same shall apply to notification of the Rules of Operation pursuant to the provisions of Article 35, paragraph 1 (including the case where it is applied mutatis mutandis pursuant to Article 42-3, paragraph 2 of the Electrical Appliance and Material Safety Act) of the Electrical Appliance and Material Safety Act.

Article 45 (1) With regard to an application for approval of product types set forth in Article 18 or Article 23, paragraph 1 of the Electrical Appliance and Material Control Act prior to the revision by the provisions of Article 10 (hereinafter referred to as the "Old Electrical Appliance and Material Control

Act") which was filed prior to the enforcement of said Article and for which a disposition of approval or non-approval had not been made at the time of enforcing the provisions, or an application for confirmation of product types set forth in Article 23-2, paragraph 1 of the Old Electrical Appliance and Material Control Act or for permission of product types set forth in Article 25-3, paragraph 1 of the Old Electrical Appliance and Material Control Act which was filed prior to the enforcement of Article 10 and for which a disposition of confirmation or permission had not been made at the time of enforcing the provisions, the provisions then in force shall remain applicable to the disposition for such application.

(2) With regard to an application for testing set forth in Article 21, paragraph 1 of the Old Electrical Appliance and Material Control Act (including the case where it is applied *mutatis mutandis* pursuant to Article 23, paragraph 2 or Article 25-3, paragraph 2 of the Old Electrical Appliance and Material Control Act; the same shall apply in the following paragraph) which was filed prior to the enforcement of Article 10 and for which a disposition of success or failure in passing a testing had not been made at the time of enforcing the provisions, the provisions then in force shall remain applicable to the disposition for such application.

(3) With regard to an application for approval of product types pursuant to the provisions of Article 18 or Article 23, paragraph 1 of the Old Electrical Appliance and Material Control Act, or for permission of product types pursuant to the provisions of Article 25-3, paragraph 1 of the Old Electrical Appliance and Material Control Act, which was filed, prior to the enforcement of Article 10, by a person who had passed the testing set forth in Article 21, paragraph 1 of the Old Electrical Appliance and Material Control Act, within 10 days as from the day of passing the testing, by attaching a test certificate, or an application for approval of product types pursuant to the provisions of Article 18 or Article 23, paragraph 1 of the Old Electrical Appliance and Material Control Act, or for permission of product types pursuant to the provisions of Article 25-3, paragraph 1 of the Old Electrical Appliance and Material Control Act, which was filed by a person who had filed an application for the testing, for which the provisions then in force shall remain applicable pursuant to the provisions of the preceding paragraph, and had passed said testing, within 10 days as from the day of passing the testing, by attaching a test certificate, the provisions then in force shall remain applicable to the disposition for such application.

Article 46 (1) A person who had, prior to the enforcement of Article 10, obtained or applied for approval with regard to Electrical Appliances and Materials set forth in Article 2, paragraph 1 of the Old Electrical Appliance and Material

Control Act, which falls into the category of Electrical Appliances and Materials set forth in Article 2, paragraph 1 of the Electrical Appliance and Material Safety Act (hereinafter referred to as "Electrical Appliances and Materials under Transition"), pursuant to the provisions of Article 18 of the Old Electrical Appliance and Material Control Act (including a person who had applied for approval under paragraph 3 of the preceding Article), a person who has obtained or applied for approval under Article 23, paragraph 1 of the Old Electrical Appliance and Material Control Act (including a person who had applied for approval under paragraph 3 of the preceding Article), or a person who has obtained or applied for confirmation under Article 23-2, paragraph 1 of the Old Electrical Appliance and Material Control Act shall be deemed to have given a notification under Article 3 of the Electrical Appliance and Material Safety Act with regard to Electrical Appliances and Materials under Transition with the product type pertaining to said approval, confirmation, or application.

