

この特定機器に係る適合性評価の欧州共同体及びシンガポール共和国との相互承認の実施に関する法律の翻訳は、平成十六年五月十九日法律第四十七号までの改正（平成16年10月1日施行）について作成したものです。

この法律は、「相互承認に関する日本国と欧州共同体との間の協定」及び「新たな時代における経済上の連携に関する日本国とシンガポール共和国との間の協定」に基づき制定されたものであり、これらの協定と一体をなすものです。そのため、翻訳の際に使用する単語や表現については、上記協定に従っており、「法令用語日英標準対訳辞書」（平成18年3月版）に準拠している訳ではありません。このため、「法律」を「Act」ではなく「Law」と翻訳しています。

なお、この法令の翻訳は公定訳ではありません。法的効力を有するのは日本語の法令自体であり、翻訳はあくまでその理解を助けるための参考資料です。この翻訳の利用に伴って発生した問題について、一切の責任を負いかねますので、法律上の問題に関しては、官報に掲載された日本語の法令を参照してください。

今後、本法令の改正が検討されておりますので、改正後の英訳については「法令用語日英標準対訳辞書」に準拠させる方向で検討しております。

This English translation of the Law 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 has been prepared up to the revisions of Act No. 47 of 2004 (Effective October 1, 2004).

This Act has been enacted in accordance with the provisions of the "Agreement on Mutual Recognition between Japan and the European Community" and the "Agreement between Japan and the Republic of Singapore for a New Age Economic Partnership". Thus, the English translation of legal terms and phrases is in compliance with not the Standard Bilingual Dictionary (March 2006 edition) but that of the Agreements. This is the reason that the terms "Law" and "Law 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" are used instead of "Act" and "Act on Implementation of the Mutual Recognition with the European Community and the Republic of Singapore in Relation to Conformity Assessment of Specified Equipment".

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In case where the Act is amended, the Government of Japan will consider to translate it in compliance with a revised Standard Bilingual Dictionary.

Law 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

(Law No. 111 of July 1, 2001)

(as amended last by Law No. 47 of May 19, 2004)

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Chapter I General Provisions

Article 1 (Purpose)

The purpose of this Law is to facilitate the import and export of specified equipment between Japan and the European Community and the Republic of Singapore by setting forth the necessary matters for the conduct of overseas conformity assessment business, making provisions for exceptions under the Telecommunications Business Law (Law No. 86, 1984), Radio Law (Law No. 131, 1950) and Electrical Appliance and Material Safety Law (Law No. 234, 1961), and taking other steps to ensure the proper implementation of the Agreement on Mutual Recognition between Japan and the European Community (hereinafter referred to as "the J-EC Agreement") and to ensure the proper implementation of the Agreement between Japan and the Republic of Singapore for a New-Age Economic Partnership (hereinafter referred to as "the J-S Agreement").

Article 2 (Definitions)

- (1) The term "specified equipment" as used in this Law means specified export equipment and specified import equipment.
- (2) The term "specified export equipment" as used in this Law means the equipment and products set forth below:
 - (i) Telecommunications terminal equipment and radio equipment stipulated in the laws, regulations and administrative provisions stated in the left-hand column of the table in Section I 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").
 - (ii) Electrical products stipulated in the laws, regulations and administrative provisions stated in the left-hand column of the table in Section I 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").

- (iii) Telecommunications terminal equipment and radio equipment stipulated in the laws, regulations and administrative provisions stated in the right-hand column of the table in Section I of Part B of the Sectoral Annex on Telecommunications Terminal Equipment and Radio Equipment in Annex III of the Agreement between Japan and the Republic of Singapore (hereinafter referred to as "the Sectoral Annex on Telecom Equipment of the J-S Agreement").
 - (iv) Electrical products stipulated in the laws, regulations and administrative provisions stated in the right-hand column of the table in Section I of Part B of the Sectoral Annex on Electrical Products in Annex III of the Agreement between Japan and the Republic of Singapore (hereinafter referred to as "the Sectoral Annex on Electrical Products of the J-S Agreement").
- (3) The term "specified import equipment" as used in this Law means the equipment and products set forth below:
- (i) Terminal equipment (terminal equipment as stipulated in Article 50 paragraph (1) of the Telecommunications Business Law; the same shall apply in Article 31).
 - (ii) Specified radio equipment (specified radio equipment as stipulated in Article 38-2 paragraph (1) of the Radio Law; the same shall apply in Article 33 paragraph (1) and (3)).
 - (iii) Specified electrical appliances and materials (specified electrical appliances and materials as stipulated in Article 2 paragraph (2) of the Electrical Appliance and Material Safety Law; the same shall apply in Article 35).
- (4) The term "conformity assessment" as used in this Law means the conduct of any of the conformity assessment procedures stipulated in Article 1 paragraph (1) sub-paragraph (a) of the J-EC Agreement or in Article 45 paragraph (1) sub-paragraph (a) of the J-S Agreement to determine whether specified equipment fulfils the necessary technical requirements set out in the applicable laws and regulations of Japan and the applicable laws and regulations, etc. (which refer to applicable laws, regulations and administrative provisions; the same shall apply to each of the items of paragraph (8)) of the European Community or the Republic of Singapore.
- (5) The term "conformity assessment body" as used in this Law means a conformity assessment body stipulated in Article 1 paragraph (1) sub-paragraph (b) of the J-EC Agreement or in Article 45 paragraph (1) sub-paragraph (b) of the J-S Agreement.
- (6) The term "J-EC Joint Committee" as used in this Law means the Joint

