

# Consumer Product Safety Act

(Act No. 31 of June 6, 1973)

## Table of Contents

Chapter I General Provisions (Article 1 and Article 2)

Chapter II Specified Products

Section 1 Requirements and Restriction of Sale and Labeling (Article 3 to Article 5)

Section 2 Notification of Business, etc. (Article 6 to Article 15)

Section 3 Registration of Conformity Inspection Body (Article 16 to Article 19)

Section 4 Domestically Registered Conformity Inspection Body (Article 20 to Article 29)

Section 5 Overseas Registered Conformity Inspection Body (Article 30 and Article 31)

Section 6 Hazard Prevention Order (Article 32)

Chapter II-2 Specified Maintenance Products, etc.

Section 1 Provision of Information on Inspection and Other Maintenance of Specified Maintenance Products, etc. (Article 32-2 to Article 32-17)

Section 2 Development of System to Inspect or Otherwise Maintain Specified Maintenance Products (Article 32-18 to Article 32-20)

Section 3 Collection and Provision of Information on Age-Related Deterioration (Article 32-21 to Article 32-22)

Chapter III Measures for Product Accidents, etc.

Section 1 Collection and Provision of Information (Article 33 to Article 37)

Section 2 Measures to Prevent Occurrence or Increase of Danger (Article 38 and Article 39)

Chapter IV Miscellaneous Provisions (Article 40 to Article 57)

Chapter V Penal Provisions (Article 58 to Article 62)

Supplementary Provisions

## Chapter I General Provisions

(Purpose)

Article 1 The purpose of this Act is to regulate the manufacture and sale of specified products, to promote proper maintenance of specified maintenance products and to take measures, such as collecting and providing information regarding product

accidents, thereby protecting the interests of general consumers, in order to prevent any danger caused by consumer products to the lives or bodies of general consumers.

(Definition)

Article 2 (1) The term "consumer products" as used in this Act means any product to be supplied mainly for use by general consumers for their routine everyday activities (except for those products listed in the appended table).

(2) The term "specified products" as used in this Act means consumer products that are deemed as being highly likely to cause danger particularly to the lives or bodies of general consumers in consideration of these products' structure, material, and usage, etc., which are provided for by Cabinet Order.

(3) The term "special specified products" as used in this Act means those specified products for which the manufacturers or importers thereof may have insufficiently secured the quality necessary to prevent the occurrence of danger to the lives or bodies of general consumers as provided for by Cabinet Order.

(4) The term "specified maintenance products" as used in this Act means consumer products that are deemed highly likely to cause serious danger particularly to the lives or bodies of general consumers because of these products' lack of reliable safety due to deterioration caused by long-term use (hereinafter referred to as "age-related deterioration"), which specified maintenance products are provided for by Cabinet Order as appropriate to be subject to improvement through proper maintenance in view of their usage, etc.

(5) The term "product accidents" as used in this Act means those accidents resulting from the use of consumer products that fall under any of the following, other than those apparently not caused by a defect in the consumer products (except for those provided for by Cabinet Order as accidents where the occurrence and increase of danger may be considered to be prevented by the provisions of other acts):

(i) accidents where danger to the lives or bodies of general consumers has occurred;

or

(ii) accidents in which consumer products are lost or damaged that are deemed likely to cause danger to lives or bodies of general consumers.

(6) The term "serious product accidents" as used in this Act means product accidents falling under the requirements provided for by Cabinet Order with respect to the content of danger or the manner of accident, as accidents where the actual or potential danger is serious.

## **Chapter II Specified Products**

## **Section 1 Requirements and Restrictions on Sale and Labeling**

### **(Requirements)**

Article 3 With respect to specified products, a competent minister shall establish in the Ordinance of the competent ministry the technical requirements necessary for preventing the occurrence of danger to the lives or bodies of general consumers. In this case, if the standards or requirements for preventing the occurrence of the danger to the lives or bodies of general consumers may be prescribed under the provisions of other acts designated by Cabinet Order with respect to said specified products, the technical requirements shall be prescribed with respect to portions other than those corresponding to these standards or requirements.

### **(Restrictions on Sale)**

Article 4 (1) No person engaging in the manufacture, import or sale of specified products shall sell or display for the purpose of selling such specified products without labeling them pursuant to the provisions of Article 13.

(2) The terms of the preceding paragraph shall not apply if the person described in the preceding paragraph falls under any of the following cases:

- (i) cases where, when the person sells or displays for the purpose of selling the specified products for export, the person has notified the competent minister thereof;
- (ii) cases where, when the person sells or displays for the purpose of selling the specified products to be supplied for specified purposes other than export, the person has obtained approval from the competent minister; or
- (iii) cases where the person sells or displays for the purpose of selling the specified products requiring notification in accordance with the provisions of Article 11, paragraph (1), item (i) or the approval set forth in item (ii) of the same paragraph.

### **(Restrictions on Labeling)**

Article 5 No person shall place a label in the manner provided for by the Ordinance of the competent ministry as prescribed in Article 13 or a label confusingly similar thereto unless the person who made the notification in accordance with the provisions of the following Article (hereinafter referred to as a "notified business operator") places said label in accordance with the provisions of Article 13 on specified products of the type subject to notification under the provisions of the following Article (hereinafter simply referred to as "type subject to notification").

## **Section 2 Notification of Business, etc.**

### **(Notification of Business)**

Article 6 A person engaging in the manufacture or import of the specified products may notify the competent minister of the following items in accordance with the classification of specified products provided for by the Ordinance of the competent ministry (hereinafter simply referred to as "classification of specified products"):

- (i) the person's name and address, and the name of the representative in cases involving a juridical person;
- (ii) the classification of the type of specified products as prescribed by the Ordinance of the competent ministry;
- (iii) the name and address of the factory or workplace manufacturing said specified products (the name and address of the manufacturer of the specified products, in cases where a person is engaging in the import of the specified products); and
- (iv) the measures taken to prepare for compensating victims in cases where the lives or bodies of general consumers are damaged due to a defect in said specified products.

### **(Succession)**

Article 7 (1) When a notified business operator transfers the whole of the business subject to said notification, or when there occurs an inheritance, merger or split of the notified business operator (limited to those cases that cause the succession of the entire business subject to the notification), the transferee or heir to the whole of this type of business (the heir selected to succeed to the business by the unanimous agreement of all other heirs, in cases where there are two or more heirs), or a juridical person surviving a merger or a juridical person incorporated by a merger or a juridical person succeeding to the whole of the business by a split shall succeed to the status of notified business operator.

- (2) Any person succeeding to the status of a notified business operator as described in the preceding paragraph shall without delay notify the competent minister thereof, together with all documentation evidencing this fact.

### **(Notification of Change)**

Article 8 When there is a change to any of the items listed in Article 6, a notified business operator shall without delay notify the competent minister thereof; provided, however, that this shall not apply in cases of minor changes provided for by the Ordinance of the competent ministry.

(Notification of Discontinuation)

Article 9 When a notified business operator discontinues the business pertaining to said notification, the notified business operator shall without delay notify the competent minister of its discontinuation.

(Provision of Information pertaining to Matters Notified)

Article 10 Any person may request the competent minister to provide information pertaining to the matters listed in Article 6, item (i) and item (ii).

(Duty to Conform to Requirements, etc.)

Article 11 (1) When a notified business operator manufactures or imports the specified products of the type subject to notification, the notified business operator shall ensure that they conform to the technical requirements described in the provisions of Article 3 (hereinafter referred to as "technical standards"); provided, however, that this shall not apply to those cases falling under any of the following conditions:

- (i) cases where, when the notified business operator manufactures or imports the specified products for export, the notified business operator has notified the competent minister thereof;
- (ii) cases where, when the notified business operator manufactures or imports the specified products to be supplied for specific purposes other than export, the notified business operator has obtained the approval of the competent minister; or
- (iii) cases where the notified business operator manufactures or imports the specified products for experimental purposes.

(2) Pursuant to the provisions of the Ordinance of the competent ministry, a notified business operator shall inspect the specified products manufactured or imported pursuant to the preceding paragraph (except for those manufactured or imported under the proviso to the preceding paragraph) and shall prepare and preserve an inspection record.

(3) A notified business operator shall ensure that the measures set forth in Article 6, item (iv) conform to the requirements provided for by the Ordinance of the competent ministry.

(Conformity Inspection of Special Specified Products)

Article 12 (1) In cases where the specified products manufactured or imported by a notified business operator as set forth in paragraph (1) of the preceding Article (except for those manufactured or imported under the proviso to paragraph (1) of the

preceding Article) fall under the category of special specified products, the notified business operator shall have any of the items listed below inspected in accordance with the following paragraph by a person registered with the competent minister (hereinafter referred to as a "conformity inspection"), and shall obtain and preserve the certification set forth in the same paragraph prior to the sale of said special specified products; provided, however, that this shall not apply to cases where a certificate for item (ii) as described in paragraph (1) of the preceding Article is issued and preserved with respect to said special specified products falling under the same type as that of the special specified products, and that the period provided for by Cabinet Order for the respective special specified products, commencing from the date of the issuance of said certificate or where an item provided for by the Ordinance of the competent ministry as being equivalent to the certificate as set forth in paragraph (1) of the preceding Article is preserved, has not elapsed:

(i) said special specified products; or

(ii) special specified products for experimental purposes or inspection equipment in the factory or workplace of the notified business operator pertaining to said special specified products or others provided for by the Ordinance of the competent ministry.

(2) The registered person in the preceding paragraph shall conduct an inspection of the items listed in each item of the preceding paragraph using the methods provided for by the Ordinance of the competent ministry, and when the items are found to conform to the technical standards or requirements according to the inspection equipment described in item (ii) of the preceding paragraph, as provided for by the Ordinance of the competent ministry or items otherwise provided for by the Ordinance of the competent ministry, the registered person may issue a certificate indicating these findings to the notified business operator pursuant to the provisions of the Ordinance of the competent ministry.

(Labeling)

Article 13 When a notified business operator has performed the duties described in Article 11, paragraph (2) (or paragraph (1) of the preceding Article in addition to Article 11, paragraph (2) in the case of special specified products) with respect to confirming that the specified products of the type subject to notification meet the technical standards, a label may be placed on said specified products in the manner provided for by the Ordinance of the competent ministry.

(Order for Improvement)

Article 14 The competent minister may order the notified business operator to take the necessary measures to improve the methods of manufacture, import or inspection of the specified products or any other business methods or to improve the measures set forth in Article 6, item (iv) in any of the following cases:

- (i) cases where the competent minister finds that the notified business operator violated the provisions of Article 11, paragraph (1); or
- (ii) cases where the competent minister finds that the measures described in Article 6, item (iv) fail to conform to the requirements provided for by the Ordinance of the competent ministry as prescribed in Article 11, paragraph (3).

(Prohibition of Labeling)

Article 15 (1) In the cases listed in the following items, the competent minister may prohibit the notified business operator from placing a label on the specified products of the type subject to notification under each of the following items pursuant to the provisions of Article 13, for a period of no more than one year to be designated by him/her:

- (i) cases where the specified products of the type subject to notification that are manufactured or imported by the notified business operator (except for those manufactured or imported under the proviso to Article 11, paragraph (1)) fail to conform to the technical standards and the competent minister finds it particularly necessary to prevent the occurrence of danger to the lives or bodies of general consumers: the type subject to notification, to which the specified products that fail to conform to the technical standards belong;
  - (ii) cases where the notified business operator has violated the provisions of Article 11, paragraph (2) or Article 12, paragraph (1) with respect to the specified products of the type subject to notification that he/she manufactured or imported: the type subject to notification, to which the specified products implicated in the violation belong;
  - (iii) cases where the notified business operator violated the order as described in the preceding Article in the case of item (i) with respect to the specified products of the type subject to notification that he/she manufactured or imported: the type subject to notification, to which the specified products implicated in the violation belongs.
- (2) When the notified business operator violates the order as described in the preceding Article in the case of item (ii), the competent minister may prohibit the notified business operator from placing a label on the specified products of the type subject to notification that belong to the classification of specified products subject to

notification pursuant to the provisions of Article 13, for a period of no more than one year to be designated by the competent minister.

### **Section 3 Registration of the Conformity Inspection Body**

(Registration)

Article 16 (1) The registration set forth in Article 12, paragraph (1) shall be made pursuant to the provisions of the Ordinance of the competent ministry for the respective classification of special specified products provided for by the Ordinance of the competent ministry (hereinafter simply referred to as "classification of special specified products") upon application by the person intending to conduct a conformity inspection.