- (2) A person who had given a notification under Article 26, paragraph 1 or Article 26-3, paragraph 1 of the Old Electrical Appliance and Material Control Act prior to the enforcement of Article 10 shall be deemed to have given a notification under Article 3 of the Electrical Appliance and Material Safety Act. In this case, with regard to the application of the provisions of Article 8, paragraph 1, Article 10, Article 12, and Article 42-5, item 2 of the Electrical Appliance and Material Safety Act to such person, the term "the Product Type Specified in the Notification under Article 3" (hereinafter simply referred to as "the Product Type Specified in the Notification") in Article 8, paragraph 1 of the Electrical Appliance and Material Safety Act shall be deemed to be replaced with "product type which include Electrical Appliances and Materials with a structure specified in the notification under Article 26-2, paragraph 1 or Article 26-3, paragraph 1 of the Electrical Appliance and Material Control Act prior to the revision by Article 10 of the Act on Consolidation and Streamlining of Standards and Certification Systems Relating to the Ministry of International Trade and Industry (Act No. 121 of 1999) (such product type shall be simply referred to as the "Product Type including Electrical Appliances and Materials with Structure Specified in the Notification"), and the term "the Product Type Specified in the Notification" in Article 10, Article 12, and Article 42-5, item 2 shall be deemed to be replaced with "the Product Type including Electrical Appliances and Materials with Structure Specified in the Notification."

Article 47 (1) A person who had, prior to the enforcement of Article 10, obtained approval for the product type under Article 18 or Article 23, paragraph 1 of the Old Electrical Appliance and Material Control Act or obtained a confirmation



of the product type under Article 18 or Article 23, paragraph 1 of the Old Electrical Appliance and Material Control Act with regard to Class-A Electrical Appliances and Materials set forth in Article 2, paragraph 2 of the Old Electrical Appliance and Material Control Act, which falls into the category of Specified Electrical Appliances and Materials set forth in Article 2, paragraph 2 of the Electrical Appliance and Material Safety Act (hereinafter referred to as "Specified Electrical Appliances and Materials under Transition") (including a person who has obtained approval or confirmation under the provisions of Article 45, paragraph 1 or paragraph 3 of the Supplementary Provisions for which the provisions then in force shall remain applicable pursuant to said provisions) shall be deemed to have performed the obligation under Article 9, paragraph 1 of the Electrical Appliance and Material Safety Act during the period between the day when he/she obtained said approval or confirmation and were deemed to have obtained the approval and the day when the period specified by a Cabinet Order set forth in Article 24, paragraph 1 of the Old Electrical Appliance and Material Control Act, in the case where he/she manufactured or imported Specified Electrical Appliances and Materials with product types pertaining to said approval or confirmation.

(2) With regard to the display and sales of Specified Electrical Appliances and Materials under Transition pertaining to permission for product types under Article 25-3, paragraph 1 of the Old Electrical Appliance and Material Control Act already obtained at the time of the enforcement of Article 10 (including the permission for product types obtained by deeming that the provisions then in force still remained applicable pursuant to the provisions of Article 45, paragraph 1 or paragraph 3 of the Supplementary Provisions), the provisions then in force shall remain applicable until either of the earlier day between the day when the period specified by a Cabinet Order set forth in Article 50, paragraph 2 of the Supplementary Provisions pertaining to said Specified Electrical Appliances and Materials under Transition has elapsed from the day of the enforcement of Article 10 and the day when the period specified by a Cabinet Order set forth in Article 24, paragraph 1 of the Old Electrical Appliance and Material Control Act as applied *mutatis mutandis* pursuant to Article 25-3, paragraph 2 of the Old Electrical Appliance and Material Control Act has elapsed from the day of said permission, notwithstanding the provisions of Article 10, paragraph 2, Article 27, paragraph 1, and Article 28 of the Electrical Appliance and Material Safety Act.

Article 48 (1) A person who had obtained a designation under Article 21, paragraph 1 of the Old Electrical Appliance and Material Control Act at the time of the enforcement of Article 10 shall be deemed to have obtained approval under Article 9, paragraph 1 of the Electrical Appliance and Material

Safety Act until the day when six months have elapsed from the day of the enforcement of Article 10. In the case when said person filed an application for approval under the same paragraph during said period, the same shall also apply during the period until a disposition pertaining to said application is made.

