

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)

The Cabinet hereby enacts this Cabinet Order pursuant to the provisions of Article 6 paragraph (1), Article 19 paragraph (1) and Article 40 paragraph (1), paragraph (2) and paragraph (4) 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).

#### Article 1 (Mutual Recognition Agreements)

The international agreements as specified by a Cabinet Order set forth in Article 2 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 (hereinafter referred to as “the Act”) shall be as follows:

(i) Agreement on Mutual Recognition between Japan and the European Community (hereinafter referred to as “the J-EC Agreement”)

(ii) Agreement between Japan and the Republic of Singapore for a New-Age Economic Partnership (hereinafter referred to as “the J-S Agreement”)

(iii) Agreement on Mutual Recognition of Results of Conformity Assessment Procedures between Japan and the United States of America (hereinafter referred to as “the J-US Agreement”)

#### Article 2 (Category of Overseas Conformity Assessment Business)

The category of overseas conformity assessment business as specified by a Cabinet Order set forth in Article 3 paragraph (1) of the Act shall be the category of overseas conformity assessment business conducted for the specified equipment for export prescribed in the following items in respect of the technical requirements set out in the applicable laws and regulations (applicable laws and regulations prescribed in Article 2 paragraph (1) of the Act; hereinafter the same shall apply in this Article) listed respectively in those items:

(i) 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 Telecommunications Terminal Equipment and Radio Equipment of the J-EC Agreement (hereinafter referred to as “the Sectoral Annex on Telecom Equipment of the J-EC Agreement” in this Article and Article 3): Telecommunications terminal equipment and radio equipment specified by the applicable laws and regulations listed in the left-hand column of the table in Section I of Part B

(ii) 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: Telecommunications terminal equipment and radio equipment

specified by the applicable laws and regulations listed in the left-hand column of the table in Section I of Part B

(iii) 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: Telecommunications terminal equipment and radio equipment specified by the applicable laws and regulations listed in the left-hand column of the table in Section I of Part B

(iv) 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 Electrical Products of the J-EC Agreement (hereinafter referred to as “the Sectoral Annex on Electrical Products of the J-EC Agreement” in this Article and Article 3): Electrical products specified by the applicable laws and regulations listed in the left-hand column of the table in Section I of Part B

(v) 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 Electrical Products of the J-EC Agreement: Electrical products specified by the applicable laws and regulations listed in the left-hand column of the table in Section I of Part B

(vi) Applicable laws and regulations listed in the right-hand column of the table in Section II of Part B of the Sectoral Annex on Telecommunications Terminal Equipment and Radio Equipment in Annex III of the J-S Agreement (referred to as “the Sectoral Annex on Telecom Equipment of the J-S Agreement” in Article 3): Telecommunications terminal equipment and radio equipment specified by the applicable laws and regulations listed in the right-hand column of the table in Section I of Part B

(vii) 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 in Annex III of the J-S Agreement (referred to as “the Sectoral Annex on Electrical Products of the J-S Agreement” in Article 3): Electrical products specified by the applicable laws and regulations listed in the right-hand column of the table in Section I of Part B

(viii) Applicable laws and regulations listed in the left-hand column of the table in Section I of Annex of the J-US Agreement: Telecommunications terminal equipment and radio equipment listed in the left-hand column of the table in Section VI of Annex

### Article 3 (Criteria for Designation)

The criteria for designation as specified by a Cabinet Order set forth in Article 5 paragraph (1) of the Act shall be the criteria for designation prescribed in the following items corresponding to the category of the overseas conformity assessment business listed respectively in those items:

(i) Overseas conformity assessment business pertaining to item (i) of the preceding Article: Criteria for designation listed in item (i) and item (iv) of the left-hand

column of the table in Section IV of Part B of the Sectoral Annex on Telecom Equipment of the J-EC Agreement

(ii) Overseas conformity assessment business pertaining to item (ii) of the preceding Article: Criteria for designation listed in item (ii) and item (iv) of the left-hand column of the table in Section IV of Part B of the Sectoral Annex on Telecom Equipment of the J-EC Agreement

(iii) Overseas conformity assessment business pertaining to item (iii) of the preceding Article: Criteria for designation listed in item (iii) and item (iv) of the left-hand column of the table in Section IV of Part B of the Sectoral Annex on Telecom Equipment of the J-EC Agreement

(iv) Overseas conformity assessment business pertaining to item (iv) of the preceding Article: Criteria for designation listed in item (i) and item (iii) of the left-hand column of the table in Section IV of Part B of the Sectoral Annex on Electrical Products of the J-EC Agreement

(v) Overseas conformity assessment business pertaining to item (v) of the preceding Article: Criteria for designation listed in item (ii) and item (iii) of the left-hand column of the table in Section IV of Part B of the Sectoral Annex on Electrical Products of the J-EC Agreement

