

Ordinance for Enforcement of the Act for Implementation of the Mutual Recognition between Japan and Foreign States in Relation to Results of Conformity Assessment Procedures of Specified Equipment (MIC/METI Ordinance No. 3 of 2001)

Pursuant to the provisions of the Act for Implementation of the Mutual Recognition between Japan and the European Community in Relation to Conformity Assessment of Specified Equipment (Act No. 111 of 2001) and the Order for Enforcement of the Act for Implementation of the Mutual Recognition between Japan and the European Community in Relation to Conformity Assessment of Specified Equipment (Cabinet Order No. 355 of 2001), and for the enforcement of the Act, the Ordinance for Enforcement of the Act for Implementation of the Mutual Recognition between Japan and the European Community in Relation to Conformity Assessment of Specified Equipment is established as follows.

Ordinance for Enforcement of the Act for Implementation of the Mutual Recognition between Japan and Foreign States in Relation to Results of Conformity Assessment Procedures of Specified Equipment

Article 1 (Terminology)

The terminology used in this Ordinance shall be based on the terminology used in the Act for Implementation of the Mutual Recognition between Japan and Foreign States in Relation to Results of Conformity Assessment Procedures of Specified Equipment (hereinafter referred to as “the Act”) and the Order for Enforcement of the Act for Implementation of the Mutual Recognition between Japan and Foreign States in Relation to Results of Conformity Assessment Procedures of Specified Equipment (Cabinet Order No. 355 of 2001; hereinafter referred to as “the Order”).

Article 2 (Application for Designation)

(1) The written application set forth in Article 3 paragraph (3) of the Act shall be submitted using Form 1.

(2) The other documents specified by the applicable ministerial ordinance set forth in Article 3 paragraph (3) of the Act shall be as follows:

(i) The articles of incorporation or the articles of endowment and a certified copy of the register book, or equivalents of these

(ii) Document which explains that the applicant does not fall under any item of Article 4 of the Act

(iii) Document which explains that the applicant is in conformity with the criteria for designation set forth in each item of Article 3

(iv) When the applicant intends to establish eligibility under the provisions of Remark 11 or Remark 12 of Appended Table 1 of the Order, the documents prescribed in Article 19 or Article 21

Article 3 (Criteria for Designation)

The criteria for designation specified by the applicable ministerial ordinance set forth in Article 5 paragraph (1) of the Act (including the cases where applied mutatis mutandis pursuant to Article 6 paragraph (2) and Article 7 paragraph (3) of the Act) shall be as follows:

(i) The matter listed in Article 3 paragraph (3) item (iv) of the Act shall satisfy the matters prescribed in (a) through (h) corresponding to the category of the overseas conformity assessment business listed in (a) through (h).

(a) Overseas conformity assessment business pertaining to Article 2 item (i) of the Order: Matters prescribed in the Japanese Industrial Standards (hereinafter referred to as "JIS") Q0065 and Z9362 pursuant to the Industrial Standardization Act (Act No. 185 of 1949). However, when the applicant intends to obtain designation, pursuant to the provision of Article 3 paragraph (2) of the Act, by limiting the scope of activities to the activities for Annex III or Annex IV of Directive 1999/5/EC of the European Parliament and of the Council of 9 March 1999 on radio equipment and telecommunications terminal equipment and the mutual recognition of their conformity (hereinafter referred to as "the R&TTE Directive") among the applicable laws and regulations listed in item (i) of the left-hand column of the table in Section II of Part B of the Sectoral Annex on Telecom Equipment of the J-EC Agreement (hereinafter referred to as "activities for Annex III or IV"), the matters prescribed in JIS Q0065 shall be satisfied. Similarly, when the applicant intends to obtain designation by limiting the scope of activities to the activities for Annex V of the R&TTE Directive (hereinafter referred to as "activities for Annex V"), the matters prescribed in JIS Z9362 shall be satisfied.

(b) Overseas conformity assessment business pertaining to Article 2 item (ii) of the Order: Matters prescribed in JIS Q0065

(c) Overseas conformity assessment business pertaining to Article 2 item (iii) of the Order: Matters prescribed in JIS Q17025. However, when the applicant intends to obtain designation for the overseas conformity assessment business as a conformity assessment body prescribed in Article 10.6 of the Council Directive 89/336/EEC of 3 May 1989 on the approximation of the laws of the Member States relating to electromagnetic compatibility (hereinafter referred to as "the EMC Directive") among the applicable laws and regulations listed in item (iii) of the left-hand column of the table in Section II of Part B of the Sectoral Annex on Telecom Equipment of the J-EC Agreement, the matters prescribed in JIS Q0065 shall be satisfied.

