

# Meteorological Service Act (Tentative translation)

(Act No. 165 of June 2, 1952)

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## Chapter I General Provisions

### (Purpose)

Article 1 The purpose of this Act is to ensure the sound development of meteorological services by prescribing basic systems concerning meteorological services, and thereby to contribute to the promotion of public welfare such as prevention of disasters, securing traffic safety, and prosperity of industries and to offer international cooperation concerning meteorological services.

### (Definitions)

Article 2 (1) The term "meteorological phenomena" as used in this Act means phenomena in the atmosphere (excluding the ionosphere).

(2) The term "terrestrial phenomena" as used in this Act means earthquakes, volcanic phenomena, and phenomena on and under the ground which are closely related to meteorological phenomena.

(3) The term "hydrological phenomena" as used in this Act means phenomena in land waters and oceans which are closely related to meteorological phenomena, earthquakes, or volcanic phenomena.

(4) The term "meteorological services" as in this Act means the following services:

- (i) observations of meteorological phenomena, terrestrial phenomena, tremors and ground deformations, and hydrological phenomena, and collection and

- announcement of the results of those observations;
- (ii) forecasts and warnings of meteorological phenomena, terrestrial phenomena (in the case of earthquakes, limited to earthquake ground motions caused by faulting motion (simply referred to below as "earthquake ground motions")), and hydrological phenomena;
  - (iii) collection and announcement of information concerning meteorological phenomena, terrestrial phenomena, and hydrological phenomena;
  - (iv) constant observations of terrestrial magnetism and terrestrial electricity, and collection and announcement of the results of those observations;
  - (v) preparation of statistics and investigations concerning the matters referred to in the preceding items, and announcement of statistics and the results of investigations;
  - (vi) research necessary to perform the services referred to in the preceding items; and
  - (vii) incidental services necessary to perform the services referred to in the preceding items.
- (5) The term "observation" as used in this Act means an observation and measurement of a phenomenon by a natural scientific method.
- (6) The term "forecast" as used in this Act means an announcement of prediction of a phenomenon based on the results of observation.
- (7) The term "warning" as used in this Act means a forecast which is made to warn that a serious disaster may occur.
- (8) The term "meteorological instruments" as used in this Act means apparatuses, implements, and devices which are used in observations of meteorological phenomena, terrestrial phenomena, and hydrological phenomena.

(Duties of the Director-General of the Japan Meteorological Agency)

Article 3 To accomplish the purpose referred to in Article 1, the Director-General of the Japan Meteorological Agency must make efforts to carry out the following matters:

- (i) establishing and maintaining observation networks concerning meteorological phenomena, earthquakes, and volcanic phenomena;
- (ii) establishing and maintaining central systems for forecasts and warnings of meteorological phenomena, earthquake ground motions, volcanic phenomena, tsunamis, and storm surges;
- (iii) establishing and maintaining systems to quickly exchange information concerning observations, forecasts, and warnings of meteorological phenomena, earthquake ground motions, and volcanic phenomena;
- (iv) establishing and maintaining systems to quickly exchange the results of observations of earthquakes (excluding earthquake ground motions);
- (v) ensuring the integration of the methods of meteorological observations and

the methods of announcing the results of those observations; and  
(vi) promoting the use in industries, transportation, and other social activities of the results of meteorological observations, meteorological forecasts and warnings, and the results of investigations and research concerning meteorological phenomena.

## **Chapter II Observations**

(Methods of Observations Performed by the Japan Meteorological Agency)

Article 4 When performing observations of meteorological phenomena, terrestrial phenomena, tremors and ground deformations, terrestrial magnetism, terrestrial electricity, and hydrological phenomena, the Japan Meteorological Agency is to do so in compliance with the methods specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(Delegation of Observations)

Article 5 When finding a necessity, the Director-General of the Japan Meteorological Agency may delegate observations of meteorological phenomena, terrestrial phenomena, tremors and ground deformations, and hydrological phenomena or provisions of information concerning meteorological phenomena, terrestrial phenomena, tremors and ground deformations, and hydrological phenomena to a governmental institution, local government, company, or any other group or individual.

(Meteorological Observations Performed by Persons Other Than the Japan Meteorological Agency)

Article 6 (1) In cases any governmental institution other than the Japan Meteorological Agency, or any local government performs meteorological observations, it must do so in compliance with the technical standards specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism; provided, however, that this does not apply to the case where it performs any meteorological observations listed below:

- (i) meteorological observations performed for research purposes;
- (ii) meteorological observations performed for educational purposes; or
- (iii) meteorological observations prescribed by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(2) In cases any person other than governmental institutions and local governments performs the following meteorological observations, the person must do so in compliance with the technical standards referred to in the preceding paragraph; provided, however, that this does not apply to the case where the person performs any meteorological observations prescribed by

Order of the Ministry of Land, Infrastructure, Transport and Tourism:

- (i) meteorological observations for announcement of the results of those observations; or
  - (ii) meteorological observations for use of the result of those observations in disaster prevention.
- (3) When a person obliged to perform meteorological observations in accordance with the technical standards pursuant to the provisions of the preceding two paragraphs has installed a facility for the referenced observations, the person must notify the Director-General of the Japan Meteorological Agency to that effect pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism. This also applies when the facility has been abolished.
- (4) When finding a necessity in order to establish observation network concerning meteorological phenomena, the Director-General of the Japan Meteorological Agency may request a person who has made notification pursuant to the provisions of the first sentence of the preceding paragraph to report the results of meteorological observations.

Article 7 (1) Any vessels that are required to be equipped with radio equipment pursuant to the provisions of Article 4 of the Ship Safety Act (Act No. 11 of 1933) and prescribed by Cabinet Order must be equipped with meteorological instruments pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism.

- (2) When the vessels referred to in the preceding paragraph are cruising in any areas prescribed by Order of the Ministry of Land, Infrastructure, Transport and Tourism, they must observe meteorological phenomena and hydrological phenomena in compliance with the technical standards referred to in the preceding Article, paragraph (1) and report the results of those observations to the Director-General of the Japan Meteorological Agency pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism.

Article 8 (1) If any aircraft that has received the aeronautical forecast charts issued under Article 16 makes a flight, it must report the status of meteorological phenomena to the Director-General of the Japan Meteorological Agency during its flight pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism.

- (2) When having completed its flight, the aircraft referred to in the preceding paragraph must report the status of meteorological phenomena in its flight areas to the Director-General of the Japan Meteorological Agency pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and

Tourism.

(Meteorological Instruments Used in Observations)

Article 9 (1) Of the meteorological instruments used in meteorological observations that need to be performed in compliance with the technical standards pursuant to the provisions of Article 6, paragraph (1) or paragraph (2), installed in vessels pursuant to the provisions of Article 7, paragraph (1), or used by a person who has obtained a license pursuant to the provisions of Article 17, paragraph (1) in observations for the forecasting services referred to in the same paragraph, those listed in the left column of the appended table as the ones needed to have certain structures (including material properties) and performance in order to ensure the performance of accurate observations and the integration of observation methods must not be used unless they pass a verification test conducted by a person who has had registration accepted by the Director-General of the Japan Meteorological Agency pursuant to the provisions of Article 32-3 and Article 32-4; provided, however, that this does not apply to the meteorological instruments of special types or structures specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(2) When performing the forecasting services referred to in Article 17, paragraph (1) based on the results of observations performed by the Japan Meteorological Agency or observations performed using meteorological instruments that have passed the verification test referred to in the preceding paragraph (referred to below as "primary observations" in this paragraph), a person who has obtained the license referred to in the same Article, paragraph (1) may, notwithstanding the provisions of the same paragraph, use meteorological instruments that have not passed the verification test referred to in the preceding paragraph for observations performed to supplement the results of the primary observations (referred to below as "supplementary observations" in this paragraph), if, pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism, the Director General of the Japan Meteorological Agency finds that the use of the referenced instruments is unlikely to hinder the accurate performance of the primary observations and that the referenced supplementary observations contribute to the appropriate performance of the referenced forecasting services.

(Guidance Concerning the Methods of Performing Observations)

Article 10 The Director-General of the Japan Meteorological Agency may provide guidance concerning the methods of performing observations for a person who performs meteorological observations that need to be made in compliance with the technical standards pursuant to the provisions of Article 6, paragraph (1)

or paragraph (2) or for a person who is engaged in meteorological observations on any of the vessels referred to in Article 7, paragraph (1) or aircraft in Article 8, paragraph (1).

(Announcement of the Results of Observations)

Article 11 When the Japan Meteorological Agency finds that immediate announcement of the results of observations of meteorological phenomena, terrestrial phenomena, tremors and ground deformations, terrestrial magnetism, terrestrial electricity, and hydrological phenomena, and information on meteorological phenomena, terrestrial phenomena, and hydrological phenomena will promote public interests, it must make efforts to immediately announce the results or information and make them publicly known by seeking cooperation from broadcasting institutions, newspaper publishers, communication agencies, and other mass media (simply referred to below as "mass media").

(Reports of Information Concerning Earthquakes Related to Areas under Intensified Measures against Earthquake Disaster)

Article 11-2 (1) When the Director-General of the Japan Meteorological Agency finds a risk of the occurrence of a large-scale earthquake related to areas under intensified measures against earthquake disaster prescribed in Article 3, paragraph (1) of the Act on Special Measures Concerning Countermeasures for Large-Scale Earthquakes (Act No. 73 of 1978) based on the results of observations and research of terrestrial phenomena, tremors and ground deformations, terrestrial magnetism, terrestrial electricity, and hydrological phenomena, and surveys of land and water-areas concerning earthquakes, the Director-General of the Japan Meteorological Agency must, immediately report to the Prime Minister information concerning the earthquake of which a risk of the occurrence the Director-General of the Japan Meteorological Agency finds (including information concerning prediction of a potential tsunami of the referenced earthquake event), pursuant to the provisions of Cabinet Order.

(2) When the Director-General of the Japan Meteorological Agency finds that any new circumstances have arisen in connection with the referenced earthquake after making a report pursuant to the provisions of the preceding paragraph, the Director-General of the Japan Meteorological Agency must report information concerning the referenced new circumstances on each occasion in accordance with the provisions of the same paragraph. In this case, the term "Prime Minister" in the same paragraph is deemed to be replaced with "Prime Minister (or the Prime Minister and the head of the Earthquake Disaster Alert Headquarters when the Earthquake Disaster Alert Headquarters is established pursuant to the provisions of Article 10, paragraph (1) of the Act on

Special Measures Concerning Countermeasures for Large-Scale Earthquakes)."

(Sharing of Expenses, etc.)

