

Water Supply Act (Tentative translation)

(Act No. 177 of April 1, 2024)

Table of Contents

Chapter I General Provisions (Articles 1 to 5)
Chapter II Strengthening the Foundation of Water Supply System (Articles 5-2 to 5-4)
Chapter III Water Supply Services
Section 1 Authorization of Services, etc. (Articles 6 to 13)
Section 2 Services (Articles 14 to 25)
Section 3 Designated Plumbing Work Contractor (Articles 25-2 to 25-11)
Section 4 Designated Examination Institute (Articles 25-12 to 25-27)
Chapter IV Wholesale Water Supply Services (Articles 26 to 31)
Chapter V Specified Privately Owned Water Supply System (Articles 32 to 34)
Chapter VI Specified Building Water Supply System with Tank Storage (Articles 34-2 to 34-4)
Chapter VII Supervision (Articles 35 to 39)
Chapter VIII Miscellaneous Provisions (Articles 39-2 to 50-3)
Chapter IX Penal Regulations (Articles 51 to 57)
Supplementary Provisions

Chapter I General Provisions

(Purposes of this Act)

Article 1 The purpose of this Act is designed to make for the appropriate and reasonable construction and administration of a water supply system and to strive for the supply of clean, sufficient and affordable water by strengthening the foundation of water supply system, thereby contributing to the promotion of public health and the improvement of the living environment.

(Responsibilities)

- Article 2 (1) In view of the facts that water supply systems are directly connected with the daily life of the people of this nation, that they are indispensable for protection of the health of the people, and that water is a valuable resource, the national and local governments shall undertake necessary measures to keep the cleanness of water sources, water supply facilities as well as their surroundings, and to secure an appropriate and reasonable use of water.
- (2) The people of the nation shall cooperate with the measures implemented by

the national and local governments provided for in the preceding paragraph, and they shall also personally strive for the maintenance of the cleanness of water sources, water supply facilities, and their surroundings, as well as for the appropriate and reasonable use of water.

Article 2-2 (1) The National Government shall formulate basic overall measures for strengthening the foundation of water supply system, shall work to promote such measures, and shall strive to provide prefectures, municipalities, water suppliers, and wholesale water suppliers (hereinafter referred to as "water supplier(s), etc.") with necessary technical and financial assistance.

(2) Prefectural governments shall formulate measures related to enhancement of management of water supply system, in accordance with the natural and social conditions of respective areas, such as broad area partnership involving different water suppliers beyond municipal borders in an area (meaning collaboration among water supplies and the like, as well as an integrated management of two (2) or more water supply services or wholesale water supply services; the same applies hereinafter), and shall strive for implementation of the said measures.

(3) In accordance with the natural and social conditions of municipal areas, such municipality shall formulate measures related to promotion for extensive cooperation, etc. among water suppliers, etc. within the relevant municipal areas as well as other measures related to strengthening the foundation of water supply system, and they shall endeavor to implement such measures.

(4) A water supplier, etc. shall appropriately and efficiently operate services managed thereby and shall endeavor to enhance the water infrastructure for such services.

(Definition of Terms)

Article 3 (1) In this Act, the term "water supply system(s)" means entire facilities designed to supply water suitable for drinking through pipelines and other facilities; provided, however, that tentatively established facilities shall be excluded.

(2) The term "water supply services" in this Act means public services for supply of water through a water supply system in response to the general demand of a community; provided, however, that water supply services supplied through a water supply system for population served of 100 persons or less shall be excluded.

(3) The term "small-scale water supply services" in this Act means to water supply services by use of water supply system whose population served is 5,000 people or less.

(4) The term "wholesale water supply services" in this Act means public supply

services for a water supplier with water to be used for its water supply services through a water supply system; provided, however, this does not apply to the cases in which a water supplier or a person that installs specified privately owned water supply system provides its water to other water suppliers.

- (5) The term "water supplier(s)" in this Act means persons engaging in management of water supply services after being granted with authorization in accordance with the provisions of Article 6, paragraph (1). The term "wholesale water supplier(s)" in this Act means to persons engaging in management of wholesale water supply services after being granted with authorization in accordance with the provisions of Article 26.
- (6) The term "specified privately owned water supply system" in this Act means water supply system that falls under any of the following items, other than the ones served for public supply services, such as water supply systems used for in-house water supply systems for dormitories, corporate houses, sanatoriums and the like; provided, however, that water supply systems regarding which only water supplied via other water supply systems constitutes the water source and whose size of water supply facilities laid underground or on the ground surface falls below the standard established under Cabinet Order shall be excluded.
- (i) Water supply systems designed to serve for more than 100 persons to supply water necessary for their living
 - (ii) Water supply systems whose maximum daily volume of water supplied (meaning the maximum water volume that can be supplied per day; the same applies hereinafter) is exceeding the standards set under Cabinet Order
- (7) The term "specified building water supply system with tank storage" in this Act means water supply systems other than those used for public water supply services and specified privately owned water supply systems, and for which water is only supplied via sources used for public water supply services; provided, however, that it excludes when the scale of facilities used for the purpose falls below the standards set under Cabinet Order.
- (8) The term "water supply facilities" in this Act means water intake facilities, raw water storage facilities, raw water transmission facilities, water treatment facilities, treated water transmission facilities, and water distribution facilities for water supply system(s) (and in the case of a specified privately owned water supply system, including facility equivalent to the plumbing system and excluding facilities installed within buildings/structures; the same applies hereinafter) that are managed by the said water supplier, a wholesale water supplier, or a person that installs specified privately owned water supply system.
- (9) The term "plumbing system" in this Act means service pipes for branching out from distribution main installed by a water supplier for supply of water to

consumers, as well as plumbing fixtures and appurtenances directly connected with such service pipes.

- (10) The term "construction work for water supply facilities" in this Act means construction work for new installation of water supply facilities as well as construction work for expansion or alteration thereof established under Cabinet Order.
- (11) The term "plumbing work" in this Act means construction work for installation or alteration of plumbing system.
- (12) The terms "service area(s)," "population served," and "volume of water supplied" in this Act mean, respectively, to service area(s), population served, and volume of water supplied established under business plans.

(Water Quality Standards)

Article 4 (1) Water to be supplied through a water supply system shall satisfy the requirements set forth in the following items.

- (i) Water that does not contain organisms or substances that have been contaminated with or are suspected to have been contaminated with pathogenic organisms.
 - (ii) Water that does not contain cyanide, mercury, or other toxic substances.
 - (iii) Water that does not contain copper, iron, fluorine, phenol, or other substances that exceed acceptable levels.
 - (iv) Water that does not have any abnormal acidity or alkaline nature.
 - (v) Water that does not have any abnormal taste and odor; provided, however, that taste and odor arising from disinfection are excluded.
 - (vi) Water whose external appearance is almost clear and colorless.
- (2) Matters required for the standards shown in the respective items of the preceding paragraph shall be determined by Ministerial Order of the Ministry of the Environment.

(Facility Standards)

Article 5 (1) In accordance with the quality and quantity of raw water, geographical conditions, forms of the relevant water supply system, and the like, a water supply system shall have some or all of the following: water intake facilities, raw water storage facilities, raw water transmission facilities, water treatment facilities, treated water transmission facilities, and water distribution facilities. Each thereof shall satisfy the requirements set forth in the following items.

- (i) Water intake facilities have the capacity to take in the necessary volume of raw water the quality of which is as high as possible.
- (ii) Raw water storage facilities have the reservoir capacity to supply the required amount of raw water even during times of draught.

- (iii) Raw water transmission facilities have pumps, raw water transmission main, and other equipment required to provision of the necessary volume of raw water.
- (iv) Water treatment facilities have sedimentation basins, filtration basins, and other facilities required to obtain a necessary amount of treated water, that conforms to the water quality standards in accordance with the provisions of the previous Article, as well as disinfection facilities, in accordance with the quality and volume of raw water.
- (v) Treated water transmission facilities have pumps, treated water transmission main, and other features required to convey the necessary amount of treated water.
- (vi) Water distribution facilities have distribution reservoirs, pumps, distribution main, and other equipment required to continuously supply the necessary amount of treated water at a fixed level of pressure or higher.
- (2) In determining the location and arrangements of water supply facilities, consideration must be given to secure construction, operation and maintenance to be as economical and easy as possible, as well as reliability of water supply.
- (3) With regard to structures and materials, water supply facilities shall have sufficient durability to withstand relevant loads such as water pressure, earth pressure, seismic force and others, and shall be free from any probabilities of water contamination or leakage.
- (4) In addition to the standards provided for in the preceding three paragraphs, technical standards required for water supply facilities shall be stipulated under Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism (The technical standards necessary to obtain purified water that conforms to the water quality standards under the preceding article or to maintain the quality of said purified water shall be specified by Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism and Ministerial Order of the Ministry of the Environment).

Chapter II Strengthening the Foundation of Water Supply System

(Basic Policy)

- Article 5-2 (1) The Minister of Land, Infrastructure, Transport and Tourism shall regulate the basic policy (hereinafter referred to as the "basic policy") for strengthening the foundation of water supply system.
- (2) The following matters shall be determined in the basic policy.
 - (i) Basic matters related to strengthening the foundation of water supply system
 - (ii) Matters related to operation and maintenance as well as scheduled renewal of water supply facilities

- (iii) Matters related to securing sound financial management for water supply services and wholesale water supply services (hereinafter referred to as "water supply services, etc.")
 - (iv) Matters related to ensuring human resources as well as human resource development required for operation of water supply services and the like
 - (v) Matters related to promotion of collaboration and the like among water suppliers, etc.
 - (vi) Other matters related to strengthening the foundation of water supply system
- (3) If and when the Minister of Land, Infrastructure, Transport and Tourism has determined or has changed the basic policy, the Minister shall disclose the determination or change without delay.

(Plan for Strengthening the Foundation of Water Supply System)

- Article 5-3 (1) In case that a prefecture deems it necessary for strengthening the foundation of water supply system, such prefecture may determine plan(s) for strengthening the foundation of water supply system (hereinafter referred to as "plan for strengthening the foundation of water supply system" in this Article).
- (2) In a plan for strengthening the foundation of water supply system, target area(s) (hereinafter referred to as "planning area" in this Article) shall be determined. Other than that, the following items shall be set forth in that plan.
- (i) Basic matters related to strengthening the foundation of water supply system
 - (ii) Timeframe set for the plan for strengthening the foundation of water supply system
 - (iii) Current situations of water supply system in the planning area and objectives for strengthening the foundation of water supply system therein
 - (iv) Matters concerning policies to be taken by a prefecture and/or municipalities for strengthening the foundation of water supply system in the planning area as well as measures to be undertaken for the purpose by water suppliers, etc. therefor
 - (v) Areas subject to promotion of collaboration, etc. among water suppliers, etc. by a prefecture and municipalities (limited to extensive areas beyond such municipality's areas; hereinafter referred to as "target areas for promotion of cooperation, etc." in items (vi) and (vii) below)
 - (vi) Matters related to collaboration and the like among water suppliers, etc. in target areas for promotion of cooperation, etc.
 - (vii) Matters related to facility development required for collaboration and the like among water suppliers, etc. in target areas for promotion of cooperation, etc.

- (3) A plan for strengthening the foundation of water supply system shall be determined in accordance with the basic policy.
- (4) In case that a prefecture intends to set forth a plan for strengthening the foundation of water supply system, such prefecture in advance shall obtain the consent of the relevant municipalities located within a planning area, water suppliers whose planning area are included in service areas, and the wholesale water suppliers that supply such water suppliers with wholesale water.
- (5) Two (2) or more municipalities that intend to promote extensive collaboration and the like among water suppliers, etc. beyond their areas may jointly request to the relevant prefecture to set forth a plan for strengthening the foundation of water supply system in accordance with the provisions of Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism, upon obtaining prior consent of water suppliers whose planning area are included in service areas as well as the wholesale water supplier that supplies wholesale water to the water supplier.
- (6) A prefecture shall set forth a plan for strengthening the foundation of water supply system when the prefecture deems it necessary for strengthening the foundation of water supply system, if any request is made in accordance with the provisions of the preceding paragraph.
- (7) In case that a prefecture intends to set forth a plan for strengthening the foundation of water supply system, advanced invitation of opinions from councils set forth in Article 5-4, paragraph (1) must be made by the prefecture, if the planning area involves some or all areas corresponding to the councils.
- (8) When a prefecture has set forth a plan for strengthening the foundation of water supply system, the prefecture shall report the plan to the Minister of Land, Infrastructure, Transport and Tourism, and at the same time, shall notify the relevant municipalities within the planning area, as well as water suppliers whose service area includes the planning area, and wholesale water suppliers who supply wholesale water to the water suppliers, without delay.
- (9) When a prefecture has set forth a plan for strengthening the foundation of water supply system, such prefecture shall endeavor to publicize the same.
- (10) The provisions of paragraphs (4) through (9) shall apply mutatis mutandis to changing of a plan for strengthening the foundation of water supply system.

(Council for the Promotion of Wide-area Cooperation, etc.)

- Article 5-4 (1) In order for a prefecture to undertake any necessary consultation related to promotion of extensive cooperation and the like among water suppliers, etc. beyond borders of a municipality, such prefecture may organize a council for the promotion of wide-area cooperation, etc. (hereinafter referred to as "council" in this Article) in areas designated by such prefecture.
- (2) The council shall comprise the following members.

- (i) The prefecture mentioned in the preceding paragraph
 - (ii) The relevant municipalities whose councils' areas are included in such municipality's areas
 - (iii) A water supplier whose service area involves the areas of the council, and a wholesale water supplier from whom such water supplier receives wholesale water
 - (iv) Persons from academic experience and other persons that the prefecture deems necessary
- (3) On matters for which agreement is made at the council, the members thereof shall respect the results of the deliberation.
- (4) In addition to the provisions set forth in the preceding three paragraphs, necessary matters related to the operation of the council shall be determined by the council.

Chapter III Water Supply Services

Section 1 Authorization of Services, etc.

(Authorization of Services and the Management Entity)

Article 6 (1) The person that is planning to manage water supply services must be granted authorization of the Minister of Land, Infrastructure, Transport and Tourism.

(2) Water supply services shall be managed by municipality, in principle. A person other than a municipality may manage water supply services only if the consent of the relevant municipality including areas in which water is to be supplied has been obtained.

(Application for Authorization)

Article 7 (1) When applying for an authorization for operation of water supply services, the applicant shall submit an application form accompanied by a business plan, construction specifications, and other documents (including drawings) specified by Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism to the Minister.

(2) In the application form set forth in the preceding paragraph, the following items must be stated.

- (i) The address and name of the applicant (and in the case of a corporation or an association/cooperative, the address and appellation of its principal office and the name of its representative)
 - (ii) The location of an office of water supply
- (3) If changes have occurred to the information included in the application forms set forth in the preceding paragraph, the water supplier shall promptly notify of that change to the Minister of Land, Infrastructure, Transport and Tourism.