- Committee stipulated in Article 8 paragraph (1) of the J-EC Agreement, and the term "J-S Joint Committee" as used in this Law means the Joint Committee on Mutual Recognition stipulated in Article 52 paragraph (1) of the J-S Agreement.
- (7) The term "registration" as used in this Law means the registration of a conformity assessment body pursuant to the provisions of Article 9 paragraph (1) of the J-EC Agreement or the provisions of Article 53 paragraph (1) of the J-S Agreement.
- (8) The term "overseas conformity assessment business" as used in this Law means the business of conformity assessment of the specified export equipment set forth in each of the following items in respect of the technical requirements stipulated in the applicable laws and regulations, etc. stated in the respective items
- (i) Applicable laws and regulations, etc. stated 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 specified export equipment listed in paragraph (2) item (i) of this Article
 - (ii) Applicable laws and regulations, etc. stated 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 specified export equipment listed in paragraph (2) item (i) of this Article
 - (iii) Applicable laws and regulations, etc. stated 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 specified export equipment listed in paragraph (2) item (i) of this Article
 - (iv) Applicable laws and regulations, etc. stated in item (i) of the left-hand column of the table in Section II of Part B of the Sectoral Annex on Electrical Equipment of the J-EC Agreement specified export equipment listed in paragraph (2) item (ii) of this Article
 - (v) Applicable laws and regulations, etc. stated in item (ii) of the left-hand column of the table in Section II of Part B of the Sectoral Annex on Electrical Equipment of the J-EC Agreement specified export equipment listed in paragraph (2) item (ii) of this Article
 - (vi) Applicable laws and regulations, etc. stated 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 specified export equipment listed in paragraph (2) item (iii) of this Article
 - (vii) Applicable laws and regulations, etc. stated in the right-hand column of the table in Section II of Part B of the Sectoral Annex on Electrical Equipment of the J-S Agreement specified export equipment listed in paragraph (2) item (iv) of this Article

Chapter II Designation of Conformity Assessment Bodies

Article 3 (Designation)

- (1) Any person who intends to engage in overseas conformity assessment business can be designated by the competent minister according to the category of overseas conformity assessment business (category of overseas conformity assessment business relating to each of the items of Article 2 paragraph (8)).
- (2) The designation specified in paragraph (1) can be limited in respect of the type of specified export equipment or scope of conformity assessment activities.
- (3) Any person who intends to be designated pursuant to paragraph (1) must, in accordance with the applicable ministerial ordinance, file with the competent minister an application describing the following matters and other documents specified by the applicable ministerial ordinance:
 - (i) Name and address of the applicant and in the case of a juridical person, the names and addresses of the representative and officers
 - (ii) Category of overseas conformity assessment business
 - (iii) Outline of facilities used for overseas conformity assessment business
 - (iv) Rules and procedures for the conduct of foreign conformity assessment business
 - (v) In the case of a person intending to be designated for activities limited in scope pursuant to the provisions of paragraph (1), the type of specified export equipment and scope of conformity assessment activities
- (4) Upon designation pursuant to paragraph (1), the competent minister shall make public the name and address of the person designated (hereinafter referred to as "designated conformity assessment body") and matters stated in item (ii) and item (v) of paragraph (3), and proceed to the registration of the designated conformity assessment body pursuant to the provisions of Article 9 paragraph (1) and paragraph (2) of the J-EC Agreement or the provisions of Article 53 paragraph (1) and paragraph (2) of the J-S Agreement.

Article 4 (Disqualification Criteria)

The designation specified in Article 3 paragraph (1) shall not be obtained by any persons who fall under any of the following items:

- (i) Any person who contravenes this Law or any dispositions made under this Law and has been sentenced to a fine or severer penalty, if a period of two years has not yet elapsed since the day when the sentence was served or the stay of execution was granted
- (ii) Any person whose designation was withdrawn pursuant to Article 13 paragraph (1), if a period of two years has not yet elapsed since the day of withdrawal

- (iii) Any person who is a juridical person, one or more of whose officers engaged in its activities falls under either of the above mentioned disqualification criteria

Article 5 (Criteria for Designation)

- (1) The competent minister shall not grant designation unless he deems that the applicant satisfies the criteria for designation set forth in the applicable ministerial ordinance in accordance with the criteria for designation specified in each of the following items corresponding to the respective categories of overseas conformity assessment business.
 - (i) Overseas conformity assessment business specified in Article 2 paragraph (8) item (i): Criteria for designation listed in item (i) and item (iv) in 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 specified in Article 2 paragraph (8) item (ii): Criteria for designation listed in item (ii) and item (iv) in 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 specified in Article 2 paragraph (8) item (iii): Criteria for designation listed in item (iii) and item (iv) in 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 specified in Article 2 paragraph (8) item (iv): Criteria for designation listed in item (i) and item (iii) in 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 specified in Article 2 paragraph (8) item (v): Criteria for designation listed in item (ii) and item (iii) in 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 specified in Article 2 paragraph (8) item (vi): 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 specified in Article 2 paragraph (8) item (vii): 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
- (2) In the course of designation of the applicant conformity assessment body specified in Article 3 paragraph (1), the competent minister shall conduct an evaluation of the management system of overseas conformity assessment business

in respect of the application as stipulated by the applicable ministerial ordinance.