Article 12 (1) With respect to a person who makes a report pursuant to the provisions of Article 6, paragraph (4), Article 7, paragraph (2), or Article 8, the Director-General of the Japan Meteorological Agency may bear the expenses of the referenced person within the scope of the budget pursuant to the provisions of Cabinet Order.

(2) When having found it necessary, the Director-General of the Japan Meteorological Agency may lend meteorological instruments and other appliances to a person who makes a report pursuant to the provisions of Article 6, paragraph (4) or to any of the vessels referred to in Article 7, paragraph (1) pursuant to the provisions of Cabinet Order.

### **Chapter III Forecasts and Warnings**

(Forecasts and Warnings)

Article 13 (1) The Japan Meteorological Agency must give suitable forecasts and warnings for general use concerning meteorological phenomena, terrestrial phenomena (in the case of earthquakes, limited to earthquake ground motions; the same applies below in this chapter except in Article 16), tsunamis, storm surges, high waves, and floods, pursuant to the provisions of Cabinet Order; provided, however, that this does not apply to the case where it gives warnings pursuant to the provisions of the following article, paragraph (1).

(2) Beyond the forecasts and warnings referred to in the preceding paragraph, the Japan Meteorological Agency may give suitable forecasts and warnings for general use concerning any hydrological phenomena other than tsunamis, storm surges, high waves, and floods, pursuant to the provisions of Cabinet Order.

(3) When giving the forecasts and warnings referred to in the preceding two paragraphs, the Japan Meteorological Agency must independently take measures to publicize the forecast matters and warning matters and make efforts to make them publicly known by seeking cooperation from the mass media.

Article 13-2 (1) In the case where it meets the criteria regarding precipitation and other, which the Japan Meteorological Agency designates as the case indicating a significant likelihood of catastrophes for abnormality of predicted phenomena, the Japan Meteorological Agency must give suitable warnings for general use concerning meteorological phenomena, terrestrial phenomena, tsunamis, storm surges, high waves, and floods, indicating a note to that effect,

pursuant to the provisions of Cabinet Order.

- (2) When designating the criteria referred to in the preceding paragraph, the Japan Meteorological Agency must ask the opinions of the relevant prefectural governors in advance. In this case, when stating their opinion, the relevant prefectural governor must ask the opinions of the relevant mayors of municipalities in advance.
- (3) When having designated the criteria referred to in paragraph (1), the Japan Meteorological Agency must make them public without delay.
- (4) The provisions of the preceding two paragraphs apply mutatis mutandis to any change in the criteria referred to in paragraph (1).
- (5) When giving warnings of storm surges pursuant to the provisions of paragraph (1) with respect to the coasts designated pursuant to the provisions of Article 11-3, paragraph (1) of the Flood Prevention Act (Act No. 193 of 1949), if the Japan Meteorological Agency requires information concerning the conditions of changes in water levels, the conditions of damage to embankments, sluices, and other facilities, or other conditions of the referenced coasts, the Agency may request the Minister of Land, Infrastructure, Transport and Tourism who administers the affairs concerning flood prevention or the relevant prefectural governors to provide the referenced information.
- (6) When giving warnings of floods pursuant to the provisions of paragraph (1) with respect to the rivers listed in the following items, if the Japan Meteorological Agency requires information concerning the conditions of changes in water levels or flow volumes, the conditions of damage to embankments, sluices, and other facilities, or other conditions of the referenced rivers, the Agency may request the persons provided in those items to provide the referenced information:
  - (i) the rivers designated pursuant to the provisions of Article 10, paragraph (2) of the Flood Prevention Act: the Minister of Land, Infrastructure, Transport and Tourism who administers the affairs concerning flood prevention;
  - (ii) the rivers designated pursuant to the provisions of Article 11, paragraph (1) of the Flood Prevention Act: the relevant prefectural governors.
- (7) The Minister of Land, Infrastructure, Transport and Tourism or the prefectural governors who have received a request for the provision of information pursuant to the provisions of the preceding two paragraphs must provide the referenced information in response to the referenced request.
- (8) When utilizing the information provided pursuant to the provisions of the preceding paragraph, if the Japan Meteorological Agency requires particularly specialized knowledge, the Agency must request technical advice of the Minister of Land, Infrastructure, Transport and Tourism or the prefectural governors who provided the referenced information.
- (9) The provisions of the preceding Article, paragraph (3) apply mutatis mutandis

to the case of warnings referred to in paragraph (1) (referred to as "emergency warnings" in Article 15-2, paragraph (1)).

Article 14 (1) The Japan Meteorological Agency must give suitable forecasts and warnings for use for aircraft and vessels concerning meteorological phenomena, terrestrial phenomena, tsunamis, storm surges, and high waves, pursuant to the provisions of Cabinet Order.

(2) The Japan Meteorological Agency may give suitable forecasts and warnings for use in railroad industry, electricity industry, and other special industries concerning meteorological phenomena, terrestrial phenomena, and hydrological phenomena.

(3) The provisions of Article 13, paragraph (3) apply mutatis mutandis to the case where it gives the forecasts and warnings referred to in paragraph (1).

Article 14-2 (1) The Japan Meteorological Agency must give suitable forecasts and warnings for use in flood prevention activities concerning meteorological phenomena, tsunamis, storm surges, and floods, pursuant to the provisions of Cabinet Order.

(2) With respect to the coasts designated pursuant to the provisions of Article 11-3, paragraph (1) of the Flood Prevention Act, the Japan Meteorological Agency with the Ministry of Land, Infrastructure, Transport and Tourism who administer the affairs concerning flood prevention and the prefectural governors must jointly give suitable forecasts and warnings of storm surges for use in flood prevention activities by indicating the water levels of the referenced coasts.

(3) With respect to the rivers designated pursuant to the provisions of Article 10, paragraph (2) of the Flood Prevention Act, the Japan Meteorological Agency with the Minister of Land, Infrastructure, Transport and Tourism who administers the affairs concerning flood prevention must jointly give suitable forecasts and warnings of floods for use in flood prevention activities by indicating the water levels and flow volumes of the referenced rivers (or after overflow of rivers, water levels or flow volumes, or areas flooded by overflow and water depths in the referenced areas).

(4) With respect to the rivers designated pursuant to the provisions of Article 11, paragraph (1) of the Flood Prevention Act, the Japan Meteorological Agency with prefectural governors must jointly give suitable forecasts and warnings of floods for use in flood prevention activities by indicating the water levels or flow volumes of the referenced rivers. In this case, when the Japan Meteorological Agency has been provided with information pursuant to the provisions of Article 11-2, paragraph (2) of the same Act, the Agency must take this into account.

- (5) When utilizing the information provided pursuant to the provisions of Article 11-2, paragraph (2) of the Flood Prevention Act, if the Japan Meteorological Agency requires particularly specialized knowledge, the Agency must request technical advice of the Ministry of Land, Infrastructure, Transport and Tourism who administers the affairs concerning flood prevention.
- (6) The provisions of Article 13, paragraph (3) applies mutatis mutandis to the case where it gives the forecasts and warnings referred to in paragraphs (1) through (4). In this case, the phrase "When giving the forecasts and warnings referred to in the preceding two paragraphs, the Japan Meteorological Agency must independently" in the same Article, paragraph (3) is deemed to be replaced with "When giving the forecasts and warnings referred to in Article 14-2, paragraphs (1) through (4), in the case referred to in paragraph (1), the Japan Meteorological Agency must independently; in the case referred to in paragraph (2), the Agency with the Minister of Land, Infrastructure, Transport and Tourism who administers the affairs concerning flood prevention and the prefectural governors must jointly; in the case referred to in paragraph (3), the Agency with the Minister must jointly; and in the case referred to in paragraph (4), the Agency with the prefectural governors must jointly".

- Article 15 (1) When having given warnings of meteorological phenomena, terrestrial phenomena, tsunamis, storm surges, high waves, and floods pursuant to the provisions of Article 13, paragraph (1), Article 14, paragraph (1), or the preceding Article, paragraphs (1) through (4), the Japan Meteorological Agency must immediately notify the warning matters to the applicable organs of the National Police Agency, the Fire and Disaster Management Agency, the Ministry of Land, Infrastructure, Transport and Tourism, the Japan Coast Guard, prefectures, the Nippon Telegraph and Telephone East Corporation (which means Nippon Telegraph and Telephone East Corporation prescribed in Article 1-2, paragraph (2) of the Act on Nippon Telegraph and Telephone Corporation, etc. (Act No. 85 of 1984); the same applies below), the Nippon Telegraph and Telephone West Corporation (which means Nippon Telegraph and Telephone West Corporation prescribed in Article 1-2, paragraph (3) of the referenced Act; the same applies below), or the Japan Broadcasting Corporation, pursuant to the provisions of Cabinet Order. This also applies when any warning other than those of earthquake ground motions has become unnecessary after issuance.
- (2) The organs of the National Police Agency, the Fire and Disaster Management Agency, prefectures, the Nippon Telegraph and Telephone East Corporation, and the Nippon Telegraph and Telephone West Corporation that have received the notice referred to in the preceding paragraph must make efforts to immediately notify the relevant mayors of municipalities of the matters

notified thereto.

- (3) The mayors of municipalities that have received the notice referred to in the preceding paragraph must make efforts to immediately make the matters notified thereto known to the public and the public agencies located in the respective areas of responsibility.
- (4) The organs of the Ministry of Land, Infrastructure, Transport and Tourism that have received the notice referred to in paragraph (1) must make efforts to immediately make the matter notified thereto known to the aircraft in flight.
- (5) The organs of the Japan Coast Guard that have received the notice referred to in paragraph (1) must make efforts to immediately make the matters notified thereto known to the vessels in passage or in port.
- (6) The organs of the Japan Broadcasting Corporation that have received the notice referred to in paragraph (1) must immediately broadcast the matters notified thereto.

Article 15-2 (1) When having given emergency warnings of meteorological phenomena, terrestrial phenomena, tsunamis, storm surges, high waves, and floods pursuant to the provisions of Article 13-2, paragraph (1), the Japan Meteorological Agency must immediately notify the warning matters to the applicable organs of the National Police Agency, the Fire and Disaster Management Agency, the Japan Coast Guard, prefectures, the Nippon Telegraph and Telephone East Corporation, the Nippon Telegraph and Telephone West Corporation, or the Japan Broadcasting Corporation, pursuant to the provisions of Cabinet Order. This also applies when any emergency warning other than those of earthquake ground motions has become unnecessary after issuance.

