

# **Order on the Management of Mercury-Containing Recyclable Resources (Tentative translation)**

(Order of the Cabinet Office, the Ministry of Internal Affairs and Communications, the Ministry of Justice, the Ministry of Foreign Affairs, the Ministry of Finance, the Ministry of Education, Culture, Sports, Science and Technology, the Ministry of Health, Labour and Welfare, the Ministry of Agriculture, Forestry and Fisheries, the Ministry of Economy, Trade and Industry, the Ministry of Land, Infrastructure, Transport and Tourism, the Ministry of the Environment, and the Ministry of Defense No. 3 of December 7, 2015)

Under the provisions of Article 24, paragraph (1) of the Act on Preventing Mercury Pollution of the Environment (Act No. 42 of 2015), this Order provides the management of mercury-containing recyclable resources.

## **(Terms)**

Article 1 The terms used in this Order shall follow examples of the terms used in the Act on Preventing Mercury Pollution of the Environment (hereinafter referred to as "the Act").

## **(Reporting on Management)**

Article 2 Reporting under Article 24, paragraph (1) of the Act must be made for each business institution every fiscal year (from April 1st of the relevant year to March 31st of the following year: the same shall apply hereinafter), by the end of June of the following year of the relevant fiscal year, by submitting a report using the appended form. However, in the event of fire or other unavoidable circumstances rendering submission by this deadline impossible, submission must be made by a date set by the competent minister taking into account the circumstances.

## **(Reporting Matters)**

Article 3 The matters provided by order of the competent ministry referred to in Article 24, paragraph (1) of the Act shall be the following for the relevant fiscal year:

- (i) The name, address, and in the case of a juridical person, the name of the representative.
- (ii) The name and address of the business institution;
- (iii) Business pertaining to the management of mercury-containing recyclable resources, conducted by a manager of mercury-containing recyclable

- resources;
- (iv) The types and quantities of mercury-containing recyclable resources managed at the beginning of each fiscal year;
  - (v) The types and quantities of mercury-containing recyclable resources generated or received;
  - (vi) The types and quantities of mercury-containing recyclable resources that are transferred, undergoing disposal operations (the disposal operations listed in Annex IV B of the Basel Convention on the Control of Transboundary Movement of Hazardous Wastes and Their Disposal; the same shall apply hereinafter) or categorized as waste under Article 2, paragraph (1) of the Waste Management and Public Cleansing Act (Act No. 137 of 1970) (in the case of being transferred or undergoing disposal operations, the quantities according to each type of mercury-containing recyclable resources, and its purpose of transfer, or the categories and purpose of disposal operations);
  - (vii) In the case of making or receiving transfers, the name and address of the other party, and in the case of a juridical person, the name of the representative, and the name and address of the business institution;
  - (viii) The purpose of management, and the types and quantities of mercury-containing recyclable resources managed at the end of the fiscal year;
  - (ix) Measures implemented based on the guidelines provided in Article 23, paragraph (1) of the Act, and other related measures implemented towards environmentally sound management of mercury-containing recyclable resources; and
  - (x) When entrusting storage, transportation, or disposal operations, the types and quantities of the entrusted mercury-containing recyclable resources, and the following matters pertaining to the person entrusted for that storage, transportation, or disposal operations (hereinafter referred to as "the Entrustee" in this item):
    - 1. The name, address, and in the case of juridical person, the name of representative;
    - 2. In the case where storage, transportation, or disposal operations are conducted by the Entrustee, the name and address of the business institution where the storage or disposal operations are conducted, or the transportation route;
    - 3. In the case where disposal operations are being entrusted, the types and purposes of the disposal operations; and
    - 4. Measures implemented by the Entrustee towards environmentally sound storage, transportation, or disposal operations of mercury-containing recyclable resources.

## **Supplementary Provisions**

(Date of Enforcement)

Article 1 This Order shall come into effect from the date of enforcement of the Act.

(Transitional Measures)

Article 2 For the application of the provisions of Article 3 in the fiscal year when this Order comes into effect (hereinafter referred to as "the Date of Enforcement"), the phrase "relevant fiscal year" in that Article shall be replaced by "from the Date of Enforcement to the end of the fiscal year when this Order comes into effect" and the phrase "start of the fiscal year" in item (iv) of that Article is replaced by "the Date of Enforcement."

## **Supplementary Provisions**

This order comes into effect on the date of promulgation. However, the section that renames the Japanese Industrial Standards from Nihon Kōgyō Kikaku to Nihon Sangyō Kikaku comes into effect upon the coming into force of the Act Partially Amending the Japanese Unfair Competition Prevention Act and Other Related Laws (July 1, 2019).

## **Supplementary Provisions**

This order comes into effect on the date of promulgation.

## **Supplementary Provisions**

(Date of Enforcement)

Article 1 This order comes into effect on the date of promulgation.

(Transitional Measures)

Article 2 (1) A document that is used in accordance with the format prior to amendment by this Order (referred to as the "former format" in the following paragraph) and that exists at the time of enforcement of this Order is deemed to be a document in accordance with the format as amended by this Order.  
(2) A form following the former format that existed prior to the enforcement of this Order may be used by making amendments to the relevant sections of the form until otherwise provided for by law.