(2) In cases where the application is made in accordance with the provisions of the preceding paragraph, the competent minister (this shall be limited to cases where the Minister of the Economy, Trade and Industry is the competent minister pursuant to the provisions of Article 54, paragraph (1), item (iii) to item (v); the same shall apply in Article 29, paragraph (2), Article 31, paragraph (3), Article 32-21, paragraph (2), Article 36, paragraph (2), Article 41, paragraph (4), Article 43, and Article 49) may, when he/she finds it necessary, cause the Independent Administrative Agency National Institute of Technology and Evaluation (hereinafter referred to as "NITE") to conduct a necessary investigation with respect to whether such application is in conformity with each item of Article 18, paragraph (1).

(Disqualification Provisions)

Article 17 A person falling under any of the following items may not be registered in accordance with Article 12, paragraph (1):

- (i) any person who has violated the provisions of this Act or any order issued pursuant to this Act and has received a sentence resulting in a fine or more severe punishment and where two years have not elapsed since completion of the execution of this sentence or from the day said person was otherwise released from said sentence;
- (ii) any person whose registration has been revoked pursuant to the provisions of Article 27 or Article 31, paragraph (1) and where two years have not elapsed since the date of said revocation; and
- (iii) any juridical person for whom the officers conducting its business fall into either of the preceding two items.



(Standards of Registration)

Article 18 (1) The competent minister shall register a person who has applied for registration pursuant to the provisions of Article 16, paragraph (1) (hereinafter referred to as "applicant" in this paragraph) if the person satisfies all of the following requirements. In this case, the necessary procedures for registration shall be provided by the Ordinance of the competent ministry.

- (i) an applicant shall conform to the standards set by the institute that conducts product authentication as prescribed by the International Organization for Standardization and the International Electrotechnical Commission;
- (ii) an applicant shall not fall under any of the following as an entity controlled by a notified business operator that manufactures or imports the special specified products that shall be subject to a conformity inspection pursuant to the provisions of Article 12, paragraph (1) (hereinafter referred to as "business operator subject to inspection" in this item and Article 24, paragraph (2)):
  - (a) if the applicant is a stock company, the business operator subject to inspection shall be its parent corporation (meaning a parent corporation as prescribed in Article 879, paragraph (1) of the Companies Act (Act No. 86 of 2005));
  - (b) the officers or employees of the business operator subject to inspection (including those who were officers or employees of the business operator subject to inspection during the past two years) shall account for more than half of the officers of the applicant (or employees performing business in the case of a membership company (meaning a membership company as described in Article 575, paragraph (1) of the Companies Act)); and
  - (c) an applicant (an officer having the representational authority in the case of a juridical person) shall be an officer or an employee of the business operator subject to inspection (including a person who was an officer or an employee of the business operator subject to inspection during the past two years).

(2) The registration as set forth in Article 12, paragraph (1) shall be made by entering the information listed below into the registry of the conformity inspection body:

- (i) date and number of registration;
- (ii) name and address of the person registered, and in case of a juridical person, the name of its representative;
- (iii) classification of the special specified products for which a registered person conducts a conformity inspection; and
- (iv) name and location of the workplace where a registered person conducts a conformity inspection.

(Renewal of Registration)

Article 19 (1) If a registration as set forth in Article 12, paragraph (1) is not renewed for each period of no less than three years as prescribed by a Cabinet Order, the registration shall cease to be valid upon the expiration of said period.

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

#### **Section 4 Domestically Registered Conformity Inspection Body**

(Duty to Undergo Conformity Inspection)

Article 20 (1) When requested to conduct a conformity inspection, a person registered pursuant to Article 12, paragraph (1) (limited to a person that has been registered for conducting a conformity inspection in a place of business in Japan; hereinafter referred to as a "domestically registered conformity inspection body") shall without delay conduct the conformity inspection unless he/she has justifiable grounds.

(2) A domestically registered conformity inspection body shall conduct a conformity inspection fairly and by using methods that conform to technical standards.

(Notification of Change of Place of Business)

Article 21 When a domestically registered conformity inspection body intends to change the location of the place of business where a conformity inspection is conducted, it shall make notification of said change to the competent minister no later than two weeks prior to the date of the intended change.

(Business Regulations)

Article 22 (1) A domestically registered conformity inspection body shall stipulate the regulations for conformity inspection businesses (hereinafter referred to as "business regulations"), and shall notify the competent minister of these regulations prior to the commencement of a conformity inspection business. The same shall apply to any change made to these regulations.

(2) The business regulations shall provide the implementation methods for a conformity inspection, the methods to calculate the fees for a conformity inspection and other matters provided for by the Ordinance of the competent ministry.

(Notification of Suspension or Discontinuation of Business)

Article 23 When a domestically registered conformity inspection body intends to suspend or discontinue the whole or a part of a conformity inspection business, it

shall notify the competent minister of this fact in advance as prescribed by the Ordinance of the competent ministry.

(Maintenance and Inspection of Financial Statements, etc.)

- Article 24 (1) Within three months after the conclusion of each business year, a domestically registered conformity inspection body shall prepare an inventory of assets, balance sheet and profit and loss statement or statement of receipts and disbursement, as well as a business report for the relevant business year (including electromagnetic records (records made by an electronic form, a magnetic form, or any other form not recognizable to human perception, which is used in information processing by computers; the same shall apply in this Article) if their electromagnetic records are prepared or if electromagnetic records are prepared instead of those documents; hereinafter referred to as "financial statements, etc." in the following paragraph and Article 61, item (ii)), and shall maintain such records in its place of business for five years.
- (2) A business operator subject to inspection and other interested persons may make the following requests at any time during the business hours of the domestically registered conformity inspection body; provided, however, that they pay the expenses designated by the domestically registered conformity inspection body to make a request set forth in item (ii) or item (iv):
- (i) a request for inspection or a copy of financial statements, etc., when they are prepared in written form;
  - (ii) a request for a transcript or an extract of the documents in the preceding item;
  - (iii) if financial statements, etc. are prepared as electromagnetic records, a request for inspection or a copy of the representation made by the means prescribed by the Ordinance of the competent ministry for the material recorded in said electromagnetic records; or
  - (iv) a request to provide the material recorded in the electromagnetic records as set forth in the preceding item using an electromagnetic means (meaning a means using electronic data processing system and a method using other information and communications technology; the same shall apply in Article 32-12, paragraph (2)) as prescribed by the Ordinance of the competent ministry or request for delivery of documents containing such matters.

(Order to Conform)

Article 25 When the competent minister finds that a domestically registered conformity inspection body is no longer in conformance with any of the items of Article 18,

paragraph (1), he/she may order the domestically registered conformity inspection body to take the necessary measures to conform to those provisions.

(Order for Improvement)

Article 26 When the competent minister finds that a domestically registered conformity inspection body has violated the provisions of Article 20, the competent minister may order the domestically registered conformity inspection body to conduct a conformity inspection or to take the necessary measures to improve the method of conformity inspection or the method for any other business.

(Revocation of Registration, etc.)

Article 27 When a domestically registered conformity inspection body falls under any of the following items, the competent minister may revoke its registration or order the suspension of the whole or a part of a conformity inspection business for a period to be designated by him/her:

- (i) when it falls under Article 17, item (i) or item (iii);
- (ii) when it has violated the provisions of Article 20 and Article 21, Article 22, paragraph (1), Article 23, Article 24, paragraph (1), or the following Article;
- (iii) when it has refused requests as prescribed in each item of Article 24, paragraph (2) without justifiable grounds;
- (iv) when it has violated an order under the provisions of the preceding two Articles;
- or
- (v) when it has been registered under Article 12, paragraph (1) by wrongful means.

(Entry of Books)

Article 28 Pursuant to the provisions of the Ordinance of the competent ministry, a domestically registered conformity inspection body shall prepare and keep books where it shall enter such matters as prescribed by the Ordinance of the competent ministry concerning conformity inspections.

(Implementation of Conformity Inspection Business by Competent Minister, etc.)

Article 29 (1) When no person is registered under Article 12, paragraph (1), or when the suspension or discontinuation of the whole or a part of a conformity inspection business is notified pursuant to the provisions of Article 23, or when the registration under Article 12, paragraph (1) was revoked or the suspension of the whole or a part of a conformity inspection business is ordered of a domestically registered conformity inspection body pursuant to the provisions of Article 27, or when it has become

difficult for a domestically registered conformity inspection body to conduct the whole or a part of a conformity inspection business due to natural disaster or other events or in any other case deemed necessary by the competent minister, the competent minister may conduct in person the whole or a part of such conformity inspection business.

- (2) When the competent minister finds it necessary in the case of the preceding paragraph, he/she may direct NITE to conduct the whole or a part of such conformity inspection business.
- (3) When the competent minister conducts in person, or directs NITE to conduct, the whole or a part of a conformity inspection business pursuant to the provisions of the preceding two paragraphs, the succession of a conformity inspection business and any other necessary matters shall be provided for by the Ordinance of the competent ministry.

### **Section 5 Overseas Registered Conformity Inspection Body**

(Duty to Undergo Conformity Inspection, etc.)

Article 30 (1) When requested to conduct a conformity inspection, a person registered pursuant to Article 12, paragraph (1) (limited to the person who was registered for conducting conformity inspection in a place of business overseas; hereinafter referred to as "overseas registered conformity inspection body") shall without delay conduct the conformity inspection unless the person has justifiable grounds.

- (2) The provisions of Article 20, paragraph (2), Article 21 to Article 26, and Article 28 shall apply mutatis mutandis to an overseas registered conformity inspection body. In this case, the term "order" in Article 25 and Article 26 shall be deemed to be replaced with "request."

(Revocation of Registration, etc.)

Article 31 (1) When an overseas registered conformity inspection body falls under any of the following items, the competent minister may revoke its registration:

- (i) when it comes to fall under Article 17, item (i) or item (iii);
- (ii) when it has violated the provisions of paragraph (1) of the preceding Article, or the provisions of Article 20, paragraph (2), Article 21, Article 22, paragraph (1), Article 23, Article 24, paragraph (1), or Article 28 as applied mutatis mutandis pursuant to paragraph (2) of the preceding Article;

- (iii) when it has refused, without providing justifiable grounds, requests as described in each item of Article 24, paragraph (2) as applied mutatis mutandis pursuant to paragraph (2) of the preceding Article;
  - (iv) when it has failed to respond to requests as described in Article 25 or Article 26 as applied mutatis mutandis pursuant to paragraph (2) of the preceding Article;
  - (v) when it has been registered under Article 12, paragraph (1) by wrongful means;
  - (vi) when it fails to respond to the request made by the competent minister to suspend the whole or a part of a conformity inspection business for a period designated by him/her in cases where the competent minister finds that an overseas registered conformity inspection body falls under any of the preceding items;
  - (vii) when the competent minister finds it necessary and has requested a report from an overseas registered conformity inspection body regarding its business and it fails to submit a report or submits a false report;
  - (viii) when the competent minister finds it necessary and has tried to direct ministry officials to conduct an inspection of the matters described in Article 41, paragraph (2) at the office or place of business of an overseas registered conformity inspection body, and when such inspection is refused, interrupted or evaded; or
  - (ix) when expenses are not borne pursuant to the provisions of the following paragraph.
- (2) The expenses required for the inspection set forth in item (viii) of the preceding paragraph (limited to those provided for by Cabinet Order) shall be borne by the overseas registered conformity inspection body subject to such inspection.
- (3) When the competent minister finds it necessary, he/she may direct NITE to conduct an inspection in accordance with the provisions of paragraph (1), item (viii).
- (4) In cases where the competent minister causes NITE to conduct an inspection pursuant to the provisions of the preceding paragraph, the competent minister shall instruct NITE to conduct said inspection by designating the place of the inspection and other necessary matters.
- (5) When NITE has conducted an inspection as prescribed in paragraph (3) in accordance with the instructions of the preceding paragraph, it shall inform the competent minister of the results thereof.

## **Section 6 Hazard Prevention Order**

Article 32 In cases where the competent minister believes that there exists a risk of danger to the lives or bodies of general consumers due to any event listed in the

following items, if the minister finds it particularly necessary to prevent the occurrence and increase of such danger, the minister may order the person described in the following items to recall the Specified Products that have been sold and otherwise to take all necessary measures to prevent the occurrence and increase of danger to the lives or bodies of general consumers by said Specified Products:

- (i) when a person engaging in the manufacture, import or sale of Specified Products has sold the Specified Products in violation of the provisions of Article 4, paragraph (1); or
- (ii) when a notified business operator has manufactured, imported or sold Specified Products of the type subject to notification that fail to conform to technical standards (except in cases where the notified business operator has manufactured or imported said products under the provisions of the proviso to Article 11, paragraph (1)).