- (4) The business plan mentioned in paragraph (1) shall include the following information.
- (i) Service areas, population served, and volume of water supplied
 - (ii) Outline of water supply facilities
 - (iii) Scheduled date of commencement of water supply
 - (iv) The total planned amount of construction expenses and the planned source of funds
 - (v) Grounds for the calculation of population served and volume of water supplied
 - (vi) Estimated current account balance (income and es)
 - (vii) Service conditions such as rates and share of burdens for plumbing works for both water supplier and customers, and others
 - (viii) Other information set forth by Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism
- (5) The construction specifications mentioned in paragraph (1) shall include the following information.
- (i) Maximum daily volume of water supplied and average daily volume of water supplied
 - (ii) Type of water sources and water intake points
 - (iii) Rough estimate of water quantity at water sources and results of water quality analysis
 - (iv) Location of water supply facilities (including elevation and water levels), as well as their scales and structures
 - (v) Water treatment process
 - (vi) Maximum hydrostatic pressure and minimum hydrodynamic pressure in distribution mains
 - (vii) Scheduled dates and years for commencement and completion of construction work
 - (viii) Other items specified by Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism

(Standards for Authorization)

Article 8 (1) Authorization for the operation of water supply services shall not be granted unless the applicant conforms to all of the requirements in the following items.

- (i) The commencement of corresponding water supply services conforms to general demand.
- (ii) The plan for the corresponding water supply services is reliable and reasonable.
- (iii) The design for construction of water supply facilities conforms to the facility standards in accordance with the provisions of Article 5.

- (iv) Service areas are not found overlapping with service areas of other water supply services.
 - (v) Service conditions conform to requirements stated in each item of Article 14, paragraph (2).
 - (vi) When an application for water supply services applied is given by a person other than a local government, any such person is secured with a stable financial foundation to ensure execution of such water supply services.
 - (vii) In addition to the preceding items above, the commencement of corresponding water supply services is required from the viewpoint of public interest.
- (2) Detailed technical requirements for the application of standards provided for in each item of the preceding paragraph shall be determined under Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(Period or Conditions of Authorization)

- Article 9 (1) In the case that the Minister of Land, Infrastructure, Transport and Tourism grants authorization for the operation of water supply services to a person other than a local government, the Minister may add requirement for a fixed timeframe or conditions to the authorization.
- (2) The requirement for a fixed timeframe or conditions to the authorization provided in the preceding paragraph shall be limited to the ones within the minimum necessity for enhancement of public interest or to secure enforcement of the water supply services, and shall not be the ones to impose unreasonable duties on any applicable water supplier.

(Modification in Water Supply Services)

- Article 10 (1) In case that a water supplier intends to expand its service areas, to increase population served or volume of water supplied, or to change the types of water sources, water intake points, or water treatment processes (excluding cases shown in the following items), such water supplier shall obtain authorization by the Minister of Land, Infrastructure, Transport and Tourism. In such case, if any areas of a different municipality are to be included in the service areas due to expansion of the service areas, such authorization must not be granted unless the consent of the said municipality is obtained.
- (i) In case that the relevant modification is insignificant as per classified by Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism
 - (ii) In case that the relevant modification is incidental to the acceptance of the whole water supply services from other water supplier
- (2) The provisions of Articles 7 through 9 shall apply mutatis mutandis to

authorization of the preceding paragraph.

- (3) In case that a water supplier makes any modification that is applicable to any item of paragraph (1), such water supplier shall notify of the change in advance to the Minister of Land, Infrastructure, Transport and Tourism in accordance with provisions of Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism in advance.

(Suspension and Discontinuation of Water Supply Services)

- Article 11 (1) Once water supply has commenced, a water supplier shall not suspend or discontinue any or all corresponding water supply services thereof unless such water supplier obtains permission from the Minister of Land, Infrastructure, Transport and Tourism based on the provisions of Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism; provided, however, that the same shall not apply to cases in which all of such water supply services shall be discontinued due to transfer of all such water supply services to a different water supplier performing water supply services.
- (2) In case that a water supplier other than a local government (limited to cases in which the population served falls beyond the standards set forth in Cabinet Order) intends to apply for permission set forth in the preceding paragraph, such water supplier shall in advance discuss the matter with the relevant municipality whose area is involved in the service areas of the corresponding water supply services.
- (3) In the case of the provision of paragraph (1), the said water supplier shall notify the case to the Minister of Land, Infrastructure, Transport and Tourism to such effect in advance.

(Supervision of Construction Work for Water Supply Facilities by Engineers)

- Article 12 (1) In case that a water supplier engages in construction work for water supply facilities (and in case that such water supplier is a local government, it is limited to a construction work for water supply facilities set forth in the relevant municipal ordinances) on its own or assigns another person to do the same, such water supplier shall designate its official or consign a third party to perform technical supervision for the execution of such work.
- (2) Persons that perform the work set forth in the preceding paragraph shall have the qualifications specified by Cabinet Order (and when the said water supplier is a local government, shall have qualifications specified by the relevant ordinances of that local government, by considering qualifications specified by Cabinet Order).

(Notification and Inspection before Commencement of Water Supply)

- Article 13 (1) In case that a water supplier has newly established, increased, or altered water supply facilities or distribution reservoirs other than water distribution facilities, if the said water supplier intends to commence water supply through use of such newly established, increased, or altered facilities, the water supplier shall notify the intention in advance to the Minister of Land, Infrastructure, Transport and Tourism, and shall conduct water quality testing in accordance with Ministerial Order of the Ministry of the Environment as well as inspection of facilities in accordance with Order of the Ministry of Land, Infrastructure, Transport and Tourism.
- (2) In case that a water supplier has conducted water quality testing and inspection of facilities under provisions of the preceding paragraph, such water supplier shall create records thereof and preserve such records for five (5) years counting from the dates of such inspections.

Section 2 Services

(Terms of Service)

- Article 14 (1) A water supplier shall establish terms of service regarding rates, bearing for expenses for plumbing works for both water supplier and customers, and other service conditions.
- (2) The terms of service provided in the preceding paragraph shall conform to the requirements set forth in the following items.
- (i) Rates are fair and reasonable enough to ensure a sound financial management in light of appropriate cost under an efficient management.
 - (ii) Rates are established clearly either on the basis of a fixed rate or fixed amount.
 - (iii) Matters related to responsibilities for a water supply system, as well as share of burdens for plumbing works by a water supplier and a customer of a water supply service, , and matters related to calculation methods of such expenses are appropriately and clearly set forth.
 - (iv) Unfair and discriminatory treatments are not undertaken towards a specific person.
 - (v) In case a building water supply system with tank storage (meaning a water supply system other than the one served for public water supply services and specified privately owned water supply system, and whose water source is limited to the one served for public water supply services; the same applies hereinafter in this item) is established , matters concerning responsibilities of the said public water supplier and the establishing person are appropriately and clearly set forth, about such building water supply system with tank storage.
- (3) Detailed technical requirements for the application of standards provided in

any items of the preceding paragraph shall be set forth in Order of the Ministry of Land, Infrastructure, Transport and Tourism.

- (4) A water supplier shall undertake measures to disseminate relevant terms of service to the general public by the dates such regulations enter into effect.
- (5) In case that a water supplier is a local public government, among matters regulated in the relevant terms of service, if rates have been changed, such water supplier shall notify the change to the Minister of Land, Infrastructure, Transport and Tourism in accordance with the provisions in Order of the Ministry of Land, Infrastructure, Transport and Tourism.
- (6) In case that a water supplier is a person other than a local government, the water supplier shall obtain authorization of the Minister of Land, Infrastructure, Transport and Tourism if the water supplier intends to change the service conditions set forth in the relevant terms of service.
- (7) When the Minister of Land, Infrastructure, Transport and Tourism recognizes that an application for authorization stipulated in the preceding paragraph conforms to the requirements set forth in each item of paragraph (2), the Minister shall grant authorization for it.

(Obligation to Provide Water Service)

- Article 15 (1) When a water supplier has received an application for water service contract from a consumer living within a service area established in its business plan, such water supplier shall not refuse the application unless such water supplier has justifiable reasons for refusing its acceptance.
- (2) A water supplier shall supply water to persons receiving water via a corresponding water supply system at all times; provided, however, that in case the water supplier receives water supply orders based on the provision of Article 40, paragraph (1) or under unavoidable circumstances based on other legitimate grounds such as natural disasters and others, such water supplier may suspend water supply for some or all service areas during the period in which the aforementioned case is being affected. In such case, except when unavoidable circumstances exist, such water supplier shall undertake measures to announce the areas and periods in which water service is to be suspended.
 - (3) A water supplier may suspend water supply, notwithstanding the provisions in the preceding paragraph, when a receiver of water via a corresponding water supply system has not paid the due charge, when the same has rejected inspection for plumbing system without a legitimate ground, and when that water supplier finds other legitimate grounds, in accordance with the provisions regulated under relevant terms of service, and as long as the period in which the relevant reason continues to be effective, to that receiver of water.

(Structures and Materials of Plumbing System)

Article 16 In case that structures and materials of plumbing system for a receiver of water from a corresponding water supply system do not conform to standards set by Cabinet Order, a water supplier may refuse an application for water service contract from such applicant, or may suspend water supply to such applicant until the plumbing system conforms to the standards, in accordance with the provisions of relevant terms of service.

(Plumbing Works)

Article 16-2 (1) To ensure conformity of structures and materials in plumbing system for a receiver of water from a corresponding water supply system to the standards set by Cabinet Order in accordance with the provisions of the preceding Article, a water supplier may designate a person recognized to be capable of an appropriate implementation of plumbing works in service areas for such water supplier.

(2) When a water supplier has designated the person in accordance with the preceding paragraph, the said water supplier may, based on the provisions of relevant terms of service, set in its service conditions that the plumbing system for a receiver of water from the corresponding water supply system should be the works implemented by the said water supplier or by a designated person (hereinafter referred to as "designated plumbing work contractor(s)") may be applicable.

(3) In the case set forth in the preceding paragraph, when the plumbing system for a receiver of water from the corresponding water supply system is not concerned with the plumbing works implemented by the water supplier or by a designated plumbing work contractor, the water supplier may refuse an application for water service contract from such applicant or may suspend water supply to such applicant in accordance with the provisions of relevant terms of service; provided, however, that the same shall not apply to cases in which it was confirmed to be a minor change in plumbing system specified in the Order of the Ministry of Land, Infrastructure, Transport and Tourism, nor to cases in which the structures and materials of plumbing system conform is confirmed to conform to standards set by Cabinet Order in accordance with the provisions of the preceding Article.

(Inspection of Plumbing System)

Article 17 (1) A water supplier, through limited only from sunrise to sunset, may assign its staff member to enter into a land property or a building of a receiver of water from the corresponding water supply system and to inspect relevant plumbing system; provided, however, that when such staff member enters a building watched by caretakers or used for residence, or closed compounds, the

consent by the caretakers, residents, or persons acting on their behalf must be obtained.

- (2) A staff member who engages in the inspection of plumbing system in accordance with the provisions of the preceding paragraph shall carry identification certification therewith and shall present the same at the request of concerned persons.

(Request for Inspection)

Article 18 (1) A person receiving water supply via water supply services may request that the corresponding water supplier conduct an inspection of the plumbing system and a water quality testing of the supplied water.

- (2) Upon receiving the request set forth in the preceding paragraph, a water supplier shall promptly conduct the inspection/testing and notify the requesting person of the results.

(Technical Administrator of Water Supply System)

Article 19 (1) A water supplier shall appoint one technical administrator of water supply system so that the technical administrator to be in charge of technical services concerning management of a water supply system; provided, however, that such water supplier must not be hindered to hold the position of a technical administrator.

- (2) A technical administrator of water supply system is engaged in affairs related to the matters itemized as below, and shall supervise other staff members engaged in such services.

- (i) Inspection to verify whether or not water supply facilities conform to the facility standards in accordance with the provisions of Article 5 (including checks set forth in Article 22-2, paragraph (2))
- (ii) Water quality testing and inspection of facilities in accordance with the provisions of Article 13, paragraph (1)
- (iii) Inspection to check whether the structures and materials of plumbing system conform to standards set forth in Cabinet Order in accordance with the provisions of Article 16
- (iv) Water quality testing in accordance with the provisions of Article 20, paragraph (1)
- (v) Health checkups in accordance with the provisions of Article 21, paragraph (1)
- (vi) Hygiene measures in accordance with the provisions of Article 22
- (vii) Creation of an inventory in accordance with Article 22-3, paragraph (1)
- (viii) Emergency suspension of water supply in accordance with the provisions of Article 23, paragraph (1)
- (ix) Suspension of water supply in accordance with the provision in the first

sentence of Article 37

- (3) A technical administrator of water supply system shall be a person that is qualified (and when the water supplier is a local government, shall have qualifications specified by the relevant ordinances of that local government, by considering qualification specified by Cabinet Order) in accordance with the regulations of Cabinet Order.

(Water Quality Testing)

Article 20 (1) A water supplier shall implement regular and extraordinary water quality testings in accordance with the provisions in Ministerial Order of the Ministry of the Environment.

- (2) When a water supplier has conducted water quality testings in accordance with the provisions of the preceding paragraph, the water supplier shall record information concerning thereof, and shall maintain the same for five (5) years counting from the date of testing.

- (3) A water supplier shall establish testing facilities necessary for the implementation of the water quality testing in accordance with the provisions of paragraph (1); provided, however, that the same shall not apply to cases in which implementation of the quality testings is consigned to an organ of local government or a person registered by the Minister of Land, Infrastructure, Transport and Tourism as well as the Minister of the Environment, based on the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism

(Registration)

Article 20-2 The registration stated in Article 20, paragraph (3) shall take place at the request of a person planning to implement water quality testings in accordance with the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism and Ministerial Order of the Ministry of the Environment.

(Disqualification)

Article 20-3 None of the following persons may be registered as regulated under Article 20, paragraph (3).

- (i) A person that has violated this Act or an order under this Act, that has been sentenced to a criminal fine or greater, that has completed execution thereof and regarding which two (2) years have not elapsed since the day of completion or discontinuation of the execution
- (ii) A person whose registration has been rescinded in accordance with the provisions of Article 20-13 and regarding which two (2) years have not been elapsed since the day of such rescinding of such registration

- (iii) A person that is a corporation and that has an officer conducting its services to which either of the previous two items is applicable

(Registration Standards)

Article 20-4 (1) In case that an applicant for registration as regulated under Article 20-2 conforms to all of the following requirements, the Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment shall register such person.

- (i) An applicant has testing facilities necessary to conduct water quality testing specified in Article 20, paragraph (1) and conducts water quality testing through use of such facilities.
 - (ii) A water quality testing is conducted by five (5) or more persons with knowledge and experience that conform to any of the conditions described in Appended Table 1.
 - (iii) The following measures are taken to secure the reliability of water quality testing.
 - (a) A full-time manager is assigned exclusively for the purpose of conducting water quality testing.
 - (b) Documentation about operational management of water quality testing and about security of precision in the testing is prepared.
 - (c) In accordance with the descriptions stated in documentations scribed as per (b) above, a department/section that is dedicated to perform duties for operational management of water quality testing and for security of precision in the testing.
- (2) Registration shall be performed by entering the following items into a registry of water quality testing body.
- (i) Date and year of registration and registration number
 - (ii) Name or appellation and address of the registered person (and in the case of a corporation, the name of its representative)
 - (iii) Area(s) in which a registered person performs water quality testing, and the location(s) of office(s) for the registered person to perform water quality testing

(Renewal of Registration)

Article 20-5 (1) Unless registration specified in Article 20, paragraph (3) is renewed for each period set forth in Cabinet Order that does not exceed three (3) years, such registration shall be void upon elapse of such period.