Article 6 (Renewal of Designation)

- (1) The designation under Article 3 paragraph (1) must be renewed every year or longer period stipulated by cabinet order, or else lose effect with the elapse of such period.
- (2) The provisions of Article 3 paragraph (3), Article 4 and Article 5 shall apply mutatis mutandis to the renewal of designation pursuant to paragraph (1) of this Article.

Article 7 (Changes of Designated Conformity Assessment Bodies, etc.)

- (1) A designated conformity assessment body which intends to change any of the matters listed in items (iii) through (v) of Article 3 paragraph (3) must first obtain approval from the competent minister; provided that this shall not apply to minor changes as set forth in the applicable ministerial ordinance.
- (2) Any person who seeks approval for a change under paragraph (1) must file with the competent minister an application describing the matters relating to the change and other documents stipulated by the applicable ministerial ordinance.
- (3) The provisions of Article 5 shall apply mutatis mutandis to the approval of changes specified in paragraph (1).
- (4) Any conformity assessment body which changes any of the matters listed in Article 3 paragraph (3) item (i) must notify the competent minister to that effect without delay.
- (5) When a change has been approved pursuant to the provisions of paragraph (1) (insofar as such a change relates to matters listed in Article 3 paragraph (3) item (v)) or notice has been filed pursuant to the provisions of the paragraph (4) (insofar as such notice relates to a change of name or address), the competent minister shall issue a public notice to that effect.

Article 8 (Suspension and Discontinuation of Business)

- (1) A designated conformity assessment body must not suspend or discontinue in whole or in part the designated conformity assessment business without first filing notice to that effect with the competent minister as stipulated by the applicable ministerial ordinance.
- (2) When a notice is filed pursuant to the provisions of the paragraph (1), the competent minister shall issue a public notice to that effect.

Article 9 (Book Keeping and Records Relating to Business)

A designated conformity assessment body must prepare and maintain books and records relating to the designated conformity assessment business as stipulated by

the applicable ministerial ordinance.

Article 10 (Orders Issued to Designated Conformity Assessment Bodies)

The competent minister may issue necessary supervisory orders relating to the designated conformity assessment business to a designated conformity assessment body where deemed necessary to ensure the proper implementation of the J-EC Agreement or the J-S Agreement and this Law.

Article 11 (Issuance of Public Notice of Registration, etc.)

Upon being informed by the J-EC Joint Committee or the J-S Joint Committee regarding any of the following matters pursuant to the provisions of Article 8 paragraph (7) of the J-EC Agreement or the provisions of Article 52 paragraph (6) of the J-S Agreement, the competent minister shall issue a public notice to that effect:

- (i) Registration or termination thereof of a designated conformity assessment body.
- (ii) Suspension of registration or lifting thereof of a designated conformity assessment body.

Article 12 (Issuance of Certificates)

- (1) A designated conformity assessment body which has been designated (except where registration has been suspended or designation has been suspended pursuant to the provisions of Article 13 paragraph (1)) may, in conducting overseas conformity assessment business, issue certificates of conformity with a special mark related to the designated conformity assessment business. Contents of the certificate and details of the special mark to be affixed to the certificate shall be in accordance with the applicable ministerial ordinance.
- (2) No person shall affix the special mark under paragraph (1) or any misleadingly similar mark to a certificate relating to overseas conformity assessment business except where provided for specified in paragraph (1).

Article 13 (Withdrawal of Designation, etc.)

- (1) The competent minister may withdraw or suspend designation when a designated conformity assessment body falls under any of the following items
 - (i) The conformity assessment body falls under either item (i) or item (iii) of Article 4.
 - (ii) The conformity assessment body does not satisfy the criteria for designation stipulated in each of the items of Article 5 paragraph (1) (insofar as such criteria relate to the category of the designated overseas conformity assessment business).

- (iii) The conformity assessment body contravenes the provisions of Article 7 paragraph (1) or paragraph (4), Article 9 or Article 12 paragraph (2).
 - (iv) The conformity assessment body contravenes an order pursuant to the provisions of Article 10.
 - (v) The conformity assessment body has been designated pursuant to Article 3 paragraph (1) or an approval for a change pursuant to Article 7 paragraph (1) has been obtained through dishonest means.
 - (vi) In addition to the matters listed item (i) through item (v), any grounds specified by the applicable ministerial ordinance as grounds for possible hindrance of the faithful implementation of the J-EC Agreement or the J-S Agreement have been found applicable to the conformity assessment body.
- (2) In the event of withdrawal of designation pursuant to the provisions of paragraph (1), the competent minister must issue a public notice to that effect and proceed to the procedures for termination of registration pursuant to the provisions of Article 9 paragraph (4) of the J-EC Agreement or the provisions of Article 53 paragraph (4) of the J-S Agreement in respect of the person whose designation was withdrawn.
- (3) In the event of the suspension of designation or lifting thereof pursuant to the provisions of paragraph (1), the competent minister shall issue a public notice to that effect.