(d) Overseas conformity assessment business pertaining to Article 2 item (iv) of the Order: Matters prescribed in JIS Q0065

(e) Overseas conformity assessment business pertaining to Article 2 item (v) of the Order: Matters prescribed in JIS Q17025

(f) Overseas conformity assessment business pertaining to Article 2 item (vi) of the Order: Matters prescribed in JIS Q17025. However, when the applicant intends

to obtain designation for the overseas conformity assessment business as a conformity assessment body prescribed in 5.2 of the Scheme for Recognising Foreign Testing Laboratories and Certification Bodies for Conformity Assessment of Telecommunication Equipment (2007) among the applicable laws and regulations listed in the right-hand column of the table in Section II of Part B of the Sectoral Annex on Telecom Equipment of the J-S Agreement, the matters prescribed in JIS Q0065 and Q17025 shall be satisfied.

(g) Overseas conformity assessment business pertaining to Article 2 item (vii) of the Order: Matters prescribed in JIS Q0065

(h) Overseas conformity assessment business pertaining to Article 2 item (viii) of the Order: Matters prescribed in JIS Q0065 and Q17025

(ii) The person who intends to obtain designation set forth in Article 3 paragraph (1) of the Act shall have the technical competence to conduct conformity assessment by applying the technical requirements prescribed in (a) through (h) corresponding to the category of the overseas conformity assessment business listed in (a) through (h).

(a) Overseas conformity assessment business pertaining to Article 2 item (i) of the Order: Matters set forth in 1 and 2. However, when the applicant intends to obtain designation, pursuant to the provision of Article 3 paragraph (2) of the Act, by limiting the scope of activities to the activities for Annex III or IV, matters set forth in 1 shall apply. Similarly, when the applicant intends to obtain designation by limiting the scope of activities to the activities for Annex V, matters set forth in 2 shall apply.

1. Matters prescribed in Article 3 of the R&TTE Directive. However, where there is any standard which has been published in the official journal of the European Communities (hereinafter referred to as “Harmonized Standard”; the same shall apply hereinafter) pursuant to the R&TTE Directive concerning specified equipment for export related to the overseas conformity assessment business, matters prescribed in the Harmonized Standard may be applied.

2. Matters prescribed in JIS Q9001

(b) Overseas conformity assessment business pertaining to Article 2 item (ii) of the Order: Matters prescribed in Annex I of Directive 2006/95/EC of the European Parliament and of the Council of 12 December 2006 on the harmonization of the laws of the Member States relating to electrical equipment designed for use within certain voltage limits (hereinafter referred to as “the Low Voltage Directive”) among the applicable laws and regulations listed in item (ii) of the left-hand column of the table in Section II of Part B of the Sectoral Annex on Telecom Equipment of the J-EC Agreement. However, where there is any Harmonized Standard pursuant to the Low Voltage Directive concerning specified equipment for export related to the overseas conformity assessment business, matters prescribed in the Harmonized Standard may be applied.

(c) Overseas conformity assessment business pertaining to Article 2 item (iii) of the Order: Matters prescribed in Article 4 and Annex III of the EMC Directive. However, where there is any Harmonized Standard pursuant to the EMC Directive concerning specified equipment for export related to the overseas conformity assessment business, the matters prescribed in the Harmonized Standard may be applied.

(d) Overseas conformity assessment business pertaining to Article 2 item (iv) of the Order: Matters prescribed in Annex I of the Low Voltage Directive. However, where there is any Harmonized Standard pursuant to the Low Voltage Directive concerning specified equipment for export related to the overseas conformity assessment business, the matters prescribed in the Harmonized Standard may be applied.

(e) Overseas conformity assessment business pertaining to Article 2 item (v) of the Order: Matters prescribed in Article 4 and Annex III of the EMC Directive. However, where there is any Harmonized Standard pursuant to the EMC Directive concerning specified equipment for export related to the overseas conformity assessment business, the matters prescribed in the Harmonized Standard may be applied.

(f) Overseas conformity assessment business pertaining to Article 2 item (vi) of the Order: Matters prescribed in Annex II of the Scheme for Recognising Foreign Testing Laboratories and Certification Bodies for Conformity Assessment of Telecommunication Equipment (2007) among the applicable laws and regulations listed in the right-hand column of the table in Section II of Part B of the Sectoral Annex on Telecom Equipment of the J-S Agreement

(g) Overseas conformity assessment business pertaining to Article 2 item (vii) of the Order: Matters prescribed in Chapter 6 and Chapter 7 of the Singapore Consumer Protection (Safety Requirements) Registration Scheme Information Booklet (2002 Edition (version 2)) among the applicable laws and regulations listed in the right-hand column of the table in Section II of Part B of the Sectoral Annex on Electrical Products of the J-S Agreement

(h) Overseas conformity assessment business pertaining to Article 2 item (viii) of the Order: Matters set forth in 1 and 2. However, when the applicant intends to obtain designation, pursuant to the provision of Article 3 paragraph (2) of the Act, by limiting the scope of activities to the activities pertaining to Title 47 of the Code of Federal Regulations (hereinafter referred to as “the FCC rules”) listed in item (ii) of the left-hand column of the table in Section I of Annex of the J-US Agreement excluding the activities pertaining to Part 15 Section 3 (z), Part 18 Section 107 (c) and Part 68 of the FCC Rules (hereinafter referred to as “activities for parts excluding Part 68, etc.”), matters set forth in 1 shall apply. Similarly, when the applicant intends to obtain designation by limiting the scope of activities to the activities pertaining to Part 68 of the FCC Rules (hereinafter referred to as

“activities for Part 68”), matters set forth in 2 shall apply.