(vi) Overseas conformity assessment business pertaining to item (vi) of the preceding Article: Criteria for designation listed in the right-hand column of the table in Section IV of Part B of the Sectoral Annex on Telecom Equipment of the J-S Agreement

(vii) Overseas conformity assessment business pertaining to item (vii) of the preceding Article: Criteria for designation listed in the right-hand column of the table in Section IV of Part B of the Sectoral Annex on Electrical Products of the J-S Agreement

(viii) Overseas conformity assessment business pertaining to item (viii) of the preceding Article: Criteria for designation listed in the right-hand column of the table in Section III of Annex of the J-US Agreement

#### Article 4 (Valid Period of Designation Related to Overseas Conformity Assessment Business)

The period as specified by a Cabinet Order set forth in Article 6 paragraph (1) of the Act shall be as follows:

(i) Four years for the category of overseas conformity assessment business pertaining to Article 2 item (i) through item (v)

(ii) Three years for the category of overseas conformity assessment business pertaining to Article 2 item (vi) and item (vii)

(iii) Two years for the category of overseas conformity assessment business pertaining to Article 2 item (viii)

Article 5 (Valid Period of Designation of Designated Evaluation Bodies)

The period as specified by a Cabinet Order set forth in Article 19 paragraph (1) of the Act shall be five years.

Article 6 (Technical Replacement with Regard to the Application of the Telecommunications Business Act pursuant to the Provision of Article 31 of the Act)

(1) Where the provisions of the Telecommunications Business Act (Act No. 86 of 1984) shall apply pursuant to the provision of Article 31 paragraph (1) of the Act, technical replacement shall be made as listed in the following table:

Provisions of the Telecommunications Business Act to be Technically Replaced	Words to be Replaced	Words to Replace with
Article 54	paragraph (2) of the preceding Article	paragraph (2) of the preceding Article which shall apply with the replacement pursuant to the provision of 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 (hereinafter referred to as “the Mutual Recognition Implementation Act”)
Article 55 paragraph (1)	Article 53 paragraph (2)	Article 53 paragraph (2) which shall apply with the replacement pursuant to the provision of Article 31 paragraph (1) of the Mutual Recognition Implementation Act
Article 166 paragraph (2)	this Act	provisions of this Act which shall apply pursuant to the provision of Article 31 paragraph (1) of the Mutual Recognition Implementation Act
Article 167 paragraph (1)	paragraph (2) of the preceding Article	paragraph (2) of the preceding Article which shall apply with the replacement pursuant to the provision of Article 31 paragraph (1) of the Mutual Recognition Implementation Act

(2) Where the provisions of the Telecommunications Business Act shall apply pursuant to the provision of Article 31 paragraph (2) of the Act, technical replacement shall be made as listed in the following table:

Provisions of the Telecommunications Business Act to be Technically Replaced	Words to be Replaced	Words to Replace with

Article 60 paragraph (1)	Article 58	Article 58 which shall apply pursuant to the provision of Article 31 paragraph (2) 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 61	Article 58	Article 58 which shall apply pursuant to the provision of Article 31 paragraph (2) 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 62 paragraph (3)	Article 60 paragraph (1)	Article 60 paragraph (1) which shall apply with the replacement pursuant to the provision of Article 31 paragraph (2) 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 166 paragraph (3)	...in the same paragraph	in the same paragraph, “this Act” shall be deemed to be replaced with “the provisions of this Act which shall apply pursuant to the provision of Article 31 paragraph (2) 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” for the certified dealer; and...

Article 167 paragraph (4)	“paragraph (2) of the same Article which shall apply mutatis mutandis to paragraph (3) of the preceding Article”	for the certified dealer, “paragraph (2) of the same Article applied mutatis mutandis pursuant to paragraph (3) of the preceding Article, which shall apply with the replacement pursuant to the provision of Article 31 paragraph (2) 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,” and, for the notified supplier, “paragraph (2) of the same Article which shall apply mutatis mutandis to paragraph (3) of the preceding Article”
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Article 7 (Technical Replacement with Regard to the Application of the Telecommunications Business Act pursuant to the Provision of Article 32 of the Act)

Where the provisions of the Telecommunications Business Act shall apply pursuant to the provision of Article 32 of the Act, technical replacement shall be made as listed in the following table:

Provisions of the Telecommunications Business Act to be Technically Replaced	Words to be Replaced	Words to Replace with
Article 55 paragraph (2)	preceding paragraph	preceding paragraph which shall apply with the replacement pursuant to the provision of Article 31 paragraph (1) of the Mutual Recognition Implementation Act
Article 60 paragraph (2) and Article 62 paragraph (4)	preceding paragraph	preceding paragraph which shall apply with the replacement pursuant to the provision of Article 31 paragraph (2) of the Mutual Recognition Implementation Act