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

(Obligation for Entrustment)

Article 20-6 (1) A person that has been registered under Article 20, paragraph (3) (hereinafter, "registered water quality testing body") may not refuse an application for entrustment of water quality testing stipulated in the same paragraph except where there exists a legitimate ground for such refusal.

(2) A registered water quality testing body shall carry out water quality testings fairly and in the manner set forth in Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism and Ministerial Order of the Ministry of the Environment.

(Notification for Change)

Article 20-7 In case that a registered water quality testing body intends to change its name or appellation, address, area(s) for implementation of water quality testing, or location of office for the same, such institution shall notify any such change to the Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment by two (2) weeks prior to the scheduled day of change.

(Operational Rules)

Article 20-8 (1) Prior to commencement of water quality testing services, a registered water quality testing body shall establish its operational rules for water quality testing (hereinafter referred to as "operational rules for water quality testing") and shall notify the rules to the Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment. The same shall apply to cases in which a registered water quality testing body intends to change the same.

(2) Operational rules for water quality testing shall include methods, charge, and other matters concerning water quality testings specified by Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism and Ministerial Order of the Ministry of the Environment.

(Suspension and Abolishment of Services)

Article 20-9 In case that a registered water quality testing body intends to suspend its water quality testing services in whole or in part or abolish such services, such institution shall notify of the intention to the Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment by two (2) weeks prior to the scheduled day of suspension or abolishment.

(Preparation of, and Access to Financial Statements)

Article 20-10 (1) Within three (3) months after elapse of each fiscal year, a registered water quality testing body shall prepare an inventory of assets, balance sheet, either profit and loss statement or income and expenditure

statement, as well as business report effective during such fiscal year (including electromagnetic records prepared in lieu of preparing the aforementioned documents (meaning records that are prepared in electronic form, magnetic form, or any other form that cannot be recognized by other human perceptions and that are records to be used in computerized data processing; the same applies hereinafter), if any; (hereinafter referred to as "financial statements, etc." in the following paragraph) and shall keep the same for five (5) years at its office.

(2) A water supplier and other interested persons may make the following requests at any time within service hours of a registered water quality testing body; provided, however, that expenses determined by the registered water quality testing body must be paid in case that a request set forth in item (ii) or (iv) is made.

(i) If financial statements, etc. have been prepared in writing, request for viewing or copying of corresponding documents

(ii) Request for certified copies or abstracts of documents set forth in the preceding item

(iii) In case that financial statements, etc. have been prepared via an electromagnetic recording, request for viewing or copying of the recorded data via such an electromagnetic recording that is shown in the method specified by the Order of the Ministry of Land, Infrastructure, Transport and Tourism and Ministerial Order of the Ministry of the Environment

(iv) Request for providing the data recorded via an electromagnetic recording set forth in the preceding item through a method determined under Order of the Ministry of Land, Infrastructure, Transport and Tourism and Ministerial Order of the Ministry of the Environment, or request for issuance of documents including such information

(Order for Conformity)

Article 20-11 In case that the Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment deem that any item of Article 20-4, paragraph (1) is not applicable to a registered water quality testing body, the Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment may order such institution to undertake measures necessary to conform to the aforementioned provisions.

(Order for Improvement)

Article 20-12 The Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment may order a registered water quality testing body that it should accept a request for entrustment of water quality testing or take any measures for an improvement of methods for water quality testing

and other service-related methods when it is deemed that the institution is in violation of the provisions set forth in paragraph (1) or (2) of Article 20-6.

(Cancellation of Registration)

Article 20-13 In case that either of the following items is applicable to a registered water quality testing body, the Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment may cancel its registration, or may order such institution to suspend water quality testing services in whole or in part, by setting a reasonable period of suspension.

- (i) In case that item (i) or (iii) of Article 20-3 is applicable
- (ii) In the case of violation of any provision of Articles 20-7 through Article 20-9, Article 20-10, paragraph (1), or Article 20-14
- (iii) In case that a registered water quality testing body has refused to respond to any request set forth in any item of Article 20-10, paragraph (2) without a legitimate ground
- (iv) In case that a registered water quality testing body has violated an order in accordance with Article 20-11 or Article 20-12
- (v) In case that a registered water quality testing body has been registered as described in Article 20, paragraph (3) by illicit means

(Preparation of Books and Documents)

Article 20-14 A registered water quality testing body shall prepare and keep books and documents in the ways specified by Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism and Ministerial Order of the Ministry of the Environment, by stating the items regarding water quality testings in accordance with the provisions of Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism and Ministerial Order of the Ministry of the Environment.

(Collection of Reports and On-site Inspection)

- Article 20-15 (1) When it is deemed necessary by the Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment to ensure appropriate implementation of water quality testings, the ministers may request to a registered water quality testing body for reporting any necessary items regarding its service status, or may assign officials of these minister to enter an office or place of business of such registered water quality testing body so that an inspection on its service status, testing facilities, books and documents and other items should be made possible.
- (2) An official who conducts an on-site inspection in accordance with the provisions of the preceding paragraph shall carry an identification document, and shall present the document upon request by a concerned person.

- (3) Authority stipulated in paragraph (1) may not be construed as being granted for criminal investigation purposes.

(Public Notice)

Article 20-16 The Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment shall make public notice in the following cases.

- (i) In case that registration set forth in Article 20, paragraph (3) has taken place
- (ii) In case that notification in accordance with the provisions of Article 20-7 has taken place
- (iii) In case that notification in accordance with the provisions of Article 20-9 has taken place
- (iv) In case that registration set forth in Article 20, paragraph (3) has been rescinded or an order for suspension of water quality testing services has been given in accordance with the provisions of Article 20-13.

(Health Checkups)

Article 21 (1) A water supplier shall conduct regular and occasional health checkups for persons who engage in services in water intake stations, water treatment plants, and distribution reservoir for water supply systems, as well as persons living in the locations of such facilities, in accordance with the provisions under Ministerial Order of the Ministry of the Environment.

- (2) When a water supplier implements health checkups in accordance with the provisions of the preceding paragraph, such water supplier shall prepare records concerning the health checkups and keep the same for one (1) year counting from the dates of the health checkups.

(Hygiene Measures)

Article 22 Regarding administration and operation of water supply facilities, a water supplier shall undertake disinfection or other measures required for hygiene purposes in accordance with the provisions of Ministerial Order of the Ministry of the Environment.

(Maintenance and Repair of Water Supply Facilities)

Article 22-2 (1) Subject to the standards set forth in Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism, a water supplier shall carry out maintenance and repair of water supply facilities so that the same should be kept in a good condition.

- (2) The standards set forth in the preceding paragraph shall include standards related to checks that allow water supply facilities to be efficiently repaired.

(Inventory of Water Supply Facilities)

Article 22-3 (1) A water supplier shall prepare and keep an inventory of water supply facilities.

(2) Matters described in the inventory in accordance with the preceding paragraph and other matters necessary for its preparation and keeping shall be determined under Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(Planned Renewal, etc. of Water Supply Facilities)

Article 22-4 (1) From a long-term point of view, in light of general water demand in service areas, a water supplier shall endeavor a planned renewal of water supply facilities.

(2) Subject to the provisions of Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism, a water supplier shall prepare estimated income and expenditure in writing related to its services including expenses required for renewal of water supply facilities and shall endeavor to publicize the same.

(Emergency Suspension of Water Supply)

Article 23 (1) When a water supplier becomes aware that its supplied water may cause harm to human health, the water supplier shall immediately suspend water supply and take measures to notify the persons concerned of the danger resulting from the use of the water.

(2) Any person that has become aware that water supplied by a water supplier may cause harm to human health shall immediately notify the water supplier to that effect.

(Fire Hydrants)

Article 24 (1) A water supplier shall install hydrants for public firefighting in its corresponding water supply system.

(2) A municipality shall pay a suitable amount of compensation to a water supplier that has installed fire hydrants within its administrative areas for expenses required for the installation and management of such fire hydrants, as well as for installation and management of water supply facilities that have increased in extent accompanying the additional use of the water supply systems for firefighting purposes, as determined through consultations with such water supplier.

(3) A water supplier may not collect fee for water used for public firefighting purposes.

(Release of Relevant Information)

Article 24-2 A water supplier shall provide consumers information about the water supply services such as the test results of water quality testing and others that are provided in Article 20, paragraph (1), in accordance with the provisions of Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(Consignment of Services)

Article 24-3 (1) In accordance with provisions of Cabinet Order, a water supplier may consign all or some technical services concerning management of water supply systems to another water supplier, a wholesale water supplier, or a person to which requirements set forth in Cabinet Order are applicable as a person that is able to appropriately and assuredly implement such services.

(2) When a water supplier has consigned services to another water supplier, a wholesale water supplier, or a person described above in accordance with the provision of the preceding paragraph, such water supplier shall promptly report on matters specified under Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism to the Minister of Land, Infrastructure, Transport and Tourism without delay. The same shall apply to cases in which a consignment agreement has become invalid.

(3) A person that is entrusted with services in accordance with the provisions of paragraph (1) (hereinafter referred to as a "person entrusted with water supply system management") shall assign a single technical administrator of entrusted water supply system management in order to have such administrator be in charge of technical services concerning management of water supply systems.

(4) A technical administrator of entrusted water supply system management shall engage in affairs related to matters described in each item of Article 19, paragraph (2), within the range of business entrusted in accordance with the provisions of paragraph (1), and shall supervise other staff members engaging in such affairs.

(5) A technical administrator of entrusted water supply system management shall be a person qualified as regulated under Cabinet order.

(6) In the case of technical services related to management of water supply systems consigned in accordance with the provisions of paragraph (1), within the scope of such consigned services, a person entrusted with water supply system management shall be deemed to be a water supplier and a technical administrator of entrusted water supply system management shall be deemed to be a technical administrator of water supply system, and the provisions (including Penal Regulations related to the following provisions) of Article 13, paragraphs (1) (limited to the portions related to implementation of water quality testing and inspection of facilities) and (2), Article 17, Article 20

through Article 22-3, Article 23, paragraph (1), Article 25-9, Article 36, paragraph (2), and Article 39 (excluding paragraphs (2) and (3)) shall be applicable. In such case, within the scope of such consigned services, the aforementioned provisions shall not be applicable to a water supplier or a technical administrator of water supply system.

- (7) In relation to application of the provisions of Article 25-11, paragraph (1) in cases in which the provisions of Article 25-9 become applicable through the assumption that a person entrusted with water supply system management is a water supplier in accordance with the provisions of the preceding paragraph, "water supplier" of item (v) of the said paragraph shall be read as "a person entrusted with water supply system management."
- (8) In the case of technical services related to management of water supply systems consigned in accordance with the provisions of paragraph (1), within the scope of such consigned services, the provisions of Article 19, paragraph (2) shall not be applicable to a technical administrator of water supply system. In case that a technical administrator of entrusted water supply system management engages in all affairs related to matters described in each item of the said paragraph and supervises other staff members engaging in such affairs, the provisions of Article 19, paragraph (1) shall not be applicable to a water supplier.

(Permission for Establishment of the Right to Operate Water Supply Facility)

- Article 24-4 (1) Subject to the provisions of Article 19, paragraph (1) of the Act on Promotion of Private Finance Initiative (Act No. 117 of 1999; hereinafter referred to as the "PFI Act"), in case that a water supplier who is a local government intends to establish the right to operate public facilities, etc. (hereinafter referred to as the "right to operate water supply facility") set forth in Article 2, paragraph (7) of the PFI Act relating to project of water supply facility operation etc. (meaning an operation, etc. of water supply facilities in whole or in part (meaning operation, etc. set forth in Article 2, paragraph (6) of the PFI Act) regarding which fee related to use of such water supply facilities (hereinafter referred to as "usage fee") are to be obtained by a person conducting such operation, etc. as its own revenue; the same applies hereinafter), such water supplier shall obtain permission of the Minister of Land, Infrastructure, Transport and Tourism in advance. In such case, notwithstanding the provisions of Article 11, paragraph (1), such water supplier shall not require the permission of the said paragraph (limited to the permission related to suspension of water supply services).
- (2) It shall be possible to implement a project of water supply facility operation etc. only if a water supplier who is a local government has established the right to operate water supply facility in accordance with the provisions of Article 19,

paragraph (1) of the PFI Act.

- (3) In case that a person with the right to operate water supply facility (hereinafter referred to as an "operation right holder of water supply facility") implements a project of water supply facility operation etc., notwithstanding the provisions of Article 6, paragraph (1), no authorization for the operation of water supply services shall be necessary.

(Application for Permission)

Article 24-5 (1) In order to apply for the permission stipulated in the first sentence of Article 24-4, paragraph (1), an application form accompanied by a project implementation plan for operation of water supply facility and other related project(s), and other documents (including drawings) set forth in Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism must be submitted to the Minister of Land, Infrastructure, Transport and Tourism.

- (2) An application form set forth in the preceding paragraph shall include the following items.
- (i) Location and appellation of the principal office of the applicant as well as the name of the representative of such applicant
 - (ii) Location and appellation of the principal office as well as the name of the representative for appointed business set forth in Article 2, paragraph (5) of the PFI Act, for whom the applicant intends to establish the right to operate water supply facilities (hereinafter simply referred to as the "appointed business" in Article 24-5 and Article 24-6, paragraph (1))
 - (iii) Location of the office of water supply of the appointed business
- (3) A project implementation plan of water supply facility operation etc. set forth in paragraph (1) shall include the information on the following matters.
- (i) Appellation and location of water supply facilities targeted by the project of water supply facility operation etc.
 - (ii) Nature of the project of water supply facility operation etc.
 - (iii) Duration of the right to operate water supply facility
 - (iv) Scheduled dates and years of commencement of the project of water supply facility operation etc.
 - (v) Measures to be undertaken by a water supplier so as to establish appropriate conditions for the project of water supply facility operation etc. to be implemented by the appointed business
 - (vi) Measures for continuing water supply services in the case of a disaster or in other emergency situations
 - (vii) Measures in cases in which it has become difficult to continue the project of water supply facility operation etc.
 - (viii) Balance of current account (income and expense) for the appointed

business

- (ix) Usage fee for water supply facilities targeted by the project of water supply facility operation etc. that the appointed business intends to obtain as its own revenue
- (x) Other matters determined under Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism

(Standards for Permission)

Article 24-6 (1) Permission set forth in the first sentence of Article 24-4, paragraph (1) must not be given unless the related application has conformed to the conditions of all of the following items.

- (i) The plan for the project of water supply facility operation etc. is reliable and reasonable.
 - (ii) If the provisions of Article 14, paragraph (2) (limited to the portions related to items (i), (ii), and (iv); the same applies hereinafter in this item) are read subject to the provisions of Article 24-8, paragraph (1) by assuming that the appointed business is an operation right holder of water supply facility, usage fee for water supply facilities targeted by the corresponding project of water supply facility operation etc. conform to the requirements set forth in Article 14, paragraph (2).
 - (iii) The foundation of water supply systems is expected to be strengthened through implementation of the corresponding project of water supply facility operation etc.
- (2) Detailed technical requirements for the application of standards provided for in each item of the preceding paragraph shall be determined under Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(Technical Administrator of the Project of Water Supply Facility Operation etc.)