1. Matters prescribed in Section 962 (c) (1) through Section 962 (c) (4) of Part 2 of the FCC Rules

2. Matters prescribed in Section 162 (c) (1) through Section 162 (c) (4) of Part 68 of the FCC Rules

(iii) Appropriate preparations for performing the obligations arising from the overseas conformity assessment business shall be in place.

Article 4 (Method of Evaluation)

The evaluation set forth in Article 5 paragraph (2) of the Act (including the cases where applied mutatis mutandis pursuant to Article 6 paragraph (2) and Article 7 paragraph (3) of the Act) shall be conducted in the following manner:

(i) Evaluation shall be conducted by two or more members of staff.

(ii) Where there are provisions on the method of evaluation in the applicable mutual recognition agreement, the evaluation shall be conducted in accordance with the provisions.

Article 5 (Application for Renewal of Designation)

A designated conformity assessment body which intends to renew the designation set forth in Article 6 paragraph (1) of the Act shall submit to the competent minister the written application using Form 1 with the documents listed in the items of Article 2 paragraph (2) attached thereto by thirty days before the valid period of the current designation expires. However, when there are no changes in the contents of the documents set forth in the items of Article 2 paragraph (2) which had been submitted to the competent minister, it may omit attaching the document by describing to that effect in the written application.

Article 6 (Minor Changes)

The minor changes specified by the applicable ministerial ordinance set forth in the proviso of Article 7 paragraph (1) of the Act shall be changes made to the matter listed in Article 3 paragraph (3) item (iii) of the Act in conjunction with changes or additions to facilities which have equivalent or better performance of facilities used for the overseas conformity assessment business.

Article 7 (Approval of Changes, Etc.)

(1) The written application set forth in Article 7 paragraph (2) of the Act shall be submitted by using Form 2.

(2) The other documents specified by the applicable ministerial ordinance set forth in Article 7 paragraph (2) of the Act shall be the documents listed in the items of Article 2 paragraph (2) (limited to the part of the documents whose contents have been changed with regard to the documents attached to the application for

designation set forth in Article 3 paragraph (1) of the Act or renewal of the designation, or for approval of a change set forth in Article 7 paragraph (1) of the Act).

(3) When a designated conformity assessment body submits the notification prescribed in Article 7 paragraph (4) of the Act, it shall submit to the competent minister a written notification using Form 3 describing the following matters with a document certifying the fact of the change attached thereto:

- (i) Matters which have been changed
- (ii) Date of the change
- (iii) Reason for the change

Article 8 (Notification of Suspension or Abolition of Business)

When a designated conformity assessment body submits the notification prescribed in Article 8 paragraph (1) of the Act, it shall submit to the competent minister a written notification using Form 4 describing the following matters:

- (i) The scope of the overseas conformity assessment business that it intends to suspend or abolish
- (ii) Planned date to suspend or abolish the overseas conformity assessment business, and in case of suspension, planned period of suspension
- (iii) Reasons for the suspension or abolition

Article 9 (Bookkeeping and Records)

The books and records relating to the overseas conformity assessment business pursuant to the provisions of the applicable ministerial ordinance set forth in Article 9 of the Act shall be as follows:

(i) The following books and records which are related to the conducting of overseas conformity assessment business

(a) Documents submitted by the person who applies for the conformity assessment (hereinafter referred to as “the applicant”) and copies of documents or other materials presented by the applicant

(b) Records of the conducted conformity assessment and copies of certificates issued pursuant to the provision of Article 12 paragraph (1) of the Act

(ii) The following books and records which are related to the management of the organization conducting the overseas conformity assessment business:

(a) Document describing the management system for conducting the overseas conformity assessment business and records of changes made thereto

(b) Document describing the rights and responsibilities as well as the command and order system of the person engaged in the overseas conformity assessment business and records of changes made thereto

(c) Document related to a subcontract when part of the overseas conformity assessment business is subcontracted to another entity

(d) Records concerning the results of the audit of the overseas conformity assessment business

(iii) The following books and records which are related to the facilities used for the overseas conformity assessment business:

(a) Records concerning the maintenance and management of the facilities required for compliance with the criteria set forth in the items of Article 3

(b) Records concerning accidents

Article 10 (Keeping, Etc. of Books and Records)

(1) The period of keeping of the books and records listed in the items of the preceding Article shall be as prescribed in the following items corresponding to the category of books and records listed respectively in those items:

(i) The books and records listed in item (i) of the preceding Article: Ten years from the day when the conformity assessment is completed. For the overseas conformity assessment business pertaining to Article 2 item (vii) of the Order, ten years from the day when the valid period of the certificate expires.