<p>Article 69 paragraph (1)</p>	<p>(except terminal equipment deemed as having no mark pursuant to the provision of Article 55 paragraph (1) (including the cases where Article 55 paragraph (1) shall apply mutatis mutandis pursuant to Article 61, the preceding Article, and Article 104 paragraph (4) and paragraph (7))</p>	<p>and other than terminal equipment deemed as having no mark pursuant to the provision of Article 55 paragraph (1) (including the cases where Article 55 paragraph (1) shall apply mutatis mutandis pursuant to Article 61 (including the cases where Article 61 shall apply with the replacement pursuant to the provision of Article 31 paragraph (2) of the Mutual Recognition Implementation Act), the preceding Article, and Article 104 paragraph (4) and paragraph (7), and the cases where Article 55 paragraph (1) shall apply with the replacement pursuant to the provision of Article 31 paragraph (1) of the Mutual Recognition Implementation Act)</p>
<p>Article 166 paragraph (7)</p>	<p>the provisions of paragraph (1), or paragraph (2) (including the cases where paragraph (2) shall apply mutatis mutandis pursuant to paragraph (3) or the preceding paragraph) or paragraph (4) (including the cases where paragraph (4) shall apply mutatis mutandis pursuant to paragraph (5) or the preceding paragraph)</p>	<p>paragraph (2) (including the cases where paragraph (2) shall apply mutatis mutandis pursuant to paragraph (3), which shall apply with the replacement pursuant to the provision of Article 31 paragraph (2) of the Mutual Recognition Implementation Act) which shall apply with the replacement pursuant to the provision of paragraph (1) of the same Article</p>
<p>Article 166 paragraph (8)</p>	<p>the provision of paragraph (1), or paragraph (2) (including the cases where paragraph (2) shall apply mutatis</p>	<p>paragraph (2) (including the cases where paragraph (2) shall apply mutatis mutandis pursuant to paragraph (3), which shall apply with the replacement pursuant to the provision of</p>

	mutandis pursuant to paragraph (3) or paragraph (6)) or paragraph (4) (including the cases where paragraph (4) shall apply mutatis mutandis pursuant to paragraph (5) or paragraph (6))	Article 31 paragraph (2) of the Mutual Recognition Implementation Act) which shall apply with the replacement pursuant to the provision of paragraph (1) of the same Article
Article 167 paragraph (3)	preceding paragraph  paragraph (1)	preceding paragraph which shall apply pursuant to the provision of Article 31 paragraph (1) of the Mutual Recognition Implementation Act paragraph (1) which shall apply with the replacement pursuant to the provision of paragraph (1) of the same Article
Article 168 and Article 171 paragraph (1)	this Act	this Act which shall apply pursuant to the provision of Article 31 of the Mutual Recognition Implementation Act
Article 171 paragraph (2)	preceding paragraph	preceding paragraph which shall apply with the replacement pursuant to the provision of Article 32 of the Mutual Recognition Implementation Act
Article 171 paragraph (3)	paragraph (1)	paragraph (1) which shall apply with the replacement pursuant to the provision of Article 32 of the Mutual Recognition Implementation Act

Article 8 (Technical Replacement with Regard to the Application of the Radio Act pursuant to the Provision of Article 33 of the Act)

(1) Where the provisions of the Radio Act (Act No. 131 of 1950) shall apply pursuant to the provision of Article 33 paragraph (1) of the Act, technical replacement shall be made as listed in the following table:

Provisions of the Radio Act to be Technically Replaced	Words to be Replaced	Words to Replace with

Article 38-20 paragraph (1)	this Act	the provisions of this Act which shall apply pursuant to the provision of 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 (hereinafter referred to as “the Mutual Recognition Implementation Act”)
Article 38-21 paragraph (1)	paragraph (1) of the preceding Article	paragraph (1) of the preceding Article which shall apply with the replacement pursuant to the provision of Article 33 paragraph (1) of the Mutual Recognition Implementation Act
Article 38-22 paragraph (1) and Article 38-23 paragraph (1)	Article 38-7 paragraph (1)	Article 38-7 paragraph (1) which shall apply with the replacement pursuant to the provision of Article 33 paragraph (1) of the Mutual Recognition Implementation Act

(2) Where the provisions of the Radio Act shall apply pursuant to the provision of Article 33 paragraph (2) of the Act, technical replacement shall be made as listed in the following table:

Provisions of the Radio Act to be Technically Replaced	Words to be Replaced	Words to Replace with
Article 38-28 paragraph (1)	Article 38-26	Article 38-26 which shall apply pursuant to the provision of Article 33 paragraph (2) 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 38-29	...in Article 38-20 paragraph (1)  Article 38-26	in Article 38-20 paragraph (1), the term “this Act” shall be deemed to be replaced with “the provisions of this Act which shall apply pursuant to the provision of Article 33 paragraph (2) 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 (hereinafter referred to as “the Mutual Recognition Implementation Act”); and... Article 38-26 which shall apply pursuant to the provision of Article 33 paragraph (2) of the Mutual Recognition Implementation Act
Article 38-30 paragraph (3)	Article 38-28 paragraph (1)	Article 38-28 paragraph (1) which shall apply with the replacement pursuant to the provision of Article 33 paragraph (2) 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 9 (Technical Replacement with Regard to the Application of the Radio Act pursuant to the Provision of Article 34 of the Act)