## **Chapter II-2 Specified Maintenance Products, etc.**

### **Section 1 Provision of Information on Inspection and Other Maintenance of Specified Maintenance Products, etc.**

(Notification of Business)

Article 32-2 (1) A person engaging in the manufacture or import of specified maintenance products (hereinafter referred to as a "specified manufacturer, etc.") shall make notification of the following matters to the competent minister within thirty days of the starting date of the business:

- (i) name and address of the person, and in case of a juridical person, the name of its representative;
  - (ii) classification of the specified maintenance products as provided for by the Ordinance of the competent ministry and classification of the type of specified maintenance products as provided for by the Ordinance of the competent ministry; and
  - (iii) name and address of the factory or workplace manufacturing said specified maintenance products (name and address of the manufacturer of said specified maintenance products in case of a person engaging in the import of the specified maintenance products).
- (2) The provisions of Article 7 to Article 9 shall apply mutatis mutandis to a person who has made a notification in accordance with the provisions of the preceding paragraph.

(Establishment of the Inspection Period, etc.)

Article 32-3 A specified manufacturer, etc. shall determine the following matters in accordance with the requirements provided for by the Ordinance of the competent ministry with respect to the specified maintenance products that he/she manufactured or imported; provided, however, that this shall not apply to the specified maintenance products for export:

- (i) the period established in design as the standard period of use without any safety trouble if used under standard conditions of use (hereinafter referred to as "design standard use period" in the following item and the following Article); and
- (ii) the period of inspection (hereinafter simply referred to as "inspection" in this Section) that is necessary to prevent the occurrence of injury due to age-related deterioration as the design standard use period expires (hereinafter referred to as "inspection period").

(Labeling, etc. of Products)

Article 32-4 (1) A specified manufacturer, etc. shall indicate the following matters on the specified maintenance products that he/she manufactured or imported, pursuant to the provisions of the Ordinance of the competent ministry, prior to the sale of said specified maintenance products:

- (i) name and address of the specified manufacturer, etc.;
- (ii) the year and month of manufacture;
- (iii) design standard use period;
- (iv) the time of commencement and expiration of the inspection period;
- (v) contact information for inquiries pertaining to inspection and other maintenance; and
- (vi) matters provided for by the Ordinance of the competent ministry as sufficient to identify the specified maintenance products.

(2) A specified manufacturer, etc. who sells the specified maintenance products that he/she manufactured or imported shall attach to said specified maintenance products a document including the following matters, pursuant to the provisions of the Ordinance of the competent ministry:

- (i) the basis for calculating the design standard use period;
- (ii) matters with respect to the development of the system to conduct an inspection of the specified maintenance products, including the arrangement of places of business that conduct an inspection;



- (iii) the holding period of components necessary for the maintenance of specified maintenance products that are expected to be required as a result of the inspection of the specified maintenance products; and
  - (iv) any other matters provided for by the Ordinance of the competent ministry with respect to the inspection or other maintenance of the specified maintenance products.
- (3) When a specified manufacturer, etc. sells the specified maintenance products that he/she manufactured or imported, he/she shall attach a document (hereinafter referred to as "owner form") to said specified maintenance products that enables the owner of said specified maintenance products (including a person who should be an owner; hereinafter the same shall apply in this Section) to provide the name and address of the owner, the location of said specified maintenance products, and the matters sufficient to identify said specified maintenance products (hereinafter referred to as "owner information") to said specified manufacturer, etc., pursuant to the provisions of the Ordinance of the competent ministry.
- (4) The owner form shall include the matters described in each item of Article 32-9, paragraph (1) and other matters as provided for by the Ordinance of the competent ministry.
- (5) The provisions of the preceding paragraphs shall not apply in cases where a specified manufacturer, etc. sells the specified maintenance products for export.

(Explanation, etc. upon Delivery)

Article 32-5 (1) Explanation of the following matters shall be given to any person who intends to acquire the specified maintenance products through sales or other transaction or linked to the transaction of articles other than the specified maintenance products (except for those who intend to acquire the specified maintenance products for the purpose of re-transferring the specified maintenance products and those who are provided for by the Ordinance of the competent ministry; hereinafter referred to as an "acquirer" in Article 32-8, paragraph (3)) by a business operator who transacts with said person (hereinafter referred to as a "business operator transacting specified maintenance products"), upon the delivery of said specified maintenance products; provided, however, that this shall not apply in the case where the inspection period of said specified maintenance products has expired and any other case where there are justifiable grounds:

- (i) that the specified maintenance products are highly likely to cause injury due to age-related deterioration and therefore require proper maintenance;

- (ii) that information on the inspection notice as described in Article 32-12, paragraph (1) will be given in cases where the owner information has been provided to the specified manufacturer, etc. of said specified maintenance products; and
  - (iii) any other matters provided for by the Ordinance of the competent ministry with respect to the inspection or other maintenance of the specified maintenance products.
- (2) In giving an explanation pursuant to the provisions of the preceding paragraph, if the owner form is attached to the specified maintenance products, a business operator transacting specified maintenance products shall explain to that effect as well.

(Recommendation and Publication)

- Article 32-6 (1) When the competent minister finds that a business operator transacting specified maintenance products fails to comply with the provisions of the preceding Article, the competent minister may recommend that the business operator transacting specified maintenance products provide an explanation pursuant to the provisions of the preceding Article.
- (2) When the person who received a recommendation in accordance with the provisions of the preceding paragraph fails to follow this recommendation, the competent minister may make it public.

(Responsibility of the Relevant Business Operator)

- Article 32-7 A person engaging in the mediation of transactions related to the specified maintenance products, the repair or installation work of the specified maintenance products and other business associated with the specified maintenance products shall endeavor to ensure that the information pertaining to the matters listed in the items of Article 32-5, paragraph (1) is smoothly provided to the owner of the specified maintenance products.

(Provision of Owner Information)

- Article 32-8 (1) The owner of the specified maintenance products shall provide the owner information to a specified manufacturer, etc. of said specified maintenance products by sending the owner form or by other means; provided, however, that this shall not apply in the case that the inspection period of said specified maintenance products has expired.
- (2) The provisions of the preceding paragraph shall apply in cases where there are changes in the owner information set forth in the preceding paragraph.

- (3) A business operator transacting specified maintenance products shall cooperate in the provision of the owner information by the acquirer to a specified manufacturer, etc. by sending the owner form with the consent of, and on behalf of an acquirer, and the like.

(Publication of Purpose of Use, etc. of Owner Information)

Article 32-9 (1) A specified manufacturer, etc., in acquiring the owner information pertaining to the specified maintenance products that he/she manufactured or imported (if such specified manufacturer, etc. is a person who has acquired the whole of the business pertaining to the specified maintenance products from another specified manufacturer, etc. or is an heir (the heir selected to succeed to the business by the unanimous agreement of all other heirs, in cases where there are two or more heirs) in cases where an inheritance, merger or split occurred (limited to those cases that cause the succession of the whole of the business pertaining to the specified maintenance products; hereinafter the same shall apply in this Article and Article 32-11, paragraph (2)), or a juridical person surviving a merger or a juridical person incorporated by a merger or a juridical person succeeding to the whole of the business by a split (hereinafter referred to as "successor" in the following paragraph), the specified maintenance products manufactured or imported by the person who has transferred the whole of the business or the decedent, the juridical person ceasing to exist by the merger or the juridical person that has split shall be included; hereinafter the same shall apply in this Section) shall make the following matters public in advance; provided, however, that this shall not apply in cases where the provisions of the following paragraph apply:

- (i) the purpose of use of the owner information (hereinafter referred to as "purpose of use"); and
  - (ii) contact information for receiving the provided owner information.
- (2) In cases where a specified manufacturer, etc. is a successor, if it acquired the owner information with the acceptance of the whole of the business or inheritance, merger or split, said specified manufacturer, etc. shall promptly make public the purpose of use.
- (3) When a specified manufacturer, etc. has changed the matter made public pursuant to the provisions of the preceding two paragraphs, it shall without delay make these changes public.

(Limitation of Purpose of Use)

Article 32-10 A specified manufacturer, etc. shall not specify as the purpose of use any purpose other than giving a notice in accordance with the provisions of Article 32-12, paragraph (1) and paragraph (4) and conducting an inspection in accordance with the provisions of Article 32-15.

(Owners List, etc.)

Article 32-11 (1) A specified manufacturer, etc. shall prepare a list of persons who provided owner information pertaining to the specified maintenance products that he/she manufactured or imported (hereinafter referred to as "owners list") pursuant to the provisions of Article 32-8, paragraph (1), and shall enter or record the owner information on this list.

(2) When a specified manufacturer, etc. has received any change to the owner information pertaining to the specified maintenance products that he/she manufactured or imported, pursuant to the provisions of Article 32-8, paragraph (2), it shall promptly change the entry or record of said owner information in the owners list (including the owners list pertaining to the owner information that the specified manufacturer, etc. acquired with the acceptance of the whole of the business pertaining to the specified maintenance products or by inheritance, merger or split; hereinafter the same shall apply in the following paragraph and paragraph (3) of the following Article).

(3) Until the expiration of the inspection period of specified maintenance products pertaining to a person whose owner information is entered or recorded on the owners list (hereinafter referred to as "person on the list" in this paragraph and the following Article), a specified manufacturer, etc. shall retain the owner information pertaining to such person on the list.

(Notice of Matters related to Inspection and Other Maintenance)

Article 32-12 (1) During the period provided for by the Ordinance of the competent ministry that is prior to the arrival of the starting time of the inspection period of the specified maintenance products pertaining to a person on the list, a specified manufacturer, etc. shall, except in cases where there are justifiable grounds, issue a notice in writing to said person on the list to the effect that an inspection shall be made for said specified maintenance products and on other matters provided for by the Ordinance of the competent ministry (hereinafter referred to as "inspection notice matters" in paragraph (4)).

(2) Instead of issuing a notice in writing as described in the preceding paragraph, a specified manufacturer, etc. may issue a notice by electromagnetic means as

prescribed by the Ordinance of the competent ministry, with the consent of the person on the list, pursuant to the Ordinance of the competent ministry. In this case, said specified manufacturer, etc. shall be deemed to have issued a notice in writing as prescribed in the preceding paragraph.

- (3) Notice to a person on the list as set forth in the preceding two paragraphs shall be sufficient if provided to the address of said person as entered or recorded on the owners list, or when said person notifies the specified manufacturer, etc. of a different place for notice or point of contact than said place or point of contact.
- (4) A specified manufacturer, etc. shall endeavor to notify a person on the list of the inspection notice matters as well as any matters contributing to the proper maintenance of the specified maintenance products, with respect to the specified maintenance products that he/she manufactured or imported.

(Management of Owner Information)

Article 32-13 (1) A specified manufacturer, etc. shall not handle the owner information pertaining to the specified maintenance products that he/she manufactured or imported, in excess of the scope necessary for achieving the purpose of use made public pursuant to the provisions of Article 32-9, paragraph (1) to paragraph (3); provided, however, that this shall not apply in cases where the consent of the owner was obtained, where an order was given in accordance with the provisions of Article 39, paragraph (1) and in any other cases provided for by the Ordinance of the competent ministry as cases where there are justifiable grounds.

- (2) A specified manufacturer, etc. shall take all necessary and proper measures for preventing the divulcation, loss or damage of the owner information pertaining to the specified maintenance products that he/she manufactured or imported and for otherwise safely managing the owner information.

(Responsibility of the Owner of Specified Maintenance Products, etc.)

Article 32-14 (1) Note that, with respect to said specified maintenance products, as any accident resulting from age-related deterioration thereof is likely to cause danger to other people, the owner of the specified maintenance products shall collect information related to the maintenance of the specified maintenance products and shall endeavor to maintain such products by conducting an inspection during the inspection period and the like.

- (2) Any person engaged in supplying the specified maintenance products for lease in the course of trade shall collect information related to the maintenance of the

specified maintenance products and shall endeavor to maintain such products by conducting an inspection during the inspection period and the like.

(Duty to Conduct Inspection)

Article 32-15 When a specified manufacturer, etc. is requested to conduct an inspection with respect to the specified maintenance products that he/she manufactured or imported, during the inspection period and a period provided for by the Ordinance of the competent ministry that is prior to the arrival of the start time of the inspection period, except in cases where there are justifiable grounds, the specified manufacturer, etc. shall conduct an inspection of said specified maintenance products in accordance with the requirements prescribed by the Ordinance of the competent ministry for each type set forth in Article 32-2, paragraph (1), item (ii).

(Order for Improvement)

Article 32-16 When the competent minister finds that a specified manufacturer, etc. has violated the provisions of Article 32-3, Article 32-4, paragraph (1) to paragraph (4), Article 32-9 to Article 32-11, Article 32-12, paragraph (1), Article 32-13 or the preceding Article, the competent minister may order said specified manufacturer, etc. to take all necessary measures to correct this violation.