(ii) The books and records listed in (ii) (a) and (ii) (b) of the preceding Article: Ten years from the day when the validity of the designation expires

(iii) The books and records listed in item (ii) (c) of the preceding Article: Ten years from the day when the contract terminates

(iv) The books and records listed in item (ii) (d) of the preceding Article: Ten years from the day when the audit is completed

(v) The books and records listed in item (iii) of the preceding Article: From the day when the books and records were made to the day when the validity of the current designation expires

(2) The books and records listed in the items of the preceding Article may be kept by means of electromagnetic form.

Article 11 (Contents of Certificate)

The matters specified by the applicable ministerial ordinance set forth in Article 12 paragraph (1) of the Act shall be as follows:

(i) In the case of the overseas conformity assessment business pertaining to Article 2 item (i), item (ii), item (iii) (limited to the overseas conformity assessment business to be conducted by a conformity assessment body prescribed in Article 10.6 of the EMC Directive), item (iv) and item (vi) (limited to the overseas conformity assessment business to be conducted by a conformity assessment body prescribed in 5.2 of the Scheme for Recognising Foreign Testing Laboratories and Certification Bodies for Conformity Assessment of Telecommunication Equipment (2007)) of the Order:

(a) Date of issue

(b) Name and address of the conformity assessment body which issues the

certificate

(c) Title and name of the officer or the member of staff who issues the certificate, and printed name with seal or signature

(d) Name and address of the applicant or applicant's organization

(e) Name, model or serial number of the specified equipment for export related to the conformity assessment (in the case of the activities for Annex V, model and serial number shall be excluded)

(f) Results of the conformity assessment

(g) Technical requirements applied for the conformity assessment

(ii) In the case of the overseas conformity assessment business pertaining to Article 2 item (iii) (excluding the overseas conformity assessment business to be conducted by a conformity assessment body prescribed in Article 10.6 of the EMC Directive), item (v) and item (vi) (excluding the overseas conformity assessment business to be conducted by a conformity assessment body prescribed in 5.2 of the Scheme for Recognising Foreign Testing Laboratories and Certification Bodies for Conformity Assessment of Telecommunication Equipment (2007)) of the Order:

(a) Issuance number of the certificate, total number of pages, page number and date of issue

(b) Name and address of the conformity assessment body which issues the certificate

(c) Title and name of the officer or the member of staff who issues the certificate, and printed name with seal or signature

(d) Address of the place where the conformity assessment was conducted (limited to the case where it differs from the address of the person who issues the certificate)

(e) Name and address of the applicant or applicant's organization

(f) Name, serial number, name of manufacturer, description and condition of the specified equipment for export related to the conformity assessment

(g) Result values of the conformity assessment and information relevant to the result values

(h) Technical requirements applied for the conformity assessment

(i) Specially noteworthy matters related to the conformity assessment

(iii) In the case of the overseas conformity assessment business pertaining to Article 2 item (vii) of the Order:

(a) Date of issue, expiry date and certificate number

(b) Name and address of the conformity assessment body which issues the certificate

(c) Title and name of the officer or the member of staff who issues the certificate, and printed name with seal or signature

(d) Name and address of the applicant or applicant's organization

(e) Name and description of the specified equipment for export related to the

conformity assessment

(f) Results of the conformity assessment

(g) Technical requirements applied for the conformity assessment

(h) Name of the person or organization who issued a test report (which refers to a report of the results of tests conducted for the specified equipment for export; the same shall apply hereinafter) used for the conformity assessment and the test report number (limited to the case where the person who issued the test report differs from the person who issues the certificate)

(iv) In the case of the overseas conformity assessment business pertaining to Article 2 item (viii) of the Order (limited to the part related to the activities for parts excluding Part 68, etc.):

(a) Date of issue

(b) Date on which results of the conformity assessment and information relevant to the results were provided by means of an electromagnetic form to the Federal Communications Commission listed in the left-hand column of the table in Section IV of Annex of the J-US Agreement

(c) Name and address of the conformity assessment body which issues the certificate

(d) Name and address of the applicant or applicant's organization

(e) Identification number prescribed in Part 2 Section 925 (a) (1) of the FCC Rules

(f) Type and description of the specified equipment for export related to the conformity assessment

(g) Results of the conformity assessment

(h) Specially noteworthy matters related to the conformity assessment

(v) In the case of the overseas conformity assessment business pertaining to Article 2 item (viii) of the Order (limited to the part related to the activities for Part 68)

(a) Date of issue

(b) Name and address of the conformity assessment body which issues the certificate

(c) Name and address of the applicant or applicant's organization

(d) Name of manufacturer

(e) FCC registration number prescribed in Part 68 of the FCC Rules

(f) Type and description of the specified equipment for export related to the conformity assessment