Where the provisions of the Radio Act shall apply pursuant to the provision of Article 34 of the Act, technical replacement shall be made as listed in the following table:

Provisions of the Radio Act to be Technically Replaced	Words to be Replaced	Words to Replace with
Article 4 item (ii)	Radio equipment... (except radio equipment deemed as having no mark set forth in Article 38-23 paragraph (1) (including the cases where Article 38-23	Radio equipment...and other than radio equipment deemed as having no mark set forth in Article 38-23 paragraph (1) (including the cases where Article 38-23 paragraph (1) shall apply mutatis mutandis pursuant to Article 38-29

	paragraph (1) shall apply mutatis mutandis pursuant to Article 38-29, Article 38-31 paragraph (4) and paragraph (6), and Article 38-38); hereinafter referred to as “radio equipment with conformity mark”)	(including the cases where Article 38-29 shall apply with the replacement pursuant to the provision of Article 33 paragraph (2) of the Mutual Recognition Implementation Act), Article 38-31 paragraph (4) and paragraph (6), and Article 38-38 and the cases where Article 38-23 paragraph (1) shall apply with the replacement pursuant to the provision of Article 33 paragraph (1) of the Mutual Recognition Implementation Act) (hereinafter referred to as “radio equipment with conformity mark”)
Article 38-20 paragraph (2), Article 38-22 paragraph (2), and Article 38-23 paragraph (2)	preceding paragraph	preceding paragraph which shall apply with the replacement pursuant to the provision of Article 33 paragraph (1) of the Mutual Recognition Implementation Act
Article 38-21 paragraph (3)	preceding paragraph  paragraph (1)	preceding paragraph which shall apply pursuant to the provision of Article 33 paragraph (1) of the Mutual Recognition Implementation Act paragraph (1) which shall apply with the replacement pursuant to the provision of paragraph (1) of the same Article
Article 38-28 paragraph (2) and Article 38-30 paragraph (4)	preceding paragraph	preceding paragraph which shall apply with the replacement pursuant to the provision of Article 33 paragraph (2) of the Mutual Recognition Implementation Act
Article 83 paragraph (1)	this Act	this Act (including the cases where this Act shall apply pursuant to the provision of Article 33 of the Mutual Recognition Implementation Act; hereinafter the same shall apply in this Chapter)
Article 83 paragraph (2) and Article 103-2	preceding paragraph	preceding paragraph which shall apply with the replacement

paragraph (18), paragraph (21) and paragraph (23)		pursuant to the provision of Article 34 of the Mutual Recognition Implementation Act
Article 85	Article 83	Article 83 which shall apply with the replacement pursuant to the provision of Article 34 of the Mutual Recognition Implementation Act
Article 86	preceding Article	preceding Article which shall apply with the replacement pursuant to the provision of Article 34 of the Mutual Recognition Implementation Act
Article 93-5	Article 85	Article 85 which shall apply with the replacement pursuant to the provision of Article 34 of the Mutual Recognition Implementation Act
Article 99-2	this Act	this Act (including the cases where this Act shall apply pursuant to the provision of Article 33 of the Mutual Recognition Implementation Act)
Article 103-2 paragraph (17)	paragraph (11)	paragraph (11) which shall apply with the replacement pursuant to the provision of Article 34 of the Mutual Recognition Implementation Act
Article 103-2 paragraph (18)	paragraph (11)	paragraph (11) which shall apply with the replacement pursuant to the provision of the same Article
Article 103-2 paragraph (19)	paragraph (17)	paragraph (17) which shall apply with the replacement pursuant to the provision of Article 34 of the Mutual Recognition Implementation Act
Article 103-2 paragraph (20)	a licensee, etc., a person who has established a specified radio	a person affixing marks

	station not requiring license, etc. or a person affixing marks	
Article 103-2 paragraph (22)	Spectrum User Fee	Spectrum User Fee specified in paragraph (11) which shall apply with the replacement pursuant to the provision of Article 34 of the Mutual Recognition Implementation Act
Article 103-2 paragraph (23)	following paragraph	following paragraph which shall apply with the replacement pursuant to the provision of the same Article
Article 103-2 paragraph (24)	paragraph (22)	paragraph (22) which shall apply with the replacement pursuant to the provision of Article 34 of the Mutual Recognition Implementation Act
Article 103-2 paragraph (25)	paragraph (17) through the preceding paragraph	paragraph (17) through the preceding paragraph which shall apply with the replacement pursuant to the provision of Article 34 of the Mutual Recognition Implementation Act

Article 10 (Fees for the Application for Designation, Etc.)

