

Ministerial Order to Provide for Matters Concerning Permission and Notification related to Specified Mercury-Using Products

(Order of the Ministry of Health, Labour and Welfare, the Ministry of Agriculture, Forestry and Fisheries, and the Ministry of Economy, Trade and Industry No. 1 of December 7, 2015)

Under the provisions of Article 6, paragraph (2) and item (iv) of that paragraph, and Article 9, paragraphs (1) and (2) of the Act on Preventing Mercury Pollution of the Environment (Act No. 42 of 2015) and for the enforcement of that Act, this Ministerial Order provides for matters concerning permission and notification related to specified mercury-using products.

(Terms)

Article 1 The terms referred to in this Ministerial Order have the same meaning as the terms used in the Act on Preventing Mercury Pollution of the Environment (referred below to as "the Act").

(Applying for Permission on Manufacturing Specified Mercury-Using Products)

Article 2 (1) A person intending to obtain permission referred to in Article 6, paragraph (1) of the Act pursuant to the provisions of paragraph (2) of that Article must submit a written application using the Appended Form 1 to the competent minister, accompanied by the following documents:

- (i) a document specifying the types of specified mercury-using products;
 - (ii) a documentspecifying the intended use of specified mercury-using products;
 - (iii) a document that the specified mercury-using products will indeed be used for the intended purposes related to the application;
 - (iv) a document that certifies that the applicant (when the applicant is a corporation, that corporation and the members on board conducting business of that corporation) does not fall under any of the items of Article 7 of the Act; and
 - (v) when the applicant is a corporation, articles of incorporation and a certificate of registered information of that corporation.
- (2) Matters provided by Ministerial Order of the competent ministry referred to in Article 6, paragraph (2), item (iv) of the Act are to be the names and types of specified mercury-using products that are to be manufactured.
- (3) A person specified by the Ministerial Order of the competent ministry in Article 7 (iii) of the Act is to be a person who cannot properly perform the necessary recognition, judgement and communication to perform the work of

manufacturing specified mercury-added products properly due to a mental dysfunction.

(Applying for Permission on Changing the Intended Purpose)

Article 3 A person intending to obtain permission for changes pursuant to the provisions of Article 9, paragraph (1) of the Act must submit an application using the Appended form 2 to the competent minister, accompanied by the documents listed in paragraph (1), items (ii) and (iii) of the preceding Article.

(Notifying Changes in Names and Other Items)

Article 4 (1) A person intending to notify changes pursuant to Article 9, paragraph (2) of the Act must submit a written notification using the Appended Form 3 to the competent minister.

(2) In the case of a corporation, an application referred to in the preceding paragraph must be accompanied by a certificate of registered information of the concerned corporation.

(Notifying Succession)

Article 5 A person intending to notify succession to the status of a permitted manufacturer pursuant to the provisions of Article 11, paragraph (2) of the Act must submit a written notification using the Appended Form 4 to the competent minister, accompanied by the following documents:

- (i) a form using the Appended Form 5 and a transcript of one's family register, for an heir who succeeds the status of a permitted manufacturer pursuant to the provisions of Article 11, paragraph (2) of the Act and is selected as the successor with the consent of all of two or more heirs;
- (ii) a form using the appended Form 6 and a transcript of one's family register, for an heir who succeeds the status of a permitted manufacturer pursuant to the provisions of Article 11, paragraph (2) of the Act, however not referred to in the preceding item; and
- (iii) a certificate of registered information of that corporation, for a corporation which succeeds to the status of a permitted manufacturer as a result of a merger or split pursuant to Article 11, paragraph (2) of the Act,

Supplementary Provisions

This Ministerial Order is to come into effect on the date of enforcement of the provisions listed in Article 1, item (ii) of the Supplementary Provisions of the Act.

**Supplementary Provisions [Ministerial Order of the Ministry of Health,
Labour and Welfare, the Ministry of Agriculture, Forestry and Fisheries,**

and the Ministry of Economy, Trade and Industry No. 1, June 28, 2019]

This Ministerial Order is to come 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 as on the date when the Act Partially Amending the Japanese Unfair Competition Prevention Act and Other Related Laws comes into effect (July 1, 2019).

Supplementary Provisions [Ministerial Order of the Ministry of Health, Labour and Welfare, the Ministry of Agriculture, Forestry and Fisheries, and the Ministry of Economy, Trade and Industry No. 2, September 11, 2019]

This Ministerial Order is to come into effect on the date of enforcement of the Act on the Establishment of Relevant Acts for the Purpose of Appropriateness of Measures Relating to Restrictions on the Rights of Adult Wards (September 14, 2019).

Supplementary Provisions

(Date of Enforcement)

Article 1 This Ministerial Order is to come into effect on the date of promulgation.

(Transitional Measures)

Article 2 (1) A document that is used in accordance with the format before the amendment by this Ministerial Order (referred to as the "former format" in the following paragraph) and that exists at the time of enforcement of this Ministerial Order is deemed to be a document in accordance with the format as amended by this Ministerial Order.

(2) A form following the former format that existed before the enforcement of this Ministerial Order may be used by making amendments to the relevant sections of the form until otherwise provided for by law.