- (2) The organs of prefectures that have received the notice referred to in the preceding paragraph must immediately notify the relevant mayors of municipalities of the matters notified thereto.
- (3) The provisions of the preceding Article, paragraph (2) apply *mutatis mutandis* to the case where the organs of the National Police Agency, the Fire and Disaster Management Agency, the Nippon Telegraph and Telephone East Corporation, and the Nippon Telegraph and Telephone West Corporation have received the notice referred to in paragraph (1).
- (4) The mayors of municipalities that have received the notice referred to in paragraph (2) or in the preceding Article, paragraph (2) as applied *mutatis mutandis* pursuant to the preceding paragraph must immediately take measures to make the matters notified thereto known to the public and the public agencies located in the respective areas of responsibility.
- (5) The provisions of the preceding Article, paragraph (5) apply *mutatis mutandis* to the case where the organs of the Japan Coast Guard have received the notice

referred to in paragraph (1), and the provisions of the preceding Article, paragraph (6) applies mutatis mutandis to the case where the organs of the Japan Broadcasting Corporation have received the notice referred to in paragraph (1).

(Issuance of Aeronautical Forecast Charts)

Article 16 The Japan Meteorological Agency must issue aeronautical forecast charts containing the predictions of meteorological phenomena, terrestrial phenomena (excluding earthquakes), or hydrological phenomena to any aircraft specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism before their flights.

(License for Forecasting Services)

- Article 17 (1) Any person other than the Japan Meteorological Agency who intends to perform the services for forecasting meteorological phenomena, terrestrial phenomena, tsunamis, storm surges, high waves, or floods (referred to below as "forecasting services") must obtain a license from the Director-General of the Japan Meteorological Agency.
- (2) The license referred to in the preceding paragraph is granted with the purposes and scope of forecasting services (in the case of the license referred to in the same paragraph concerning forecasting services that include the services for forecasting landslides (which means slope failures, debris flows, and landslides; the same applies below), storm surges, high waves, or floods (referred to below as "forecasting services involving phenomena related to meteorological phenomena") within their scope, including whether or not to perform predictions of meteorological phenomena for the referenced forecasting services involving phenomena related to meteorological phenomena; the same applies below in the following Article, paragraph (1), item (iii)) determined.
- (3) With respect to the license referred to in paragraph (1) concerning the forecasting services that include the services for forecasting volcanic eruptions, volcanic gas emissions, landslides, tsunamis, storm surges, or floods (referred to below as "specified forecasting services") within their scope, the purposes of the forecasting services concerning the referenced specified forecasting services are to be limited to making them available only to persons who have received the explanation pursuant to the provisions of Article 19-3.

(Application for License for Forecasting Services)

Article 17-2 (1) A person who intends to obtain a license referred to in the preceding Article, paragraph (1) must submit a written application for license stating the following matters to the Director-General of the Japan Meteorological Agency pursuant to the provisions of Order of the Ministry of

Land, Infrastructure, Transport and Tourism:

- (i) the name and address of the applicant, and in the case of a corporation, the name of its representative;
  - (ii) in the case of a foreign corporation, etc. (which means a foreign corporation and an organization and an individual that has an address in a foreign country; the same applies in the following Article, paragraph (2), item (iv) and Article 21, paragraph (2)), the name and address in Japan of its representative in Japan (referred to as "domestic representative" in the same item and the same paragraph) or its agent in Japan (referred to below as "domestic agent"), and in the case of a domestic agent that is a corporation, the name of its representative;
  - (iii) the purposes and scope of the forecasting services; and
  - (iv) other matters prescribed by Order of the Ministry of Land, Infrastructure, Transport and Tourism.
- (2) The written application referred to in the preceding paragraph must be accompanied by a document in which the applicant pledges that the applicant does not fall under the following Article, paragraph (2), items (i) through (iii), and by other documents prescribed by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(Standards for License)

Article 18 (1) When having received an application referred to in the preceding Article, paragraph (1), the Director-General of the Japan Meteorological Agency must make an examination in accordance with the following standards:

- (i) the applicant has sufficient facilities and staff members to perform the referenced forecasting services properly, for collection of observational and other forecasting data, and analysis of forecasting data;
- (ii) the applicant has facilities and staff members that are capable of quickly receiving the Japan Meteorological Agency's warning matters related to the purposes and scope of the referenced forecasting services;
- (iii) when the applicant intends to perform specified forecasting services, the applicant has facilities and staff members capable of properly providing the explanation under Article 19-3 and has taken necessary measures to prevent the forecast matters from being communicated to any person other than those who have received the referenced explanation;
- (iv) when the applicant intends to perform the services for forecasting meteorological phenomena or terrestrial phenomena (excluding earthquake ground motions, volcanic phenomena, and landslides; the same applies below in this item and the Article 19-2), the applicant satisfies the requirements referred to in the first sentence of the same Article at each business office where the predictions of meteorological phenomena or terrestrial phenomena

- for the referenced services are performed;
- (v) when the applicant intends to perform the services for forecasting earthquake ground motions, volcanic phenomena, or tsunamis, the applicant's methods of predicting earthquake ground motions, volcanic phenomena, or tsunamis, among the referenced services, conform to the technical standards specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism; and
  - (vi) when the applicant intends to perform forecasting services involving phenomena related to meteorological phenomena, the applicant conforms to the standards specified in the following item (a) or item (b), in accordance with the category listed in either item (a) or item (b);
    - (a) where the applicant does not perform predictions of meteorological phenomena for the referenced forecasting services involving phenomena related to meteorological phenomena: the applicant's methods of predicting landslides, storm surges, high waves, or floods for the referenced forecasting services involving phenomena related to meteorological phenomena conform to the technical standards specified by Order of Ministry of Land, Infrastructure, Transport and Tourism;
    - (b) where the applicant performs predictions of meteorological phenomena for the referenced forecasting services involving phenomena related to meteorological phenomena: the applicant satisfies the requirements referred to in the first sentence of Article 19-2 at each business office where predictions of meteorological phenomena for the referenced forecasting services involving phenomena related to meteorological phenomena are performed, and the applicant's methods of predicting landslides, storm surges, high waves, or floods for the referenced forecasting services involving phenomena related to meteorological phenomena conform to the technical standards referred to in item (a).
- (2) When having found that the application conforms to the standards referred to in the preceding paragraph as a result of making an examination pursuant to the provisions of the same paragraph, the Director-General of the Japan Meteorological Agency must grant a license except in the following cases:
- (i) the person intending to obtain a license referred to in Article 17, paragraph (1) is one who has been sentenced to a fine or severer punishment (including an equivalent sentence under foreign laws and regulations) pursuant to the provisions of this Act or the provisions of foreign laws and regulations that are equivalent to this Act and for whom two years have not elapsed since the date when the execution of the sentence was completed or the date when the person is no longer subject to the execution of the sentence;
  - (ii) the person intending to obtain a license referred to in Article 17, paragraph (1) is one who has had the person's license revoked pursuant to the

- provisions of Article 21, paragraph (1) or paragraph (2) or had the person's administrative disposition equivalent to the referenced license obtained pursuant to the provisions of foreign laws and regulations equivalent to this Act revoked in the foreign state concerned, and for whom two years have not elapsed since the date of the revocation;
- (iii) the person intending to obtain a license referred to in Article 17, paragraph (1) is a corporation of whom any officer falls under any of the preceding two items;
  - (iv) the person intending to obtain a license referred to in Article 17, paragraph (1) is a foreign corporation etc. who does not designate a domestic representative or domestic agency; or
  - (v) the written application referred to in the preceding Article, paragraph (1) or its accompanying documents include a false statement or lacks a statement of material fact.
- (3) When intending to grant a license referred to in Article 17, paragraph (1) concerning the forecasting services that include the services for forecasting landslides, or storm surges or floods within their scope, the Director-General of the Japan Meteorological Agency must consult with the Minister of Land, Infrastructure, Transport and Tourism who administers the affairs concerning erosion control or the Minister who administers the affairs concerning flood prevention whether the methods of predicting landslides, or storm surge or floods, among the referenced forecasting services, conform to the technical standards referred to in paragraph (1), item (vi), item (a).

(Approval for Change)

- Article 19 (1) A person who has obtained a license referred in to the provisions of Article 17, paragraph (1) must obtain approval from the Director-General of the Japan Meteorological Agency when intending to change the purposes or scope of the forecasting services listed in the same Article, paragraph (2).
- (2) A person who intends to obtain approval referred to in the preceding paragraph must, pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism, submit a written application stating the matters subject to change to the Director-General of the Japan Meteorological Agency.
  - (3) The provisions of Article 17-2, paragraph (2) and the preceding Article (excluding paragraph 2, items (i) through (iv)) apply mutatis mutandis to approval referred to in paragraph (i). In this case: the phrase "the preceding paragraph" in Article 17-2, paragraph(2) is deemed to be replaced with "Article 19, paragraph (2)"; the phrase "a document in which the applicant pledges that the applicant does not fall under the following Article, paragraph (2), items (i) through (iii), and by other documents prescribed by Order of the Ministry of

Land, Infrastructure, Transport and Tourism" in the same paragraph is deemed to be replaced with "documents prescribed by Order of the Ministry of Land, Infrastructure, Transport and Tourism"; and the phrase "the preceding Article, paragraph (1)" in the preceding Article, paragraph (1) and paragraph (2), item (v) is deemed to be replaced with "the following Article, paragraph (1)".

(4) When there is any change to the matters listed in items of Article 17-2, paragraph (1) (excluding item (iii)), a person who has obtained a license referred to in Article 17, paragraph (1) must notify the Director-General of the Japan Meteorological Agency to that effect without delay.

(Staffing and Services of Certified Weather Forecasters)

Article 19-2 A person who falls under any of the following items must staff a certified weather forecaster (referring to a person who has had the registration referred to in Article 24-20 accepted; the same applies below) at each business office where predictions of meteorological phenomena or terrestrial phenomena, among the referenced forecasting services, are performed, pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism. In this case, the person must assign the referenced predictions of meteorological phenomena or terrestrial phenomena to a certificated weather forecaster:

- (i) a person who has obtained a license referred to in Article 17, paragraph (1) related to the forecasting services that include services of forecasting meteorological phenomena or terrestrial phenomena within their scope; or
- (ii) a person who has obtained a license referred to in Article 17, paragraph (1) related to the forecasting services that include forecasting services involving phenomena related to meteorological phenomena within their scope (excluding the person listed in the preceding item), and who performs predictions of meteorological phenomena for the referenced forecasting services involving phenomena related to meteorological phenomena.

(Obligation of Explanation of a Person Obtained a License for Forecasting Services Including Specified Forecasting Services within their scope)

Article 19-3 A person who has obtained a license referred to in Article 17, paragraph (1) related to the forecasting services that include specified forecasting services within their scope must, among the referenced forecasting services, pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism, explain to a person who intends to use the referenced specified forecasting services the matters to be noted in using that services and other matters specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(Transmission of Warning Matters)

Article 20 A person who has obtained a license referred to in Article 17 must make efforts to quickly transmit to the users of the referenced forecasting services the Japan Meteorological Agency's warning matters related to the purposes and scope of the referenced forecasting services.