- (2) Pursuant to the provisions of the preceding paragraph, a notification given under Article 33 of the Old Electrical Appliance and Material Control Act with regard to a person who is deemed to have obtained approval under Article 9, paragraph 1 of the Electrical Appliance and Material Safety Act shall be deemed to be a notification given under Article 34 of the Electrical Appliance and Material Safety Act, Rules of Operation for which approval under Article 34 of the Old Electrical Appliance and Material Control Act has been obtained or applied shall be deemed to be Rules of Operation notified under Article 35, paragraph 1 of the Electrical Appliance and Material Safety Act, suspension and abolition of business for which approval under Article 35 of the Old Electrical Appliance and Material Control Act has been obtained or applied shall be deemed to be suspension and abolition notified under Article 36 of the Electrical Appliance and Material Safety Act, an order given under Article 40 of the Old Electrical Appliance and Material Control Act shall be deemed to be an order given under Article 41 of the Electrical Appliance and Material Safety Act.

Article 49 With regard to Specified Electrical Appliances and Materials under Transition pertaining to a product type for which approval under Article 18 or Article 23, paragraph 1 of the Old Electrical Appliance and Material Control Act or confirmation under Article 23-2, paragraph 1 of the Old Electrical Appliance and Material Control Act had been obtained at the time of the enforcement of Article 10, Class-B Electrical Appliances and Materials set forth in Article 2, paragraph 2 of the Old Electrical Appliance and Material Control Act with a structure pertaining to a notification under Article 26-2, paragraph 1 or Article 26-3, paragraph 1 of the Old Electrical Appliance and Material Control Act which fall into the category of Electrical Appliances and Materials set forth in Article 2, paragraph 1 of the Electrical Appliance and Material Safety Act, a display under Article 25, paragraph 1 or Article 26-6, paragraph 1 may be attached during one year from the day of the enforcement of Article 10 (with regard to those specified by a Cabinet Order as Electrical Appliances and Materials under Transition that require a considerable period of time for the repair or alteration of manufacturing equipment accompanied with the change of display, the period specified by a Cabinet Order for the respective Electrical Appliances and Materials under Transition within a limit not exceeding three years from the day of the enforcement of Article 10),

notwithstanding the provisions of Article 10, paragraph 2 of the Electrical Appliance and Material Safety Act.

Article 50 (1) A display attached to Electrical Appliances and Materials under Transition under Article 25, paragraph 1 or Article 26-6, paragraph 1 of the Old Electrical Appliance and Material Control Act or a display under the provisions of the preceding Article shall be deemed to be a display attached under Article 10, paragraph 1 of the Electrical Appliance and Material Safety Act until the day specified by a Cabinet Order for the respective Electrical Appliances and Materials under Transition within a limit not exceeding five years (10 years with regard to those specified by a Cabinet Order as Electrical Appliances and Materials under Transition that require a considerable period of time from manufacturing to sales) from the day of the enforcement of Article 10.

(2) In addition to the case where the provisions then in force shall remain applicable pursuant to the provisions of Article 47, paragraph 2 of the Supplementary Provisions, with regard to Electrical Appliances and Materials under Transition attached a display under Article 25-4, paragraph 1 of the Old Electrical Appliance and Material Control Act, the provisions then in force shall remain applicable until the day specified by a Cabinet Order for the respective Electrical Appliances and Materials under Transition within a limit not exceeding five years (10 years with regard to those specified by a Cabinet Order as Electrical Appliances and Materials under Transition that require a considerable period of time from manufacturing to sales) from the day of the enforcement of Article 10, notwithstanding the provisions of Article 10, paragraph 2, Article 27, paragraph 1, and Article 28 of the Electrical Appliance and Material Safety Act.

Article 51 A public hearing for the enactment of a Cabinet Order under Article 2, paragraph 2 of the Electrical Appliance and Material Safety Act may be held prior to the enforcement of Article 10.

(Effect of Dispositions, etc.)

Article 68 Any dispositions, procedures or other acts carried out, prior to the enforcement of this Act (or the respective provisions listed in the items of Article 1 of the Supplementary Provisions), pursuant to the provisions of the respective Acts prior to the revision (including orders issued thereunder; hereinafter the same shall apply in this Article) shall, if the respective revised Acts contain provisions corresponding to such provisions, be deemed to have been carried out under the relevant provisions of the respective revised Acts, except those otherwise provided by the Supplementary Provisions.