- Article 24-7 (1) An operation right holder of water supply facility shall assign a single technical administrator of the project of water supply facility operation etc. in order to cause such administrator to be in charge of technical services concerning the project of water supply facility operation etc.
- (2) A technical administrator of the project of water supply facility operation etc. shall engage in affairs related to matters described in each item of Article 19, paragraph (2) within the scope of services related to the project of water supply facility operation etc. and shall supervise other staff members engaging in such affairs.
 - (3) A technical administrator of the project of water supply facility operation etc. must be qualified as regulated under Cabinet Order of Article 24-3, paragraph (5).

(Special Provisions Relating to Project of Water Supply Facility Operation etc.)

Article 24-8 (1) In relation to application of the provisions of Articles 14, paragraphs (1), (2), and (5), Article 15, paragraphs (2) and (3), Article 23, paragraph (2), Article 24, paragraph (3), and Article 40, paragraphs (1), (5), and (8) in cases in which an operation right holder of water supply facility implements a project of water supply facility operation etc., "rates" of Article 14, paragraph (1) shall be considered to be "fee (including fee related to use of water supply facilities (hereinafter referred to as "usage fee related to an operation right holder of water supply facility" in the following paragraph) that are to be obtained by an operation right holder of water supply facility set forth in Article 24-4, paragraph (3) (hereinafter referred to as an "operation right holder of water supply facility" in Article 14, paragraph (2), Article 15, paragraph (2), and Article 23, paragraph (2)) set forth in Article 24-4, paragraph (3); the same applies to Article 14, paragraph (2), items (i) and (ii) and paragraph (5), Article 15, paragraph (3), and Article 24, paragraph (3))," "the following" of Article 14, paragraph (2) shall be "in relation to usage fee related to an operation right holder of water supply facility, in addition to clear provision to the effect that an operation right holder of water supply facility is entitled to directly claim for its payment to consumers for water supply systems, the following," "have been received" of the provision of Article 15, paragraph (2) shall be "have been received (including cases in which an operation right holder of water supply facility has received such water supply orders)," "by a water supplier" of Article 23, paragraph (2) shall be "by a water supplier(including an operation right holder of water supply facility; the same applies hereinafter in this paragraph and Article 24, paragraph (3))," "or a wholesale water supplier" of Article 40, paragraphs (1) and (5) shall be "or a wholesale water supplier or an operation right holder of water supply facility," and "wholesale water supplier" of Article 40, paragraph (8) shall be "a wholesale water supplier or an operation right holder of water supply facility." In such case, an operation right holder of water supply facility shall enjoy benefits from a water service contract (limited to the portions related to the right to claim for payment of usage fee for water supply facilities targeted by the project of water supply facility operation etc.) as a matter of course.

(2) In case that an operation right holder of water supply facility implements the project of water supply facility operation etc., within the scope of services related to the corresponding project of water supply facility operation etc., by assuming an operation right holder of water supply facility is a water supplier and by assuming a technical administrator of the project of water supply facility operation etc. is a technical administrator of water supply system, the provisions (including Penal Regulations related to such provisions) of Article

12, Article 13, paragraphs (1) (limited to the portions related to implementation of water quality testing and inspection of facilities) and (2), Article 17, Article 20 through Article 22-4, Article 23, paragraph (1), Article 25-9, Article 36, paragraphs (1) and (2), Article 37, and Article 39 (excluding paragraphs (2) and (3)) shall be applicable. In such case, within the scope of services related to the corresponding project of water supply facility operation etc., in relation to a water supplier and a technical administrator of water supply system, the aforementioned provisions shall not be applicable. The expression "renewal" of Article 22-4, paragraph (1) shall be "renewal (limited to renewal which is operation, etc. as regulated under Article 2, paragraph (6) of the Act on Promotion of Private Finance Initiative (Act No. 117 of 1999); the same applies hereinafter in the following paragraph)."

- (3) Regarding application of the provisions of Article 25-11, paragraph (1) in cases in which the provisions of Article 25-9 become applicable with the assumption that an operation right holder of water supply facility is a water supplier in accordance with the provisions of the preceding paragraph, the expression "water supplier" of Article 25-11, paragraph (1), item (v) shall be "operation right holder of water supply facility."
- (4) In case that an operation right holder of water supply facility implements a project of water supply facility operation etc., within the scope of services related to the corresponding project of water supply facility operation etc., the provisions of Article 19, paragraph (2) shall not be applicable to a technical administrator of water supply system. In case that a technical administrator of the project of water supply facility operation etc. engages in all affairs related to the matters described in each item of Article 19, paragraph (2) and supervises other staff members engaging in such affairs, the provisions of Article 19, paragraph (1) shall not be applicable to a water supplier.

(Notification for Commencement for Project of Water Supply Facility Operation etc.)

Article 24-9 In case that an operation right holder of water supply facility has notified a water supplier who is a local government regarding commencement of a corresponding project of water supply facility operation etc. as regulated under Article 21, paragraph (3) of the PFI Act, such water supplier shall notify the Minister of Land, Infrastructure, Transport and Tourism to such effect without delay.

(Notification for Modification Related to an Operation right holder of water supply facility)

Article 24-10 In case that changes have been made regarding the following matters, an operation right holder of water supply facility shall notify a water

supplier who is a local government that has established the right to operate water supply facility and the Minister of Land, Infrastructure, Transport and Tourism to such effect without delay.

- (i) Location and appellation of principal office of the operation right holder of water supply facility and name of representative of such person
- (ii) Location of the office of water supply of the operation right holder of water supply facility

(Consultation for Transferring of the Right to Operate Water Supply Facility)

Article 24-11 In case that a water supplier who is a local government intends to grant permission of Article 26, paragraph (2) of the PFI Act related to a project of water supply facility operation etc., such water supplier shall consult on such matter with the Minister of Land, Infrastructure, Transport and Tourism in advance.

(Request for Rescinding, etc. of the Right to Operate Water Supply Facility)

Article 24-12 In case that an operation right holder of water supply facility has violated the provisions of this Act or orders based on this Act, the Minister of Land, Infrastructure, Transport and Tourism may request that a water supplier that is a local government that has established the right to operate water supply facility undertake disposition in accordance with the provisions of Article 29, paragraph (1) of the PFI Act because cases described in Article 29, paragraph (1), item (i) (limited to the portions related to (g)) of the PFI Act are applicable.

(Notification for Rescinding, etc. of the Right to Operate Water Supply Facility)

Article 24-13 In case that the following items are applicable, the relevant water supplier that is a local government shall notify the Minister of Land, Infrastructure, Transport and Tourism to such effect without delay.

- (i) In case that the right to operate water supply facilities has been rescinded, an order for suspension of the exercise of that right has been given, or such suspension has been terminated in accordance with the provisions of Article 29, paragraph (1) of the PFI Act
- (ii) In case that the right to operate water supply facility has become extinct due to the expiration of the duration of the right to operate water supply facility, pursuant to the provisions of Article 29, paragraph (4) of the PFI Act, or because the operation right holder of water supply facility has waived the right

(Special Provisions Related to Small-Scale Water Supply Services)

Article 25 (1) Regarding small-scale water supply services, in case that a

corresponding water supply system does not require water treatment facilities other than disinfection facilities and allows water supply alone through natural gravity flow of water, the provisions of Article 19, paragraph (3) shall not be applicable.

- (2) Notwithstanding the provisions of Article 24, paragraph (1), it shall be acceptable for a water supplier that manages small-scale water supply services whose population served is 2,000 people or less not to install fire hydrants in the corresponding water supply system through consultation with the head of municipality subject to Article 7 of the Fire and Disaster Management Organization Act (Act No. 226 of 1947).

Section 3 Designated Plumbing Work Contractor

(Application of Designation)

Article 25-2 (1) The designation set forth in Article 16-2, paragraph (1) shall be implemented through application by a person engaging in a business of plumbing works.

- (2) A person intending to seek designation stipulated in Article 16-2, paragraph (1) shall submit an application form subject to the provisions of Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism to a water supplier, which includes the following information.

- (i) Name or appellation and address of the person, and in case that such person is a corporation, the name of its representative
- (ii) Name and location of the office for conducting a business for plumbing works in service areas of the corresponding water supplier (hereinafter simply referred to as "office" in this Section), as well as the name of the chief engineer for plumbing work to be selected for each office under the provisions of Article 25-4, paragraph (1)
- (iii) Names, performance, and the quantity of machinery/equipment designed for conducting plumbing works
- (iv) Other matters determined under Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism

(Designation Standards)

Article 25-3 (1) In case that a water supplier deems that an applicant for designation set forth in Article 16-2, paragraph (1) has conformed to all requirements set forth in the following items, such water supplier shall make such designation.

- (i) The applicant assigns a person to be appointed as the chief engineer for plumbing work in accordance with the provisions of Article 25-4, paragraph (1) in each office.

- (ii) The applicant has the machinery/equipment specified under Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism.
- (iii) None of the followings are applicable to the applicant.
 - (a) A person set forth in Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism that is not able to appropriately conduct a project for plumbing works due to a mental or physical disorder.
 - (b) A person to which restoration of rights is not applicable after a decision for commencement of bankruptcy proceedings.
 - (c) A person that has been sentenced to punishment in violation of this Act and has completed execution thereof or regarding which two (2) years have not elapsed since the day of completion or discontinuance of the execution thereof.
 - (d) A person whose designation has been rescinded in accordance with the provisions of Article 25-11, paragraph (1) and regarding which two (2) years have not elapsed since the day of discontinuance of the same.
 - (e) A person regarding which there is reasonable cause to believe that there is likelihood that such person is conducting an unlawful or unfaithful act in relation to the services of such person.
 - (f) A person that is a corporation and to which any one of (a) through (e) is applicable to any officer of such person.
- (2) In case that the designation set forth in Article 16-2, paragraph (1) is applicable to a water supplier, such water supplier shall undertake measures for familiarizing the general public with information to such effect without delay.

(Renewal of Designation)

- Article 25-3-2 (1) Unless renewal takes place every five (5) years, the designation set forth in Article 16-2, paragraph (1) shall become invalid upon the elapse of such period.
- (2) In case that an application for renewal has been submitted in accordance with the preceding paragraph, if a decision regarding such application has not been made by the day of expiration of the period of the said paragraph (hereinafter referred to as the "effective period for designation" in this paragraph and the following paragraph), the previous designation shall remain valid during the period until the decision is made even following expiration of the effective period for designation.
 - (3) In cases set forth in the preceding paragraph, if designation has been renewed, the effective period for designation shall be reckoned from the day following the day of expiration of the previous effective period for designation.
 - (4) The provisions of the preceding two Articles shall apply mutatis mutandis to renewal of designation set forth in paragraph (1).

(Chief Engineer for Plumbing Work)

Article 25-4 (1) From among those who have been issued with chief engineer license for plumbing work, a designated plumbing work contractor shall appoint in each office a chief engineer for plumbing work who carries out duties set forth in each item of paragraph (3) in accordance with provisions of Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism.

- (2) In case that a designated plumbing work contractor has appointed a chief engineer for plumbing work, the designated plumbing work contractor shall notify the water supplier to such effect without delay. The same shall apply to cases in which the chief engineer for plumbing work has been dismissed.
- (3) The chief engineer for plumbing work shall sincerely implement the following duties.
 - (i) Technical management related to plumbing works
 - (ii) Technical guidance and supervision for those who engage in plumbing works
 - (iii) Confirmation concerning whether or not the structures and materials of plumbing system relating to plumbing works conform to the standards regulated under Cabinet Order based on the provisions of Article 16
 - (iv) Other duties set forth in Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism
- (4) A person engaging in plumbing works shall follow the guidance given by the chief engineer for plumbing work while on duty.

(Chief Engineer License for Plumbing Work)

Article 25-5 (1) The Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment shall issue a chief engineer license for plumbing work to a person who has passed examination for a chief engineer for plumbing work.

- (2) The Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment may decide not to issue the chief engineer license for plumbing work to a person to which either one of the following items is applicable.
 - (i) A person that has been ordered to return the chief engineer license for plumbing work in accordance with the provisions of the following paragraph and regarding which one (1) year has not elapsed following the day of such return.
 - (ii) A person that has been sentenced to punishment in violation of this Act and has completed execution thereof or regarding which two (2) years have not elapsed since the day of completion or discontinuance of the execution

thereof.

- (3) In case that a person that has been issued with the chief engineer license for plumbing work has violated this Act, the Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment may order such person to return the same.
- (4) The issuance, reissuance, reissuance and return of a chief engineer license for plumbing work shall be administered by the Minister of Land, Infrastructure, Transport.
- (5) In addition to the provisions of the preceding paragraphs, matters required for issuance, issuance for renewal, reissuance and returning of the chief engineer license for plumbing work shall be determined under Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism and Ministerial Order of the Ministry of the Environment.

(Examination for a Chief Engineer for Plumbing Work)

- Article 25-6 (1) Examination for a chief engineer for plumbing work shall be conducted by the Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment, and it shall concern knowledge and techniques required for a chief engineer for plumbing work.
- (2) Only a person that has practical experience of three (3) years or longer concerning plumbing works shall be entitled to take examination for a chief engineer for plumbing work.
 - (3) Examination subjects, examination procedures, and other details of examination for a chief engineer for plumbing work shall be determined under Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism and the Ministry of the Environment.

(Notification, etc. for Modification)

- Article 25-7 In case that modification has taken place concerning the name and location of an office for a designated plumbing work contractor or other matters determined under Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism, or when a designated plumbing work contractor has abolished, suspended, or resumed a business for plumbing works, such designated plumbing work contractor shall notify the relevant water supplier to such effect subject to the provisions of Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(Business Standards)

- Article 25-8 A designated plumbing work contractor shall endeavor business operation for plumbing works in accordance with the standards for business operation for plumbing works regulated under Ministerial Order of the

Ministry of Land, Infrastructure, Transport and Tourism.

(Presence of the Chief Engineer for Plumbing Work)

Article 25-9 When a water supplier implements inspection of plumbing system in accordance with the provisions of Article 17, paragraph (1), the water supplier may request that a designated plumbing work contractor who has implemented such plumbing works related to such plumbing system cause the chief engineer for plumbing work related to the office regarding which such plumbing works has been implemented to attend the relevant inspection.

(Submission of Reports and Materials)

Article 25-10 A water supplier may request that a designated plumbing work contractor submit reports or materials necessary in relation to plumbing works that such designated plumbing work contractor has implemented in its service area.

(Rescinding of Designation)

Article 25-11 (1) In case that any one of the following items is applicable to a designated plumbing work contractor, a water supplier may rescind the designation of Article 16-2, paragraph (1).