(Order to Improve Services)

Article 20-2 When a person who has obtained a license referred to in Article 17 paragraph (1) no longer falls under any of the items of Article 18, paragraph (1) or when the Director-General of the Japan Meteorological Agency otherwise finds a necessity in order to ensure the appropriate operation of forecasting services by a person who has obtained the referenced license, the Director-General of the Japan Meteorological Agency may order the person who has obtained the referenced license to take measures to ensure conformity to the items of the same paragraph with regard to its facilities and staff members or its methods of predicting phenomena and other necessary measures to improve the operation of the referenced forecasting services.

(Revocation of License)

Article 21 (1) When a person who has obtained a license referred to in Article 17, paragraph (1) falls under any of the following items, the Director-General of the Japan Meteorological Agency may order the person to suspend the services for a specified period of time or revoke the referenced license:

(i) when the person has violated this Act, any orders pursuant to this Act or any dispositions pursuant thereto, or any conditions attached to the license or approval; or

(ii) when the person has come under any of the items (i) through (iv) of Article 18, paragraph (2) (in the case of item (ii), limited to the portions related to provisions of foreign laws and regulations equivalent to this Act).

(2) When the Director-General of the Japan Meteorological Agency is unable to ascertain the whereabouts of a person who has obtained a license referred to in Article 17, paragraph (1) (in the case of a corporation (excluding a foreign corporation), the whereabouts of its representative; or in the case of a foreign corporation etc., the whereabouts of its domestic representative or domestic agent (in the case of domestic agent that is a corporation, its representative)), the Director-General may issue public notify publicly notice to that effect and revoke the license if no application is made by the person after thirty days have passed since the date of the public notice, pursuant to Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(3) The provisions of Chapter III of the Administrative Procedure Act (Act No. 88 of 1993) do not apply to a disposition pursuant to the provisions of the

preceding paragraph.

(Suspension and Abolition of Forecasting Services)

Article 22 When a person who has obtained a license referred to in Article 17, paragraph (1) suspends or abolishes all or part of the forecasting services, the person must notify the Director-General of the Japan Meteorological Agency to that effect within thirty days from the date of the suspension or abolition.

(Restriction on Warnings)

Article 23 Any person other than the Japan Meteorological Agency must not give warnings of meteorological phenomena, terrestrial phenomena, tsunamis, storm surges, high waves, or floods; provided, however, that this does not apply to any cases prescribed by Cabinet Order.

(Signs of Forecasts and Warnings)

Article 24 A person who announces or transmits forecast matters or warning matters concerning meteorological phenomena, terrestrial phenomena, tsunamis, storm surges, high waves, and floods by means of signs in figurations, colors, lights, or sound must do so in compliance with the methods specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

### **Chapter III-2 Certified Weather Forecaster**

(Examination)

Article 24-2 (1) A person who intends to become a certified weather forecaster must pass an examination for a certified weather forecaster's license which is conducted by the Director-General of the Japan Meteorological Agency (referred to below as "examination").

(2) An examination is conducted with respect to the knowledge and skills necessary for the services of a certified weather forecaster.

(Partial Exemption from Examination)

Article 24-3 When a person to take an examination holds any service career or qualifications specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism in connection with forecasting services and other meteorological services prescribed by Order of the Ministry of Land, Infrastructure, Transport and Tourism, the person may be given exemption from part of the examination pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(Qualification to Become a Certified Weather Forecaster)

Article 24-4 A person who has passed an examination has the qualification to become a certified weather forecaster.

(Designation of Designated Examining Body)

Article 24-5 (1) The Director-General of the Japan Meteorological Agency may designate a person (referred to below as "designated examining body") and cause the referenced person to administer the affairs concerning the implementation of an examination (referred to below as "examination affairs").

(2) The designation of a designated examining body is made upon application by a person who intends to administer examination affairs.

(3) The Director-General of the Japan Meteorological Agency is not to administer examination affairs when having designated a designated examining body.

(Standards for Designation)

Article 24-6 (1) The Director-General of the Japan Meteorological Agency must not designate a designated examining body unless no other person has been designated a designated examining body and the application referred to in the preceding Article, paragraph (2) is found to conform to the following standards:

(i) the applicant's plan for administration of examination affairs, which covers employees, the methods of administering examination affairs, and other matters, is appropriate for the proper and sure administration of examination affairs;

(ii) the applicant has sufficient financial basis and technical capability to properly and surely implement the plan for administration of examination affairs referred to in the preceding item; and

(iii) if the applicant is engaged in any services other than examination affairs, there is no risk that the applicant will fail to administer examination affairs fairly due to the other engagement.

(2) When a person who has made the application referred to in the preceding Article, paragraph (2) falls under any of the following items, the Director-General of the Japan Meteorological Agency must not designate the person a designated examining body:

(i) a person other than a general incorporated association or a general incorporated foundation;

(ii) a person who has been sentenced to a fine or severer punishment pursuant to the provisions of this Act and for whom two years have not elapsed since the date when the execution of the sentence was completed or the date when the person is no longer subject to the execution of the sentence;

(iii) a person who has had the person's designation revoked pursuant to the provisions of Article 24-16, paragraph (1) or paragraph (2) and for whom two

- years have not elapsed since the date of the revocation; or
- (iv) a person who has any officer falling under any of the following:
    - (a) a person who falls under item (ii); or
    - (b) a person who has been dismissed by the order under the provisions of Article 24-9, paragraph (3) and for whom two years have not elapsed since the date of the dismissal.

(Public Notice of Designation)

- Article 24-7 (1) When having designated a designated examining body, the Director-General of the Japan Meteorological Agency must publicly notify the name and address of the designated examining body, the location of the office where it administers examination affairs, and the date when it commences examination affairs.
- (2) When intending to change its name or address, or the location of the office where it administers examination affairs, the designated examining body must notify the Director-General of the Japan Meteorological Agency to that effect at least two weeks prior to the date when the change is scheduled.
- (3) When having received the notification under the provisions of the preceding paragraph, the Director-General of the Japan Meteorological Agency must publicly notify to that effect.

(Examiner)

- Article 24-8 When administering examination affairs, the designated examining body must cause an examiner who satisfies the requirements specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism (referred to below as "examiner") to administer the affairs concerning any judgments as to whether or not a person has necessary knowledge and skills as a certified weather forecaster.

(Appointment and Dismissal of Officers)

- Article 24-9 (1) No appointment and dismissal of an officer of the designated examining body engaged in examination affairs are effective unless approved by the Director-General of the Japan Meteorological Agency.
- (2) When having appointed or dismissed any examiner, the designated examining body must notify the Director-General of the Japan Meteorological Agency to that effect without delay.
- (3) When any officer or examiner of the designated examining body has violated this Act, any of the orders or dispositions pursuant to this Act, or the rules of administration for examination affairs referred to in Article 24-11, paragraph (1), or committed any extremely inappropriate acts in connection with examination affairs, the Director-General of the Japan Meteorological Agency

may order the designated examining body to dismiss the referenced officer or examiner.

(Confidentiality Obligation)

Article 24-10 (1) Officers or employees (including examiners), whether current or former, of the designated examining body must not divulge any secrets that come to their knowledge in connection with examination affairs.

(2) With respect to the application of the Penal Act (Act No. 45 of 1907) and other penal provisions, officers or employees (including examiners) of the designated examining body who engage in examination affairs are regarded as personnel engaged in the performance of public duties in accordance with laws and regulations.

(Rules of Administration for Examination Affairs)

Article 24-11 (1) The designated examining body must formulate rules of administration for examination affairs concerning the matters which are prescribed by Order of the Ministry of Land, Infrastructure, Transport and Tourism with regard to administration of examination affairs and obtain approval of them from the Director-General of the Japan Meteorological Agency. The same applies when it intends to change them.

(2) When having found that the rules of administration for examination affairs approved under the preceding paragraph have become inappropriate for the fair and proper administration of examination affairs, the Director-General of the Japan Meteorological Agency may order the designated examining body to change them.

(Business Plan)

Article 24-12 (1) The designated examining body must prepare a business plan and an income and expenditure budget related to examination affairs each business year, and obtain approval of them from the Director-General of the Japan Meteorological Agency prior to the beginning of the referenced business year (or in the case of a business year containing the date of designation, without delay after the referenced designation). The same applies when it intends to change them.

(2) The designated examining body must prepare a business report and a statement of accounts related to examination affairs each business year, and submit them to the Director-General of the Japan Meteorological Agency within three months after the end of the referenced business year.

(Maintenance of Books)

Article 24-13 The designated examining body must maintain books into which to

make entry of the matters concerning examination affairs prescribed by Order of the Ministry of Land, Infrastructure, Transport and Tourism, and preserve them pursuant to the Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(Supervisory Order)

Article 24-14 When finding a necessity in order to enforce this Act, the Director-General of the Japan Meteorological Agency may give the designated examining body orders necessary for supervision of examination affairs.

(Suspension and Abolition of Examination Affairs)

Article 24-15 (1) The designated examining body must not suspend or abolish all or part of examination affairs without obtaining permission from the Director-General of the Japan Meteorological Agency.

(2) When having granted the permission referred to in the preceding paragraph, the Director-General of the Japan Meteorological Agency must publicly notify to that effect.

(Revocation of Designation)

Article 24-16 (1) When the designated examining body has come under any of the items of Article 24-6, paragraph (2) (excluding item (iii)), the Director-General of the Japan Meteorological Agency must revoke its designation.

(2) When the designated examining body falls under any of the following items, the Director-General of the Japan Meteorological Agency may revoke its designation or order it to suspend all or part of examination affairs for a specified period of time:

(i) when the designated examining body has violated any of the provisions in this chapter;

(ii) when the designated examining body is found no longer conforming to any of the items of Article 24-6, paragraph (1);

(iii) when the designated examining body has violated the order under the provisions of Article 24-9, paragraph (3), Article 24-11, paragraph (2), or Article 24-14;

(iv) when the designated examining body has administered examination affairs by not complying with the rules of administration for examination affairs approved pursuant to the provisions of Article 24-11, paragraph (1); or

(v) when the designated examining body has obtained designation by wrongful means.

(3) The Director-General of the Japan Meteorological Agency must publicly notify to that effect when having revoked designation pursuant to the provisions of paragraph (1) or the preceding paragraph or ordered the suspension of

examination affairs, in whole or in part, pursuant to the provisions of the same paragraph.