(Publication by Competent Minister)

Article 32-17 When an inspection of the specified maintenance products is affected by the discontinuation by a specified manufacturer, etc. of the whole of its business or any other circumstances, the competent minister shall collect information from a business operator having the technical capability to conduct an inspection with respect to said specified maintenance products, and shall make such information public.

## **Section 2 Development of System to Inspect or Otherwise Maintain Specified Maintenance Products**

(Matters to be Standards of Judgment for a specified manufacturer, etc.)

Article 32-18 (1) The competent minister shall establish, in the Ordinance of the competent ministry, the matters to be standards of judgment for a specified manufacturer, etc. with respect to the following matters in order to promote the development by a specified manufacturer, etc. of the system necessary to properly conduct an inspection to prevent the occurrence of danger due to age-related

deterioration of the specified maintenance products (hereinafter simply referred to as "inspection" in this Section) or any other maintenance:

- (i) matters with respect to the arrangement of places of business that conduct an inspection, the establishment and publication of inspection fees and otherwise securing the effectiveness of an inspection of the specified maintenance products;
  - (ii) matters with respect to the preparation and management of manuals that are necessary for an inspection of the specified maintenance products;
  - (iii) matters with respect to the holding of components necessary for the improvement of specified maintenance products that are expected to be required as a result of the inspection of the specified maintenance products;
  - (iv) matters with respect to the provision to general consumers of information on an inspection and other maintenance of the specified maintenance products; and
  - (v) any other matters necessary for an inspection and other maintenance of the specified maintenance products.
- (2) Matters that shall be standards of judgment prescribed in the preceding paragraph shall be specified by considering the technical level, the situation of development of system of inspection and other maintenance and circumstances pertaining to said specified maintenance products, and necessary revision shall be made in accordance with the change in such circumstances.

(Development of System for Inspection and Other Maintenance by Specified Manufacturer, etc.)

Article 32-19 A specified manufacturer, etc. shall develop a system necessary to conduct properly an inspection and other maintenance of the specified maintenance products by considering the matters which shall serve as standards of judgment as described in paragraph (1) of the preceding Article.

(Recommendation and Order)

Article 32-20 (1) When the competent minister finds that the development by a specified manufacturer, etc. of the system necessary to conduct properly an inspection and other maintenance of the specified maintenance products is extremely insufficient in light of the matters established as standards of judgment as described in Article 32-18, paragraph (1), the competent minister may recommend that said specified manufacturer, etc. take all necessary measures with respect to the development of such a system, giving the grounds of this judgment.

- (2) When a person who receives a recommendation in accordance with the provisions of the preceding paragraph fails to follow the recommendation, the competent minister may make it public.
- (3) In cases where a person who received a recommendation in accordance with paragraph (1) fails to take measures pertaining to said recommendation without justifiable grounds, if the competent minister finds it necessary for preventing the occurrence of danger to the lives or bodies of general consumers, the competent minister may order said specified manufacturer, etc. to take measures pertaining to said recommendation.

### **Section 3 Collection and Provision of Information on Age-Related Deterioration**

(Collection of Information, etc. by Competent Minister)

- Article 32-21 (1) The competent minister shall collect and analyze information on accidents that arise or are likely to arise from age-related deterioration of the specified maintenance products or other consumer products that are deemed highly likely to cause serious danger to the lives or bodies of general consumers arising from safety troubles due to age-related deterioration (hereinafter referred to as "specified maintenance products, etc." in this Section), and shall make public the information, which is obtained as a result of this analysis, regarding the type of components and materials that deteriorate easily and other information on the age-related deterioration of the specified maintenance products, etc.
- (2) When the competent minister finds it necessary for publication pursuant to the preceding paragraph, the competent minister may direct NITE to conduct a technical investigation regarding the age-related deterioration of the specified maintenance products, etc.

(Responsibility of Business Operator)

- Article 32-22 (1) Any person engaging in the manufacture or import of the specified maintenance products, etc. shall make use of the information on the age-related deterioration that is made public pursuant to the provisions of paragraph (1) of the preceding Article and shall consider said information when designing and selecting components or materials and shall indicate on his/her products any information on age-related deterioration or make improvements or otherwise, thereby endeavoring to prevent the occurrence of danger due to age-related deterioration.
- (2) Any person engaging in the manufacture, import or retail (meaning a sale to general consumers; hereinafter the same shall apply in this paragraph and Article 34) of the



specified maintenance products, etc. shall collect information contributing to the prevention of the occurrence of danger due to age-related deterioration of the specified maintenance products, etc. manufactured, imported or retailed by the person and shall endeavor to provide this information properly to general consumers.

### **Chapter III Measures for Product Accidents, etc.**

#### **Section 1 Collection and Provision of Information**

(Responsibility of the Competent Minister)

Article 33 The competent minister shall endeavor to collect information on serious product accidents.

(Responsibility of the Business Operator)

Article 34 (1) Any person engaging in the manufacture, import or retail of consumer products shall collect information on product accidents caused by the consumer products manufactured, imported or retailed by the person and shall endeavor to provide such information properly to general consumers.

(2) Any person engaging in the retail, repair or installation of consumer products, who comes to know that serious product accidents have originated with the consumer products retailed, repaired or installed by said person, shall endeavor to notify the person engaging in the manufacture or import of said consumer products of these accidents.

(Report, etc. to Competent Minister)

Article 35 (1) Any person engaging in the manufacture or import of consumer products who comes to know that serious product accidents have originated with the consumer products that he/she manufactured or imported, shall report to the competent minister the name and type of the consumer products, a detailed account of the accidents, and the quantity of said consumer products manufactured or imported, as well as the quantity sold.

(2) The time limit and form of the report described in the preceding paragraph shall be provided for in the Ordinance of the competent ministry.

(3) In cases where the competent minister has received a report in accordance with the provisions of paragraph (1), if he/she finds that the occurrence or increase of danger to the lives or bodies of general consumers caused by the serious product accidents presented in said report should be prevented in accordance with the provisions of other acts provided for by Cabinet Order, he/she shall notify the minister having

jurisdiction over these affairs of the details of the report to prevent the occurrence and increase of danger in accordance with the provisions of such other acts provided for by said Cabinet Order.

(Publication by the Competent Minister)

Article 36 (1) In cases where the competent minister has received a report in accordance with the provisions of paragraph (1) of the preceding Article or otherwise comes to know of the occurrence of serious product accidents, if he/she finds it necessary for preventing the occurrence and increase of serious danger to the lives or bodies of general consumers by the consumer products pertaining to said serious product accidents, he/she shall make public the name and type of the consumer products pertaining to said serious product accidents, the details of the accidents and any other matters that contribute to avoiding the dangers associated with the use of said consumer products, except in cases where he/she has given notice in accordance with the provisions of paragraph (3) of the preceding Article.

(2) When the competent minister finds it necessary with respect to the publication as prescribed in the preceding paragraph, he/she may direct NITE to conduct a technical investigation regarding the safety of the consumer products.

(Order to Develop System)

Article 37 In cases where a person engaging in the manufacture or import of consumer products fails to make a report or has made a false report in violation of the provisions of Article 35, paragraph (1), if the competent minister finds it necessary for securing the safety of the consumer products manufactured or imported by the person, the competent minister may order the person engaging in the manufacture or import of consumer products to develop a system necessary for collecting information on serious product accidents that occur in relation to the consumer products manufactured or imported by the person and for the proper management or provision of said information.

## **Section 2 Measures to Prevent Occurrence or Increase of Danger**

(Responsibility of the Business Operator)

Article 38 (1) Any person engaging in the manufacture or import of consumer products shall, in cases where the product accidents have originated with the consumer products that he/she manufactured or imported, investigate the cause of these product accidents, and if he/she finds it necessary to prevent the occurrence and

increase of danger, he/she shall endeavor to recall said consumer products or otherwise take measures to prevent the occurrence and increase of danger.

- (2) Any person engaging in the sale of the consumer products shall endeavor to cooperate with the recall and other measures to prevent the occurrence and increase of danger as prescribed in the preceding paragraph that would be taken by the person engaging in the manufacture or import of such products.
- (3) Any person engaging in the sale of the consumer products shall cooperate with the measures that are taken by a person engaging in the manufacture or import of such products under orders as described in paragraph (1) of the following Article.

(Hazard Prevention Order)

Article 39 (1) In cases where serious product accidents have occurred due to defects in the consumer products or where serious danger has occurred to the lives or bodies of general consumers or the occurrence of such danger is considered to be imminent, when the competent minister finds it particularly necessary to prevent the occurrence and increase of this danger, to the extent necessary, he/she may order the person engaging in the manufacture or import of said consumer products to recall the consumer products manufactured or imported by the person and to otherwise take measures necessary to prevent the occurrence and increase of serious danger to the lives or bodies of general consumers due to said consumer products, except where the competent minister may give an order to take necessary measures in accordance with the provisions of Article 32 or other acts provided for by Cabinet Order.

- (2) When the competent minister issues an order in accordance with the preceding paragraph, he/she shall make it public.

#### **Chapter IV Miscellaneous Provisions**

(Collection of Reports)

Article 40 (1) The competent minister may, when he/she finds it necessary to enforce this Act, direct a person engaging in the manufacture, import or sale of the consumer products or a business operator transacting specified maintenance products to report on the status of its business (or the situation of business or accounting in the case of a notified business operator) pursuant to the provisions of the Cabinet Order.

- (2) The competent minister may, when he/she finds it necessary to enforce this Act, direct a domestically registered conformity inspection body to report the situation of its business or accounting.

(On-Site Inspection)

- Article 41 (1) The competent minister may, when he/she finds it necessary to enforce this Act, cause his/her officials to enter the offices, factories, workplaces, stores or warehouses of a person engaging in the manufacture, import or sale of the consumer products or a business operator transacting specified maintenance products and to conduct an inspection of the consumer products, books, documents and other items.
- (2) The competent minister may, when he/she finds it necessary to enforce this Act, cause his/her officials to enter the offices or places of business of a domestically registered conformity inspection body and to conduct an inspection of the situation of the business or books, documents and other items.
- (3) An official who conducts an on-site inspection pursuant to the provisions of the preceding two paragraphs shall carry an identification card and present it to the persons concerned.
- (4) The competent minister may, when he/she finds it necessary, cause NITE to conduct an on-site inspection in accordance with the provisions of paragraph (1) and paragraph (2).
- (5) When the competent minister directs NITE to conduct an on-site inspection as described in the preceding paragraph, he/she shall instruct NITE to conduct the inspection by designating the place of the on-site inspection and other necessary matters.
- (6) When NITE conducts an on-site inspection as described in paragraph (4) in accordance with the instructions in the preceding paragraph, it shall report the results thereof to the competent minister.
- (7) An official of NITE who conducts an on-site inspection pursuant to the provisions of paragraph (4) shall carry an identification card and present it to the persons concerned.
- (8) Under the provisions of paragraph (1) and paragraph (2), authority for a criminal investigation shall not be construed as being granted.

(Submission of Consumer Products)

Article 42 (1) In cases where the competent minister has caused his/her official to conduct an on-site inspection pursuant to the provisions of paragraph (1) of the preceding Article or has caused NITE to conduct an on-site inspection in accordance with the provisions of paragraph (4) of the preceding Article, if there are any consumer products that are found to be extremely difficult for the official or NITE inspect on-site, the competent minister may order the owner or possessor to submit them within a period designated by the competent minister.

- (2) The State (or prefecture when the affairs that belong to the authority of the competent minister in accordance with the preceding paragraph should be conducted by a prefectural governor pursuant to the provisions of the Cabinet Order in accordance with the provisions of Article 55) shall compensate the owner or possessor for any loss caused by the order as described in the preceding paragraph.
- (3) The loss that shall be compensated pursuant to the preceding paragraph shall be limited to the loss that is generally caused by an order as described in paragraph (1).

(Order to NITE)

Article 43 When the competent minister finds it necessary to secure the proper performance of an inspection as prescribed in Article 31, paragraph (3) or an on-site inspection business as prescribed in Article 41, paragraph (4), he/she may give NITE an order as necessary concerning said business.

(Conditions for Approval)

- Article 44 (1) Conditions may be imposed on the approval set forth in Article 4, paragraph (2), item (ii), or Article 11, paragraph (1), item (ii).
- (2) The conditions set forth in the preceding paragraph shall be limited to the minimum conditions necessary for ensuring the sure execution of matters pertaining to approval and shall not result in imposing unreasonable obligations on the person subject to said approval.