(g) Results of the conformity assessment

(h) Technical requirements applied for the conformity assessment

(i) Specially noteworthy matters related to the conformity assessment

Article 12 (Special Mark to be Affixed to the Certificate)

The special mark specified by the applicable ministerial ordinance set forth in Article 12 paragraph (1) of the Act shall be as follows:

(i) For the category of the overseas conformity assessment business pertaining to Article 2 item (i) through item (v) of the Order, a special mark in accordance with Form 5

(ii) For the category of the overseas conformity assessment business pertaining to Article 2 item (vi) and item (vii) of the Order, a special mark in accordance with Form 6

(iii) For the category of the overseas conformity assessment business pertaining to Article 2 item (viii) of the Order, a special mark in accordance with Form 7

Article 13 (Withdrawal of Designation, Etc.)

The grounds specified by the applicable ministerial ordinance set forth in Article 13 paragraph (1) item (vi) of the Act shall be as follows:

(i) When the registration has been suspended pursuant to the provision of Article 7 paragraph (3) of the J-EC Agreement, Article 51 paragraph (3) of the J-S Agreement, or Article 8 paragraph (2) of the J-US Agreement

(ii) When the Joint Committee set forth in Article 8 paragraph (1) of the J-EC Agreement, the Joint Committee set forth in Article 52 paragraph (1) of the J-S Agreement, or the Joint Committee set forth in Article 10 paragraph (1) of the J-US Agreement has decided not to register the conformity assessment body pursuant to the provision of Article 9 paragraph (1) of the J-EC Agreement, Article 53 paragraph (1) of the J-S Agreement, or Article 6 paragraph (1) of the J-US Agreement

Article 14 (Marks Where the Telecommunications Business Act Shall Apply)

(1) With regard to the application of the provisions of Article 10 and Form 7 of the Ordinance concerning Technical Conditions Compliance Approval Etc. for Terminal Equipment (MIC Ordinance No. 15 of 2004; hereinafter referred to as “the Approval Ordinance” in this Article) in the cases where the provision of Article 53 paragraph (2) of the Telecommunications Business Act (Act No. 86 of 1984) shall apply with the replacement pursuant to the provision of Article 31 paragraph (1) of the Act, the term “registered approval body or recognized approval body” in Remark 4 of Form 7 of the Approval Ordinance shall be deemed to be replaced with “registered foreign conformity assessment body prescribed in the first sentence in Article 31 paragraph (1) of the Act for Implementation of the Mutual Recognition between Japan and Foreign States in Relation to Results of Conformity Assessment Procedures of Specified Equipment (Act No. 111 of 2001).”

(2) With regard to the application of the provisions of Article 22 and Form 7 of the Approval Ordinance in the cases where the provision of Article 58 of the Telecommunications Business Act shall apply pursuant to the provision of Article 31 paragraph (2) of the Act, the term “registered approval body or recognized approval

body” in Remark 4 of Form 7 of the Approval Ordinance shall be deemed to be replaced with “registered foreign conformity assessment body prescribed in the first sentence in Article 31 paragraph (1) of the Act for Implementation of the Mutual Recognition between Japan and Foreign States in Relation to Results of Conformity Assessment Procedures of Specified Equipment (Act No. 111 of 2001).”

Article 15 (Marks Where the Radio Act Shall Apply)

(1) With regard to the application of the provisions of Article 8 and Form 7 of the Ordinance concerning Technical Regulations Conformity Certification Etc. of Specified Radio Equipment (MPT Ordinance No. 37 of 1981; hereinafter referred to as “the Certification Ordinance” in this Article) in the cases where the provision of Article 38-7 paragraph (1) of the Radio Act (Act No. 31 of 1950) shall apply with the replacement pursuant to the provision of Article 33 paragraph (1) of the Act, the term “registered certification body or recognized certification body” in Remark 4 of Form 7 of the Certification Ordinance shall be deemed to be replaced with “registered foreign conformity assessment body prescribed in the first sentence in Article 33 paragraph (1) of the Act for Implementation of the Mutual Recognition between Japan and Foreign States in Relation to Results of Conformity Assessment Procedures of Specified Equipment (Act No. 111 of 2001).”

(2) With regard to the application of the provisions of Article 20 and Form 7 of the Certification Ordinance in the cases where the provision of Article 38-26 of the Radio Act shall apply pursuant to the provision of Article 33 paragraph (2) of the Act, the term “registered certification body or recognized certification body” in Remark 4 of Form 7 of the Certification Ordinance shall be deemed to be replaced with “registered foreign conformity assessment body prescribed in the first sentence in Article 33 paragraph (1) of the Act for Implementation of the Mutual Recognition between Japan and Foreign States in Relation to Results of Conformity Assessment Procedures of Specified Equipment (Act No. 111 of 2001).”

Article 16 (Certificate for Identification)

(1) The certificate for identification set forth in Article 37 paragraph (3) of the Act shall be in accordance with Form 8.