The fee which a person listed in the items of Article 40 paragraph (1) of the Act shall pay to the Government shall be the amount prescribed in the following items corresponding to the case listed respectively in those items:

(i) Where the competent minister conducts evaluations pursuant to the provision of 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) (hereinafter referred to simply as “evaluation”) in whole by himself: The fee prescribed in the middle column (the fee prescribed in the right-hand column in the case of electronic application (the application to be made pursuant to Article 3 paragraph (1) of the Act on the Use of Information and Communications Technologies for Administrative Procedures, Etc. (Act No. 151 of 2002) by utilizing the electronic data processing system prescribed in the same paragraph; the same shall apply hereinafter)) of Appended Table 1 corresponding to the relevant category

of the application listed in the left-hand column of the same table

(ii) Where the competent minister commissions a designated evaluation body set forth in Article 14 paragraph (1) of the Act to conduct evaluations in whole pursuant to the provision of the same paragraph, and where the competent minister commissions the Incorporated Administrative Agency called the National Institute of Technology and Evaluation (hereinafter referred to as “NITE”) to conduct evaluations in whole pursuant to the provision of Article 36 paragraph (1) of the Act: The fee prescribed in the following item (a) through item (c) corresponding to the category of persons listed respectively in those items:

(a) Any person who intends to obtain the designation set forth in Article 3 paragraph (1) of the Act: 51,600 yen (51,200 yen in the case of electronic application)

(b) Any person who intends to renew the designation set forth in Article 6 paragraph (1) of the Act: 36,900 yen (36,500 yen in the case of electronic application)

(c) Any person who intends to obtain approval for a change set forth in Article 7 paragraph (1) of the Act: 51,600 yen (51,200 yen in the case of electronic application)

(iii) In cases other than the cases listed in the preceding two items: The fee specified separately by a Cabinet Order

#### Article 11 (Fees for the Evaluation by NITE)

The fee which a person who intends to undergo an evaluation conducted by NITE shall pay to NITE pursuant to the provision of Article 40 paragraph (2) of the Act shall be the amount prescribed in the following items corresponding to the case listed respectively in those items.

(i) Where the competent minister commissions NITE to conduct evaluations in whole: The fee listed in Appended Table 2

(ii) In cases other than the case listed in the preceding item: The fee specified separately by a Cabinet Order

#### Article 12 (Approval of Fees for the Evaluation to Be Conducted by Designated Evaluation Bodies)

(1) A designated evaluation body which intends to obtain approval pursuant to the provision of Article 40 paragraph (4) of the Act shall file with the competent minister a written application describing the matters concerning the fee to be approved and the cost necessary for conducting evaluations as specified by the applicable ministerial ordinance. The same shall apply where a designated evaluation body intends to obtain approval for a change in the fee.

(2) The competent minister shall not grant approval set forth in the preceding paragraph unless he deems that the application satisfies all of the following items:

(i) The fee shall not exceed the cost necessary for conducting the appropriate evaluations.

(ii) The fee shall not unduly discriminate against specific persons.

#### Article 13 (Competent Ministers)

Competent ministers as specified by a Cabinet Order set forth in Article 44 paragraph (1) of the Act shall be as follows:

(i) The Minister for Internal Affairs and Communications in respect of matters regarding overseas conformity assessment business pertaining to Article 2 item (i), item (vi) and item (viii)

(ii) The Minister for Internal Affairs and Communications and the Minister of Economy, Trade and Industry in respect of matters regarding overseas conformity assessment business pertaining to Article 2 item (ii) and item (iii)

(iii) The Minister of Economy, Trade and Industry in respect of matters regarding overseas conformity assessment business pertaining to Article 2 item (iv), item (v) and item (vii)

#### Supplementary Provisions

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

#### Supplementary Provisions (Cabinet Order No. 264 – July 26, 2002)

This Cabinet Order 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 (Cabinet Order No. 57 – March 24, 2004) (Excerpts)

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

#### Supplementary Provisions (Cabinet Order No. 272 – September 15, 2004) (Excerpts)

#### Article 1 (Effective Date)

This Cabinet Order shall come into effect as from October 1, 2004.

#### Supplementary Provisions (Cabinet Order No. 337 – November 16, 2007) (Excerpts)

#### Article 1 (Effective Date)

This Cabinet Order 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; referred to as “the Revision Act” in the following Article) 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.