- (i) In case that a designated plumbing work contractor is no longer in conformation with any item of Article 25-3, paragraph (1)
- (ii) In case that a designated plumbing work contractor has violated any provision of Article 25-4, paragraph (1) or (2)
- (iii) In case that a designated plumbing work contractor has not provided notification in accordance with the provisions of Article 25-7 or has made a false statement
- (iv) In case that it is deemed impossible for a designated plumbing work contractor to conduct business operation for plumbing works in accordance with standards related to business operation for plumbing works set forth in Article 25-8
- (v) In case that a designated plumbing work contractor does not respond to a request from a water supplier in accordance with the provisions of Article 25-9 without a legitimate ground
- (vi) In case that a designated plumbing work contractor does not respond to a request from a water supplier in accordance with the provisions of the preceding Article without a legitimate ground or has submitted a false statement or material
- (vii) In case that plumbing works implemented by a designated plumbing work contractor has caused failure to functions of water supply facilities or is highly likely to cause such failure thereto

- (viii) In case that a designated plumbing work contractor has been designated as regulated under Article 16-2, paragraph (1) by wrongful means
- (2) The provisions of Article 25-3, paragraph (2) shall apply mutatis mutandis to the cases set forth in the preceding paragraph.

Section 4 Designated Examination Body

(Designation of Designated Examination Body)

- Article 25-12 (1) The Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment may cause a person designated thereby (hereinafter referred to as "a designated examination body") to conduct affairs (hereinafter referred to as "examination affairs") related to implementation of examination for a chief engineer for plumbing work.
- (2) Designation of a designated examination body shall be conducted with an application by a person that intends to perform examination affairs.

(Designation Standards)

- Article 25-13 (1) Unless there exists any other person that has been designated and unless it is deemed that an application as regulated under Article 25-12, paragraph (2) is found to satisfy the following requirements, the Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment shall not designate an applicant as a designated examination body.
- (i) The relevant plan relating to implementation of examination affairs concerning staff members, facilities, the method of implementing examination affairs, and other matters is appropriate for proper and assured implementation of examination affairs.
 - (ii) An applicant has the financial and technical foundation necessary for proper and assured implementation of a plan relating to implementation of examination affairs set forth in the previous item.
 - (iii) In case that an applicant has conducted services other than examination affairs, for such applicant to conduct such services is unlikely to cause examination affairs to be unfair.
- (2) In case that any one of the following items is applicable to an applicant that has made application as regulated under Article 25-12, paragraph (2), the Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment shall not designate the applicant as a designated examination body.
- (i) A person other than a general incorporated association or a general incorporation foundation.
 - (ii) An applicant whose designations have been rescinded in accordance with

the provisions of Article 25-24, paragraph (1) or (2) and regarding whom two (2) years have not elapsed reckoned from the day of such rescinding.

(iii) When there exists an officer of an applicant to whom either one of the following items is applicable.

(a) An officer who has been sentenced to punishment in violation of this Act and has completed execution thereof or regarding whom two (2) years have not elapsed since the day of completion or discontinuance of the execution thereof

(b) An officer who has been dismissed via an order set forth in the provisions of Article 25-15, paragraph (2) and regarding whom two (2) years have not elapsed reckoned from the day of such dismissal

(Public Notice for Designation, etc.)

Article 25-14 (1) When the Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment have granted designation as regulated under article 25-12, paragraph (1), the Ministers shall give public notice regarding the name, location of its principal office, and the day of such designation of a designated examination body.

(2) In case that a designated examination body intends to change its name or location of principal office, such designated examination body shall notify the Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment to such effect two (2) weeks prior to the intended day of such change.

(3) In case that notification set forth in the provisions of the preceding paragraph has taken place, the Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment shall give public notice to such effect.

(Appointment and Dismissal of an Officer)

Article 25-15 (1) Appointment and dismissal of an officer of a designated examination body shall not become effective unless the Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment authorize it.

(2) In case that an officer of a designated examination body has undertaken an action in violation of this Act (including an order or a disposition based on this Act), an action against the implementation rules for examination affairs set forth in Article 25-18, paragraph (1), or a remarkably inappropriate action in relation to examination affairs, the Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment may order a designated examination body to dismiss such officer.

(Examination Committee Members)

Article 25-16 (1) From among examination affairs, in case that a designated examination body conducts affairs regarding judgment concerning whether or not there exist knowledge and skills necessary as the chief engineer for plumbing work, the designated examination body shall cause examination committee members to conduct such affairs.

(2) In case that a designated examination body intends to appoint examination committee members, such designated examination body shall appoint the same from among those who satisfy the requirements determined under Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism and Ministerial Order of the Ministry of the Environment

(3) In case that a designated examination body has appointed examination committee members, subject to the provisions of Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism and Ministerial Order of the Ministry of the Environment, such designated examination body shall notify the Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment to such effect without delay. The same shall apply to cases in which examination committee members have been changed.

(4) The provisions of Article 25-15, paragraph (2) shall apply mutatis mutandis to dismissal of examination committee members.

(Confidentiality Obligations, etc.)

Article 25-17 (1) An officer or a staff member of a designated examination body (including examination committee members; the same applies in the paragraph hereinafter) or a former officer or a former staff member thereof shall not leak secrets that may come to his or her knowledge related to examination affairs.

(2) In relation to application of the Penal Code (Act No. 45 of 1907) and other Penal Regulations, an officer or a staff member of a designated examination body engaging in examination affairs shall be deemed to be a staff member engaging in public services under relevant laws and regulations.

(Implementation Rules for Examination Affairs)

Article 25-18 (1) A designated examination body shall set forth the regulations relating to implementation of examination affairs (hereinafter referred to as the "operational rules for examination affairs") prior to commencement of examination affairs and shall obtain permission from the Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment. The same shall apply to cases in which the implementation rules for examination affairs are changed.

(2) Matters determined under the implementation rules for examination affairs shall be regulated under Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism and Ministerial Orders of the Ministry

of the Environment.

- (3) In case that the implementation rules for examination affairs authorized in accordance with the provisions of paragraph (1) are deemed to have been inappropriate in the course of proper and assured implementation of examination affairs, the Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment may order a designated examination body to change such regulations.

(Authorization for Business Plans, etc.)

Article 25-19 (1) A designated examination body shall create a business plan and an income and expenditure budget each fiscal year (and in relation to a fiscal year to which a day of receipt of designation in accordance with the provisions of Article 25-12, paragraph (1) belongs, without delay following such designation), and the business plan and the income and expenditure budget must be authorized by the Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment prior to commencement of such fiscal year. The same shall apply to cases in which the business plan and the income and expenditure budget are to be changed.

- (2) A designated examination body shall create a business report and a statement of accounts each fiscal year and shall submit the same to the Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment within three (3) months following completion of such fiscal year.

(Furnishing of Books and Documents)

Article 25-20 A designated examination body shall furnish and maintain books and documents including matters related to examination affairs subject to the provisions of Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism and Ministerial Orders of the Ministry of the Environment.

(Order for Supervision)

Article 25-21 In case that the Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment deem it necessary to ensure an appropriate implementation of examination affairs, the Ministers may grant an order necessary in the course of supervision relating to examination affairs to a designated examination body.

(Reporting, Inspection, etc.)

Article 25-22 (1) In case that the Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment deem it necessary to ensure an appropriate implementation of examination affairs, the Ministers may

request that a designated examination body make reports necessary in relation to the status of examination affairs or may cause officials of the Ministers to enter an office of a designated examination body and to inspect a status of examination affairs, facilities, books and documents, and/or other items.

- (2) An official who conducts an on-the-spot inspection in accordance with the provisions of the preceding paragraph shall carry a certificate demonstrating his or her status. At the request of a concerned person, such official shall present such certificate thereto.
- (3) Authority stipulated in paragraph (1) may not be construed as being granted for criminal investigation purposes.

(Suspension and Abolishment of Examination Affairs)

Article 25-23 (1) A designated examination body shall not suspend examination affairs in whole or in part, or abolish the same, unless it obtains the permission of the Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment.

- (2) Unless it is recognized that there is no likelihood of causing detriments to proper and sure implementation of examination affairs due to suspension of examination affairs in whole or in part by a designated examination body or abolishment thereof, the Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment shall not provide the same with the permission of set forth in the provisions of the preceding paragraph.
- (3) When the permission set forth in the provisions of paragraph (1) has been granted, the Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment shall make public notice to such effect.

(Rescinding of Designation, etc.)

Article 25-24 (1) In case that any one of Article 25-13, paragraph (2), item (i) or (iii) is applicable to a designated examination body, the Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment shall rescind such designation.

- (2) In case that any one of the following items is applicable to a designated examination body, the Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment may rescind such designation or may order such designated examination body to suspend examination affairs in whole or in part, establishing a reasonable period therefor.
 - (i) In case that it is recognized that any requirement of each item of Article 25-13, paragraph (1) is no longer being satisfied
 - (ii) In case that a designated examination body has violated an order in accordance with Article 25-15, paragraph (2) (including the cases where applied mutatis mutandis pursuant to Article 25-16, paragraph (4)), Article

- 25-18, paragraph (3), or Article 25-21
- (iii) In the case of violation of the provisions of Article 25-16, paragraph (1), Article 25-19, Article 25-20, or Article 25-23, paragraph (1)
 - (iv) In case that examination affairs have been performed not in accordance with the implementation rules for examination affairs authorized in accordance with the provisions of Article 25-18, paragraph (1)
 - (v) In case that designation as a designated examination body has been granted by wrongful means
- (3) In case that the Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment have rescinded designation in accordance with the provisions of the preceding two paragraphs or has ordered suspension of examination affairs in whole or in part in accordance with the provisions of the preceding paragraph, the Ministers shall make public notice to such effect.

(Conditions for Designation, etc.)

- Article 25-25 (1) It shall be possible to attach relevant conditions to designation, authorization, or permission, or to change the same set forth in the provisions of Article 25-12, paragraph (1), Article 25-15, paragraph (1), Article 25-18, paragraph (1), Article 25-19, paragraph (1), or Article 25-23, paragraph (1).
- (2) Conditions set forth in the preceding paragraph shall be limited to minimum required conditions for attempting assured implementation of matters related to a corresponding designation, authorization, or permission and shall not impose unreasonable obligations on a person that receives such designation, authorization, or permission.

(Implementation of Examination Affairs by the Minister of Land,

Infrastructure, Transport and Tourism and the Minister of the Environment)

- Article 25-26 (1) When the Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment grant designation to a designated examination body, no examination affairs shall be performed by the Ministers.
- (2) In case that a designated examination body has suspended examination affairs in whole or in part in response to the permission set forth in the provisions of Article 25-23, paragraph (1), in case that suspension of examination affairs in whole or in part has been ordered to a designated examination body in accordance with the provisions of Article 25-24, paragraph (2), or in case that it has become difficult for a designated examination body to implement examination affairs in whole or in part due to a disaster or for other reasons, if the Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment deem it necessary, the Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment

shall perform examination affairs in whole or in part.

- (3) In case that the Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment intend to perform examination affairs in whole or in part on its own in accordance with the provisions of the preceding paragraph or in case that the Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment have decided not to perform examination affairs in whole or in part performed on its own, the Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment shall make public notice to such effect.

(Delegation to Orders of the Ministry of Land, Infrastructure, Transport and Tourism and the Ministry of the Environment)

Article 25-27 In addition to the provisions under this Act, matters necessary in relation to a designated examination body, examination affairs conducted thereby, as well as take-over of examination affairs shall be determined under Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism and Ministerial Order of the Ministry of the Environment.

Chapter IV Wholesale Water Supply Services

(Authorization of Services)

Article 26 In case that a person intends to manage wholesale water supply services, such person must be authorized by the Minister of Land, Infrastructure, Transport and Tourism.

(Application for Authorization)

Article 27 (1) To apply for an authorization of the license of operation for wholesale water supply services, an applicant shall submit an application form, accompanied by business plan, construction specifications, and other documents (including drawings) specified under Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism to the Minister of Land, Infrastructure, Transport and Tourism.

- (2) The following matters must be included in the application form set forth in the preceding paragraph.

(i) The address and name of the applicant (in the case of a corporation or an association/cooperative, an address and appellation of principal office and the name of the representative)

(ii) Location of an office of water supply

- (3) If changes have occurred to the matters stated in the application forms set forth in the preceding paragraph, a wholesale water supplier shall promptly notify the Minister of Land, Infrastructure, Transport and Tourism thereof.

- (4) The business plan mentioned in paragraph (1) shall include the following matters.
- (i) Target water suppliers and volume of water supplied
 - (ii) Outline of water supply facilities
 - (iii) Scheduled dates and years for commencement of water supply
 - (iv) Scheduled total amount of construction expenses and their planned fund source
 - (v) Balance of current account (income and expense)
 - (vi) Other matters determined under Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism
- (5) The construction specifications mentioned in paragraph (1) shall include the following matters.
- (i) Maximum daily volume of water supplied and average daily volume of water supplied
 - (ii) Type of water sources and water intake points
 - (iii) Rough estimate of water quantity at water sources and results of water quality analysis
 - (iv) Location of water supply facilities (including elevation and water levels), their scales and structure
 - (v) Water treatment process
 - (vi) Scheduled dates and years for commencement and completion for construction work
 - (vii) Other matters determined under Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism

(Standards for Authorization)

Article 28 (1) The license of operation for wholesale water supply services must not be given unless the related application satisfies all requirements set forth in the following items.

- (i) A plan for the corresponding wholesale water supply services is reliable and reasonable.
 - (ii) Design for construction of the water supply facilities satisfies the facility standards in accordance with the provisions of Article 5.
 - (iii) In case wholesale water supply services are applied for by a person other than a local government, there exists a certain financial foundation capable of performing such water supply services.
 - (iv) In addition to the preceding items above, the commencement of the corresponding wholesale water supply services is required from a viewpoint of public interest.
- (2) Detailed technical requirements for the application of standards, provided for in respective items of the preceding paragraph, shall be determined under

Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(Conditions for Authorization)

Article 29 (1) In the case that the Minister of Land, Infrastructure, Transport and Tourism grants an authorization for operation of wholesale water supply services to a person other than a local government, the Minister may attach relevant conditions for such management.

(2) The provisions of Article 9, paragraph (2) shall apply mutatis mutandis to conditions set forth in the preceding paragraph.

(Modification in Wholesale Water Supply Services)

Article 30 (1) In case that a wholesale water supplier intends to increase its target water supplier or volume of water supplied, or to change types of water sources, water intake points, or water treatment processes (excluding cases set forth in the following items), such wholesale water supplier shall obtain authorization of the Minister of Land, Infrastructure, Transport and Tourism.

(i) In case that the modification is limited to minor changes classified by Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism

(ii) In case that the modification is incidental to the total acceptance of wholesale water supply services from another entity

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

(3) In case that a wholesale water supplier makes any modification set forth in any item of paragraph (1), such wholesale water supplier shall notify the Minister of Land, Infrastructure, Transport and Tourism to such effect in accordance with Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism in advance.

(Mutatis Mutandis Application)

Article 31 The provisions of Article 11, paragraphs (1) and (3), Article 12, Article 13, Article 15, paragraph (2), Article 19 (excluding paragraph (2), item (iii)), Articles 20 through 23, Article 24-2, Article 24-3 (excluding paragraph (7)), Article 24-4, Article 24-5, Article 24-6 (excluding paragraph (1), item (ii)), Article 24-7, Article 24-8 (excluding paragraph (3)), and Articles 24-9 through 24-13 shall apply mutatis mutandis to a wholesale water supplier. In such case, in relation to the provisions included in the left column of the following Table, expressions included in the middle column of the Table below shall be read as expressions in the right column of the said Table.