(2) The certificate for identification set forth in Article 37 paragraph (7) of the Act shall be in accordance with Form 9.

Article 17 (Public Notice)

The public notice set forth in Article 3 paragraph (4), Article 7 paragraph (5), Article 8 paragraph (2), Article 11, Article 13 paragraph (2) and paragraph (3) and Article 30 of the Act shall be made by a notification in the Official Gazette.

Article 18 (Fees for Limited Scope of Activities)

(1) The scope of activities as specified by the applicable ministerial ordinance set forth in Remark 1 of Appended Table 1 of the Order shall be the scope prescribed in the second column of the first row of Appended Table concerning the category of the overseas conformity assessment business listed in the first column of the same row, and the amount specified by the applicable ministerial ordinance set forth in Remark 1 of Appended Table 1 of the Order shall be the amount prescribed in the third column of the same row corresponding to the scope prescribed in the second column (the amount prescribed in the fourth column of the same row in the case of electronic applications).

(2) The scope of activities as specified by the applicable ministerial ordinance set forth in Remark 2 of Appended Table 1 of the Order shall be the scope prescribed in the second column of the second row of Appended Table concerning the category of the overseas conformity assessment business listed in the first column of the same row, and the amount specified by the applicable ministerial ordinance set forth in Remark 2 of Appended Table 1 of the Order shall be the amount prescribed in the third column of the same row corresponding to the scope prescribed in the second column (the amount prescribed in the fourth column of the same row in the case of electronic applications).

(3) The scope of activities as specified by the applicable ministerial ordinance set forth in Remark 3 of Appended Table 1 of the Order shall be the scope prescribed in the second column of the third row of Appended Table concerning the category of the overseas conformity assessment business listed in the first column of the same row, and the amount specified by the applicable ministerial ordinance set forth in Remark 3 of Appended Table 1 of the Order shall be the amount prescribed in the third column of the same row corresponding to the scope prescribed in the second column (the amount prescribed in the fourth column of the same row in the case of electronic applications).

(4) The scope of activities as specified by the applicable ministerial ordinance set forth in Remark 4 of Appended Table 1 of the Order shall be the scope prescribed in the second column of the fourth row of Appended Table concerning the category of the overseas conformity assessment business listed in the first column of the same row, and the amount specified by the applicable ministerial ordinance set forth in Remark 4 of Appended Table 1 of the Order shall be the amount prescribed in the third column of the same row corresponding to the scope prescribed in the second column (the amount prescribed in the fourth column of the same row in the case of electronic applications).

(5) The scope of activities as specified by the applicable ministerial ordinance set forth in Remark 5 of Appended Table 1 of the Order shall be the scope prescribed in the second column of the fifth row of Appended Table concerning the category of the overseas conformity assessment business listed in the first column of the same row, and the amount specified by the applicable ministerial ordinance set forth in

Remark 5 of Appended Table 1 of the Order shall be the amount prescribed in the third column of the same row corresponding to the scope prescribed in the second column (the amount prescribed in the fourth column of the same row in the case of electronic applications).

(6) The scope of activities as specified by the applicable ministerial ordinance set forth in Remark 6 of Appended Table 1 of the Order shall be the scope prescribed in the second column of the sixth row of Appended Table concerning the category of the overseas conformity assessment business listed in the first column of the same row, and the amount specified by the applicable ministerial ordinance set forth in Remark 6 of Appended Table 1 of the Order shall be the amount prescribed in the third column of the same row corresponding to the scope prescribed in the second column (the amount prescribed in the fourth column of the same row in the case of electronic applications).

Article 19 (Documents Certifying the Designation of Other Overseas Conformity Assessment Business)

The documents specified by the applicable ministerial ordinance set forth in Remark 11 of Appended Table 1 and Remark 2 of Appended Table 2 of the Order shall be the documents certifying that the applicant has been designated for the overseas conformity assessment business pertaining to any item of Article 2 of the Order and that administrative rationalization (which means to assume that the overseas conformity assessment business conforms to the quality system requirements among the criteria for designation specified by the applicable ministerial ordinance prescribed in Article 5 paragraph (1) of the Act by confirming that the applicant has obtained the designation set forth in Article 3 paragraph (1) of the Act or renewed the designation, or has obtained or renewed the designation or registration set forth in the items of Article 20) has not been conducted in the examination for the designation, etc. of the designated overseas conformity assessment business within the period specified by a Cabinet Order set forth in Article 6 paragraph (1) of the Act pertaining to the overseas conformity assessment business he has applied for before the date of application (hereinafter referred to as “specified period”). However, where the competent minister pertaining to the applied overseas conformity assessment business is the same as the competent minister pertaining to the designated overseas conformity assessment business, the documents shall be the documents certifying that the applicant has obtained the designation.