#### Article 2 (Transitional Measures)

The designation, related procedures and other necessary actions pursuant to the provision of Article 14 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 revised by the Revision Act (hereinafter referred to as “the new Act”) concerning the mutual recognition agreement prescribed in Article 1 item (iii) of 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 revised by the provision of Article 2 may be conducted according to the provisions of Article 15 through Article 17, Article 18 paragraph (1), Article 23 paragraph (1) and paragraph (2) and Article 40 paragraph (4) (limited to the part concerning approval of fees) of the new Act even if prior to the enforcement of the provision of Article 2.

Appended Table 1 (Re: Article 10)

Category of Application	Fees to Be Paid	Fees to Be Paid in the Case of Electronic Application
(i) Any person who intends to obtain the designation set forth in Article 3 paragraph (1) of the Act	Per application	Per application
(a) Designation for the overseas conformity assessment business pertaining to Article 2 item (i) (hereinafter referred to as “Item (i) Business”)	1,685,900 yen	1,685,000 yen
(b) Designation for the overseas conformity assessment business pertaining to Article 2 item (ii) (hereinafter referred to as “Item (ii) Business”)	989,500 yen	988,600 yen
(c) Designation for the overseas conformity assessment business pertaining to Article 2 item (iii) (hereinafter referred to as “Item (iii) Business”)	459,400 yen	458,600 yen
(d) Designation for the overseas conformity assessment	989,500 yen	988,600 yen

business pertaining to Article 2 item (iv) (hereinafter referred to as “Item (iv) Business”)		
(e) Designation for the overseas conformity assessment business pertaining to Article 2 item (v) (hereinafter referred to as “Item (v) Business”)	459,400 yen	458,600 yen
(f) Designation for the overseas conformity assessment business pertaining to Article 2 item (vi) (hereinafter referred to as “Item (vi) Business”)	1,239,300 yen	1,238,400 yen
(g) Designation for the overseas conformity assessment business pertaining to Article 2 item (vii) (hereinafter referred to as “Item (vii) Business”)	989,500 yen	988,600 yen
(h) Designation for the overseas conformity assessment business pertaining to Article 2 item (viii) (hereinafter referred to as “Item (viii) Business”)	3,211,200 yen	3,210,300 yen
(ii) Any person who intends to renew the designation set forth in Article 6 paragraph (1) of the Act	Per application	Per application
(a) Renewal of the designation for the Item (i) Business	1,671,200 yen	1,670,300 yen
(b) Renewal of the designation for the Item (ii) Business	974,800 yen	973,900 yen
(c) Renewal of the designation for the Item (iii) Business	444,700 yen	443,800 yen
(d) Renewal of the designation for the Item (iv) Business	974,800 yen	973,900 yen
(e) Renewal of the designation for the Item (v) Business	444,700 yen	443,800 yen
(f) Renewal of the designation for the Item (vi) Business	1,224,600 yen	1,223,700 yen
(g) Renewal of the designation for the Item (vii) Business	974,800 yen	973,900 yen
(h) Renewal of the designation for the Item (viii) Business	3,196,400 yen	3,195,600 yen

(iii) Any person who intends to obtain approval for a change set forth in Article 7 paragraph (1) of the Act	Per application	Per application
(a) Approval for a change related to the Item (i) Business	702,200 yen	701,300 yen
(b) Approval for a change related to the Item (ii) Business	431,900 yen	431,000 yen
(c) Approval for a change related to the Item (iii) Business	235,700 yen	234,800 yen
(d) Approval for a change related to the Item (iv) Business	431,900 yen	431,000 yen
(e) Approval for a change related to the Item (v) Business	235,700 yen	234,800 yen
(f) Approval for a change related to the Item (vi) Business	516,300 yen	515,400 yen
(g) Approval for a change related to the Item (vii) Business	431,900 yen	431,000 yen
(h) Approval for a change related to the Item (viii) Business	1,258,600 yen	1,257,800 yen
Remarks		
<p>1. Notwithstanding the fee set forth in (i)-(a) above, when any person intends to obtain the designation set forth in Article 3 paragraph (1) of the Act for the Item (i) Business by limiting the scope of the activities as specified by the applicable ministerial ordinance pursuant to the provision of Article 3 paragraph (2) of the Act, the fee to be paid by such person shall be the amount within the range not exceeding the amount set forth in (i)-(a) above as specified by the applicable ministerial ordinance in consideration of the actual cost.</p> <p>2. Notwithstanding the fee set forth in (ii)-(a) above, when any person who has obtained the designation set forth in Article 3 paragraph (1) of the Act by limiting the scope of the activities as specified by the applicable ministerial ordinance pursuant to the provision of Article 3 paragraph (2) of the Act intends to renew the designation set forth in Article 6 paragraph (1) of the Act for the Item (i) Business, the fee to be paid by such person shall be the amount within the range not exceeding the amount set forth in (ii)-(a) above as specified by the applicable ministerial ordinance in consideration of the actual cost.</p> <p>3. Notwithstanding the fee set forth in (iii)-(a) above, when any person who has obtained the designation set forth in Article 3 paragraph (1) of the Act by</p>		

limiting the scope of the activities as specified by the applicable ministerial ordinance pursuant to the provision of Article 3 paragraph (2) of the Act intends to obtain approval for a change set forth in Article 7 paragraph (1) of the Act for the Item (i) Business, the fee to be paid by such person shall be the amount within the range not exceeding the amount set forth in (iii)-(a) above as specified by the applicable ministerial ordinance in consideration of the actual cost.