Article 11, paragraph (1)	"or all corresponding water supply services thereof"	"or all corresponding wholesale water supply services thereof"
Provision of Article 11, paragraph (1)	"of such water supply services"	"of such wholesale water supply services"
	"water supply services"	"wholesale water supply services"
Article 15, paragraph (2)	"water to a person receiving water ... water... at all times"	"wholesale water in accordance with the provisions of a water service contract to a water supplier receiving wholesale water"
Article 15, paragraph (2)	"service areas"	"target water suppliers"
	"areas and"	"targets and"
	"familiarizing concerned persons with"	"for a wholesale water supplier to notify a water supplier supplying wholesale water"
Article 19, paragraph (2)	"matters"	"matters (excluding matters described in item (iii))"
Article 22-4, paragraph (1)	"service areas"	"service areas of a water supplier to whom a wholesale water supplier supplies wholesale water"
Article 23, paragraph (1)	"to notify the persons"	"for a wholesale water supplier to notify a water supplier to whom a wholesale water supplier supplies wholesale water"
Article 24-2	"water supply systems"	"water supply systems of a water supplier to whom a wholesale water supplier supplies wholesale water"
	"about the water supply services"	"about the wholesale water supply services"
Article 24-3, paragraph (4)	"each item of Article 19, paragraph (2)"	"each item of Article 19, paragraph (2) (excluding item (iii))"
Article 24-3, paragraph (6)	"Article 17, Article 20"	"Article 20"
	"Article 25-9, Article 36, paragraph (2)"	"Article 36, paragraph (2)"

Article 24-3, paragraph (8)	"each item of the said paragraph"	"each item of the said paragraph (excluding item (iii))"
Article 24-4, paragraph (1)	"of water supply services"	"of wholesale water supply services"
Article 24-4, paragraph (3)	"Article 6, paragraph (1)"	"Article 26"
	"the operation of water supply services"	"the license of operation for wholesale water supply services"
Article 24-5, paragraph (3), item (vi)	"water supply services"	"wholesale water supply services"
Article 24-7, paragraph (2)	"each item of Article 19, paragraph (2)"	"each item of Article 19, paragraph (2) (excluding item (iii))"
Article 24-8, paragraph (1)	"Articles 14, paragraphs (1), (2), and (5), Article 15, paragraphs (2) and (3)"	"Article 15, paragraph (2)"
	"Article 24, paragraph (3), and"	"and"

	<p>"Article 24, paragraph (3)... "rates" of Article 14, paragraph (1) shall be considered to be "fee (including fee related to use of water supply facilities (hereinafter referred to as "usage fee related to an operation right holder of water supply facility" in the following paragraph) are to be obtained by an operation right holder of water supply facility set forth in Article 24-4, paragraph (3) (hereinafter referred to as an "operation right holder of water supply facility" in Article 14, paragraph (2), Article 15, paragraph (2), and Article 23, paragraph (2)) set forth in Article 24-4, paragraph (3); the same applies to Article 14, paragraph (2), items (i) and (ii) and paragraph (5), Article 15, paragraph (3), and Article 24, paragraph (3)), "the following" of Article 14, paragraph (2) shall be "in relation to usage fee related to an operation right holder of water supply facility, in addition to clear provision to the effect that an operation right holder of water supply facility is entitled to directly claim for its payment to consumers for water supply systems, the following," "have been received" of the provision of Article 15, paragraph (2)"</p>	<p>"and the provision of Article 15, paragraph (2)"</p>
--	---	---

	"(...an operation right holder of water supply facility"	"an operation right holder of water supply facility set forth in Article 24-4, paragraph (3) (hereinafter referred to as an "operation right holder of water supply facility" in Article 23, paragraph (2))"
	"a water supplier (including an operation right holder of water supply facility; the same applies hereinafter in this paragraph and Article 24-9, paragraph (3))"	"a wholesale water supplier (including an operation right holder of water supply facility; the same applies hereinafter in this paragraph"
	In such case, an operation right holder of water supply facility shall enjoy benefits from a water service contract (limited to the portions related to the right to claim for payment of usage fee for water supply facilities targeted by the project of water supply facility operation etc.) as a matter of course.	"."
Article 24-8, paragraph (2)	"Article 17, Article 20"	"Article 20"
	"Article 23, paragraph (1), Article 25-9"	"Article 23, paragraph (1)"

Chapter V Specified Privately Owned Water Supply System

(Confirmation)

Article 32 A person that intends to conduct a construction work for a specified privately owned water supply system must, before commencing of such work, be awarded the prefectural governor's confirmation that the design for the planned construction work satisfies the facility standards in accordance with the provisions of Article 5 herein.

(Application for Confirmation)

Article 33 (1) To apply for confirmation set forth in the previous Article, an

applicant shall submit an application form, accompanied by construction specifications and other documents (including drawings) specified under Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism to the competent prefectural governor.

- (2) The following matters must be included in the application form set forth in the preceding paragraph.
 - (i) The address and name of the applicant (in the case of a corporation or an association/cooperative, an address and appellation of principal office and the name of the representative)
 - (ii) The location of an office of water supply
- (3) If changes have occurred to the matters stated in the application forms set forth in the preceding paragraph, the person that installs specified privately owned water supply system shall promptly notify the competent prefectural governor thereof.
- (4) The construction specifications mentioned in paragraph (1) shall include information on the following matters.
 - (i) Maximum daily volume of water supplied and average daily volume of water supplied
 - (ii) Type of water sources and water intake points
 - (iii) Rough estimate of water quantity at water sources and results of water quality analysis
 - (iv) Outline of water supply facilities
 - (v) Location of water supply facilities (including elevation and water levels), their scales and structure
 - (vi) Water treatment process
 - (vii) Scheduled dates and years for commencement and completion for construction work
 - (viii) Other matters determined under Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism
- (5) In case that the competent prefectural governor has accepted an application set forth in paragraph (1), if it has been confirmed that designing of corresponding work has conformed to the facility standards set forth in Article 5, such governor shall notify an applicant to such effect. In case that it has been recognized that designing of corresponding work has not conformed thereto or in case that it is impossible to judge whether or not designing of corresponding work has conformed thereto, through use of documents attached to an application form, such governor shall notify the applicant to such effect, pointing out the points of nonconformance, or stating the reason why he or she is not able to make relevant judgment.
- (6) Notification set forth in the preceding paragraph must be granted in writing within thirty (30) days reckoned from the day of acceptance of application set

forth in paragraph (1).

(Mutatis Mutandis Application)

Article 34 (1) The provisions of Article 13, Article 19 (excluding paragraph (2), items (iii) and (vii)), Articles 20 through 22-2, Articles 23, and Article 24-3 (excluding paragraph (7)) shall apply mutatis mutandis to a person that installs specified privately owned water supply system. In such case, in relation to the provisions included in the left column of the following Table, expressions included in the middle column of the said Table shall be read as expressions in the right column of the said Table.

Article 13, paragraph (1)	"the Minister of Land, Infrastructure, Transport and Tourism"	"the competent prefectural governor"
Article 19, paragraph (2)	"matters"	"matters (excluding matters described in items (iii) and (vii))"
Article 24-3, paragraph (2)	"the Minister of Land, Infrastructure, Transport and Tourism"	"the competent prefectural governor"
Article 24-3, paragraph (4)	"each item of Article 19, paragraph (2)"	"each item of Article 19, paragraph (2) (excluding items (iii) and (vii))"
Article 24-3, paragraph (6)	"Article 17, Article 20 through Article 22-3"	"Article 20 through Article 22-2"
	"Article 25-9, Article 36, paragraph (2), as well as Article 39 (...paragraphs (2))"	"Article 36, paragraph (2), as well as Article 39 (...paragraphs (1))"
Article 24-3, paragraph (8)	"each item of the said paragraph"	"each item of the said paragraph (excluding matters described in items (iii) and (vii))"

(2) In relation to a specified privately owned water supply system whose maximum daily volume of water supplied is 1,000 cubic meters or less, in case that such water supply system does not require water treatment facilities other than disinfection facilities and allows water supply only through natural gravity flow of water, notwithstanding the provisions of the preceding paragraph, the provision of Article 19, paragraph (3) shall not apply mutatis mutandis.

Chapter VI Specified Building Water Supply System with Tank Storage

Article 34-2 (1) A person that installs a specified building water supply system

with tank storage shall manage its water supply system in accordance with standards set under Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism.

- (2) A person that installs a specified building water supply system with tank storage shall be subject to a regular inspection implemented by an organ of local government or a person registered by the Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment regarding management of such specified building water supply system with tank storage, in accordance with Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism (Ministerial Order of the Ministry of the Environment for matters concerning the inspection of quality of water supplied via a specified building water supply system with tank storage).

(Obligation to Conduct Inspection)

Article 34-3 In case that a person registered under Article 34-2, paragraph (2) has been requested to conduct an inspection for management of a specified building water supply system with tank storage, such person shall do so without delay except where there exists a legitimate ground for doing otherwise.

(Mutatis Mutandis Application)

Article 34-4 The provisions of Articles 20-2 through 20-5 shall apply mutatis mutandis to registration set forth in Article 34-2, paragraph (2), the provisions of Article 20-6, paragraph (2) shall apply mutatis mutandis to an inspection for management of a specified building water supply system with tank storage, and the provisions of Articles 20-7 through 20-16 shall apply mutatis mutandis to a person registered as regulated under Article 34-2, paragraph (2), respectively. In such case, in relation to the provisions included in the left column of the following Table, words and phrases/expressions included in the middle column of the said Table shall be read as words and phrases/expressions in the right column of the said Table.

Article 20-2	"water quality testing"	"an inspection for management of a specified building water supply system with tank storage"
Article 20-4, paragraph (1), item (i)	"water quality testing provided for in Article 20, paragraph (1)"	"an inspection for management of a specified building water supply system with tank storage"
	"testing facilities"	"testing equipment"

	"water quality testing through the use of"	"an inspection for management of a specified building water supply system with tank storage through the use of"
Article 20-4, paragraph (1), item (ii)	"Appended Table 1"	"Appended Table 2"
	"water quality testing"	"an inspection for management of a specified building water supply system with tank storage"
	"Five (5) or more persons"	"Three (3) or more persons"
Article 20-4, paragraph (1), item (iii)	"water quality testing"	"an inspection for management of a specified building water supply system with tank storage"
Article 20-4, paragraph (2)	"a registry of water quality testing body"	"a registry of testing body for a specified building water supply system with tank storage"
Article 20-4, paragraph (2), item (iii)	"water quality testing"	"an inspection for management of a specified building water supply system with tank storage"
Article 20-6, paragraph (2)	"registered water quality testing body"	"a person registered as regulated under Article 34-2, paragraph (2)"
Article 20-7	"water quality testing"	"an inspection for management of a specified building water supply system with tank storage"
Article 20-8, paragraph (1)	"water quality testing"	"an inspection for management of a specified building water supply system with tank storage"
	"operational rules for water quality testing"	"operational rules for testing of specified building water supply system with tank storage"
Article 20-8, paragraph (2)	"operational rules for water quality testing"	"operational rules for testing of specified building water supply system with tank storage"
	"water quality testing"	"an inspection for management of a specified building water supply system with tank storage"
	"for water quality testing"	"for an inspection for management of a specified building water supply system with tank storage"

Article 20-9	"water quality testing"	"an inspection for management of a specified building water supply system with tank storage"
Article 20-10, paragraph (2)	"A water supplier"	"A person that establishes a specified building water supply system with tank storage"
Article 20-12	"paragraph (1) or (2) of Article 20-6"	"paragraph (2) of Article 20-6 or Article 34-3"
	"accept a request for entrustment of water quality testing"	"undertake an inspection for management of a specified building water supply system with tank storage"
	"for water quality testing"	"for an inspection for management of a specified building water supply system with tank storage"
Article 20-13	"water quality testing"	"an inspection for management of a specified building water supply system with tank storage"
Article 20-13, item (v)	"Article 20, paragraph (3)"	"Article 34-2, paragraph (2)"
Article 20-14	"to water quality testing"	"to an inspection for management of a specified building water supply system with tank storage"
Article 20-15, paragraph (1)	"of water quality testing"	"of an inspection for management of a specified building water supply system with tank storage"
	"testing facilities"	"testing equipment"
Article 20-16, item (i)	"Article 20, paragraph (3)"	"Article 34-2, paragraph (2)"
Article 20-16, item (iv)	"Article 20, paragraph (3)"	"Article 34-2, paragraph (2)"
	"water quality testing"	"an inspection for management of a specified building water supply system with tank storage"

Chapter VII Supervision

(Rescission of Authorization)

Article 35 (1) In case that a water supplier or a wholesale water supplier has not commenced construction within one (1) year following elapse of the scheduled date and year for commencement of construction included in a construction

specifications attached to an application form for service authorization without a legitimate ground, in case that a water supplier or a wholesale water supplier has not completed the work within one (1) year following elapse of the scheduled date and year for completion for construction, or in case that a water supplier or a wholesale water supplier has not commenced water supply within one (1) year following elapse of the scheduled date and year of commencement of water supply included in its business plan, the Minister of Land, Infrastructure, Transport and Tourism may rescind the authorization of services. In such case, in case that construction work has been completed in part at the time of elapse of one (1) year following elapse of the scheduled dates and years, the Minister may also rescind the authorization of services concerning the portions whose construction has not been completed.

(2) In case that there exists a reason set forth in the preceding paragraph regarding a water supplier other than a local government, the municipality whose service areas for corresponding water supply services are included in areas of such municipality may request that the Minister of Land, Infrastructure, Transport and Tourism perform disposition stipulated in the said paragraph.

(3) In order for the Minister of Land, Infrastructure, Transport and Tourism to perform disposition set forth in paragraph (1) concerning a water supplier who is a local government or a wholesale water supplier, the Minister shall provide the same with an opportunity for explanation. In such case, the Minister shall notify the same of a date and time for and location of explanation as well as a reason for such disposition in writing beforehand.

(Instruction for Improvement, etc.)

Article 36 (1) In case that the Minister of Land, Infrastructure, Transport and Tourism has recognized that corresponding water supply facilities related to water supply services or wholesale water supply services are no longer in conformance with facility standards set forth in Article 5, or in case that the competent prefectural governor has recognized that corresponding water supply facilities related to a specified privately owned water supply system are no longer in conformance with facility standards set forth in Article 5, and if the Minister of Land, Infrastructure, Transport and Tourism or the competent prefectural governor deems it urgently necessary for protecting citizens' health and safety, the Minister of Land, Infrastructure, Transport and Tourism or the competent prefectural governor may provide the corresponding water supplier, a corresponding wholesale water supplier, or a corresponding person that installs specified privately owned water supply system with instructions to the effect that the aforementioned facilities be improved, establishing a reasonable period for so doing.