(Transitional Measures Concerning Application of Penal Provisions)

Article 69 With regard to the application of penal provisions to any acts committed prior to the enforcement of this Act (or the respective provisions of the items of Article 1 of the Supplementary Provisions) (or with respect to the Consumer Product Safety Association, prior to the provisions of the old Consumer Product Safety Act losing effect despite Article 10 of the Supplementary Provisions deeming that these provisions remain in force; with respect to the High Pressure Gas Safety Institute of Japan, prior to the provisions of the old High Pressure Gas Safety Act losing effect despite Article 30 of the Supplementary Provisions deeming that these provisions remain in force) as well as any acts committed after the enforcement of this Act in the cases where the provisions then in force shall remain applicable pursuant to the Supplementary Provisions, the provisions then in force shall remain applicable.

(Delegation of Other Transitional Measures to Cabinet Order)

Article 70 In addition to what is provided for in Article 2 to Article 9, and Article 14 to the preceding Article of the Supplementary Provisions, any necessary transitional measures for the enforcement of this Act (including transitional measures concerning penal provisions) shall be specified by a Cabinet Order.

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

(Effective Date)

Article 1 This Act (excluding Article 2 and Article 3) shall come into force as from January 6, 2001.

**Supplementary Provisions [Act No. 203 of December 22, 1999 Extract]  
[Extract]**

(Effective Date)

Article 1 This Act shall come into force as from January 6, 2001; provided, however, that the provisions of Article 8 to Article 10 and Article 12 of the Supplementary Provisions shall come into force as from the date specified by a Cabinet Order within six months from the day of promulgation.

(Delegation to Cabinet Order)

Article 11 In addition to what is provided for in Article 2 to Article 7 of the Supplementary Provisions, any necessary transitional measures for the

establishment of the AIST and any other necessary transitional measures for the enforcement of this Act shall be specified by a Cabinet Order.

**Supplementary Provisions [Act No. 204 of December 22, 1999 Extract]  
[Extract]**

(Effective Date)

Article 1 This Act shall come into force as from January 6, 2001; provided, however, that the provisions of paragraphs 8 to 19 inclusive of the Supplementary Provisions shall come into force as from the date specified by a Cabinet Order within a period not exceeding six months from said date.

(Transitional Measures pertaining to Penal Provisions)

Article 20 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.

(Delegation to Cabinet Order)

Article 21 In addition to what is provided for in Article 2 to Article 7, Article 9, Article 18, and the preceding Article of the Supplementary Provisions, any necessary transitional measures for the establishment of the NITE and any other necessary transitional measures for the enforcement of this Act shall be specified by a Cabinet Order.

**Supplementary Provisions [Act No. 91 of May 31, 2000]**

(Effective Date)

(1) This Act shall come into force as from the date of the enforcement of the Act for Partial Revision of the Commercial Code, etc. (Act No. 90 of 2000).

(Transitional Measures)

(2) Where the date of the enforcement of this Act comes before the date of the enforcement of Article 8 of the Supplementary Provisions of the Act on the Center for Food Quality, Labeling and Consumer Services (Act No. 183 of 1999), the term "Article 27" in the provisions in Article 31 to revise Article 19-5-2, Article 19-6, paragraph 1, item 4, and Article 27 of the Act on Standardization and Proper Quality Labeling of Agricultural and Forestry Products shall be deemed to be replaced with "Article 26."

**Supplementary Provisions [Act No. 76 of June 11, 2003] [Extract]**

(Effective Date)

Article 1 This Act shall come into force as from March 1, 2004; provided, however, that the provisions set forth in the following items shall come into force as from the date specified in each item.

(i) The provisions of Article 13 of the Supplementary Provisions: The day of promulgation

(ii) The provisions of Article 3, paragraph 1, Article 4, paragraph 1, Article 5, paragraph 1, Article 6, paragraph 1, Article 7, paragraph 1, Article 8, paragraph 1, and Article 9, paragraph 1 of the Supplementary Provisions: October 1, 2003

(Transitional Measures in accordance with Partial Revision of the Electrical Appliance and Material Safety Act)

Article 7 (1) A person who intends to obtain registration under Article 9, paragraph 1 of the Electrical Appliance and Material Safety Act revised by Article 6 (hereinafter referred to as the "New Electrical Appliance and Material Safety Act") may file an application prior to the enforcement of this Act. The same shall apply to a notification of the Rules of Operation under Article 35, paragraph 1 of the New Electrical Appliance and Material Safety Act (including the case where it is applied mutatis mutandis pursuant to Article 42-3, paragraph 2 of the New Electrical Appliance and Material Safety Act).