(Fees)

- Article 45 (1) A person who intends to undergo a conformity inspection to be conducted by the competent minister pursuant to the provisions of Article 29, paragraph (1), or a conformity inspection to be conducted by NITE pursuant to the provisions of Article 29, paragraph (2) shall pay fees as prescribed by the Cabinet Order, considering the actual cost.
- (2) The fees as described in the preceding paragraph shall be retained by the national treasury with respect to the fees paid by a person who intends to undergo a conformity inspection to be conducted by the competent minister, and shall be retained by NITE with respect to the fees paid by a person who intends to undergo a conformity inspection to be conducted by NITE.

(Public Notice)

Article 46 The competent minister shall post a public notice in an official gazette in the following cases:

- (i) when a registration has been made pursuant to the provisions of Article 12, paragraph (1);
- (ii) when labeling has been prohibited in accordance with the provisions of Article 15;
- (iii) when a notification has been made pursuant to the provisions of Article 21 (including the cases where applied mutatis mutandis pursuant to Article 30, paragraph (2));
- (iv) when a notification has been made in accordance with Article 23 (including the cases where it is applied mutatis mutandis pursuant to the provisions of Article 30, paragraph (2));
- (v) when the competent minister revoked a registration or ordered suspension of the conformity inspection business, pursuant to the provisions of Article 27;
- (vi) when the competent minister has determined to execute in person the whole or a part of the conformity inspection business pursuant to the provisions of Article 29, paragraph (1) or has determined not to execute the whole or a part of the conformity inspection business that he/she has executed in person;
- (vii) when the competent minister has determined to cause NITE to execute the whole or a part of the conformity inspection business pursuant to the provisions of Article 29, paragraph (2) or has determined not to cause NITE to execute the whole or a part of the conformity inspection business that the competent minister has caused NITE to execute; or
- (viii) when the competent minister revoked a registration pursuant to the provisions of Article 31, paragraph (1).

(Consultation with Consumer Affairs Council, etc.)

Article 47 (1) When the competent minister intends to plan the establishment, revision or abolition of the Cabinet Order set forth in Article 2, paragraph (2) to paragraph (4), he/she shall consult with the Consumer Affairs Council.

(2) The competent minister shall, when he/she gave an order in accordance with the provisions of Article 39, paragraph (1), report to that effect to the Consumer Affairs Council within three weeks.

(Special Measures of Hearing)

Article 48 (1) The proceedings on the date of the hearing pertaining to the dispositions described in Article 27 or Article 31 shall be made in public.

(2) When an interested person of said disposition requests to participate in the procedures related to a hearing pursuant to the provisions of Article 17, paragraph (1) of the Administrative Procedure Act (Act No. 88 of 1993), the person who presides

over the hearing as described in the preceding paragraph shall permit this participation.

(Request for Review of Disposition of NITE, etc.)

Article 49 Any person who is dissatisfied with a disposition or an inaction pertaining to a conformity inspection to be conducted by NITE may make a request for review by the competent minister pursuant to the Administrative Appeal Act (Act No. 160 of 1962).

(Hearing of Opinions in Appeal Procedures)

Article 50 (1) Any determination or decision on a request for review or an objection with respect to the disposition made pursuant to the provisions of this Act or an order pursuant to this Act (except for a determination or decision to dismiss) shall be made after giving advance notice of a reasonable period to the person subject to the disposition and the holding of a public hearing.

(2) The advance notice as described in the preceding paragraph shall specify the date, place and the detail of the case concerned.

(3) In the hearing of opinions set forth in paragraph (1), the person subject to the disposition and any interested persons shall be given the opportunity to present evidence and state opinions with respect to the case.

(Application for Conformity Inspection and Order of Competent Minister)

Article 51 (1) A notified business operator may, when with respect to the special specified products that he/she manufactured or imported, a domestically registered conformity inspection body fails to conduct a conformity inspection or when the notified business operator has an objection to the results of a conformity inspection conducted by a domestically registered conformity inspection body, file an application with the competent minister, requesting that he/she order a domestically registered conformity inspection body to conduct or re-conduct a conformity inspection.

(2) In cases where the competent minister has received an application as set forth in the preceding paragraph, if he/she finds that the domestically registered conformity inspection body specified in such application violates the provisions of Article 20, the competent minister shall issue an order in accordance with the provisions of Article 26 to the domestically registered conformity inspection body specified in the application.

(3) In the case of the preceding paragraph, if the competent minister has determined to issue an order pursuant to the provisions of Article 26 or has determined not to issue

an order, he/she shall so notify to the notified business operator who filed the application without delay.

- (4) The provisions of the preceding three paragraphs shall apply mutatis mutandis to an overseas registered conformity inspection body. In this case, the term "order" in paragraph (1) shall be replaced with "request"; the term "the provisions of Article 20" in paragraph (2) shall be replaced with "the provisions of Article 30, paragraph (1) or the provisions of Article 20, paragraph (2) that is applied mutatis mutandis pursuant to Article 30, paragraph (2)"; the term "Article 26" in paragraph (2) and the preceding paragraph shall be replaced with "Article 26 that is applied mutatis mutandis pursuant to Article 30, paragraph (2)"; and the term "order" shall be replaced with "request".

(Offer to the Competent Minister)

Article 52 (1) When a person finds that any danger to the lives or bodies of general consumers may occur because no necessary measures are taken to prevent the occurrence of danger to the lives or bodies of general consumers due to consumer products, the person may make a declaration to that effect to the competent minister and request that the competent minister take necessary measures.

- (2) In the case of an offer as described in the preceding paragraph, the competent minister shall conduct the necessary investigation, and when he/she finds that the offer is true, he/she shall take measures pursuant to this Act or other appropriate measures.

(Transitional Measures)

Article 53 When enacting, revising or abolishing an order pursuant to the provisions of this Act, necessary transitional measures (including transitional measures concerning the penal provisions) may be established by said order to the extent deemed reasonably necessary for such enactment, revision or abolition.

(Competent Minister and Ordinance of Competent Ministry)

Article 54 (1) The competent minister in this Act shall be as follows:

- (i) with respect to the matters related to the determination of technical standards in accordance with the provisions of Article 3: the minister having jurisdiction over the manufacturing business of such products;
- (ii) with respect to the matters related to the consultation with the Consumer Affairs Council as described in Article 47, paragraph (1): the minister having jurisdiction over the manufacturing business of such products;



- (iii) with respect to the matters related to the acceptance and approval of a notification as described in Article 4, paragraph (2) (excluding item (iii)) and the acceptance of a notification pertaining to the Specified Products as described in Section 2 of Chapter II, the matters related to the registration of a domestically registered conformity inspection body or an overseas registered conformity inspection body as described in Sections 3 to 5 of Chapter II, the matters related to an order as described in Article 32, the collection and provision of information as described in Section 1 of the preceding Chapter, the matters related to an order as described in Article 39, paragraph (1) and the matters related to the acceptance of an application as described in Article 51, paragraph (1): the minister having a jurisdiction over the business of manufacture, import or sale of such products pursuant to the provisions of the Cabinet Order;
- (iv) with respect to matters related to providing of information on an inspection of specified maintenance products and other maintenance as described in Section 1 of Chapter II-2, matters related to the development of a system to inspect or otherwise maintain the specified maintenance products as described in Section 2 of Chapter II-2 and the matters related to the collection and provision of information on age-related deterioration as described in Section 3 of Chapter II-2: the minister having jurisdiction over the business of manufacture or import of such products or the business conducted by the business operator transacting specified maintenance products, pursuant to the provisions of the Cabinet Order; and
- (v) with respect to the matters related to the collection of a report as described in Article 40 and an on-site inspection as described in Article 41, paragraph (1) and paragraph (2), and the matters related to the acceptance of an offer as described in Article 52, paragraph (1): the minister having jurisdiction over the business of manufacture, import or sale of such products or the business conducted by such business operator transacting specified maintenance products, pursuant to the provisions of the Cabinet Order.
- (2) The Ordinance of the competent ministry in this Act with respect to the matters provided for in item (i) of the preceding paragraph shall be an order issued by the competent minister as described in item (i) of the preceding paragraph, and with respect to the matters provided for in item (iii) or item (iv) of the preceding paragraph, an order issued by the competent minister as described in item (iii) or item (iv) of the preceding paragraph, respectively, pursuant to the provisions of the Cabinet Order.

(Affairs Administered by the Prefectural Government)

Article 55 A part of the affairs that belong to the authority of the competent minister as prescribed in this Act may be performed by a prefectural governor pursuant to the provisions of the Cabinet Order.

(Delegation of Authority)

Article 56 The matters that belong to the authority of the competent minister as prescribed in the provisions of this Act may be delegated to the heads of local branch offices pursuant to the provisions of the Cabinet Order.

(Instruction of Competent Minister)

Article 57 In cases where the competent minister finds that danger to the lives or bodies of general consumers may occur due to Specified Products, when he/she finds it particularly necessary to prevent the occurrence and increase of said danger, he/she may give a prefectural governor instructions necessary to prevent the occurrence and increase of said danger, with respect to those affairs to be conducted by a prefectural governor as prescribed by Cabinet Order pursuant to the provisions of Article 55 which are specified by the Cabinet Order.

## **Chapter V Penal Provisions**

Article 58 A person who falls under any of the following items shall be punished by imprisonment with work for not more than one year or a fine of not more than one million (1,000,000) yen, or their cumulative imposition:

- (i) a person who violates the provisions of Article 4, paragraph (1) or Article 5;
- (ii) a person who violates the prohibitions described in Article 15, paragraph (1) (limited to the portion pertaining to item (i));
- (iii) a person who violates an order of suspension of business as prescribed in Article 27;
- (iv) a person who violates an order as described in Article 32 or Article 39, paragraph (1); or
- (v) a person who violates an order as described in Article 32-16, Article 32-20, paragraph (3) or Article 37.

Article 59 A person who falls under any of the following items shall be punished by a fine of not more than 300,000 yen:

- (i) a person who gives false notification when giving notification as prescribed in the provisions of Article 6;

- (ii) a person who fails to conduct an inspection or to prepare an inspection record, or who prepares a false inspection record, or who fails to preserve an inspection record, in violation of the provisions of Article 11, paragraph (2);
- (iii) a person who fails to obtain or preserve a certificate in violation of the provisions of Article 12, paragraph (1);
- (iv) a person who fails to give notification as described in Article 23 or who gives a false notification;
- (v) a person who fails to state the matters described in Article 28 in violation of the provisions of Article 28 or who makes a false statement, or who fails to preserve the books;
- (vi) a person who fails to give notification as described in Article 32-2, paragraph (1) or who gives a false notification;
- (vii) a person who fails to make a report as prescribed in Article 40 or who makes a false report;
- (viii) a person who refuses, interrupts, or evades an inspection as described in Article 41, paragraph (1) or paragraph (2); or
- (ix) a person who violates an order as described in Article 42, paragraph (1).

Article 60 When the representative of a juridical person or an agent, employee or other worker of a juridical person or an individual commits a violation of the provisions listed in the following items with respect to the business of said juridical person or individual, not only the offender shall be punished but also said juridical person shall be punished by the fine prescribed in the respective item and said individual shall be punished by the fine prescribed in the respective Articles:

- (i) Article 58, item (ii) or item (iv): a fine of not more than one hundred million (100,000,000) yen; and
- (ii) Article 58, item (i), item (iii), or item (v) or the preceding Article: the fine prescribed in the respective Articles.

Article 61 A person who falls under any of the following categories shall be punished by a non-penal fine of not more than 200,000 yen:

- (i) a person who fails to give notification as described in Article 7, paragraph (2), Article 8 or Article 9 (including the cases applied mutatis mutandis pursuant to Article 32-2, paragraph (2)) or gives a false notification; or
- (ii) a person who fails to keep financial statements, etc. in violation of the provisions of Article 24, paragraph (1), who fails to state the necessary matters in the

financial statements, etc., or who makes a false statement, or refuses a request as described in each item of Article 24, paragraph (2) without just cause.

Article 62 In the case of the violation of an order as described in Article 43, the officer of NITE who has committed the violation shall be punished by a non-penal fine of not more than 200,000 yen.

### **Supplementary Provisions, Extract**

(Effective Date)

Article 1 This Act shall come into effect as from the day specified by Cabinet Order within a period not exceeding nine months from the date of promulgation; provided, however, that the provisions listed in the following items shall come into effect on the day specified therein:

- (i) Article 89, paragraph (1), Article 95, paragraph (1), item (ii), Article 7 of the Supplementary Provisions and Article 10 of the Supplementary Provisions: the day of promulgation;
- (ii) Chapter III, Article 88, paragraph (2), Article 100 to Article 103, the following Article to Article 6 of the Supplementary Provisions, Article 8 of the Supplementary Provisions to Article 9 of the Supplementary Provisions: the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation.