Chapter III Designated Accreditation Bodies

Article 14 (Evaluations by Designated Accreditation Bodies)

- (1) The competent minister may commission a person designated by him (hereinafter referred to as a "designated accreditation body") to conduct evaluations in whole or in part pursuant to the provisions of Article 5 paragraph (2) (including Article 6 paragraph (2) and Article 7 paragraph (3) applied *mutatis mutandis*) (hereinafter referred to simply as "evaluations").
- (2) Where a designated accreditation body is commissioned to conduct evaluations in whole or in part pursuant to the provisions of paragraph (1), the competent minister shall not conduct such evaluations in whole or in part. In such a case, the competent minister must make decision on the designation or renewal of designation stipulated in Article 3 paragraph (1) or approval of a change stipulated in Article 7 paragraph (1) taking into consideration the results of the evaluations of which the competent minister has been reported by the designated accreditation body pursuant to the provisions of paragraph (4).
- (3) Where a designated accreditation body is commissioned to conduct evaluations in whole or in part pursuant to the provisions of paragraph (1), the person intending to be designated under Article 3 paragraph (1), to have the designation renewed

or to obtain an approval for a change under Article 7 paragraph (1) must apply to the designated accreditation body as stipulated by the applicable ministerial ordinance, notwithstanding the provisions of Article 3 paragraph (3) (including Article 6 paragraph (2) applied mutatis mutandis) and Article 7 paragraph (2), in respect of the evaluations conducted by the designated accreditation body.

(4) Where a designated accreditation body conducts an evaluation in respect of an application under paragraph (3), it must report to the competent minister of the results of the evaluation without delay as stipulated by the applicable ministerial ordinance.

Article 15 (Designation)

Designation pursuant to the provisions of Article 14 paragraph (1) (hereinafter referred to as "designation" in this Chapter and Article 36 paragraph (3)) shall be made upon application by a person intending to conduct evaluations as stipulated by the applicable ministerial ordinance.

Article 16 (Disqualification Criteria)

Designation shall not be obtained by any person who falls under any of the following disqualification criteria:

- (i) Any person who contravenes this Law or any dispositions made under this Law and has been sentenced to a fine or severer penalty, if a period of two years has not yet elapsed since the day on which the sentence was served or the stay of execution was suspended.
- (ii) Any person whose designation was withdrawn pursuant to the provisions of Article 27 paragraph (1), if a period of two years has not yet elapsed since the day of withdrawal
- (iii) Any person who is a juridical person, one or more of whose officers engaged in its activities falls under either of the above mentioned disqualification criteria.

Article 17 (Criteria for Designation)

The competent minister shall not grant designation unless he deems that the applicant satisfies all of the following designation criteria:

- (i) The applicant has an adequate financial basis and technical competence to properly and smoothly conduct the evaluation activities.
- (ii) In the case of a juridical person, the applicant's officers and the composition of the constituent members stipulated by the applicable ministerial ordinance corresponding to the type of juridical person do not threaten to impede the fair conduct of evaluations.
- (iii) In addition to the matters stipulated in item (i) and (ii), the applicant satisfies the criteria set forth in the applicable ministerial ordinance so that the

evaluation shall not be conducted unfairly.

- (iv) The designation will not harm the smooth and proper conduct of evaluations in respect of applications.

Article 18 (Issuance of Public Notice of Designation, etc.)

- (1) Where designation is granted, the competent minister shall issue a public notice of the name and address of the designated accreditation body, location of the offices where accreditation activities are performed, and the scope of accreditation (category of overseas conformity assessment business) for which evaluations are conducted by the designated accreditation body.
- (2) A designated accreditation body which intends to change its name or address or the location of offices where evaluation activities are conducted must file notice with the competent minister no later than two weeks prior to the planned date of change.
- (3) Where notice is filed pursuant to the provisions of paragraph (2), the competent minister must issue a public notice to that effect.

Article 19 (Renewal of Designation)

- (1) Designation must be renewed every three years or a longer period stipulated by cabinet order, or else loses effect with the elapse of such period.
- (2) The provisions of Article 15 through Article 17 shall apply mutatis mutandis to the renewal of designation specified in paragraph (1).

Article 20 (Confidentiality, etc.)

- (1) The officers (or persons designated in the case of a designated accreditation body which is not a juridical person; the same shall apply in paragraph (2), Article 46 and Article 49) and staffs of a designated accreditation body and persons who formerly held such positions shall not disclose confidential information which has come to such persons' knowledge in respect of the evaluation activities.
- (2) The officers or staffs of a designated accreditation body employed in evaluation activities shall be deemed to be staffs legally employed in public service for the purpose of application of the Criminal Law (Law No. 45, 1907) and other penal regulations.

Article 21. (Duty of Evaluation)

Where requested to conduct an evaluation, a designated accreditation body must conduct the evaluation without delay except where there exist legitimate reasons not to do so.

Article 22 (Appointment and Dismissal of Officers)

A designated accreditation body must upon the appointment or dismissal of officers file notification to that effect with the competent minister without delay.