- (2) Despite the fact that the Minister of Land, Infrastructure, Transport and Tourism (regarding water supply services and wholesale water supply services) or the competent prefectural governor (regarding specified privately owned water supply systems) has issued warning to the effect that a technical administrator of water supply system has neglected its duties, if such technical administrator of water supply system has nevertheless continued to neglect its duties, the Minister of Land, Infrastructure, Transport and Tourism or the competent prefectural governor may recommend that the corresponding water supplier, a corresponding wholesale water supplier, or a corresponding person that installs specified privately owned water supply system change the technical administrator of water supply system.
- (3) In case that the competent prefectural governor has recognized that management of a specified building water supply system with tank storage has no longer conformed to relevant standards set forth in Ministerial Order of the Minister of Land, Infrastructure, Transport and Tourism of Article 34-2, paragraph (1), the competent prefectural governor may instruct that a corresponding person that installs a specified building water supply system with tank storage to perform cleaning and/or undertake other necessary measures in relation to management of such specified building water supply system with tank storage.

(Order to Suspend Water Supply)

Article 37 In case that a water supplier or a wholesale water supplier does not follow instructions set forth in the provisions of paragraph (1) or (3) of the preceding Article (and the Minister of Land, Infrastructure, Transport and Tourism is in charge of this case) or in case that a person that installs specified privately owned water supply system or a person that installs a specified building water supply system with tank storage does not follow the said instructions (and in this case the competent prefectural governor is in charge), if the Minister of Land, Infrastructure, Transport and Tourism or the competent prefectural governor deems that continuance of water supply would hinder benefits to users of the corresponding water supply system, during the period until matters related to such instructions are carried out, the Minister of Land, Infrastructure, Transport and Tourism or the competent prefectural governor may give an order for suspension of water supply via such water supply system. The same shall apply to cases in which, in the case of nonobservance of recommendation in accordance with the provisions of paragraph (2) of the said Article, when it is deemed that continuance of water supply would hinder benefits of users of a corresponding water supply system.

(Change in Service Conditions)

Article 38 (1) In case that the Minister of Land, Infrastructure, Transport and Tourism has deemed that rates, bearing for expenses for plumbing works, or other service conditions for a water supplier other than a local government have become remarkably inappropriate due to changes in social and economic situations, etc., which thereby is cause to believe that there exists hinderance to enhancement of public interest, the Minister of Land, Infrastructure, Transport and Tourism may order such water supplier to apply for authorization for changing service conditions, setting a reasonable period for so doing.

(2) In case that a water supplier does not apply for authorization set forth in the preceding paragraph during the period determined under the preceding paragraph, the Minister of Land, Infrastructure, Transport and Tourism may change relevant service conditions.

(Collection of Reports and On-the-spot Inspection)

Article 39 (1) In case that the Minister of Land, Infrastructure, Transport and Tourism deems it necessary to ensure appropriate implementation of construction or management of a water supply system (limited to that used for water supply services, etc.; the same applies hereinafter in this paragraph) or to ensure appropriateness of water supply services or wholesale water supply services, the Minister of Land, Infrastructure, Transport and Tourism may collect reports about the status of construction work or the status of implementation of a project from a water supplier or a wholesale water supplier, or may cause its officials to enter a construction site for the water supply system, an office, or an operating office in which water supply facilities exist and to inspect the status of implementation of its construction work, water supply facilities, water quality, water pressure, water quantity, or required books and documents (including an electromagnetic record created in lieu of creation of the aforementioned documents, if any; the same applies hereinafter in paragraph (2) and Article 40, paragraph (8)).

(2) In case that the competent prefectural governor deems it necessary to ensure appropriate implementation of construction or management of a water supply system (except that used for water supply services, etc.; the same applies hereinafter in this paragraph), the competent prefectural governor may collect reports about the status of construction work or the status of management of a specified privately owned water supply system from a person that installs specified privately owned water supply system, or may cause officials of the competent prefectural government to enter a construction site for the water supply system, an office, or an operating office in which water supply facilities exist and to inspect a status of implementation of its construction work, water supply facilities, water quality, water pressure, water quantity, or required

books and documents.

- (3) In case that the competent prefectural governor deems it necessary to ensure appropriate management of a specified building water supply system with tank storage, the competent prefectural governor may collect reports about the status of management of a specified building water supply system with tank storage from a person that installs a specified building water supply system with tank storage or may cause officials of the competent prefectural government to enter a location in which specified building water supply system with tank storage facilities exist or an office of such person and to inspect its facilities, water quality, or required books and documents.
- (4) An official who conducts an on-the-spot inspection in accordance with the provisions of the preceding three paragraphs shall carry a certificate demonstrating his or her status. At the request of a concerned person, such employee shall present such certificate thereto.
- (5) Authority stipulated in paragraph (1), (2), or (3) for an on-the-spot inspection may not be construed as being granted for criminal investigation purposes.

Chapter VIII Miscellaneous Provisions

(Ensured Collaboration and Cooperation during Disasters and in Emergencies)

Article 39-2 The national, prefectural as well as municipal governments and, water suppliers, etc., and other concerned parties shall endeavor to cooperate with each other while attempting mutual collaboration in order to intend to provide emergency water supply in the case of emergencies and/or disasters and promptly restore water supply facilities.

(Emergency Assistance through Wholesale Water)

Article 40 (1) In case that the competent prefectural governor deems an urgent supply of wholesale water necessary and appropriate to protect public interest, in the case of emergencies and/or disasters, the competent prefectural governor may order a water supplier or a wholesale water supplier to supply water taken within water supply facilities of the said entity to other water suppliers or wholesale water suppliers, by setting a reasonable period therefor, water quantity, and relevant methods.

(2) In relation to affairs that fall within the authority of the competent prefectural governor set forth in the preceding paragraph, in case that the Minister of Land, Infrastructure, Transport and Tourism deems that such affairs may seriously influence citizens' life and health, the Minister may instruct that the competent prefectural governor conduct affairs set forth in the preceding paragraph.

(3) In cases set forth in paragraph (1), in case that the Minister of Land,

Infrastructure, Transport and Tourism deems that the competent prefectural governor is not able to conduct affairs that fall within the authority of the competent prefectural governor set forth in paragraph (1), notwithstanding the provisions of the said paragraph, such affairs shall be conducted by the Minister of Land, Infrastructure, Transport and Tourism.

- (4) In cases set forth in paragraphs (1) and (3), the compensation for supply shall be determined by mutual agreement between the concerned parties. In case that reaching of an agreement concerning the compensation for supply is not made or is impossible between the concerned parties, prefectural governor makes a ruling based on the actual costs required for the supply.
- (5) In relation to affairs that fall within the authority of the competent prefectural governor set forth in paragraphs (1) and (4), in case that the competent prefectural governor in accordance with the provisions of Article 48 related to a water supplier or a wholesale water supplier who is a consumer differs from the competent prefectural governor in accordance with the said provisions related to a water supplier or a wholesale water supplier who is a supplying party, notwithstanding the provisions of paragraphs (1) and (4), the Minister of Land, Infrastructure, Transport and Tourism shall conduct such affairs.
- (6) A party that has objection to a decision as set forth in paragraph (4) may claim for increase or decrease of compensation for supply by filing an action within six (6) months following the day of decision.
- (7) In relation to filing for arbitration as set forth in the preceding paragraph, another party related to supply shall be the defendant.
- (8) In case that the competent prefectural governor deems it necessary for conducting affairs as set forth in paragraphs (1) and (4), the competent prefectural governor may collect reports about the status of implementation of a project from a water supplier or a wholesale water supplier or may cause officials of the competent prefectural government to enter an office or a location in which water supply facilities exist and to inspect water supply facilities, water quality, water pressure, water quantity, or required books and documents.
- (9) The provisions of Article 39, paragraphs (4) and (5) shall apply mutatis mutandis to affairs conducted by the competent prefectural governor in accordance with the provisions of the preceding paragraph. In such case, "the preceding three paragraphs" of paragraph (4) of the said Article and "paragraph (1), (2), or (3)" of paragraph (5) of the said Article shall be read as "Article 40, paragraph (8)."

(Recommendation for Rationalization)

Article 41 In case that the Minister of Land, Infrastructure, Transport and

Tourism recognizes that the integration of operations or coordination of service areas among two or more water suppliers, among two or more wholesale water suppliers, or between a water supplier and a wholesale water supplier will be rational in view of service areas, population served, volume of water supplied, water source, etc. and will greatly enhance the public interest, the Minister of Land, Infrastructure, Transport and Tourism may make recommendations to such effect to the parties concerned.

(Acquisition by Local Government)

- Article 42 (1) In the case that a person other than a local government establishes service areas within areas of such local government and manages water supply services therein, if the corresponding water supplier does not follow instructions for improvement of facilities in accordance with the provisions of Article 36, paragraph (1), in case that, despite a request for expansion of service areas because of needs of public interest from the municipality whose administrative area includes the service area, relevant responses thereto have not been made, or in case that for the local government to manage the water supply services within the areas of such local government is considered to be appropriate and reasonable for enhancement of public interest, after obtaining the authorization of the Minister of Land, Infrastructure, Transport and Tourism, the local government may purchase water supply facilities related to a corresponding water supply system, related land, buildings, other items, and rights necessary to manage water supply services from the water supplier.
- (2) In case that a local government intends to purchase water supply facilities, etc. in accordance with the provision of the preceding paragraph, the local government shall consult with the targeted water supplier concerning the scope of purchasing, prices, and other purchasing conditions.
- (3) In case that the consultations set forth in the preceding paragraph do not result in an amicable settlement or in case that it is impossible for the local government to undertake such consultations, the Minister of Land, Infrastructure, Transport and Tourism shall implement certain arbitration therefor. In such case, purchase prices shall be determined in accordance with market prices to be used as standards.
- (4) In case that arbitration set forth in the preceding paragraph has taken place, the effect of such ruling shall be subject to an example of effect for condemnation determined under the Expropriation of Land Act (Act No. 219 of 1951).
- (5) In case that a person has an objection to purchase prices based on arbitration set forth in paragraph (3), such person may claim for increase or decrease by filing an action within six (6) months following such arbitration.

- (6) In relation to filing for arbitration set forth in the preceding paragraph, another person related to purchasing shall be the defendant.
- (7) In relation to a request for administrative review concerning arbitration set forth in paragraph (3), objection to purchase prices may not constitute a reason for objection regarding such arbitration.

(Requests for Prevention of Contamination in Water Sources, etc.)

Article 43 In case that it is deemed necessary for preservation of the water quality of water sources, a water supplier or a wholesale water supplier may state its opinions on prevention of contamination of water in water sources to the head of the administrative agency concerned or the head of the relevant local government, or may request that such a head undertake appropriate measures therefor.

(Subsidies from the National Treasury)

Article 44 The National Government may, within the limits of its budget and pursuant to the provisions of Cabinet Order, partially subsidize local governments that operate water supply services or wholesale water supply services, for the expenses required for such services that are specified by Cabinet Order.

(Special Subsidies from the National Government)

Article 45 In case that a local government intends to carry out a new construction, expansion, or remodeling of water supply facilities, or restoration of the same after damage caused due to a disaster, the National Government shall endeavor to secure financing and mediation for funds necessary for such activities.

(Promotion of Research and Development, etc.)

Article 45-2 The National Government shall strive to promote research on facilities and technologies related to water supply systems, analysis and research on the water quality, study and research on appropriate, reasonable supply and use of water consumed in daily life, and other forms of research, testing, and study regarding water supply systems.

(Charges)

Article 45-3 (1) A person that intends to receive issuance, issuance for renewal, reissuance of a certificate for the chief engineer license for plumbing work shall pay charges in the amount determined under Cabinet Order in view of actual costs to the National Government.

(2) A person that intends to take an examination for a chief engineer for

plumbing work shall pay to the National Government (and in case that a designated examination body conducts examination affairs, to such designated examination body) charges for such examination in the amount determined under Cabinet Order in view of actual costs.

- (3) Charges paid to a designated examination body in accordance with the provisions of the preceding paragraph shall be revenue for a designated examination body.

(Opinion Hearing)

Article 45-4 (1) The Minister of Land, Infrastructure, Transport and Tourism shall, when the Minister intends to take any of the following actions, obtain the opinion of the Minister of the Environment from the viewpoint of preserving the quality of water supplied by water supply systems or hygiene of water supply systems.

- (i) The provisions of Article 5, paragraph (4), Article 7, paragraph (1) or paragraph (5), item (viii), or Article 8, paragraph (2) (including the cases where these provisions are applied mutatis mutandis under Article 10, paragraph (2)), The provisions of Article 10, paragraph (1), item (i) or paragraph (3), the provisions of Article 13, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 31 or Article 34, paragraph (1)), The provisions of Article 27, paragraph (1), or paragraph (5), item (vii), or Article 28, paragraph (2) (including the cases where these provisions are applied mutatis mutandis under Article 30, paragraph (2)), The provisions of Article 30, paragraph (1), item (i) or paragraph (3), the provisions of Article 33, paragraph (1) or paragraph (4), item (viii) (including the cases where these provisions are applied mutatis mutandis pursuant to Article 50, paragraph (3)), Enactment, amendment, or abolition of Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism prescribed in the provisions of Article 34-2.
- (ii) Formulation or modification of basic policy
- (iii) Authorization pursuant to the provisions of Article 6, paragraph (1), Article 10, paragraph (1), Article 26 or Article 30, paragraph (1)
- (iv) Notification pursuant to the provisions of Article 33, paragraph 5 as applied mutatis mutandis pursuant to Article 50, paragraph 3
- (2) When the Minister of the Environment intends to establish, amend, or abolish Ministerial Orders of the Ministry of the Environment based on this Act, the Minister of the Environment shall hear the opinions of the Minister of Land, Infrastructure, Transport and Tourism.
- (3) When the Minister of Land, Infrastructure, Transport and Tourism receives a notification pursuant to the provisions of Article 10, paragraph(3), Article 13, paragraph (1) (including cases where it is applied mutatis mutandis pursuant

to Article 31), or Article 30, paragraph(3), or a notification pursuant to the provisions of Article 13, paragraph(1) as applied mutatis mutandis pursuant to Article 34, paragraph(1), pertaining to a specified privately owned water supply system installed by the National Government, he/she shall notify the Minister of the Environment of the contents thereof without delay.

(4) The Minister of Land, Infrastructure, Transport and Tourism may, when it is deemed necessary by the said Minister , request the Minister of the Environment to establish, amend, or abolish Ministerial Orders of the Ministry of the Environment based on this Act.

(5) The Minister of the Environment may, when the Minister of the Environment deems it necessary from the viewpoint of preservation of the quality of water supplied by water supply systems or hygiene of water supply systems, request the Minister of Land, Infrastructure, Transport and Tourism to take any of the following actions:

(i) Acts listed in paragraph (1), item (i) or item (ii)

(ii) With respect to a water supply service or wholesale water supply service or a specified privately owned water supply system installed by the National Government , an instruction under Article 26, paragraph 1, a recommendation under paragraph 2 of the same Article, an order under Article 37, or the collection of reports or on-site inspection under Article 39, paragraph 1 or paragraph 2.

(iii) With respect to specified building water supply system with tank storage installed by the National Government, instructions pursuant to the provision of Article 36, paragraph 3, orders pursuant to the provision of Article 37, or collection of reports or on-site inspection pursuant to the provision of Article 39, paragraph 3.

(Cooperation between the Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment)

Article 45-5 The Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment shall exchange necessary information and otherwise work closely with each other in order to prevent the occurrence of hygiene hazards caused by water supply services.