### **Supplementary Provisions (Act No. 57 of May 25, 1983), Extract**

(Effective Date)

Article 1 This Act shall come into effect on the day specified by Cabinet Order within a period not exceeding three months from the date of promulgation; provided, however, the provisions of Article 8 shall come into effect on the day specified by Cabinet Order set forth in Article 1 of the Supplementary Provisions of the Act for Partial Revision of the Fertilizer Control Act (Act No. 40 of 1983).

### **Supplementary Provisions (Act No. 83 of December 10, 1983), Extract**

(Effective Date)

Article 1 This Act shall come into effect on the day of promulgation.

(Transitional Measures Concerning Penal Provisions)

Article 16 With regard to the application of penal provisions for acts committed prior to the enforcement of this Act and the acts committed after the enforcement of the provisions of Article 17, Article 22, Article 36, Article 37 or Article 39 in cases where the provisions then in force shall remain applicable pursuant to the provisions of Article 3, Article 5, paragraph (5), Article 8, paragraph (2), Article 9 or Article 10 of the Supplementary Provisions, the provisions then in force shall remain applicable.

**Supplementary Provisions (Act No. 102 of December 24, 1985), Extract**

(Effective Date)

Article 1 This Act shall come into effect on the day of promulgation; provided, however, that the provisions listed in the following items shall come into effect on the day specified therein:

(i) to (v) Omitted

(vi) Article 10 (except for the provisions to revise the Appended Table of the Consumer Products Safety Act; hereinafter the same shall apply in Article 3 of the Supplementary Provisions): the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation;

(vii) the provisions in Article 10 to revise the Appended table of the Consumer Products Safety Act, Article 21 (except for the provisions to revise Article 37 of the Radio Act) and Article 26: the day specified by Cabinet Order within a period not to exceed one year from the date of promulgation.

(Transitional Measures upon Partial Revision of the Consumer Products Safety Act)

Article 3 In the case of planning to establish the Cabinet Order as described in Article 2, paragraph (3) of the Consumer Products Safety Act revised by Article 10, prior to the enforcement of the provisions of Article 10, it shall be made pursuant to Article 89, paragraph (1) of the Consumer Products Safety Act prior to the revision by Article 10.

**Supplementary Provisions (Act No. 54 of May 20, 1986), Extract**

(Effective Date)

Article 1 This Act shall come into effect on October 1, 1986; provided, however, that the provisions listed in the following items shall come into effect on the day specified therein:

(i) paragraph (1), paragraph (2) and paragraph (9) of the following Article and Article 3, paragraph (1), paragraph (2) and paragraph (5), Article 4, Article 5, paragraph (1), paragraph (2) and paragraph (5) of the Supplementary Provisions: the day of promulgation.

(Transitional Measures upon Partial Revision of the Consumer Products Safety Act)  
Article 2 (1) The Consumer Product Safety Association (hereinafter referred to as "Association" in this Article) shall make a necessary modification of the articles of incorporation and obtain the approval of the Minister of International Trade and Industry prior to the effective date of this Act (hereinafter referred to as "date of enforcement").

(2) In cases where the approval described in the preceding paragraph has been provided, the modification of the articles of incorporation in accordance with the provisions of the preceding paragraph shall become effective on the date of enforcement.

(3) The Association shall pay to national treasury on the date of enforcement the amount equivalent to the amount contributed by the government to the Association pursuant to Article 39, paragraph (1) to paragraph (3) of the Consumer Products Safety Act prior to the revision by Article 1.

(4) Any contributor other than the government may request the Association to return the equity interest of said contributor only until the expiration of a period of one month starting on the date of enforcement.

(5) In the case of the request as described in the preceding paragraph, the Association shall make a return in the amount equivalent to the amount of contribution for such equity interest, notwithstanding the provisions of Article 40, paragraph (1) of the Consumer Products Safety Act revised by Article 1 (hereinafter referred to as "New Act" in this Article).

(6) The Association shall reduce the amount of stated capital by the amount paid to the national treasury pursuant to the provisions of paragraph (3) and the amount returned pursuant to the provisions of the preceding paragraph.

(7) Any contribution to the Association made by any person other than the government prior to the enforcement of this Act shall be deemed to be a contribution made for appropriation to the fund set forth in Article 68, paragraph (1) of the New Act; provided, however, that this shall not apply in the case of a contribution by a contributor who has filed an objection in advance.

(8) Any person who is chairperson, director or inspector of the Association at the time of the enforcement of the Act shall be deemed to have been approved by the Minister of

International Trade and Industry at that time for their appointment pursuant to the provisions of Article 56, paragraph (1) of the New Act.

(9) In the case of modifying the articles of incorporation in accordance with the provisions of paragraph (1), the Association shall specify in such articles of incorporation the term of an official who shall be deemed as being approved by the Minister of International Trade and Industry for his/her appointment pursuant to the provisions of the preceding paragraph.

(Transitional Measures Concerning Penal Provisions)

Article 6 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act (or the provisions of Article 9 with respect to said Article), the provisions then in force shall remain applicable.

### **Supplementary Provisions (Act No. 89 of November 12, 1993), Extract**

(Effective Date)

Article 1 This Act shall come into effect on the day of the enforcement of the Administrative Procedure Act (Act No. 88 of 1993).

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

Article 2 In cases where, prior to the enforcement of this Act, a consultation or other request has been made, pursuant to the laws and regulations, to a council or any other panel to require that procedures equivalent to the procedures for a hearing or grant of the opportunity for explanation as described in Article 13 of the Administrative Procedure Act or other procedures of statement of opinions, the provisions then in force shall remain applicable notwithstanding the provisions of the relevant acts revised by this Act, with regard to the procedures for adverse dispositions pertaining to said consultation or other request.

(Transitional Measures Concerning Penal Provisions)

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

(Transitional Measures for the Arrangement of Provisions on Hearings)

Article 14 Hearings or hearing meetings held pursuant to the provisions of an act prior to the enforcement of this Act (except for those pertaining to adverse dispositions) or

the procedures thereof shall be deemed to have been conducted pursuant to the corresponding provisions of the relevant act revised by this Act.

(Delegation to Cabinet Orders)

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

**Supplementary Provisions (Act No. 14 of March 31, 1996), Extract**

(Effective Date)

Article 1 This Act shall come into effect on April 1, 1997.

**Supplementary Provisions (Act No. 44 of May 22, 1996), Extract**

(Effective Date)

Article 1 This Act shall come into effect on the day specified by Cabinet Order within a period not to exceed six months from the date of promulgation; provided, however, that the provisions in Article 1 to revise the provisions of Article 19 and Article 21, item (iv) of the Act on Door-to-Door Sales, etc.; Article 2; the provisions in Article 3 of the Supplementary Provisions to revise the provisions of Article 37, paragraph (1) of the Installment Sales Act; and Article 4 and Article 5 of the Supplementary Provisions shall come into effect on the day of promulgation.

**Supplementary Provisions (Act No. 105 of November 21, 1997), Extract**

(Effective Date)

(1) This Act shall come into effect on the day of promulgation.

**Supplementary Provisions (Act No. 87 of July 16, 1999), Extract**

(Effective Date)

Article 1 This Act shall come into effect on April 1, 2000; provided, however, that the provisions listed in the following items shall come into effect on the day specified therein:

- (i) the provisions for revision in Article 1 to add five Articles, the Section heading, and two Subsections and the Subsection headings after Article 250 of the Local



Autonomy Act (limited to the portion pertaining to Article 250-9, paragraph (1) of said Act (limited to the portion pertaining to obtaining the consent of both Houses)); the provisions in Article 40 to revise paragraph (9) and paragraph (10) of the Natural Parks Act Supplementary Provisions (limited to the portion pertaining to paragraph (10) of the said Supplementary Provisions); Article 244 (except for the portion pertaining to the provision to revise Article 14-3 of the Agricultural Improvement and Promotion Act); and Article 472 (except for the portion pertaining to the provisions to revise Article 6, Article 8 and Article 17 of the Act on Special Provisions Concerning Merger of Municipalities); and Article 7, Article 10 and Article 12; proviso to Article 59; Article 60, paragraph (4) and paragraph (5); Article 73 and Article 77; Article 157, paragraph (4) to paragraph (6); Article 160, Article 163, Article 164 and Article 202 of the Supplementary Provisions: the day of promulgation.

(Affairs of State, etc.)

Article 159 In addition to those prescribed in the respective Acts prior to the revision by this Act, any affairs of the State, other local governments and other public entities that shall be managed or executed, prior to the enforcement of this Act, by an organ of a local public entity in accordance with the acts or the Cabinet Order pursuant thereto (hereinafter referred to as "affairs of the State, etc." in Article 161 of the Supplementary Provisions) shall be administered by the local public entity as its own affairs pursuant to Acts or the Cabinet Order pursuant thereto, after the enforcement of this Act.

(Transitional Measures Concerning Dispositions, Applications, etc.)

Article 160 (1) With respect to the application of the respective revised Acts after the date of enforcement of this Act, excluding those specified in the provisions of Article 2 to the preceding Article of the Supplementary Provisions or in provisions concerning transitional measures in the respective Acts after their revisions (including orders pursuant thereto), those permissions given and other dispositions granted or other actions committed before the enforcement of this Act (with respect to those provisions listed in the items of Article 1 of the Supplementary Provisions, such respective provisions; hereinafter the same shall apply in this Article and Article 163 of the Supplementary Provisions) pursuant to the provisions of the respective acts prior to their revisions (hereinafter referred to as "dispositions and other actions" in this Article) or applications for permission, etc. filed or other actions committed at the time of the enforcement of this Act pursuant to the provisions of respective acts prior

to the revision (hereinafter referred to as "applications and other actions" in this Article), for which the person who is to conduct administrative affairs pertaining to those actions differs on the date of enforcement of this Act, shall be deemed as dispositions and other actions, or applications and other actions, taken pursuant to the corresponding provisions of the respective Acts after their revisions.

- (2) With respect to the matters for which reports, notification, submission or other procedures shall be made to an organ of the State or a local government prior to the enforcement of this Act pursuant to the respective Acts prior to their revisions, for which such procedures have not yet been taken prior to the date of enforcement of this Act, excluding those which are otherwise provided for in this Act or the Cabinet Orders pursuant thereto, the provisions of the respective Acts revised by this Act shall apply, given that the reports, notification, submission or other procedures have not been made with respect to the matters for which such procedures shall be taken to the relevant organ of the State or a local government pursuant to the relevant provisions of the respective revised Acts.

(Transitional Measures Concerning Appeal)

Article 161 (1) With respect to the appeals under the Administrative Appeal Act with respect to the dispositions pertaining to Affairs of the State, etc. made prior to the date of enforcement by the administrative agency (hereinafter referred to as "administrative agency having disposition") for which there was a higher administrative agency as described in said Act (hereinafter referred to as "higher administrative agency" in this Article) prior to the date of enforcement, the provisions of the Administrative Appeal Act shall apply, deeming that the administrative agency having disposition still has a higher administrative agency after the date of enforcement. In this case, the administrative agency deemed to be the higher administrative agency of said administrative agency having disposition shall be the administrative agency that was a higher administrative agency of said administrative agency having disposition prior to the date of enforcement.

- (2) In the case referred to in the preceding paragraph, when the administrative agency deemed to be the higher administrative agency is an organ of a local government, the affairs to be administrated by such organ pursuant to the provisions of the Administrative Appeal Act shall be the Type 1 statutory entrusted functions as prescribed in Article 2, paragraph (9), item (i) of the new Local Autonomy Act.

(Transitional Measures Concerning Fees)

Article 162 With regard to any fees which should have been paid pursuant to the provisions of respective Acts (including orders based thereon) prior to the revision by this Act before the date of enforcement, the provisions then in force shall remain applicable, except as otherwise specified in this Act or Cabinet Order based thereon.

(Transitional Measures Concerning Penal Provisions)

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

(Delegation of Other Transitional Measures to Cabinet Orders)

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

(2) Matters necessary for the application of the provisions of Article 18, Article 51, and Article 184 of the Supplementary Provisions shall be specified by Cabinet Order.

(Review)

Article 250 No additional Type 1 statutory entrusted functions as described in Article 2, paragraph (9), item (i) of the new Local Autonomy Act shall be newly created to the extent possible, and those listed in Appended Table 1 of said Act and those provided for by the Cabinet Order pursuant to the new Local Autonomy Act shall be examined from the perspective of promoting decentralization and be periodically reviewed as appropriate.