4. Notwithstanding the fee set forth in (i)-(h) above, when any person intends to obtain the designation set forth in Article 3 paragraph (1) of the Act for the Item (viii) Business by limiting the scope of the activities as specified by the applicable ministerial ordinance pursuant to the provision of Article 3 paragraph (2) of the Act, the fee to be paid by such person shall be the amount within the range not exceeding the amount set forth in (i)-(h) above as specified by the applicable ministerial ordinance in consideration of the actual cost.

5. Notwithstanding the fee set forth in (ii)-(h) above, when any person who has obtained the designation set forth in Article 3 paragraph (1) of the Act by limiting the scope of the activities as specified by the applicable ministerial ordinance pursuant to the provision of Article 3 paragraph (2) of the Act intends to renew the designation set forth in Article 6 paragraph (1) of the Act for the Item (viii) Business, the fee to be paid by such person shall be the amount within the range not exceeding the amount set forth in (ii)-(h) above as specified by the applicable ministerial ordinance in consideration of the actual cost.

6. Notwithstanding the fee set forth in (iii)-(h) above, when any person who has obtained the designation set forth in Article 3 paragraph (1) of the Act by limiting the scope of the activities as specified by the applicable ministerial ordinance pursuant to the provision of Article 3 paragraph (2) of the Act intends to obtain approval for a change set forth in Article 7 paragraph (1) of the Act for the Item (viii) Business, the fee to be paid by such person shall be the amount within the range not exceeding the amount set forth in (iii) -(h) above as specified by the applicable ministerial ordinance in consideration of the actual cost.

7. When any person who intends to obtain the designation set forth in Article 3 paragraph (1) or renew the designation (hereinafter referred to as “designation, etc.”) for the Item (ii) Business intends to obtain the designation, etc. for any other overseas conformity assessment business at the same time, the fee to be paid by such person for the designation, etc. for the Item (ii) Business shall be the amount set forth in (i)-(b) or (ii)-(b) above minus 148,800 yen. When such person intends to obtain the designation, etc. for the Item (ii) Business as well as the designation, etc. for the Item (iv) Business at the same time, the fee to be paid by such person shall be the amount set forth in (i)-(b) or (ii)-(b) above minus 474,900 yen.

8. When any person who intends to obtain the designation, etc. for the Item (iii) Business intends to obtain the designation, etc. for any other overseas conformity assessment business (excluding the Item (ii) Business) at the same time, the fee to be paid by such person for the designation, etc. for the Item (iii) Business shall be the amount set forth in (i)-(c) or (ii)-(c) above minus 148,800 yen. When such person intends to obtain the designation, etc. for the Item (iii) Business as well as the designation, etc. for the Item (v) Business at the same time, the fee to be paid by such person shall be the amount set forth in (i)-(c) or (ii)-(c) above minus 244,600 yen.

9. When any person who intends to obtain the designation, etc. for one of the businesses that need to be designated by the Minister for Internal Affairs and Communications (which refers to the Item (i) Business, the Item (vi) Business, or the Item (viii) Business; the same shall apply hereinafter) intends to obtain the designation, etc. for any other business that needs to be designated by the Minister for Internal Affairs and Communications at the same time, the fee to be paid by such person for the designation, etc. for the other business that needs to be designated by the Minister for Internal Affairs and Communications shall be the amount set forth in (i)-(a), (i)-(f) or (i)-(h) or (ii)-(a), (ii)-(f) or (ii)-(h) above minus 148,800 yen.

10. When any person intends to obtain the designation, etc. for one of the businesses that need to be designated by the Minister of Economy, Trade and Industry (which refers to the Item (iv) Business, the Item (v) Business, or the Item (vii) Business; the same shall apply hereinafter) intends to obtain the designation, etc. for any other business that needs to be designated by the Minister of Economy, Trade and Industry at the same time, the fee to be paid by such person for the designation, etc. for the other business that needs to be designated by the Minister of Economy, Trade and Industry shall be the amount set forth in (i)-(d), (i)-(e) or (i)-(g) or (ii)-(d), (ii)-(e) or (ii)-(g) above minus 148,800 yen.