(Administration of Examination Affairs by the Director-General of the Japan Meteorological Agency)

- Article 24-17 (1) The Director-General of the Japan Meteorological Agency is to administer all or part of examination affairs oneself, notwithstanding the provisions of Article 24-5, paragraph (3) when finding it necessary to do so if the designated examining body has suspended all or part of examination affairs pursuant to the provisions of Article 24-15, paragraph (1), the Director-General of the Japan Meteorological Agency has ordered the designated examining body to suspend all or part of examination affairs pursuant to the provisions of the preceding Article, paragraph (2), or it has become difficult for the designated examining body to administer all or part of examination affairs due to a natural disaster or for other reasons.
- (2) The Director-General of the Japan Meteorological Agency must publicly notify to that effect in advance when having decided to administer examination affairs pursuant to the provisions of the preceding paragraph or not to administer the examination affairs while so doing pursuant to the provisions of the same paragraph.
- (3) The handover of examination affairs and other necessary matters if the Director-General of the Japan Meteorological Agency has decided to administer examination affairs pursuant to the provisions of paragraph (1), has permitted the abolition of examination affairs pursuant to the provisions of Article 24-15, paragraph (1), or has revoked designation pursuant to the provisions of the preceding Article, paragraph (1) or paragraph (2), are prescribed by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(Revocation of a Decision of Passing)

- Article 24-18 (1) With respect to a person who has taken or intended to take an examination by wrongful means, the Director-General of the Japan Meteorological Agency may revoke a decision of the person's having passed an examination or suspend the person's examination.
- (2) The designated examining body may exercise the authority of the Director-General of the Japan Meteorological Agency referred to in the preceding paragraph.
- (3) In light of the circumstances, the Director-General of the Japan Meteorological Agency may designate a period of up to two years during which to prohibit a person, who has been subjected to any dispositions prescribed in the provisions of the preceding two paragraphs, from taking an examination therefor.

(Claim for Review of Dispositions Made by Designated Examining Body)

Article 24-19 With respect to any dispositions related to examination affairs that are made by the designated examining body or the inaction of that body, the claim for review may be filed with the Director-General of the Japan Meteorological Agency. In this case, with regard to the application of the provisions of Article 25, paragraphs (2) and (3), Article 46, paragraph (1) and (2), Article 47, and Article 49, paragraph (3) of the Administrative Complaint Review Act (Act No. 68 of 2014), the Director-General of the Japan Meteorological Agency is deemed to be a higher administrative authority of the designated examining body.

(Registration)

Article 24-20 A person who holds the qualification to be a certified weather forecaster must have registration accepted by the Director-General of the Japan Meteorological Agency in order to become a certified weather forecaster.

(Grounds for Disqualification)

Article 24-21 A person who falls under any of the following items may not have the registration referred to in the preceding Article accepted:

- (i) a person who has been sentenced to a fine or severer punishment pursuant to the provisions of this Act and for whom two years have not elapsed since the date when the execution of the sentence was completed or the date when the person is no longer subject to the execution of the sentence; or
- (ii) a person who has been subjected to cancellation of the person's registration under the provisions of Article 24-25, paragraph (1), item (iii) and for whom two years have not elapsed from the date of the disposition.

(Application for Registration)

Article 24-22 (1) A person who intends to have the registration referred to in Article 24-20 accepted must submit a written application for registration to the Director-General of the Japan Meteorological Agency.

(2) The written application for registration referred to in the preceding paragraph must be accompanied by a document certifying that the applicant holds the qualification to be a certified weather forecaster.

(Implementation of Registration)

Article 24-23 When a person has submitted the documents under the provisions of the preceding Article, the Director-General of the Japan Meteorological Agency must register the following matters with the registry of certified weather forecasters except when the referenced person falls under any of the

items of Article 24-21:

- (i) date of registration and registration number;
- (ii) name and date of birth; and
- (iii) other matters prescribed by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(Notification of Change to the Matters Registered)

Article 24-24 When there is any change to the matters registered with the registry of certified weather forecasters pursuant to the provisions of the preceding Article, a certified weather forecaster must notify the Director-General of the Japan Meteorological Agency to that effect without delay.

(Cancellation of Registration)

Article 24-25 (1) When a certified weather forecaster falls under any of the following items or applies for cancellation of the registration referred to in Article 24-20, the Director-General of the Japan Meteorological Agency must cancel the referenced registration related to the referenced certified weather forecaster:

- (i) when a certified weather forecaster has died;
- (ii) when a certified weather forecaster has come under Article 24-21, item (i);
- (iii) when it is found that a certified weather forecaster has had the registration referred to in Article 24-20 accepted by deception or other wrongful means; or
- (iv) when a certified weather forecaster has had a decision of the person's having passed an examination revoked pursuant to the provisions of Article 24-18, paragraph (1).

(2) When a certified weather forecaster has come under the preceding paragraph, item (i) or item (ii), the person's heir or the referenced certified weather forecaster must notify the Director-General of the Japan Meteorological Agency to that effect without delay.

(Examination Fee, etc.)

Article 24-26 (1) A person who intends to take an examination or have the registration referred to in Article 24-20 accepted must pay to the State (or to the designated examining body in the case of a person who intends to take an examination conducted by the designated examining body) a fee of which the amount is determined in light of the actual cost by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(2) The fee paid to the designated examining body pursuant to the provisions of the preceding paragraph is an income to the designated examining body.

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

Article 24-27 Beyond what is provided for in this chapter, any necessary matters concerning the examination, the designated examining body, and the registration referred to in Article 24-20 are prescribed by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

### **Chapter III-3 Private Weather Service Support Center**

(Designation)

Article 24-28 The Director-General of the Japan Meteorological Agency may designate a general incorporated association or general incorporated foundation which is intended to ensure the sound development of meteorological services and found to conform to the following standards concerning the services prescribed in the following Article as a private weather service support center (referred to below as "center"), upon application thereby:

- (i) the applicant's plan for implementation of services, which covers employees, methods of implementing services, and other matters, is appropriate for the proper and sure implementation of services; and
- (ii) the applicant has sufficient financial basis and technical capability to properly and surely implement the plan for implementation of services referred to in the preceding item.

(Services)

Article 24-29 A center is to carry out the following services for the purposes of supporting the sound development of forecasting services performed under license pursuant to the provisions of Article 17 and other meteorological services in the private sector and ensuring the promotion of the use of meteorological information in industries, transportation, and other social activities:

- (i) providing the results of observations, the information concerning forecasts prepared by the Japan Meteorological Agency in the course of implementing its services, and other information owned by the Japan Meteorological Agency (referred to below as "meteorological information");
- (ii) performing investigations and research concerning the services referred to in the preceding item (referred to below as "information providing services") and the use of meteorological information;
- (iii) providing counseling and other assistance with regard to the matters concerning the use of meteorological information;
- (iv) providing training for the users of meteorological information; and
- (v) beyond what is listed in each of the preceding items, performing the

services necessary to support the sound development of meteorological services in the private sector and to ensure the promotion of the use of meteorological information in social activities.

(Provisions of Information to a Center)

Article 24-30 The Director-General of the Japan Meteorological Agency is to provide a center with the meteorological information which is necessary for the implementation of information providing services and prescribed by Order of the Ministry of Land, Infrastructure, Transport and Tourism, as well as with necessary guidance and advice concerning the implementation of the referenced services.

(Rules for Information Providing Services)

Article 24-31 (1) When performing information providing services, a center must formulate rules for information providing services concerning the methods of implementing the referenced services, fees related to the referenced services, and other matters prescribed by Order of the Ministry of Land, Infrastructure, Transport and Tourism and obtain approval of them from the Director-General of the Japan Meteorological Agency, prior to commencing the referenced services. The same applies when it intends to change them.

(2) The Director-General of the Japan Meteorological Agency may order a center to change them when finding that the rules for information providing services approved under the preceding paragraph have become inappropriate for the proper and sure implementation of information providing services.

(Separate Accounting)

Article 24-32 A center must separate accounting for information providing services and accounting for other services, pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(Provisions Applied Mutatis Mutandis)

Article 24-33 The provisions of Article 24-6, paragraph (2) (excluding item (i)), Article 24-7, Article 24-9, paragraph (1) and paragraph (3), Article 24-12, and Articles 24-14 through 24-16 are to apply mutatis mutandis to a center. In this case: the phrase "the preceding Article, paragraph (2)" in Article 24-6, paragraph (2) is deemed to be replaced with "Article 24-28"; the phrase "Article 24-16, paragraph (1) or paragraph (2)" in the same paragraph, item (iii) with "Article 24-16, paragraph (1) or paragraph (2) as applied mutatis mutandis pursuant to Article 24-33"; the phrase "Article 24-9, paragraph (3)" in the same paragraph, item (iv) with "Article 24-9, paragraph (3) as applied mutatis mutandis pursuant to Article 24-33"; the phrase ", the location of the office

where it administers examination affairs, and the date when it commences examining affairs" in Article 24-7, paragraph (1) with ", and the location of the office where it performs the services prescribed in Article 24-29"; the term "examination affairs" in the same Article, paragraph (2), Article 24-9, paragraph (1) and paragraph (3), Article 24-12, Article 24-14, title of Article 24-15, the same Article, paragraph (1), and Article 24-16, paragraph (2) and paragraph (3) with "the services prescribed in Article 24-29"; the phrase "officer or examiner" in Article 24-9, paragraph (3) with "officer"; the phrase "rules of administration for examination affairs referred to in Article 24-11, paragraph (1)" in the same Article with "rules for information providing services referred to in Article 24-31, paragraph (1)"; the phrase "any of the items of Article 24-6, paragraph (2)" in Article 24-16, paragraph (1) with "any of the items of Article 24-6, paragraph (2) as applied mutatis mutandis pursuant to Article 24-33"; the term "this chapter" in the same Article, paragraph (2), item (i) with "the provisions of Article 24-31, paragraph (1) or Article 24-32, or this chapter as applied mutatis mutandis pursuant to Article 24-33"; the phrase "any of the items of Article 24-6, paragraph (1)" in the same paragraph, item (ii) with "any of the items of Article 24-28"; the phrase "Article 24-9, paragraph (3), Article 24-11, paragraph (2), or Article 24-14" in the same paragraph, item (iii) with "the provisions of Article 24-31, paragraph (2), or Article 24-9, paragraph (3) or Article 24-14 as applied mutatis mutandis pursuant to Article 24-33"; and the phrase "rules of administration for examination affairs approved pursuant to the provisions of Article 24-11, paragraph (1)" in the same paragraph, item (iv) with "rules for information providing services approved pursuant to the provisions of Article 24-31, paragraph (1) ".