Article 251 To enable local governments to execute their affairs and services voluntarily and independently, the national government shall review how to secure adequate sources of local tax revenue based on the sharing of roles between the State and local governments, taking into consideration the prevailing economic trends, and take the necessary measures based on the results of this review.

Article 252 In line with reforms to the medical insurance system, the pension system, and other systems, the national government shall review the framework of administrative processing for social security, the requirements for officials engaged therein and other matters, from the viewpoint of securing the convenience of the insured, etc. and improving the efficiency of administrative processing, and shall take required measures based on the results thereof, when deeming it necessary.

## **Supplementary Provisions (Act No. 121 of August 6, 1999), Extract**

(Effective Date)

Article 1 This Act shall come into effect on July 1, 2000; provided, however, that the provisions listed in the following items shall come into effect as from the day specified therein:

(i) Article 8, Article 23, Article 51 and Article 66 of the Supplementary Provisions: the day of promulgation;

(ii) Article 2, Article 14, Article 27, Article 39, Article 44 and Article 52 of the Supplementary Provisions: April 1, 2000;

(iii) Article 1 and Article 2; the provisions in Article 4 to revise Article 59-9, item (vi), Article 59-28, paragraph (1), item (v), Article 59-29, paragraph (3) and Article 59-30 of the High Pressure Gas Safety Act; and Article 11; and Article 3 to Article 7, Article 9 to Article 13, Article 15 to Article 22, Article 24 and Article 30, Article 53 to Article 65, Article 67 and Article 78 of the Supplementary Provisions (except for the provision to revise Article 4, item (lxxii) and Article 5, paragraph (1) of the Act for Establishment of the Ministry of International Trade and Industry (Act No. 275 of 1952): October 1, 2000.

(Transitional Measures upon Partial Revision of Consumer Products Safety Act)

Article 2 Any person who intends to obtain a certification or approval pursuant to the provisions of Article 12, paragraph (1) of the Consumer Products Safety Act revised by Article 1 (hereinafter referred to as "New Consumer Products Safety Act") may file an application for certification or approval prior to the enforcement of the provisions of Article 1. The same shall apply to the notification of the business regulations as prescribed in Article 22, paragraph (1) of the New Consumer Products Safety Act (including the cases applied mutatis mutandis pursuant to Article 29, paragraph (2) of the New Consumer Products Safety Act).

Article 3 (1) Any person who has been designated pursuant to the provisions of Article 4, paragraph (1), item (i) of the Consumer Products Safety Act prior to the revision by Article 1 (hereinafter referred to as "Old Consumer Products Safety Act") at the time of the enforcement of the provisions of Article 1 shall be deemed to have been designated pursuant to Article 12, paragraph (1) of the New Consumer Products Safety Act until the expiration of a period of six months starting from the day of the enforcement of Article 1. In the case where said person filed an application for

certification as prescribed in the same paragraph during said period, the same shall apply during the period until a disposition pertaining to the application is made.

- (2) A notification given in accordance with the provisions of Article 32-5-6 of the Old Consumer Products Safety Act with respect to the person who is deemed, pursuant to the provisions of the preceding paragraph, to have obtained certification in accordance with Article 12, paragraph (1) of the New Consumer Products Safety Act shall be deemed to be a notification given in accordance with the provisions of Article 21 of the New Consumer Products Safety Act; the business regulations for which a certification is granted or for which an application is filed in accordance with the provisions of Article 32-5-7, paragraph (1) of the Old Consumer Products Safety Act shall be deemed to be the business regulations for which a notification is given pursuant to the provisions of Article 22, paragraph (1) of the New Consumer Products Safety Act; a suspension and discontinuation of business for which a permission is granted or for which an application is filed pursuant to the provisions of Article 32-5-8 of the Old Consumer Products Safety Act shall be deemed to be a suspension and discontinuation of business for which a notification is given pursuant to the provisions of Article 23 of the New Consumer Products Safety Act; an order given pursuant to the provisions of Article 32-5-13 of the Old Consumer Products Safety Act shall be deemed to be an order given pursuant to the provisions of Article 24 of the New Consumer Products Safety Act; and an order given pursuant to the provisions of Article 32-5-14 of the Old Consumer Products Safety Act shall be deemed to be an order given pursuant to the provisions of Article 26 of the New Consumer Products Safety Act, respectively.

Article 4 (1) With regard to any application for examination set forth in Article 6 of the Old Consumer Products Safety Act filed prior to the enforcement of Article 1 for which application a disposition of success or rejection has not been made at the time of the enforcement of Article 1 or any application for approval of the type set forth in Article 23, paragraph (1) or Article 32-4, paragraph (1) of the Old Consumer Products Safety Act under which an application is filed prior to the enforcement of Article 1, for which a disposition of approval or disapproval has not been made at the time of the enforcement of Article 1, the provisions then in force shall remain applicable to the disposition for said application.

- (2) With regard to any application for a test set forth in Article 24-2, paragraph (1) (including the cases applied mutatis mutandis pursuant to Article 32-2, paragraph (2) of the Old Consumer Products Safety Act; hereinafter the same shall apply in the following paragraph) of the Old Consumer Products Safety Act filed prior to the

enforcement of Article 1 for which a disposition of success or rejection has not been made at the time of the enforcement of Article 1, the provisions then in force shall remain applicable to the disposition of said application.

- (3) With regard to an application for approval of the type pursuant to the provisions of Article 23, paragraph (1) or Article 32-4, paragraph (1) of the Old Consumer Products Safety Act filed within ten days from the enforcement of Article 1 by a person who had passed the test set forth in Article 24-2, paragraph (1) of the Old Consumer Products Safety Act prior to the enforcement of Article 1, with a document attached proving that the person had passed the test, or an application for approval of the type pursuant to the provisions of Article 23, paragraph (1) or Article 32-4, paragraph (1) of the Old Consumer Products Safety Act filed by a person who had applied for and passed the test for which the provisions then in force shall remain applicable pursuant to the provisions of the preceding paragraph, within ten days from the day of passing, with a document attached proving that the person had passed the test, the provisions then in force shall remain applicable to the disposition of said application.

Article 5 (1) Any label placed, in accordance with the provisions of Article 7, Article 27 or Article 32-10 of the Old Consumer Products Safety Act, to those Specified Products set forth in Article 2, paragraph (2) of the Old Consumer Products Safety Act that fall under the category of Specified Products as described in Article 2, paragraph (2) of the New Consumer Products Safety Act (hereinafter referred to as "specified products under transition") at the time of the enforcement of Article 1 shall be deemed to be a label placed pursuant to the provisions of Article 13 of the New Consumer Products Safety Act until the expiration of a period specified by Cabinet Order for the respective specified products under transition not to exceed five years from the date of enforcement of Article 1.

- (2) In addition to cases where the provisions then in force remain applicable pursuant to the provisions of Article 7, paragraph (2) of the Supplementary Provisions, with regard to those first-class Specified Products set forth in Article 2, paragraph (3) of the Old Consumer Products Safety Act with labels placed in accordance with the provisions of Article 27 of the Old Consumer Products Safety Act as applied mutatis mutandis pursuant to Article 32-4, paragraph (2) of the Old Consumer Products Safety Act that fall under the special specified products as described in Article 2, paragraph (3) of the New Consumer Products Safety Act (hereinafter referred to as "special specified products under transition"), the provisions then in force shall remain applicable, notwithstanding the provisions of Article 4, paragraph (1) and

Article 5 of the New Consumer Products Safety Act, until the expiration of a period specified by Cabinet Order for the respective special specified products under transition not to exceed five years from the date of enforcement of Article 1.

Article 6 Any person who has, at the time of enforcement of Article 1, obtained an approval or filed an application as prescribed in Article 23, paragraph (1) of the Old Consumer Products Safety Act with respect to the type of specified products under transition (including any person who has applied for approval as described in Article 4, paragraph (3) of the Supplementary Provisions (except for an application for approval of the type set forth in Article 32-4, paragraph (1) of the Old Consumer Products Safety Act)) or any person who has given a notification in accordance with the provisions of Article 32-6, paragraph (1) of the Old Consumer Products Safety Act with respect to the type of the specified products under transition shall be deemed to have given a notification with respect to the specified products under transition of the type pertaining to such approval or application or notification in accordance with the provisions of Article 6 of the New Consumer Products Safety Act.

Article 7 (1) Any person who has, at the time of enforcement of Article 1, obtained an approval of the type set forth in Article 23, paragraph (1) of the Old Consumer Products Safety Act with respect to the special specified products under transition (including any person who has obtained an approval for the application for approval of the type, for which the provisions then in force shall remain applicable pursuant to the provisions of Article 4, paragraph (1) or paragraph (3) of the Supplementary Provisions (except for an application for approval of the type as prescribed in Article 32-4, paragraph (1) of the Old Consumer Products Safety Act)) shall be deemed to have performed the obligation in accordance with the provisions of Article 12, paragraph (1) of the New Consumer Products Safety Act until the expiration of the period specified by Cabinet Order set forth in Article 25, paragraph (1) of the Old Consumer Products Safety Act commencing from the date of said approval in the case where said person manufactured the special specified products under transition of the type pertaining to this approval.

(2) With regard to the sale or labeling of the special specified products under transition subject to approval of the type as prescribed in Article 32-4, paragraph (1) of the Old Consumer Products Safety Act which is in effect at the time of enforcement of Article 1 (including approval of the type obtained by deeming that the provisions then in force shall remain applicable pursuant to the provisions of Article 4, paragraph (1) or paragraph (3) of the Supplementary Provisions (limited to the approval for a foreign

registered manufacturer set forth in Article 32-2 of the Old Consumer Products Safety Act)), the provisions then in force shall remain applicable, notwithstanding the provisions of Article 4, paragraph (1) and Article 5 of the New Consumer Products Safety Act, until the expiration of the period specified by Cabinet Order provided for in Article 5, paragraph (2) of the Supplementary Provisions pertaining to the special specified products under transition starting from the date of enforcement of Article 1 or the expiration of a period specified by Cabinet Order as set forth in Article 25, paragraph (1) of the Old Consumer Products Safety Act as applied mutatis mutandis pursuant to Article 32-4, paragraph (2) of the Old Consumer Products Safety Act starting from the date of said approval, whichever comes earlier.

Article 8 Prior to the enforcement of Article 1, the competent minister may consult with the Consumer Affairs Council to enact the Cabinet Order set forth in Article 2, paragraph (3) of the New Consumer Products Safety Act.

Article 9 With regard to a request for review pursuant to the Administrative Appeal Act (Act No. 160 of 1962) concerning a disposition or an inaction pertaining to the affairs, such as examination, conducted by the Consumer Product Safety Association pursuant to the provisions of the Old Consumer Products Safety Act or examination conducted by the designated examining body, the provisions then in force shall remain applicable.

(Entity Conversion to Incorporated Foundation, etc.)

Article 10 With respect to the Consumer Product Safety Association, the provisions of the Old Consumer Products Safety Act shall remain in force until the Consumer Product Safety Association ceases to exist by dissolution (or until the change of organization in the case where the organization is changed in accordance with the provisions of Article 12, paragraph (1) of the Supplementary Provisions). In this case, the term "Ordinance of the Ministry of International Trade and Industry" and the term "Minister of International Trade and Industry" in the provisions of the Old Consumer Products Safety Act shall be deemed to be replaced with "Ordinance of the Ministry of Economy, Trade and Industry" and "Minister of Economy, Trade and Industry", respectively.

Article 11 (1) Any contributor to the Consumer Product Safety Association may request the Consumer Product Safety Association to return the equity interest of said



contributor only until the expiration of the period of one month starting from the date of enforcement of Article 1.

- (2) In the case of a request as described in the preceding paragraph, the Consumer Product Safety Association shall make a return in an amount equivalent to the amount of contribution for said equity interest, notwithstanding the provisions of Article 40, paragraph (1) of the Old Consumer Products Safety Act which shall remain in force pursuant to the provisions of Article 10 of the Supplementary Provisions.
- (3) The Consumer Product Safety Association shall reduce the amount of stated capital by the amount returned pursuant to the provisions of preceding paragraph.

Article 12 (1) The Consumer Product Safety Association may implement an entity conversion to an incorporated foundation to be incorporated pursuant to the provisions of Article 34 of the Civil Code (Act No. 89 of 1896) (hereinafter simply referred to as "incorporated foundation") during the period between the day following the date of the expiration of the period as prescribed in paragraph (1) of the preceding Article and March 31, 2001.