Article 23 (Rules and Procedures for Evaluation)

- (1) A designated accreditation body must establish rules and procedures regarding evaluation activities (hereinafter referred to as "rules and procedures for evaluation") and obtain the approval of the competent minister. The same shall apply where a designated accreditation body intends to change such rules and procedures.
- (2) The matters which should be set forth in the rules and procedures for evaluation shall be stipulated by the applicable ministerial ordinance.
- (3) The competent minister may order that the rules and procedures for evaluation approved pursuant to paragraph (1) be changed if deemed inappropriate to the fair conduct of evaluations.

Article 24 (Book Keeping and Records)

A designated accreditation body shall prepare and maintain books and records concerning matters stipulated by the applicable ministerial ordinance in respect of evaluation activities.

Article 25 (Supervisory Orders)

The competent minister may, where deemed necessary to the enforcement of this Law, issue to a designated accreditation body the necessary supervisory orders regarding evaluation activities.

Article 26 (Suspension and Discontinuation of Activities)

- (1) A designated accreditation body shall not suspend or discontinue in whole or in part any evaluation activities without the authorization of the competent minister.
- (2) Where the authorization specified in paragraph (1) is given, the competent minister shall issue a public notice to that effect.

Article 27 (Revocation of Designation, etc.)

- (1) Where a designated accreditation body falls under any of the following items, the competent minister may withdraw its designation or order the suspension in whole or in part of its evaluation activities for a term specified by the competent minister:
 - (i) The accreditation body contravenes the provisions of this Chapter.
 - (ii) The accreditation body falls under either item (i) or item (iii) of Article 16.
 - (iii) The accreditation body no longer satisfies any of items (i) through (iii) of Article 17.
 - (iv) The accreditation body does not conduct its evaluation activities in

accordance with the rules and procedures for evaluation approved pursuant to Article 23 paragraph (1).

(v) The accreditation body infringes an order issued pursuant to the provisions of Article 23 paragraph (3) or Article 25.

(vi) The accreditation body has been designated through dishonest means.

(2) Where the competent minister withdraws designation or orders the suspension in whole or in part of evaluation activities pursuant to the provisions of paragraph (1), the competent minister shall issue a public notice to that effect.

Article 28 (Evaluation Activities by Competent Ministers)

(1) In the event that a designated accreditation body suspends in whole or in part the evaluation activities pursuant to the provisions of Article 26 paragraph (1), a designated accreditation body is ordered to suspend in whole or in part the evaluation activities pursuant to the provisions of Article 27 paragraph (1), or a natural disaster or other cause impede conduct of the evaluation activities by a designated accreditation body, the competent minister shall conduct evaluation activities in whole or in part by himself.

(2) Where the competent minister conducts evaluation activities pursuant to the provisions of paragraph (1) or ceases to conduct evaluation activities thus far conducted by him pursuant to the provisions of the same paragraph, the competent minister shall first issue a public notice to such effect.

(3) Matters regarding the transfer of evaluation activities and other necessary matters, in the event of the conduct of evaluation activities by the competent minister pursuant to the provisions of paragraph (1) and the authorization by the competent minister of the discontinuation of evaluation activities pursuant to the provisions of Article 26 paragraph (1) or the withdrawal of designation stipulated in Article 27 paragraph (1), shall be specified by the applicable ministerial ordinance.

Chapter IV Exceptions under the Telecommunications Business Law, etc.

Section 1 Registered Foreign Conformity Assessment Bodies

Article 29 (Definitions)

The term "registered foreign conformity assessment body" as used in this chapter means a conformity assessment body of the European Community or the Republic of Singapore which has been designated (as stipulated in Article 1 paragraph (1) sub-paragraph (c) of the J-EC Agreement or Article 45 paragraph (1) sub-paragraph (c) of the J-S Agreement; the same shall apply hereinafter in this Article and Article 30) by a Designating Authority of the European Community (as

stipulated in Article 1 paragraph (1) sub-paragraph (d) of the J-EC Agreement) or a Designating Authority of the Republic of Singapore (as stipulated in Article 45 paragraph (1) sub-paragraph (c) of the J-S Agreement and registered (except where such designation or registration has been suspended).

Article 30 (Issuance of Public Notice of Registration, etc.)

- (1) The competent minister, when informed of the following matters by the J-EC Joint Committee or the J-S Joint Committee pursuant to the provisions of Article 8 paragraph (7) of the J-EC Agreement or the provisions of Article 52 paragraph (6) of the J-S Agreement, shall issue a public notice to that effect:
 - (i) Registration or termination of registration of a conformity assessment body of the European Community or the Republic of Singapore
 - (ii) Suspension of registration or lifting of suspension of registration of a conformity assessment body of the European Community or the Republic of Singapore.
- (2) The competent minister, when informed of the suspension of registration or lifting of suspension of designation of a conformity assessment body by the European Community or the Republic of Singapore pursuant to the provisions of Article 6 paragraph (1) or paragraph (2) of the J-EC Agreement or the provisions of Article 50 paragraph (1) or paragraph (2) of the J-S Agreement respectively, shall issue a public notice to that effect.