Article 20 (Designation or Registration Similar in Criteria to Designation Set Forth in Article 5 Paragraph (1) of the Act)

The designation or registration specified by the applicable ministerial ordinance set forth in Remark 12 of Appended Table 1 and Remark 3 of Appended Table 2 of the Order shall be as follows:

(i) Registration pursuant to Article 19 paragraph (1) and paragraph (2), Article 20 paragraph (1) and Article 23 paragraph (1) through paragraph (3) of the Industrial Standardization Act (Act No. 185 of 1949)

(ii) Registration pursuant to Article 57 paragraph (1) of the Industrial Standardization Act

(iii) Registration pursuant to Article 39-11 paragraph (1) of the Gas Business Act (Act No. 51 of 1954)

(iv) Registration pursuant to Article 23-2 paragraph (1) of the Medicine Act (Act No. 145 of 1960)

(v) Registration pursuant to Article 9 paragraph (1) of the Electrical Appliances and Material Safety Act (Act No. 234 of 1961)

(vi) Registration pursuant to Article 47 paragraph (1) of the Act on Maintenance of Security and Promotion of Appropriate Transaction of Liquefied Petroleum Gas (Act No. 149 of 1967)

(vii) Registration pursuant to Article 12 paragraph (1) of the Consumer Product Safety Act (Act No. 31 of 1973)

(viii) Registration pursuant to Article 143 paragraph (1) of the Measurement Act (Act No. 51 of 1992)

Article 21 (Documents Certifying Designation or Registration Pursuant to Other Laws and Regulations)

The documents specified by the applicable ministerial ordinance set forth in Remark 12 of Appended Table 1 and Remark 3 of Appended Table 2 of the Order shall be any of the following:

(i) Documents certifying that the applicant has been registered for the registration set forth in item (i) of the preceding Article and that administrative rationalization (which means to assume that the overseas conformity assessment business conforms to the quality system requirements among the criteria for bodies to certify products prescribed by the International Organization for Standardization and the International Electrotechnical Commission by confirming that the applicant has obtained the designation set forth in Article 3 paragraph (1) of the Act or renewed the designation, or has obtained or renewed the designation or registration set forth in any item of the preceding Article; the same shall apply in item (iii) and item (v) through item (vii)) has not been conducted in the examination for the registration and renewal of the registration set forth in item (i) of the preceding Article within the specified period

(ii) Documents certifying that the applicant has been registered for the registration set forth in item (ii) of the preceding Article and administrative rationalization (which means to assume that the overseas conformity assessment business conforms to the quality system requirements among the criteria for laboratories prescribed by the International Organization for Standardization and

the International Electrotechnical Commission by confirming that the applicant has obtained the designation set forth in Article 3 paragraph (1) of the Act or renewed the designation, or has obtained or renewed the designation or registration set forth in any item of the preceding Article) has not been conducted in the examination for the registration and renewal of the registration set forth in item (ii) of the preceding Article within the specified period

(iii) Documents certifying that the applicant has been registered for the registration set forth in item (iii) of the preceding Article and that administrative rationalization has not been conducted in the examination for the registration and renewal of the registration set forth in item (iii) of the preceding Article within the specified period

(iv) Documents certifying that the applicant has been registered for the registration set forth in item (iv) of the preceding Article and that administrative rationalization (which means to assume that the overseas conformity assessment business conforms to the quality system requirements among the criteria for bodies to certify products and the criteria for bodies to examine methods of product control and quality control prescribed by the International Organization for Standardization and the International Electrotechnical Commission by confirming that the applicant has obtained the designation set forth in Article 3 paragraph (1) of the Act or renewed the designation, or has obtained or renewed the designation or registration set forth in the items of the preceding Article) has not been conducted in the examination for the registration and renewal of the registration set forth in item (iv) of the preceding Article within the specified period

(v) Documents certifying that the applicant has been registered for the registration set forth in item (v) of the preceding Article and that administrative rationalization has not been conducted in the examination for the registration and renewal of the registration set forth in item (v) of the preceding Article within the specified period

(vi) Documents certifying that the applicant has been registered for the registration set forth in item (vi) of the preceding Article and that administrative rationalization has not been conducted in the examination for the registration and renewal of the registration set forth in item (vi) of the preceding Article within the specified period

(vii) Documents certifying that the applicant has been registered for the registration set forth in item (vii) of the preceding Article and that administrative rationalization has not been conducted in the examination for the registration and renewal of the registration set forth in item (vii) of the preceding Article within the specified period

(viii) Documents certifying that the applicant has been registered for the registration set forth in item (viii) of the preceding Article and that administrative rationalization (which means to assume that the overseas conformity assessment

business conforms to the quality system requirements among the criteria for bodies to perform calibration prescribed by the International Organization for Standardization and the International Electrotechnical Commission by confirming that the applicant has obtained the designation set forth in Article 3 paragraph (1) of the Act or renewed the designation, or has obtained or renewed the designation or registration set forth in items of the preceding Article) has not been conducted in the examination for the registration and renewal of the registration set forth in item (viii) of the preceding Article within the specified period

Article 22 (Procedure of Application, Etc.)