11. When any person who has obtained the designation for any of the overseas conformity assessment businesses pertaining to the items of Article 2 intends to obtain the designation, etc. for any other overseas conformity assessment business (limited to the case where designation, etc. pertaining to the designated overseas conformity assessment business was granted within the period as specified by Article 4 pertaining to the other overseas conformity assessment business before the application for the designation of the other overseas conformity assessment business, and the person has paid the amount prescribed in (i) or (ii) above (where any of Remark 1 through Remark 10 applies to the person, the amount prescribed in the applicable remark) or the amount prescribed in (i) of Appended Table 2 (where Remark 1 of the same table applies to the person, the amount prescribed in Remark 1 of the same table) and

submitted an application with documents certifying that he has been designated as specified by the applicable ministerial ordinance attached thereto), the fee to be paid by such person for the designation, etc. shall be the amount set forth in (i) or (ii) minus 148, 800 yen. When a person who has obtained the designation for the Item (iv) Business intends to obtain the designation, etc. for the Item (ii) Business, or when a person who has obtained the designation for the Item (ii) Business intends to obtain the designation, etc. for the Item (iv) Business, the fee to be paid by such person for the designation, etc. shall be the amount set forth in (i)-(b) or (ii)-(b), or (i)-(d) or (ii)-(d) above minus 474,900 yen. When a person who has obtained the designation for the Item (v) Business intends to obtain the designation, etc. for the Item (iii) Business, or when a person who has obtained the designation for the Item (iii) Business intends to obtain the designation, etc. for the Item (v) Business, the fee to be paid by such person for the designation, etc. shall be the amount set forth in (i)-(c) or (ii)-(c), or (i)-(e) or (ii)-(e) above minus 244,600 yen.

12. When any person submits an application for the designation, etc. for the overseas conformity assessment business pertaining to the items of Article 2 with documents certifying that he has been designated or registered pursuant to laws and regulations as specified by the applicable ministerial ordinance attached thereto (limited to the case specified by the applicable ministerial ordinance where the criteria for the designation or registration are the criteria for designation specified by the applicable ministerial ordinance prescribed in Article 5 paragraph (1) of the Act), the fee to be paid by such person shall be the amount set forth in (i) or (ii) above minus 148, 800 yen.

Appended Table 2 (Re: Article 11)

Category of Application	Fees to be Paid
(i) Any person who intends to obtain or renew the designation set forth in Article 3 paragraph (1) of the Act	Per application
(a) Designation or renewal of the designation for the Item (iv) Business	946,500 yen
(b) Designation or renewal of the designation for the Item (v) Business	417,000 yen
(c) Designation or renewal of the designation for the Item (vii) Business	946,500 yen
(ii) Any person who intends to obtain approval for a change set forth in Article 7 paragraph (1) of the Act	Per application
(a) Approval for a change for the Item (iv) Business	382,700 yen

(ii) Any person who intends to obtain approval for a change set forth in Article 7 paragraph (1) of the Act (a) Approval for a change for the Item (iv) Business (b) Approval for a change for the Item (v) Business (c) Approval for a change for the Item (vii) Business	Per application  382,700 yen  194,000 yen  382,700 yen
Remarks 1. When any person who intends to obtain the designation, etc. for one of the businesses that need to be designated by the Minister of Economy, Trade and Industry intends to obtain the designation, etc. for any other business that needs to be designated by the Minister of Economy, Trade and Industry at the same time, the fee to be paid by such person for the evaluation for the other designation, etc. shall be the amount set forth in (i)-(a) through (i)-(c) above minus 151,800 yen, per application. 2. When any person who has obtained the designation for any of the overseas conformity assessment businesses pertaining to the items of Article 2 intends to obtain the designation, etc. for any other overseas conformity assessment business (limited to the business which needs to be designated by the Minister of Economy, Trade and Industry) (limited to the case where designation, etc. pertaining to the designated overseas conformity assessment business was granted within the period as specified by Article 4 pertaining to other overseas conformity assessment business before the application for the designation, etc. of the other overseas conformity assessment business, and the person has paid the amount prescribed in (i) (where Remark 1 applies to the person, the amount prescribed in Remark 1) or the amount prescribed in (i) or (ii) of Appended Table 1 (where any of Remark 1 through Remark 10 of the same table applies to the person, the amount prescribed in the applicable remark of the same table) and submitted an application with documents certifying that he has been designated as specified by the applicable ministerial ordinance attached thereto), the fee to be paid by such person for the evaluation for the designation, etc. shall be the amount set forth in (i)-(a) through (i)-(c) above minus 151,800 yen. 3. When any person submits an application for the designation, etc. for a business that needs to be designated by the Minister of Economy, Trade and Industry with documents certifying that he has been designated or registered pursuant to laws and regulations as specified by the applicable ministerial ordinance attached thereto (limited to the case specified by the applicable ministerial ordinance where the criteria for the designation or registration are the criteria for designation specified by the applicable ministerial ordinance prescribed in Article 5 paragraph (1) of the Act), the fee to be paid by such person for the evaluation for the designation, etc. shall be the amount set forth	

respectively in (i) above minus 151, 800 yen.