Section 2 Exceptions under the Telecommunications Business Law

Article 31

- (1) For the purpose of applying the provisions of Article 69 paragraph (1) of the Telecommunications Business Law, the following terminal equipment (excluding that regarded not to have the mark affixed pursuant to the provisions of Article 32 paragraph (1)) shall be regarded as terminal equipment to which the mark has been affixed pursuant to Article 53 paragraph (2) of the same law.
 - (i) Terminal equipment approved as complying with the technical conditions set forth in the applicable Ordinance of the Ministry of Internal Affairs and Communications (MIC) (hereinafter referred to as "the applicable Ordinance of MIC") stipulated in Article 52 paragraph (1) of the Telecommunications Business Law by a registered foreign conformity assessment body (insofar as such body is registered in each of the same categories of business as stipulated in the applicable Ordinance of MIC stipulated in Article 86 paragraph (1) of the same law as a person to approve compliance with the technical conditions set forth in the applicable Ordinance of MIC stipulated in Article 52 paragraph (1) of the same law; the same shall apply hereinafter in this Article) to which the

mark stipulated in the applicable Ordinance of MIC has been affixed by the registered foreign conformity assessment body (provided that such terminal equipment pertains to the category in which the registered conformity assessment body is registered; the same shall apply in the following item) .

- (ii) Terminal equipment based on a type (including the method to verify that each terminal equipment conforms to the type) where such type has been certified as complying with the technical conditions set forth in the applicable Ordinance of MIC stipulated in Article 52 paragraph (1) of the Telecommunications Law by a registered foreign conformity assessment body in response to an application by a foreign dealer specified in Article 62 paragraph (1) of the same law (hereinafter referred to as a "foreign dealer" in this Article) to which the mark stipulated in the applicable Ordinance of MIC has been affixed by the foreign dealer.
- (2) Except where the mark under paragraph (1) item (i) is affixed by a registered conformity assessment body or the mark under paragraph (1) item (ii) is affixed by a foreign dealer which has obtained the certification under the same item, no person shall affix such marks or misleadingly similar marks to terminal equipment in Japan.

Article 32

- (1) Where the terminal equipment, as specified in paragraph (1) of the preceding article, does not comply with the technical conditions set forth in the applicable Ordinance of MIC stipulated in Article 52 paragraph (1) of the Telecommunications Business Law and that the Minister of Internal Affairs and Communications deems it especially necessary in order to prevent occurrence of hindrance to communications by other users who use the telecommunications circuit facilities (transmission line facilities connecting transmitting points with receiving points, switching facilities installed as inseparable units therefrom, and other facilities accessory to such facilities), said terminal equipment shall be regarded not to have the mark, as specified in each item of the same paragraph, affixed.
- (2) Where terminal equipment is regarded not to have the mark affixed pursuant to the provision of preceding paragraph, the Minister of Internal Affairs and Communications shall issue a public notice to that effect.

Section 3 Exceptions under the Radio Law

Article 33

- (1) For the purpose of application of the provisions of Article 4 (insofar as relating to item (ii) and item (iii)), Article 13 paragraph (2), Article 15, Article 27-2 and

Article 27-18 paragraph (1) of the Radio Law, the following specified radio equipment (excluding that regarded as specified radio equipment to which the mark has not been affixed pursuant to the provisions of paragraph (1) of the following article) shall be regarded as specified radio equipment to which the certification mark, as specified in Article 4 item (ii) of the same law, has been affixed.

- (i) Specified radio equipment certified as complying with the technical regulations set forth in Chapter III of the Radio Law by a registered foreign conformity assessment body (insofar as such body is registered in each of the same categories of business listed in Article 38-2 paragraph (1) of the same law as a person to certify that radio equipment complies with the technical regulations set forth in the same chapter of the same law; the same shall apply hereinafter in this article) to which the mark stipulated in the applicable Ordinance of MIC has been affixed by the registered foreign conformity assessment body (provided that such radio equipment pertains to the category in which the registered conformity assessment body is registered; the same shall apply in the following item)
 - (ii) Specified radio equipment based on a construction type (including the method to verify each equipment conforms to the type) where such construction type has been certified as complying with the technical regulations set forth in Chapter III of the Radio Law by a registered foreign conformity assessment body in response to an application by a foreign dealer specified in Article 38-30 paragraph (1) of the same law (hereinafter referred to as a "foreign dealer" in this Article) to which the mark stipulated in the applicable Ordinance of MIC has been affixed by the foreign dealer.
- (2) Except where the mark under paragraph (1) item (i) is affixed by a registered foreign conformity assessment body or the mark under paragraph (1) item (ii) is affixed by a foreign dealer which has obtained the certification specified in item (ii) of the same paragraph, no person shall affix such marks or misleadingly similar marks to radio equipment in Japan.
 - (3) Any person who modifies specified radio equipment bearing the mark affixed by a registered foreign conformity assessment body as stipulated in paragraph (1) item (i) or the mark affixed by a foreign dealer which has obtained certification as under item (ii) of the same paragraph must remove the mark by the method stipulated in the applicable Ordinance of MIC.

Article 34

- (1) Where the specified radio equipment under paragraph (1) of the preceding article does not comply with the technical regulations set forth in Chapter III of the Radio Law and that the Minister of Internal Affairs and Communications

deems it especially necessary in order to prevent occurrence of hindrance to the management of other radio stations, such as interference, as well as risk to human health, said specified radio equipment shall be regarded not to have the marks under each item of the same paragraph affixed.