(1) Application, etc. to the competent minister under the provisions of the Act or this Ordinance shall be made by submitting one original application document to the Minister for Internal Affairs and Communications with regard to an application pertaining to Article 13 item (i) of the Order, by submitting one original application document and a duplicate of it to either of the Minister for Internal Affairs and Communications or the Minister of Economy, Trade and Industry with regard to an application pertaining to Article 13 item (ii) of the Order, or by submitting one original application document to the Minister of Economy, Trade and Industry with regard to an application pertaining to Article 13 item (iii) of the Order.

(2) A revenue stamp corresponding to the fee shall be affixed to the written application set forth in Article 2 paragraph (1), Article 5 and Article 7.

Supplementary Provisions

This Ordinance shall come into effect as from the date on which the Act comes into effect.

Supplementary Provisions (MIC/METI Ordinance No. 4 – July 26, 2002)

This Ordinance shall come into effect as from the date on which the Act for Partial Revision of the Act for Implementation of the Mutual Recognition between Japan and the European Community in Relation to Conformity Assessment of Specified Equipment comes into effect.

Supplementary Provisions (MIC/METI Ordinance No. 1 – January 26, 2004)

This Ordinance shall come into effect as from January 26, 2004.

Supplementary Provisions (MIC/METI Ordinance No. 4 – March 31, 2004)

This Ordinance shall come into effect as from March 31, 2004.

Supplementary Provisions (MIC/METI Ordinance No. 6 – October 1, 2004)

This Ordinance shall come into effect as from the day of promulgation.

Supplementary Provisions (MIC/METI Ordinance No. 1 – March 7, 2005)

This Ordinance shall come into effect as from the date on which the Act on Development, Etc. of Related Acts upon the Enforcement of Real Estate Registration Act comes into effect (March 7, 2005).

Supplementary Provisions (MIC/METI Ordinance No. 3 – April 1, 2005)

This Ordinance shall come into effect as from the day of promulgation.

Supplementary Provisions (MIC/METI Ordinance No. 4 – July 1, 2005)

This Ordinance shall come into effect as from the day of promulgation.

Supplementary Provisions (MIC/METI Ordinance No. 5 – September 30, 2005)

This Ordinance shall come into effect as from October 1, 2005.

Supplementary Provisions (MIC/METI Ordinance No. 5 – November 9, 2006)

This Ordinance shall come into effect as from the day of promulgation.

Supplementary Provisions (MIC/METI Ordinance No. 3 – November 16, 2007)
(Excerpts)

Article 1 (Effective Date)

This Ordinance shall come into effect as from the date on which the Act for Partial Revision of the Act for Implementation of the Mutual Recognition between Japan and the European Community and the Republic of Singapore in Relation to Conformity Assessment of Specified Equipment (Act No. 92 of 2007) comes into effect (November 20, 2007); provided, however, that the provision of Article 2 shall come into effect as from the date on which the Agreement on Mutual Recognition of Results of Conformity Assessment Procedures between Japan and the United States of America enters into force.

Appended Table (Re: Article 18)

Category of Overseas Conformity Assessment Business	Limited Scope of Activities	Fees to Be Paid	Fees to Be Paid in the Case of Electronic Applications
1. Designation for overseas conformity assessment business	(a) Activities for Annex III or Annex IV	Per application 1,304,900 yen	Per application 1,304,000 yen
	(b) Activities for	691,400 yen	690,500 yen

pertaining to Article 2 item (i) of the Order	Annex V		
2. Renewal of the designation for overseas conformity assessment business pertaining to Article 2 item (i) of the Order	(a) Activities for Annex III or Annex IV (b) Activities for Annex V	Per application 1,290,200 yen 676,600 yen	Per application 1,289,300 yen 675,800 yen
3. Approval for a change related to overseas conformity assessment business pertaining to Article 2 item (i) of the Order	(a) Activities for Annex III or Annex IV (b) Activities for Annex V	Per application 541,400 yen 313,500 yen	Per application 540,500 yen 312,600 yen
4. Designation for overseas conformity assessment business pertaining to Article 2 item (viii) of the Order	(a) Activities for parts excluding Part 68, etc. (b) Activities for Part 68	Per application 2,948,700 yen 608,500 yen	Per application 2,947,900 yen 607,700 yen
5. Renewal of the designation for overseas conformity assessment business pertaining to Article 2 item (viii) of the Order	(a) Activities for parts excluding Part 68, etc. (b) Activities for Part 68	Per application 2,934,000 yen 593,800 yen	Per application 2,933,100 yen 592,900 yen
6. Approval for a change related to overseas	(a) Activities for parts excluding	Per application 1,158,100 yen	Per application 1,157,200 yen

conformity assessment business pertaining to Article 2 item (viii) of the Order	Part 68, etc. (b) Activities for Part 68	288,300 yen	287,500 yen
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Form 1–Form 9 (omitted)