#### **Chapter IV Announcement of Information by Radio Communications**

(Announcement of Information by Radio Communications)

Article 25 The Japan Meteorological Agency must announce the information to be prepared through integration of the following matters by radio communications which are intended for reception by the organs engaging in meteorological services in and outside Japan, vessels, or aircraft, pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism:

- (i) results of observations of meteorological phenomena, terrestrial phenomena, and hydrological phenomena in and outside Japan;
- (ii) forecast matters and warning matters of meteorological phenomena, terrestrial phenomena (excluding earthquakes), and hydrological phenomena in and outside Japan; and

(iii) beyond what is listed in the preceding two items, information concerning meteorological phenomena, terrestrial phenomena, and hydrological phenomena in and outside Japan.

Article 26 (1) Any person other than the Japan Meteorological Agency who intends to perform the services for announcing the results of the meteorological observations they performed in Japan performed by radio communications which are intended for reception by the organs engaging in meteorological services in or outside Japan, vessels, or aircraft, must obtain a license from the Director-General of the Japan Meteorological Agency; provided, however, that this does not apply to the case where a vessel or aircraft performs the referenced services.

(2) The provisions of Article 17-2 and Article 18, paragraph (1) (limited to the portions related to item (i)) and paragraph (2) apply mutatis mutandis to the license referred to in the preceding paragraph, and the provisions of Article 19, paragraph (4) and Articles 20-2 through 22 apply mutatis mutandis to the person who has obtained the referenced license. In this case, the phrase "the purposes and scope of the forecasting services" in Article 17-2, paragraph (1), item (iii) is deemed to be replaced with "the purposes of the services for announcing the results of meteorological observations in Japan"; the term "forecasting services" in Article 18, paragraph (1), item (i), Article 20-2, and Article 22 (including its title) is deemed to be replaced with "the services for announcing the results of meteorological observations in Japan"; the phrase "collection of observational and other forecasting data, and analysis of forecasting data" in the same item is deemed to be replaced with "observations and collection of the results of those observations"; the phrase "any of the items of Article 18, paragraph (1)" in Article 20-2 is deemed to be replaced with "Article 18, paragraph (1), item (i), as applied mutatis mutandis pursuant to Article 26, paragraph (2)"; the phrase "its facilities and staff members or its methods of predicting phenomena" in the same Article is deemed to be replaced "its facilities and staff members"; and the phrase "the items of the same paragraph" in the same Article is deemed to be replaced with "the same item".

## **Chapter V Verification**

Article 27 Deleted

(Criteria for a Decision of Passing)

Article 28 (1) When an application for verification has been filed regarding the meteorological instruments listed in the left column of the appended table, a person who has had the registration referred to in Article 9, paragraph (1)

(referred to below as "registered verification body") accepted must inspect whether or not the referenced meteorological instruments conform to all of the following items and verify the instruments when they are found to conform thereto:

- (i) meteorological instruments, depending on their types, have the structures (including material properties) specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism;
  - (ii) the instrumental errors of meteorological instruments do not exceed the respective verification tolerances specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism.
- (2) When performing the inspections referred to in the preceding paragraph on any meteorological instruments that have been granted the type certification referred to in Article 32, paragraph (1), a registered verification body may omit the inspection as to whether or not to conform to the same paragraph, item (i).
- (3) The inspection as to whether or not to conform to paragraph (1), item (ii) when the inspection as to whether or not to conform to the same paragraph, item (i) is omitted pursuant to the provisions of the preceding paragraph may be made by means of a document containing the results of the referenced measurements, when a person authorized under Article 32-2, paragraph (1) has performed measurements for instrumental errors pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(Verification Seal and Verification Certificate)

Article 29 (1) A verification seal is affixed onto any meteorological instruments that have passed a verification test, pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism; provided, however, that this does not apply to those meteorological instruments difficult to affix a verification seal to for their structural reasons which are specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

- (2) When meteorological instruments have passed a verification test, a registered verification body must issue a verification certificate to the person who has applied for verification certificate.

Article 30 Deleted

(Valid Period of Verification)

Article 31 The valid period of verification of any meteorological instruments that are specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism as those for which it is found appropriate to determine a valid period for verification in light of their structures, conditions of use, and status of use, etc. is as specified by the referenced Order of the Ministry of Land,

Infrastructure, Transport and Tourism.

(Type Certification)

Article 32 (1) Upon application the Director-General of the Japan Meteorological Agency grants type certification regarding the types of meteorological instruments specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(2) When receiving the application referred to in the preceding paragraph, the Director-General of the Japan Meteorological Agency must inspect whether the meteorological instruments related to the referenced application conform to Article 28, paragraph (1), item (i) and grant type certification when having found that they conform thereto.

(3) Type certification is granted by issuing a type certificate to an applicant.

(Authorization of Measuring Capability)

Article 32-2 (1) Upon application with respect to a person who performs measurements for the instrumental errors of meteorological instruments, the Director-General of the Japan Meteorological Agency may grant authorization to the effect that the Director-General of the Japan Meteorological Agency conforms to the following items, per its office, in accordance with the categories specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism:

(i) the capability of a person who performs measurements for the instrumental errors of meteorological instruments meets the standards specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism;

(ii) the measuring instruments and other equipment used in measurements for the instrumental errors of meteorological instruments that are specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism have undergone calibrations by the Director-General of the Japan Meteorological Agency and other calibrations specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism within a period of time specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism; and

(iii) the methods of performing the services related to measurements for the instrumental errors of meteorological instruments are appropriate.

(2) When a person who has obtained the authorization referred to in the preceding paragraph (referred to below as "authorized measurer") falls under any of the following items, the Director-General of the Japan Meteorological Agency may revoke the person's authorization:

(i) when an authorized measurer no longer conforms to any of the items of the preceding paragraph; or

(ii) when an authorized measurer has obtained the authorization referred to in

the preceding paragraph by wrongful means.

- (3) Beyond what is provided for in the preceding two paragraphs, necessary matters concerning authorization and its revocation are prescribed by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(Registration)

Article 32-3 The registration referred to in Article 9, paragraph (1) is made upon application by a person who intends to administer the affairs concerning the implementation of a verification test on meteorological instruments (referred to below as "verification affairs").

(Requirements for Registration)

Article 32-4 (1) When a person who has applied for registration pursuant to the provisions of the preceding Article (referred to below as "applicant for registration") conforms to all of the following requirements, the Director-General of the Japan Meteorological Agency must do the registration. In this case, necessary procedures for registration are prescribed by Order of the Ministry of Land, Infrastructure, Transport and Tourism:

- (i) depending on the types of the meteorological instruments listed in the left column of the appended table, the respective measuring instruments (limited to those which have undergone calibrations by the Director-General of the Japan Meteorological Agency or calibrations pursuant to the provisions of Articles 135 and Article 144 of the Measurement Act (Act No. 51 of 1992)) and equipment listed in the right column of the same table are used to administer verification affairs;
- (ii) a person who has knowledge and experience that conforms to any of the following conditions administers verification affairs, and not less than two persons having the knowledge and experience are staffed at each office where verification affairs are administered; and
  - (a) a person who graduated from a university under the School Education Act (Act No. 26 of 1947), a university under the former University Order (Imperial Order No. 388 of 1918), or a vocational training school under the former Vocational Training School Order (Imperial Order No. 61 of 1903) after completing a course in science or engineering (including a person who completed junior division of professional graduate school under the referenced Act after completing the referenced course), and has a three-year or more experience of being engaged in the practical services for verification of meteorological instruments; or
  - (b) a person who has knowledge and experience equal to or higher than those of a person referred to in (a);
- (iii) the applicant for registration, as one controlled by a person who is engaged

- in the business of manufacturing, importing, or selling the meteorological instruments prescribed in the main clause of Article 9, paragraph (1) (referred to below as "meteorological instrument manufacturer, etc." in this item and Article 32-10, paragraph (2)), falls under none of the following;
- (a) when the applicant for registration is a stock company corporation, its parent corporation (which means a parent corporation prescribed in Article 879, paragraph (1) of the Companies Act (Act No. 86 of 2005)) is a meteorological instrument manufacturer, etc.;
  - (b) more than half of the officers of the applicant for registration (in the case of a membership company (which means a membership company prescribed in Article 575, paragraph (1) of the Companies Act), the members who execute its operation) are officers or employees of a meteorological instrument manufacturer, etc. (including those who have been officers or employees of the referenced meteorological instrument manufacturer, etc. in the past two years); or
  - (c) the applicant for registration (or in the case of a corporation, the officer who has the authority of representation) is an officer or employee of a meteorological instrument manufacturer, etc. (or has been an officer or employee of the referenced meteorological instrument manufacturer, etc. in the past two years).
- (2) The Director-General of the Japan Meteorological Agency must not register any applicant for registration who falls under any of the following items:
- (i) a person who has been sentenced to a fine or severer punishment pursuant to the provisions of this Act and for whom two years have not elapsed since the date when the execution of the sentence was completed or the date when the person is no longer subject to the execution of the sentence;
  - (ii) a person who has had the person's registration revoked pursuant to the provisions of Article 32-13, paragraph (1) or paragraph (2) and for whom two years have not elapsed since the date of the revocation; or
  - (iii) in the case of a corporation, it has any officer falling under any of the preceding two items.
- (3) Registration is to be made with the following matters entered in the registry of registered verification bodies:
- (i) date of registration and registration number;
  - (ii) name or trade name and address of a registered verification body, and in the case of a corporation, the name of its representative;
  - (iii) location of the office where a registered verification body administers verification affairs;
  - (iv) scope of verification performed by a registered verification body; and
  - (v) beyond what is listed in each of the preceding items, matters prescribed by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(Public Notice of Registration)

- Article 32-5 (1) When making the registration referred to in Article 9, paragraph (1) the Director-General of the Japan Meteorological Agency must publicly notify the matters listed in items (ii) through (v) of the preceding Article, paragraph (3) and the date of commencement of verification affairs.
- (2) When intending to change the matters listed in item (ii), item (iii), or item (v) of the preceding Article, paragraph (3), a registered verification body must notify the Director-General of the Japan Meteorological Agency to that effect at least two weeks prior to the date when the change is scheduled.
- (3) When notified pursuant to the provisions of the preceding paragraph, the Director-General of the Japan Meteorological Agency must publicly notify to that effect.

(Renewal of Registration)

- Article 32-6 (1) Unless renewed at an interval prescribed by Cabinet Order between five years or more and ten years or less, the registration referred to in Article 9, paragraph (1) ceases to be effective upon expiration of the referenced period.
- (2) The provisions of Articles 32-3 and Article 32-4 apply mutatis mutandis to the renewal of registration referred to in the preceding paragraph.