- (2) Where specified radio equipment has been regarded not to have the mark affixed pursuant to the provision of preceding paragraph, the Minister of Internal Affairs and Communications shall issue a public notice to that effect.

Section 4 Exceptions under the Electrical Appliance and Material Safety Law

Article 35

Where a reporting supplier under Article 4 paragraph (1) of the Electrical Appliance and Material Safety Law keeps any of the certificates described under any of the following items before sale of the specified electrical appliances and materials relating to manufacture or import thereby (except manufactured or imported electrical appliances and materials under the provisions of the proviso to Article 8 paragraph (1) of the same law), the reporting supplier shall be treated as having undergone conformity assessment pursuant to the same paragraph, obtained a certificate pursuant to the same paragraph, and keeping such certificate pursuant to the provisions of the main clause of Article 9 paragraph (1) of the same law.

- (i) Certificate issued to the reporting supplier in respect of the specified electrical appliances and materials (insofar as such specified electrical appliances and materials are of the classification registered; the same shall apply in the following item) by a registered foreign conformity assessment body (insofar as such body is registered in each of the same classifications as stipulated in the Ordinance of the Ministry of Economy, Trade and Industry under Article 29 paragraph (1) of the Electrical Appliance and Material Safety Law as a person to conduct conformity assessment pursuant to Article 9 paragraph (1) of the same law), provided that it certifies conformity in accordance with the technical requirements stipulated in Article 8 paragraph (1) of the same law and/or the requirements for testing facilities and other matters stipulated in the Ordinance of the Ministry of Economy, Trade and Industry noted in Article 9 paragraph (2) of the same law in any of the items in Article 9 paragraph (1) of the same law (hereinafter referred to in this Article as an "international certificate").
- (ii) An international certificate obtained in respect of a specified electrical appliance and material of the same type as the specified electrical appliance and material (insofar as relating to Article 9 paragraph (1) item (ii) of the Electrical Appliance and Material Safety Law), provided that the period

stipulated in the proviso to the same paragraph has not yet passed from the date of issue of the certificate.

- (iii) A certificate stipulated by the Ordinance of the Ministry of Economy, Trade and Industry as equivalent to the international certificate listed in items (i) and (ii).

Chapter V Miscellaneous Provisions

Article 36 (Evaluation Activities by the NITE)

- (1) The competent minister (insofar as the competent minister is the Minister of Economy, Trade and Industry pursuant to the provisions of Article 44 paragraph (1); the same shall apply hereinafter in this article, Article 37 paragraph (4) through paragraph (6) and Article 39), may, if deemed necessary, where evaluation activities are conducted by the minister, commission an independent administrative institution called the National Institute of Technology and Evaluation (hereinafter referred to as "NITE") to conduct in whole or in part such evaluation activities.
- (2) The provisions of Article 14 paragraph (2) through paragraph (4) shall apply mutatis mutandis to the conduct of evaluation activities by the NITE pursuant to the provisions of paragraph (1). In such case, "designated accreditation body" in these provisions shall read "NITE".
- (3) Where the competent minister authorizes the discontinuation of evaluation activities pursuant to the provisions of Article 26 paragraph (1), revokes designation pursuant to the provisions of Article 27 paragraph (1), or conducts evaluation activities in whole or in part by himself pursuant to the provisions of Article 28 paragraph (1), matters regarding the transfer of evaluation activities and other matters necessary in the event that the conduct of evaluation activities is commissioned in whole or in part to the NITE pursuant to the provisions of paragraph (1) shall be specified by applicable ministerial ordinance.
- (4) Where the competent minister decides to commission the NITE to conduct in whole or in part evaluation activities pursuant to the provisions of paragraph (1) or chooses no longer to commission the NITE to conduct in whole or in part evaluation activities thus far conducted by the NITE, the competent minister must issue a public notice to that effect.

Article 37 (On-site Inspection, etc.)

- (1) To the extent necessary to the enforcement of this Law, the competent minister may require a designated conformity assessment body to report on its designated conformity assessment business or delegate ministerial staffs to conduct on-site inspection at the offices or other places of work of the designated conformity

assessment body concerned to check the state of designated conformity assessment business or facilities, books and records and other properties, or to make inquiries of the persons concerned.

- (2) To the extent necessary for the enforcement of this Law, the competent minister may require a designated accreditation body to report on its activities or delegate ministerial staffs to conduct on-site inspection at the offices of the designated accreditation body concerned to check the state of activities or books and records and other properties, or to make inquiries of the persons concerned.
- (3) Any staff who conducts the on-site inspection or makes inquiries pursuant to provisions of paragraph (1) and paragraph (2) shall carry an identification card and present it to the persons concerned.
- (4) Where deemed necessary, the competent minister may commission the NITE to conduct an on-site inspection or make inquiries pursuant to the provisions of paragraph (1) or paragraph (2).
- (5) Where the NITE is commissioned to conduct an on-site inspection or make inquiries pursuant to the provisions of paragraph (4), the competent minister shall inform the NITE the location of the conformity assessment body concerned and other necessary matters to conduct such on-site inspection.
- (6) Where an on-site inspection or inquiry is conducted as provided for by paragraph (4) in accordance with an instruction by the competent minister under paragraph (5), the NITE must report the results thereof to the competent minister.
- (7) Any staff of the NITE who conducts the on-site inspection or inquiry pursuant to the provisions of paragraph (4) must carry an identification card and present it to the persons concerned.
- (8) The powers granted under the provisions of paragraph (1) and paragraph (2) shall not be construed as being invested for the purpose of detecting a crime.