(2) A person who had obtained approval or permission under Article 9, paragraph 1 of the Electrical Appliance and Material Safety Act prior to the revision by Article 6 at the time of the enforcement of this Act shall be deemed to have obtained registration under Article 9, paragraph 1 of the New Electrical Appliance and Material Safety Act. In this case, the registration shall be valid for the period during which the approval or permission under Article 9, paragraph 1 of the Old Electrical Appliance and Material Control Act remains valid.

(Effect of Dispositions, etc.)

Article 11 Any dispositions, procedures or other acts carried out, prior to the enforcement of this Act (or the respective provisions listed in the items of Article 1 of the Supplementary Provisions), pursuant to the provisions of the respective Acts prior to the revision (including orders issued thereunder; hereinafter the same shall apply in this Article) shall, if the respective revised Acts contain provisions corresponding to such provisions, be deemed to have been carried out under the relevant provisions of the respective revised Acts, except those otherwise provided by the Supplementary Provisions.

(Transitional Measures Concerning Application of Penal Provisions)

Article 12 With regard to the application of penal provisions to any acts committed prior to the enforcement of this Act (or the respective provisions listed in the items of Article 1 of the Supplementary Provisions; hereinafter the same shall apply in this Article) as well as any acts committed after the enforcement of this Act in the cases where the provisions then in force shall remain applicable pursuant to the Supplementary Provisions, the provisions then in force shall remain applicable.

(Delegation to Cabinet Order)

Article 13 In addition to what is provided for in Article 2 to the preceding Article in the Supplementary Provisions, any necessary transitional measures for the enforcement of this Act (including transitional measures concerning penal provisions) shall be specified by a Cabinet Order.

**Supplementary Provisions [Act No. 92 of June 18, 2003 Extract] [Extract]**

(Effective date)

Article 1 This Act shall come into force as from April 1, 2005.

**Supplementary Provisions [Act No. 94 of June 9, 2004 Extract] [Extract]**

(Effective date)

Article 1 This Act shall come into force as from April 1, 2005; provided, however, that the provisions of Article 7 and Article 28 of the Supplementary Provisions shall come into force as from the day of promulgation, and the provisions of paragraphs 1 to 5 inclusive and paragraphs 9 to 11 inclusive of Article 4, Article 5 and Article 6 of the Supplementary Provisions shall come into force as from October 1, 2004.

(Transitional Measures Concerning Dispositions, etc.)

Article 26 Any dispositions, procedures or other acts carried out, prior to the enforcement of this Act, pursuant to the provisions of the respective Acts prior to the revision (including orders issued thereunder; hereinafter the same shall apply in this Article) shall, if the respective revised Acts contain provisions corresponding to such provisions, be deemed to have been carried out under the relevant provisions of the respective revised Acts, except those otherwise provided for by the Supplementary Provisions.

(Transitional Measures Concerning Application of Penal Provisions)

Article 27 With regard to the application of penal provisions to any acts committed prior to the enforcement of this Act, the provisions then in force

shall remain applicable.

(Delegation to Cabinet Order)

Article 28 In addition to what is provided for in the Supplementary Provisions, any necessary transitional measures for the enforcement of this Act shall be specified by a Cabinet Order.

(Review)

Article 29 When five years have elapsed since the enforcement of this Act, the government shall, while taking into account the status of the enforcement of the new Mine Safety Act, review the provisions of the new Mine Safety Act, and take any necessary measures based on the review results.

**Supplementary Provisions [Extract from Act No. 73 of June 29, 2005]  
[Extract]**

(Effective Date)

Article 1 This Act shall come into force as from the date specified by a Cabinet Order within a period not exceeding one year from the date of promulgation.

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

This Act shall come into force as from the date of the enforcement of the Corporation Act.