(Affairs Handled by Prefectures)

Article 46 (1) Some of the affairs falling under the authority of the Minister of Land, Infrastructure, Transport and Tourism set forth in this Act may be executed by the competent prefectural governor in accordance with provisions of Cabinet Order.

(2) Subject to the Local Autonomy Act (Act No. 67 of 1947), some of the affairs falling under the authority of the competent prefectural governor in accordance

with the provisions of this Act (limited to Article 13, paragraph (1), Article 24-3, paragraph (2), Article 36, Article 37, and Article 39, paragraphs (2) and (3) as applied mutatis mutandis pursuant to Article 32, Article 33, paragraphs (1), (3), and (5), and Article 34, paragraph (1)) shall be performed by the heads of the relevant towns and/or villages.

(Delegation of Authority)

Article 47 The authority of the Minister of Land, Infrastructure, Transport and Tourism provided in this Act may be partially delegated to the Director-General of the Regional Development Bureau or the Director-General of the Hokkaido Development Bureau in accordance with the provisions of Ministerial Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(The Competent Prefectural Governor)

Article 48 Except for the provisions of Article 39 (limited to the portions related to on-the-spot inspection) and Article 40, in relation to water supply services, specified privately owned water supply systems, and specified building water supply systems with tank storage, in case that areas in which water is supplied overlap two or more prefectural areas via such water supply services or water supply systems and in relation to wholesale water supply services, in case that areas in which water is supplied overlap two or more prefectural areas via such water supply services for obtaining water to be used for their water supply service from such services, affairs that fall within the scope of the authority of the competent prefectural governor in accordance with the provisions of this Act or Cabinet Order shall be conducted by the governor of the relevant prefecture subject to the provisions of Cabinet Order.

(Replacement of Terms Relating to a City or a Special Ward)

Article 48-2 (1) In relation to an area related to a city or a special ward, "the competent prefectural governor" of Article 13, paragraph (1), Article 24-3, paragraph (2), Article 36, Article 37, and Article 39, paragraphs (2) and (3) as applied apply mutatis mutandis pursuant to Article 32, Article 33, paragraphs (1), (3), and (5), Article 34, paragraph (1) shall be read as "the city mayor" or "the head of ward."

(2) In relation to application of the provisions of the preceding Articles in the case of replacement of terms in accordance with the provisions of the preceding paragraph, "the city mayor" or "the head of ward" for a special ward shall be deemed to be the competent prefectural governor and "a city" or "a special ward" shall be deemed to be a "prefecture."

(Request for Administrative Review)

Article 48-3 In relation to disposition related to examination affairs conducted by a designated examination body or its inaction, it shall be possible to make a request for administrative review to the Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment. In such case, in relation to application of the provisions of Article 25, paragraphs (2) and (3), Article 46, paragraphs (1) and (2), Article 47, and Article 49, paragraph (3) of the Administrative Complaint Review Act (Act No. 68 of 2014), the Minister of Land, Infrastructure, Transport and Tourism and the Minister of the Environment shall be deemed to be a higher administrative authority of a designated examination body.

(Replacement of Terms Relating to a Special Ward)

Article 49 In an area in which a special ward exists, "municipality" in this Act shall be read as "the Tokyo metropolitan area."

(Special Provisions Relating to Specified Privately Owned Water Supply System Established by the National Government)

Article 50 (1) The provisions related to a specified privately owned water supply system under this Act shall be also applicable to a specified privately owned water supply system established by the National Government, except for the provisions of Articles 52, 53, 54, 55, and 56.

(2) In relation to construction work for a specified privately owned water supply system performed by the National Government, in case that notification for designing of such work has been made to the Minister of Land, Infrastructure, Transport and Tourism beforehand and notification to the effect that such designing conforms to facility standards set forth in Article 5 has been made by the Minister of Land, Infrastructure, Transport and Tourism, notwithstanding the provisions of Article 32, such construction work may be commenced.

(3) The provisions of Article 33 shall apply mutatis mutandis to procedures for notification set forth in the preceding paragraph and cases in which such notification has been received by the Minister of Land, Infrastructure, Transport and Tourism. In such case, "an application form" of Article 33, paragraphs (2) and (3) shall be read as "written notification."

(4) In relation to a specified privately owned water supply system established by the National Government, affairs that fall within the authority of the competent prefectural governor set forth in Article 13, paragraph (1) and Article 24-3, paragraph (2) as applied mutatis mutandis pursuant to Article 34, paragraph (1) and set forth in the previous Chapter (and in the case of replacement of terms in accordance with the provisions of Article 48-2, paragraph (1), "the city mayor" or "the head of ward of a special ward") shall be conducted by the Minister of Land, Infrastructure, Transport and Tourism .

(Special Provisions Relating to a Specified Building Water Supply System with Tank Storage Established by the National Government)

Article 50-2 (1) The provisions related to a specified building water supply system with tank storage under this Act shall be also applicable to a specified building water supply system with tank storage established by the National Government, except for the provisions of Articles 53, 54, 55, and 56.

(2) In relation to a specified building water supply system with tank storage established by the National Government, affairs that fall within the authority of the competent prefectural governor set forth in Article 36, paragraph (3), Article 37, and Article 39, paragraph (3) (and in the case of replacement of terms in accordance with the provisions of Article 48-2, paragraph (1), "the city mayor" or "the head of ward of a special ward") shall be performed by the Minister of Land, Infrastructure, Transport and Tourism .

(Transitional Measures)

Article 50-3 In case that an order is established, amended, or abolished in accordance with the provisions of this Act, required transitional measures (including transitional measures related to Penal Regulations) within a scope that is deemed to be reasonably necessary accompanying such establishment, amendment, or abolishment based on such order may be determined.

Chapter IX Penal Regulations

Article 51 (1) A person that has damaged water supply facilities or has impaired other functions of water supply facilities, thereby preventing the supply of water, shall be punished by imprisonment for five (5) years or less, or fines of one (1) million yen or less.

(2) A person that has operated water supply facilities without good reason, thereby obstructing the supply of water, shall be punished by imprisonment for two (2) years or less or fines of 500,000 yen or less.

(3) In case that actions corresponding to actions mentioned in the preceding two paragraphs are punishable by the Penal Code, the executor of the actions shall be punished in accordance with the punitive measures of preceding two paragraphs or Penal Code, whichever is heavier.

Article 52 A person to which any of the following items corresponds shall be punished by imprisonment for three (3) years or less or fines of three (3) million yen or less.

(i) A person that manages water supply services without being awarded authorization in accordance with the provision of Article 6, paragraph (1)

- (ii) A person that violates the provisions of Article 23, paragraph (1) (including the cases where applied mutatis mutandis pursuant to Article 31 and Article 34, paragraph (1))
- (iii) A person that manages wholesale water supply services without being awarded authorization in accordance with the provisions of Article 26

Article 53 A person to which any of the following items corresponds shall be punished by the imprisonment of one (1) year or less or a fine of one (1) million yen or less.

- (i) A person that has violated the first sentence of Article 10, paragraph (1)
- (ii) A person that has violated the provisions of Article 11, paragraph (1) (including the cases where applied mutatis mutandis pursuant to Article 31)
- (iii) A person that has violated the provisions of Article 15, paragraph (1)
- (iv) A person that has not supplied water in violation of Article 15, paragraph (2) (including the cases that apply with the replacement of certain terms pursuant to Article 24-8, paragraph (1) (including the cases where applied mutatis mutandis pursuant to Article 31)) (including the cases where applied mutatis mutandis pursuant to Article 31)
- (v) A person that has violated Article 19, paragraph (1) (including the cases where applied mutatis mutandis pursuant to Article 31 and Article 34, paragraph (1))
- (vi) A person that has consigned services in violation of Article 24-3, paragraph (1) (including the cases where applied mutatis mutandis pursuant to Article 31 and Article 34, paragraph (1))
- (vii) A person that has violated Article 24-3, paragraph (3) (including the cases where applied mutatis mutandis pursuant to Article 31 and Article 34, paragraph (1))
- (viii) A person that has violated Article 24-7, paragraph (1) (including the cases where applied mutatis mutandis pursuant to Article 31)
- (ix) A person that has violated Article 30, paragraph (1)
- (x) A person that has violated an order to suspend water supply in accordance with the provisions of Article 37
- (xi) A person that has violated an order in accordance with the provisions of Article 40, paragraphs (1) (including cases that apply with the replacement of certain terms pursuant to Article 24-8, paragraph (1) (including the cases where applied mutatis mutandis pursuant to Article 31)) and (3)

Article 53-2 A person that has violated an order for suspension of services in accordance with the provisions of Article 20-13 (including the cases where applied mutatis mutandis pursuant to Article 34-4) shall be punished by imprisonment for one (1) year or less or fines of one (1) million yen or less.

Article 53-3 A person that has violated the provisions of Article 25-17, paragraph (1) shall be punished by imprisonment for one (1) year or less or fines of one (1) million yen or less.

Article 53-4 In the case of violation of an order for suspension for examination affairs in accordance with Article 25-24, paragraph (2), an officer or a staff member of a designated examination body that has undertaken such illegal action shall be punished by imprisonment for one (1) year or less or fines of one (1) million yen or less.

Article 54 A person to which any of the following items corresponds shall be punished fines of one (1) million yen or less.

- (i) A person that has violated conditions attached to the authorization in accordance with Article 9, paragraph (1) (including the cases where applied mutatis mutandis pursuant to Article 10, paragraph (2))
- (ii) A person that has not conducted water quality testing or inspection of facilities in violation of Article 13, paragraph (1) (including the cases where applied mutatis mutandis pursuant to Article 31 and Article 34, paragraph (1))
- (iii) A person that has violated Article 20, paragraph (1) (including the cases where applied mutatis mutandis pursuant to Article 31 and Article 34, paragraph (1))
- (iv) A person that has violated Article 21, paragraph (1) (including the cases where applied mutatis mutandis pursuant to Article 31 and Article 34, paragraph (1))
- (v) A person that has violated Article 22 (including the cases where applied mutatis mutandis pursuant to Article 31 and Article 34, paragraph (1))
- (vi) A person that has violated conditions attached to the authorization in accordance with Article 29, paragraph (1) (including the cases where applied mutatis mutandis pursuant to Article 30, paragraph (2))
- (vii) A person that has commenced construction work for a specified privately owned water supply system without confirmation being given in accordance with Article 32
- (viii) A person that has violated Article 34-2, paragraph (2)

Article 55 A person to which any of the following items corresponds shall be punished fines of 300,000 yen or less.

- (i) A water supplier other than a local government that has received fees or plumbing works expenses not subject to service conditions included in a business plan in accordance with the provisions of Article 7, paragraph (4),

- item (vii) (and in case that authorization in accordance with Article 14, paragraph (6) has been granted, service conditions following the authorization; in case that a change has been made in accordance with Article 38, paragraph (2), service conditions following the change)
- (ii) A person that has not provided notification in accordance with Article 10, paragraph (3), Article 11, paragraph (3) (including the cases where applied *mutatis mutandis* pursuant to Article 31), Article 24-3, paragraph (2) (including the cases where applied *mutatis mutandis* pursuant to Article 31 and Article 34, paragraph (1)), or Article 30, paragraph (3) or has made false notification
- (iii) A person that has not made reports in accordance with Article 39, paragraph (1), (2), (3), or Article 40, paragraph (8) (including cases where applied by replacing certain terms pursuant to Article 24-8, paragraph (1) (including the cases where applied *mutatis mutandis* pursuant to Article 31)), has made false reports, or has rejected, hindered, or avoided inspection by a corresponding official

Article 55-2 A person to which any of the following items corresponds shall be punished fines of 300,000 yen or less.

- (i) A person that has not provided notification in accordance with Article 20-9 (including the cases where applied *mutatis mutandis* pursuant to Article 34-4) or has given false notification
- (ii) A person that has not furnished books and documents in violation of Article 20-14 (including the cases where applied *mutatis mutandis* pursuant to Article 34-4), has not included relevant information in books and documents, has made a false statement in books and documents, or has not maintained books and documents
- (iii) A person that has not made reports in accordance with Article 20-15, paragraph (1) (including the cases where applied *mutatis mutandis* pursuant to Article 34-4), has made false reports, or has rejected, hindered, or avoided inspection by a corresponding official

Article 55-3 In case any of the following items is applicable, an officer or a staff member of a designated examination body that has undertaken such illegal action shall be punished by fines of 300,000 yen or less.

- (i) In case that an officer or a staff member has not furnished books and documents in violation of Article 25-20, has not included relevant information in books and documents, has made false statement in a ledger, or has not maintained books and documents
- (ii) At the request for reports in accordance with Article 25-22, paragraph (1), in case that an officer or a staff member has not made such reports, made

- false reports, or has rejected, hindered, or avoided on-the-spot inspection in accordance with the said paragraph
- (iii) In case that an officer or a staff member has abolished examination affairs in whole without obtaining the permission set forth in Article 25-23, paragraph (1)

Article 56 In case that the representative of a corporation, a proxy of a corporation or individual, a servant, or other employee has undertaken an illegal act of Article 52 through Article 53-2 or Article 54 through Article 55-2 with respect to services performed by such corporation or such individual, the person that has actually committed such act shall be punished. In addition, a corporation or an individual of such person shall be punished by fines of each relevant Article.

Article 57 In case that a person that has not returned its chief engineer license for plumbing work in violation of an order in accordance with Article 25-5, paragraph (3) without a legitimate ground, such person shall be punished by civil fine of 100,000 yen or less.

Supplementary Provisions [Extract]

Appended Table 1 (Re: Art. 20-4)

- (i) A person who has graduated after taking courses in science, medicine, dentistry, pharmaceuticals, health science, hygiene, engineering, agricultural science, or veterinary medicine, or courses equivalent thereto at a university (excluding junior colleges) under the School Education Act (Act No. 26 of 1947), a university based on the former University Order (Imperial Order No. 388 of 1918), or a vocational training school under the former Professional Training College Order (Imperial Order No. 61 of 1903) and who has experience engaging in business practice for water quality testing for a year or longer
- (ii) A person who has graduated after taking courses in biology or industrial chemistry, or courses equivalent thereto at a junior college or a technical college under the School Education Act (including the junior division of a profession university under the said Act) and after graduation (in relation to the junior division of a profession university under the said Act, after graduation thereof) who has two (2) years or longer practical experience in water quality testing
- (iii) A person who has a license of a clinical laboratory technician in accordance

with Article 3 of the Act on Clinical Laboratory Technicians (Act No. 76 of 1958) and who has a year or longer practical experience in water quality testing

- (iv) A person who has knowledge and experience equivalent to a person mentioned in any of the preceding three items

Appended Table 2 (Re: Art. 34-4)

- (i) A person that is qualified as a technical administrator of water supply system in accordance with Article 19 (including the cases where applied *mutatis mutandis* pursuant to Article 31 and Article 34, paragraph (1))
- (ii) A person that has license for a technical manager of environmental sanitation for buildings in accordance with Article 7 of the Act on Maintenance of Sanitation in Buildings (Act No. 20 of 1970)
- (iii) A person that has experience of a year or longer engaging for assisting in inspection for management of a specified building water supply system with tank storage in accordance with Article 34-2, paragraph (2)
- (iv) A person who has knowledge and experience equivalent to a person mentioned in any of the preceding three items.