(Obligation of Verification)

- Article 32-7 (1) When receiving an application for verification, a registered verification body must conduct a verification test without delay except if there are justifiable grounds not to do so.
- (2) With respect to the measuring instruments listed in the right column of the appended table, a registered verification body must undergo calibrations by the Director-General of the Japan Meteorological Agency or calibrations pursuant to the provisions of Article 135 or Article 144 of the Measurement Act at an interval prescribed by Order of the Ministry of Land, Infrastructure, Transport and Tourism.
- (3) Beyond what is provided for in the preceding paragraph, a registered verification body must conduct a verification test fairly by a method which complies with the requirements listed in Article 32-4, paragraph (1), item (i) and item (ii).

(Rules of Administration for Verification Affairs)

- Article 32-8 (1) A registered verification body must formulate rules concerning verification affairs (referred to below as "rules of administration for verification affairs") and prior to commencing verification affairs, so notify the

Director-General of the Japan Meteorological Agency. The same applies when it intends to change them.

- (2) The rules of administration for verification affairs must prescribe the methods of administering verification affairs, the fees related to verification, and other matters prescribed by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(Suspension and Abolition of Verification Affairs)

Article 32-9 (1) When intending to suspend or abolish all or part of verification affairs, a registered verification body must notify the Director-General of the Japan Meteorological Agency to that effect in advance pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism.

- (2) When receiving the notification referred to in the preceding paragraph, the Director-General of the Japan Meteorological Agency must publicly notify to that effect.

(Maintenance, Accessing of Financial Statements)

Article 32-10 (1) A registered verification body must prepare an inventory of property, a balance sheet, a profit and loss statement or an income and expenditure statement, and a business report for each business year (including an electromagnetic record (which means any record that is prepared by electronic, magnetic, or other means unrecognizable by human perception, and is provided for information processing by a computer; the same applies below in this Article) in cases where an electromagnetic record is prepared in lieu of the preparation of it in the form of paper documents; referred to as "financial statements, etc." in the following paragraph and item (ii) of Article 50), within three months after the end of the business year, and maintain them at its office for a period of five years.

- (2) Meteorological instrument manufacturers, etc. and other interested parties may make the following requests at any time within the service hours of a registered verification body; provided, however, that to make any request referred to in item (ii) or item (iv), the fee specified by the registered verification body must be paid:

- (i) when financial statements, etc. are prepared in the form of paper documents, a request for accessing or copy of the referenced paper documents;
- (ii) a request for a transcript or extract of the paper documents referred to in the preceding item;
- (iii) when financial statements, etc. are prepared in the form of an electromagnetic record, a request for accessing or copy of the matters recorded on the referenced electromagnetic record which are shown by a

means specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism; or

- (iv) a request for provisions of the matters recorded on an electromagnetic record referred to in the preceding item by an electromagnetic means specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism, or a request for issuance of paper documents containing the referenced matters.

(Order for Conformity)

Article 32-11 When finding that a registered verification body no longer conforms to any of the items of Article 32-4, paragraph (1), the Director-General of the Japan Meteorological Agency may order the registered verification body to take necessary measures to ensure conformity to the provisions of the referenced items.

(Order for Improvement)

Article 32-12 When finding that a registered verification body is in violation of any provisions of Article 32-7, the Director-General of the Japan Meteorological Agency may order the registered verification body to administer the verification affairs under the provisions of the same Article or take necessary measures to improve the methods of verification and other operational methods.

(Revocation of Registration)

Article 32-13 (1) When a registered verification body has come under item (i) or item (iii) of Article 32-4, paragraph (2), the Director-General of the Japan Meteorological Agency must revoke its registration.

(2) When a registered verification body falls under any of the following items, the Director-General of the Japan Meteorological Agency may revoke its registration or order the suspension of verification affairs, in whole or in part, for a specified period of time:

- (i) when a registered verification body is found no longer conforming to any of the items of Article 32-4, paragraph (1);
- (ii) when a registered verification body has violated any provisions of Article 32-5, paragraph (2), Article 32-8, Article 32-9, paragraph (1), Article 32-10, paragraph (1), or Article 24-13 as applied mutatis mutandis pursuant to Article 32-15;
- (iii) when a registered verification body has rejected the request under the provisions of each item of Article 32-10, paragraph (2), without justifiable grounds;
- (iv) when a registered verification body has violated any of the orders under

- the provisions of the preceding two Articles; or
- (v) when a registered verification body has had the registration referred to in Article 9, paragraph (1) accepted by wrongful means.
- (3) When having revoked the registration referred to in Article 9, paragraph (1) pursuant to the provisions of paragraph (1) or the preceding paragraph or ordered the suspension of verification affairs, in whole or in part, pursuant to the provisions of the preceding paragraph, the Director-General of the Japan Meteorological Agency must publicly notify to that effect.

(Administration of Verification Affairs by the Director-General of the Japan Meteorological Agency)

Article 32-14 (1) The Director-General of the Japan Meteorological Agency may administer all or part of verification affairs oneself when no person has had the registration referred to in Article 9, paragraph (1) accepted, the Director-General of the Japan Meteorological Agency has been notified by a registered verification body of the suspension or abolition of verification affairs, in whole or in part, pursuant to the provisions of Article 32-9, paragraph (1), the Director-General of the Japan Meteorological Agency has revoked the registration referred to in Article 9, paragraph (1) pursuant to the provisions of the preceding Article, paragraph (1) or paragraph (2), the Director-General of the Japan Meteorological Agency has ordered a registered verification body to suspend all or part of verification affairs pursuant to the provisions of the preceding Article, paragraph (2), it has become difficult for a registered verification body to administer all or part of verification affairs due to a natural disaster or for other reasons, or the Director-General of the Japan Meteorological Agency otherwise finds it necessary to do so.

- (2) The Director-General of the Japan Meteorological Agency must publicly notify to that effect in advance, when administering verification affairs pursuant to the provision of the preceding paragraph or ceases to administer the verification affairs in which the Director-General of the Japan Meteorological Agency is engaged pursuant to the provisions of the same paragraph.
- (3) The handover of verification affairs and other necessary matters when the Director-General of the Japan Meteorological Agency administers all or part of verification affairs pursuant to the provisions of paragraph (1) are prescribed by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(Application Mutatis Mutandis)

Article 32-15 The provisions of Article 24-13 applies mutatis mutandis to a registered verification body. In this case, the term "examination affairs" in the same Article is deemed to be replaced with "verification affairs."

(Type Certification Fee)

Article 33 A person who intends to obtain the type certification referred to in Article 32, paragraph (1) or the authorization referred to in Article 32-2, paragraph (1), undergo the calibrations by the Director-General of the Japan Meteorological Agency referred to in the same paragraph, item (ii), Article 32-4, paragraph (1), item (i), or Article 32-7, paragraph (2), or have a verification test conducted by the Director-General of the Japan Meteorological Agency pursuant to the provisions of Article 32-14, paragraph (1) must pay to the State a fee of which the amount is determined by Order of the Ministry of Land, Infrastructure, Transport and Tourism in light of the actual cost.

(Detailed Matters)

Article 34 The form of a verification seal, the form and re-issuance of a verification certificate and type certificate, and other detailed matters concerning verification, type certification, authorized measurer, and registered verification body are prescribed by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

## **Chapter VI Miscellaneous Provisions**

(Meteorological Certification)

Article 35 (1) The Japan Meteorological Agency, upon the request of the public, certifies and appraises the facts concerning meteorological phenomena, terrestrial phenomena, and hydrological phenomena.

(2) A person who intends to obtain the certification or appraisal referred to in the preceding paragraph must pay a fee pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(Issuance of Publications)

Article 36 Beyond what is provided for in Article 11, the Japan Meteorological Agency is to announce the results of observations, investigations, and research concerning meteorological phenomena, terrestrial phenomena, tremors and ground deformations, terrestrial magnetism, terrestrial electricity, and hydrological phenomena, and its statistics by issuance of publications or other means, for the sake of the general use.

(Preservation of Meteorological Instruments, etc.)

Article 37 Any person must not, without justifiable grounds, destroy or relocate any meteorological instruments installed outdoors by the Japan Meteorological Agency or a person who performs meteorological observations that must be made in accordance with the technical standards pursuant to the provisions of

Article 6, paragraph (1) or paragraph (2); or any signs of warnings concerning meteorological phenomena, terrestrial phenomena (for earthquakes, limited to earthquake ground motions), tsunamis, storm surges, high waves, or floods, or otherwise conduct any acts detrimental to the effects of the referenced meteorological instruments or signs.

(Entry on Land or Water Surface)

- Article 38 (1) If it is necessary for performing observations of meteorological phenomena, terrestrial phenomena, tremors and ground deformations, terrestrial magnetism, terrestrial electricity, or hydrological phenomena, the Director-General of the Japan Meteorological Agency may cause the staff members engaging in the referenced services to enter land or a water surface which is owned, possessed, or occupied by the State, a local government, or a private person.
- (2) In cases causing the staff members to enter either a building lot or a plot of land or water surface enclosed with fences, rails, etc. pursuant to the provisions of the preceding paragraph, the Director-General of the Japan Meteorological Agency must notify their owner, occupant, or user to that effect in advance; provided, however, that this does not apply when it is difficult to so notify the referenced person in advance.

(Removal of Obstacles)

- Article 39 (1) If there is an unavoidable necessity for performing observations of meteorological phenomena, terrestrial phenomena, tremors and ground deformations, terrestrial magnetism, terrestrial electricity, or hydrological phenomena, the Director-General of the Japan Meteorological Agency may cause the staff members engaging in the referenced services to clear or remove the plants, fences, rails, etc. that would cause interference by obtaining prior approval from their owner or occupant.
- (2) In the case of observing meteorological phenomena, terrestrial phenomena, tremors and ground deformations, terrestrial magnetism, terrestrial electricity, or hydrological phenomena in an isolated island, a lake or swamp, a forest, a wilderness area, or a place similar thereto, if it is difficult to obtain prior approval from their owner or occupant and no considerable damage will be inflicted on the existing state of the referenced property, the Director-General of the Japan Meteorological Agency may cause the staff members engaging in the referenced services to clear or remove the plants, fences, rails, etc. that would cause interference without obtaining approval from their owner or occupant, notwithstanding the provisions of the preceding paragraph. In this case, the Director-General of the Japan Meteorological Agency must promptly notify the owner or occupant to that effect.

(Compensation for Loss)

Article 40 (1) If any loss has arisen from the entry, clearing, or removal under the provisions of the preceding two Articles, the State will compensate the aggrieved person for the loss that would normally arise.

(2) The amount of the compensation referred to in the preceding paragraph is decided by the Director-General of the Japan Meteorological Agency.