- (2) In order to implement an entity conversion to an incorporated foundation pursuant to the provisions of the preceding paragraph, the Consumer Product Safety Association shall make modification to its articles of incorporation as necessary for entity conversion and obtain the approval of the Minister of Economy, Trade and Industry.
- (3) The entity conversion in accordance with the provisions of paragraph (1) shall become effective upon the approval set forth in the preceding paragraph.
- (4) In the case of the entity conversion of the Consumer Product Safety Association, the stated capital (or the stated capital after reduction when the amount of the stated capital is reduced pursuant to the provisions of paragraph (3) of the preceding Article) shall become the amount contributed to the incorporated foundation after the entity conversion pursuant to the provisions of paragraph (1) upon the approval set forth in paragraph (2).
- (5) With respect to the application of the Civil Code or other laws and regulations to an incorporated foundation after the entity conversion in accordance with the provisions of paragraph (1), the approval set forth in paragraph (2) shall be deemed to be the permission to establish an incorporated foundation.
- (6) Any matters necessary for registration of the Consumer Product Safety Association upon the entity conversion to an incorporated foundation in accordance with the provisions of paragraph (1) shall be provided for by Cabinet Order.

Article 13 (1) The Consumer Product Safety Association existing at the time of expiry on March 31, 2001 shall be dissolved at that time.

(2) When the Consumer Product Safety Association is dissolved, the President thereof shall be the liquidator; provided, however, that this shall not apply in cases where another person is appointed by the council.

(3) Without delay after his/her employment, the liquidator shall investigate the situation of property of the Consumer Product Safety Association, prepare an inventory of property and a balance sheet, determine the method to dispose of property and submit reports of the preceding to the Minister of Economy, Trade and Industry for his/her approval.

(4) When the liquidation affairs are completed, the liquidator shall prepare statements of accounts without delay and submit the same to the Minister of Economy, Trade and Industry for his/her approval.

(5) The provisions of Article 73, Article 75, Article 76 and Article 78 to Article 83 of the Civil Code; and Article 35, paragraph (2), Article 36 and Article 37-2, Article 135-25, paragraph (2) and paragraph (3), Article 136, Article 137 and Article 138 of the Non-Contentious Cases Procedure Act (Act No. 14 of 1898) shall apply mutatis mutandis to the dissolution and liquidation of the Consumer Product Safety Association. In this case, the term "the preceding Article" in Article 75 of the Civil Code shall be deemed to be replaced with "Article 13, paragraph (2) of the Supplementary Provisions to the Act on Consolidation and Streamlining of Standards and Certification Systems Relating to the Ministry of International Trade and Industry (Act No. 121 of 1999)".

(6) In cases where there remain residual assets as a result of distribution as prescribed in Article 80, paragraph (1) of the Old Consumer Products Safety Act, the disposition of said assets shall be provided by Cabinet Order.

(Effect of Dispositions, etc.)

Article 68 Any dispositions, procedures and other acts taken prior to the enforcement of this Act (or the respective provisions listed in the items of Article 1 of the Supplementary Provisions), pursuant to the provisions of the respective Acts prior to the revision (including orders issued under it; hereinafter the same shall apply in this Article), for which the corresponding provisions exist in the provisions of the respective revised Acts, shall be deemed to have been taken pursuant to the corresponding provisions of the respective revised Acts, except as otherwise provided in the Supplementary Provisions.

(Transitional Measures Concerning the Application of Penal Provisions)

Article 69 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act (or the respective provisions listed in the items of Article 1 of the Supplementary Provisions) (or with respect to the Consumer Product Safety Association, prior to the lapse of the provisions of the Old Consumer Products Safety Act that shall remain in force pursuant to the provisions of Article 10 of the Supplementary Provisions, or with respect to the High Pressure Gas Safety Institute of Japan, prior to the lapse of the provisions of the High Pressure Gas Safety Act that shall remain in force pursuant to the provisions of Article 30 of the Supplementary Provisions) and acts committed after the enforcement of this Act in the case where the provisions then in force shall remain applicable pursuant to the provisions of the Supplementary Provisions, the provisions then in force shall remain applicable.

(Delegation of Other Transitional Measures to Cabinet Orders)

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

#### **Supplementary Provisions (Act No. 160 of December 22, 1999), Extract**

(Effective Date)

Article 1 This Act (except for Article 2 and Article 3) shall come into effect on January 6, 2001.

#### **Supplementary Provisions (Act No. 204 of December 22, 1999), Extract**

(Effective Date)

Article 1 This Act shall come into effect on January 6, 2001; provided, however, that the provisions of Article 8 to Article 19 of the Supplementary Provisions shall come into effect on the day specified by Cabinet Order within the period not to exceed six months from said date.

(Transitional Measures Concerning Penal Provisions)

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

(Delegation to Cabinet Orders)

Article 21 In addition to what is provided for in Article 2 to Article 7, Article 9, Article 11, Article 18, and the preceding Article of the Supplementary Provisions, the transitional measures necessary for the establishment of NITE and other transitional measures necessary for the enforcement of this Act shall be provided by Cabinet Order.

### **Supplementary Provisions (Act No. 91 of May 31, 2000)**

(Effective Date)

(1) This Act shall come into effect on the date of enforcement of the Act on the Partial Revision of the Commercial Code, etc. (Act No. 90 of 2000).

(Transitional measures)

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

### **Supplementary Provisions (Act No. 96 of July 31, 2002), Extract**

(Effective Date)

Article 1 This Act shall come into effect on the day specified by Cabinet Order within a period not to exceed three years from the date of promulgation; provided, however, that the provisions listed in the following items shall come into effect as from the day specified therein:

(ii) Article 2, paragraph (2), Article 5, Article 17, Article 27 and Article 30 to Article 32 of the Supplementary Provisions: the day of promulgation;

(Effects of Dispositions, etc.)

Article 30 Any dispositions, procedures and other acts taken, prior to the enforcement of this Act (or the respective provisions listed in the items of Article 1 of the Supplementary Provisions), pursuant to the provisions of the respective acts prior to

the revision (including orders issued under it; hereinafter the same shall apply in this Article), for which the corresponding provisions exist in the provisions of the respective revised Acts, shall be deemed to have been taken pursuant to the corresponding provisions of the respective revised Acts, except as otherwise provided in the Supplementary Provisions.

(Transitional Measures Concerning Penal Provisions)

Article 31 With respect to the application of penal provisions to acts committed prior to the enforcement of this Act (or the respective provisions listed in the items of Article 1 of the Supplementary Provisions) and acts committed after the enforcement of this Act in the case where the provisions then in force shall remain applicable pursuant to the provisions of this Act, the provisions in force at the time shall remain applicable.

(Delegation to Cabinet Orders)

Article 32 In addition to what is provided for in the Supplementary Provisions, the transitional measures necessary for the enforcement of this Act shall be provided by Cabinet Order.

### **Supplementary Provisions (Act No. 55 of May 30, 2003), Extract**

(Effective Date)

Article 1 This Act shall come into effect on the day specified by Cabinet Order within a period not to exceed three months from the date of promulgation; provided, however, that the provisions listed in the following items shall come into effect as from the day specified therein:

(iii) Article 2 (except for the provisions for revision listed in the following item), Article 6 (except for the provisions for revision listed in the following item), Article 8 (except for the provisions for revision listed in the following item), and Article 10; and Article 2 to Article 5, Article 8, Article 16 to Article 18, Article 21 to Article 26, Article 31, Article 33 and Article 35 of the Supplementary Provisions: the day specified by Cabinet Order within a period not to exceed nine months from the date of promulgation.

### **Supplementary Provisions (Act No. 76 of June 11, 2003), Extract**

(Effective Date)

Article 1 This Act shall come into effect on March 1, 2004; provided, however, that the provisions listed in the following items shall come into effect on the day specified therein:

- (i) Article 13 of the Supplementary Provisions: the day of promulgation;
- (ii) Article 3, paragraph (1), Article 4, paragraph (1), Article 5, paragraph (1), Article 6, paragraph (1), Article 7, paragraph (1), Article 8, paragraph (1) and Article 9, paragraph (1) of the Supplementary Provisions: October 1, 2003.

(Transitional Measures upon Partial Revision of the Consumer Products Safety Act)

Article 4 (1) Any person who intends to obtain the registration set forth in Article 12, paragraph (1) of the Consumer Products Safety Act revised by Article 3 (hereinafter referred to as "New Consumer Products Safety Act") may file an application for registration prior to the enforcement of this Act. The same shall apply to the notification of the business regulations as described in Article 22, paragraph (1) of the New Consumer Products Safety Act (including the cases applied mutatis mutandis pursuant to Article 29, paragraph (2) of the New Consumer Products Safety Act).

(2) Any person who has obtained a certification or approval as set forth in Article 12, paragraph (1) of the Consumer Products Safety Act prior to the revision by Article 3 (hereinafter referred to as "Old Consumer Products Safety Act") at the time of the enforcement of this Act shall be deemed to have obtained a registration pursuant to Article 12, paragraph (1) of the New Consumer Products Safety Act. In this case, the valid period of the registration shall be the remaining period of validity of the certification or approval set forth in Article 12, paragraph (1) of the Old Consumer Products Safety Act.

(Effect of Dispositions, etc.)

Article 11 Any dispositions, procedures and other acts taken, prior to the enforcement of this Act (or the respective provisions listed in the items of Article 1 of the Supplementary Provisions), pursuant to the provisions of the respective acts prior to the revision (including orders issued under it; hereinafter the same shall apply in this Article), for which the corresponding provisions exist in the provisions of the respective revised Acts, shall be deemed to have been taken pursuant to the corresponding provisions of the respective revised Acts, except as otherwise provided in the Supplementary Provisions.

(Transitional Measures Concerning Application of Penal Provisions)

Article 12 With respect to the application of penal provisions to acts committed prior to the enforcement of this Act (or the respective provisions listed in the items of Article 1 of the Supplementary Provisions; hereinafter the same shall apply in this Article) and acts committed after the enforcement of this Act in the case where the provisions then in force shall remain applicable pursuant to the provisions of the Supplementary Provisions, the provisions in force at the time shall remain applicable.

(Delegation to Cabinet Orders)

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

**Supplementary Provisions (Act No. 87 of July 26, 2005), Extract**

This Act shall come into effect on the date of enforcement of the Companies Act.

**Supplementary Provisions (Act No. 104 of December 6, 2006), Extract**

(Effective Date)

Article 1 This Act shall come into effect on the day specified by Cabinet Order within a period not to exceed six months from the date of promulgation.

(Review)

Article 2 Within five years after the enforcement of this Act, the national government shall review the situation of the enforcement of the Consumer Products Safety Act revised by this Act, and when it finds it necessary, shall take all necessary measures based on the results of said review.

**Supplementary Provisions (Act No. 117 of November 21, 2007)**

(Effective Date)

Article 1 This Act shall come into effect on the day specified by Cabinet Order within a period not to exceed one year and six months from the date of promulgation; provided, however, that the provision to revise Article 47, paragraph (1) shall come into effect as from the day of promulgation.

(Review)

Article 2 Within five years after the enforcement of this Act, the government shall review the situation of the enforcement of the Consumer Products Safety Act revised by this Act, and when it finds it necessary, shall take the necessary measures based on the results of said review.

Appended Table (Re: Article 2)

- (i) Ship Safety Act (Act No. 11 of 1933): ships to which the provisions of Article 2, paragraph (1) are applied;
- (ii) Food Sanitation Act (Act No. 233 of 1947): food described in Article 4, paragraph (1) and additives described in paragraph (2) of said Article and detergents described in Article 62, paragraph (2) of said Act;
- (iii) Fire Service Act (Act No. 186 of 1948): instruments for examination, etc. described in Article 21-2, paragraph (1) and instruments for voluntary indication described in Article 21-16-2;
- (iv) Poisonous and Deleterious Substances Control Act (Act No. 303 of 1950): poisonous substances described in Article 2, paragraph (1) and deleterious substances described in paragraph (2) of said Article;
- (v) Road Trucking Vehicle Act (Act No. 185 of 1951): road trucking vehicles described in Article 2, paragraph (1);
- (vi) High Pressure Gas Safety Act (Act No. 204 of 1951): containers described in Article 41;
- (vii) Ordnance Manufacturing Act (Act No. 145 of 1953): hunting guns described in Article 2, paragraph (2);
- (viii) Pharmaceutical Affairs Act (Act No. 145 of 1960): medicines described in Article 2, paragraph (1), quasi-medicines described in paragraph (2) of said Article, cosmetics described in paragraph (3) of said Article, and medical equipment described in paragraph (4) of said Article;
- (ix) In addition to those products listed in the preceding items, any products for which the manufacture, import or sale is restricted by establishing standards or requirements pursuant to the provisions of other Acts stipulated by Cabinet Order and that are found not to be likely to cause danger to the lives or bodies of general consumers because of such restriction, as provided for by Cabinet Order.