(3) A person who is dissatisfied with the decision referred to in the preceding paragraph may demand to increase the amount of compensation by means of an action within six months from the date when the decision comes to the person's knowledge.

(4) In the action referred to in the preceding paragraph, the State is to be the defendant.

(Conditions Attached to License)

Article 40-2 (1) Conditions may be attached to a license referred to in Article 17, paragraph (1) or Article 26, paragraph (1), or approval referred to in Article 19, paragraph (1), and they may be changed.

(2) The conditions referred to in the preceding paragraph must be limited to the minimum necessary to ensure public interests, and must not be to impose unreasonable obligations on a person who obtains the referenced license or approval.

(Reports and Inspections)

Article 41 (1) Within the limit necessary for enforcement of this Act, the Director-General of the Japan Meteorological Agency may cause a person who has obtained a license pursuant to the provisions of Article 17, paragraph (1) or Article 26, paragraph (1) or any of the vessels referred to in Article 7, paragraph (1) to report on its meteorological services.

(2) Within the limit necessary for enforcement of this Act, the Director-General of the Japan Meteorological Agency may cause a designated examining body, center, or registered verification body to report on its services.

(3) Within the limit necessary for enforcement of this Act, the Director-General of the Japan Meteorological Agency may cause an authorized measurer to report on its services.

(4) Within the limit necessary for enforcement of this Act, the Director-General of the Japan Meteorological Agency may cause its staff members to enter the business office, or the place where observations are performed, or any of the vessels referred to in Article 7, paragraph (1), of a person who has obtained a license pursuant to the provisions of Article 17, paragraph (1) or Article 26, paragraph (1) or a person who performs meteorological observations that must

be made in accordance with the technical standards pursuant to the provisions of Article 6, paragraph (1) or paragraph (2); inspect its meteorological records, meteorological instruments, or other articles; or ask questions of the relevant persons.

- (5) Within the limit necessary for enforcement of this Act, the Director-General of the Japan Meteorological Agency may cause its staff members to enter the office of the designated examining body, center, or registered verification body; inspect its status of services, or books, documents, and other articles; or ask questions of the relevant persons.
- (6) Within the limit necessary for enforcement of this Act, the Director-General of the Japan Meteorological Agency may cause its staff members to enter the office of an authorized measurer, inspect its status of services, or books, documents, and other articles, or ask questions of relevant persons.
- (7) The authority under the provisions of the preceding three paragraphs must not be construed as being vested for criminal investigations.

(Certificate Card of Identification)

Article 42 Any staff member who is engaged in the referenced services pursuant to the provisions of Article 38, Article 39, or the preceding Article, paragraphs (4) through (6) must carry an identification and show it upon request by any person concerned.

(Publication of Name of a Person That Has Committed an Act in Violation of a Law or Regulation)

Article 42-2 When the Director-General of the Japan Meteorological Agency finds it necessary for ensuring the sound development of meteorological services and public interests, the Director-General may, pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism, make public the name of a person who has committed an act in violation of this Act or orders or dispositions issued under this Act (referred to below as "acts in violation of laws and regulations" in this Article) and other matters necessary for preventing the occurrence and spread of damage from acts in violation of laws and regulations.

(Acceptance of Delegation of Specialized Services)

Article 43 (1) Upon the request of the public, the Japan Meteorological Agency may perform specialized observations, forecasts, collection and preparation of information, investigations, and research concerning meteorological phenomena, terrestrial phenomena, tremors and ground deformations, terrestrial magnetism, terrestrial electricity, and hydrological phenomena, and matters closely relevant thereto; provide the guidance therefor; and carry out

the designing, manufacturing, verification, repairing, and conditioning of meteorological instruments as well as apparatuses, implements, and devices used in observations of tremors and ground deformations, terrestrial magnetism, and terrestrial electricity; to the extent that no performance of its services is interfered with.

- (2) A person who makes the delegation referred to in the preceding paragraph must pay a fee pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(Consultation with the Council for Transport Policy)

Article 43-2 (1) In response to consultation from the Director-General of the Japan Meteorological Agency, the Council for Transport Policy investigates and deliberates the matters listed in the items of Article 3 and other important matters concerning meteorological services.

- (2) With regard to the matters prescribed in the preceding paragraph, the Council for Transport Policy may state its opinions to relevant administrative organs.

(Transitional Measures)

Article 43-3 When any order is established, revised, or abolished pursuant to the provisions of this Act, required transitional measures (including transitional measures concerning penal provisions) may be prescribed by the referenced order to the extent that they are judged to be reasonably necessary in connection with the establishment, revision, or abolition.

(Delegation of Authority)

Article 43-4 (1) The authority of the Director-General of the Japan Meteorological Agency prescribed in this Act may be delegated in part to the Director-General of a Regional Headquarters or the Director-General of the Okinawa Regional Headquarters pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism.

- (2) The authority delegated to the Director-General of a Regional Headquarters or the Director-General of the Okinawa Regional Headquarters pursuant to the provisions of the preceding paragraph may be delegated in part to the Director of a Local Meteorological Office pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism.

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

Article 43-5 Beyond what is provided for in this Act, procedures and other matters necessary for implementation of this Act are prescribed by Order of the

Ministry of Land, Infrastructure, Transport and Tourism.

## **Chapter VII Penal Provisions**

Article 44 When a person who has violated the provisions of Article 37, the person who commits the violation is punishable by imprisonment for not more than three years or a fine of not more than 1,000,000 yen, or both.

Article 45 A person who falls under any of the following items is punishable by imprisonment for not more than one year or a fine of not more than 500,000 yen:

- (i) a person who has divulged any secrets that come to the person's knowledge in connection with the person's duties in violation of the provisions of Article 24-10, paragraph (1);
- (ii) if the designated examining body has violated the order of suspension of examination affairs under the provisions of Article 24-16, paragraph (2), any officer or employee of the designated examining body that has committed the violation;
- (iii) if a center has violated the order of suspension of the services prescribed in Article 24-29 under the provisions of Article 24-16, paragraph (2), as applied *mutatis mutandis* pursuant to Article 24-33, any officer or employee of the center that has committed the violation; or
- (iv) if a registered verification body has violated the order of suspension of verification affairs under the provision of Article 32-13, paragraph (2), any officer or employee of the registered verification body that has committed the violation.

Article 46 When a person has fallen under any of the following items, the person who commits the violation is punishable by a fine of not more than 500,000 yen:

- (i) a person has violated the provisions of Article 9;
- (ii) a person has performed forecasting services without obtaining a license in violation of the provisions of Article 17, paragraph (1);
- (iii) a person has changed the matters listed in Article 17-2, paragraph (1) without obtaining approval in violation of the provisions of Article 19, paragraph (1);
- (iv) a person has caused any person other than certified weather forecasters to perform predictions of phenomena in violation of the provisions of the second sentence of Article 19-2;
- (v) a person has violated the order of suspension of services under the provisions of Article 21, paragraph (1) (including the case where it is applied

- mutatis mutandis pursuant to Article 26, paragraph (2));
- (vi) a person has given warnings in violation of the provisions of Article 23; or
- (vii) a person has performed the services for announcing the results of meteorological observations in Japan without obtaining a license in violation of the provisions of Article 26, paragraph (1).

Article 47 When a person who has fallen under any of the following items, the person who commits the violation is punishable by a fine of not more than 300,000 yen:

- (i) a person has violated the order under the provisions of Article 20-2 (including the case where it is applied mutatis mutandis pursuant to Article 26, paragraph (2));
- (ii) a person has refused or obstructed the entry under the provisions of Article 38, paragraph (1);
- (iii) a person has failed to make the report under the provisions of Article 41, paragraph (1) or paragraph (3), or submitted a false report; or
- (iv) a person has refused, obstructed, or avoided the inspections under the provisions of Article 41, paragraph (4) or paragraph (6), or who has failed to make a statement or made a false statement to any of the questions.

Article 48 When falling under any of the following items, any officer or employee of the designated examining body, center, or registered verification body that has committed the respective violation is punishable by a fine of not more than 300,000 yen:

- (i) when the designated examining body, center, or registered verification body has failed to maintain books, failed to make entries in books, or made false entries in books, or failed to preserve books in violation of the provisions of Article 24-13 (including the case where it is applied mutatis mutandis pursuant to Article 32-15);
- (ii) when the designated examining body, center, or registered verification body has abolished all of examination affairs or all of the services prescribed in Article 24-29 in violation of the provisions of Article 24-15, paragraph (1) (including the case where it is applied mutatis mutandis pursuant to Article 24-33);
- (iii) when the designated examining body, center, or registered verification body has failed to make the notification under the provisions of Article 32-9, paragraph (1), or made false notification;
- (iv) when the designated examining body, center, or registered verification body has failed to make the report under the provisions of Article 41, paragraph (2), or made a false report; or
- (v) when the designated examining body, center, or registered verification body

has refused, obstructed, or avoided the inspections under the provisions of Article 41, paragraph (5), or has failed to make a statement or make a false statement to any of the questions.

Article 49 When a representative of a corporation, or an agent of a corporation or individual, or an employee or other worker of a corporation or individual has conducted any of the violations referred to in Article 44, Article 46, or Article 47 in connection with the services of the referenced corporation or individual, not only is the offender punishable but also the referenced corporation or individual is also punishable by the fine referred to in the respective Articles.

Article 50 A person who falls under any of the following items is subject to non-penal fine of not more than 200,000 yen:

- (i) a person who has failed to make the notification under the provisions of Article 19, paragraph (4) or Article 22 (including cases where these provisions are applied mutatis mutandis pursuant to Article 26, paragraph (2)), or made false notification; or
- (ii) a person who has failed to maintain financial statements, etc., failed to enter due matters in financial statements, etc., or made false entries in financial statements, etc., or who has refused any of the requests under the provisions of the items of the same Article, paragraph (2), without justifiable grounds in violation of the provisions of Article 32-10, paragraph (1).

Appended Table (Re: Art. 9, Art. 28, Art. 32-4, Art. 32-7)

Meteorological Instruments	Measuring Instruments and Equipment	
Thermometer	Measuring instrument	Electric thermometer
	Equipment	Thermostat inspection chamber
Barometer	Measuring instrument	Electric barometer
	Equipment	Pressure inspection chamber
Hygrometer	Measuring instrument	Ventilated psychrometer, electric hygrometer, or dew-point hygrometer using chilled mirror dew cells
	Equipment	Humidity inspection chamber
Anemometer	Measuring instrument	Ultrasonic anemometer
		Pitot tube
		Differential pressure gauge
Equipment	Wind tunnel	
Pyranometer	Measuring instrument	Electric pyranometer
Rain gauge	Measuring instrument	Burette
Snow gauge	Measuring instrument	Length meter