Article 38

Where the J-EC Joint Committee decides to conduct a joint verification pursuant to the provisions of Article 7 paragraph (2) or Article 9 paragraph (1) sub-paragraph (c) of the J-EC Agreement, or where the J-S Joint Committee decides to conduct a joint verification pursuant to the provisions of Article 51 paragraph (2) or Article 53 paragraph (1) sub-paragraph (c) of the J-S Agreement, the competent minister may allow staff of the European Community designated by the J-EC Joint Committee or staff of the Republic of Singapore designated by the J-S Joint Committee to conduct on-site inspection at the offices or other places of work of the designated conformity assessment body concerned and check the state of designated conformity assessment business or facilities, books and records, and other properties, or to make inquiries of the persons concerned in the presence of the staff specified in Article 37 paragraph (1) when an on-site inspection or inquiries are conducted pursuant to the provisions

of Article 37 paragraph (1); provided that this shall not apply without the consent of the person who is the subject of the on-site inspection or inquiries pursuant to the provisions of Article 37 paragraph (1).

Article 39 (Issuance of Orders to the NITE)

Where deemed necessary to the proper conduct of on-site inspection or inquiry activities pursuant to the provisions of Article 37 paragraph (4), the competent minister may issue necessary orders regarding such activities to the NITE.

Article 40 (Fees)

- (1) The following persons must pay to the Government the amount of fees which shall be stipulated by a cabinet order taking into account actual expenses:
 - (i) Any person who intends to obtain or renew the designation under Article 3 paragraph (1)
 - (ii) Any person who intends to obtain approval for a change under Article 7 paragraph (1)
- (2) Any person who intends to undergo an evaluation conducted by the NITE must pay to the NITE an amount of fees which shall be specified by a cabinet order taking into account actual expenses.
- (3) Fees paid to the NITE pursuant to the provisions of paragraph (2) shall be the revenue of the NITE.
- (4) Any person who intends to undergo an evaluation conducted by a designated accreditation body must pay to the designated accreditation body an amount of fees the designated accreditation body determines with the approval of the competent minister as stipulated by a cabinet order.
- (5) Fees paid to a designated accreditation body pursuant to the provisions of paragraph (4) shall be the revenue of the designated accreditation body.

Article 41 (Demand for Examination)

Any person dissatisfied with any disposition or omission of the NITE or a designated accreditation body under the provisions of this Law may file a request with the competent minister for an examination under the Law for Examination Concerning Dissatisfaction with Administration Law (Law No. 160, 1962).

Article 42 (Transitional Measures)

Where any cabinet order or applicable ministerial ordinance is established, amended or abolished under the provisions of this Law, provision may be made for the necessary transitional measures (including transitional measures relating to penal provisions) to the extent deemed reasonably necessary in establishing, amending or abolishing the respective cabinet order or applicable ministerial

ordinance.

Article 43 (Consultation with the Minister of Economy, Trade and Industry)

Where any applicable ministerial ordinance under Article 5 paragraph (1) (insofar as related to items (i) and (vi)) and Article 17 item (iii) is established, amended or abolished, the competent minister must first consult with the Minister of Economy, Trade and Industry.

Article 44 (Competent Ministers, etc.)

(1) The competent minister in Chapter II, Chapter III and this Chapter shall be as follows:

- (i) The Minister of Internal Affairs and Communications in respect of matters regarding overseas conformity assessment business pertaining to Article 2 paragraph (8) item (i) and item (vi).
- (ii) The Minister of 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 paragraph (8) 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 paragraph (8) item (iv), item (v) and item (vii).

(2) The competent minister in Article 30 shall be as follows:

- (i) The Minister of Internal Affairs and Communications in respect of matters regarding conformity assessment bodies of the European Community or the Republic of Singapore subject to the provisions of Chapter IV Sections 2 and 3.
- (ii) The Minister of Economy, Trade and Industry in respect of matters regarding conformity assessment bodies of the European Community or the Republic of Singapore subject to the provisions of Section 4 of Chapter IV.

(3) The applicable ministerial ordinance in Chapters II and III and this Chapter shall be the orders issued by the competent minister stipulated in paragraph (1).

Chapter VI Penal Provisions

Article 45

Any person who discloses any confidential information which has come to such person's possession with respect to such person's duties in contravention of the provisions of Article 20 paragraph (1) shall be sentenced to penal servitude for a term not exceeding one year or to a fine not exceeding one million yen.

Article 46

In the event of contravention of an order to suspend activities pursuant to the provisions of Article 27 paragraph (1), the officers or staffs of the designated accreditation body committing such violation shall be sentenced to penal servitude for a term not exceeding one year or to a fine not exceeding one million yen.

Article 47

Any person who comes under any of the following items shall be sentenced to a fine not exceeding five hundred thousand yen:

- (i) Any person who contravenes the provisions of Article 12 paragraph (2).
- (ii) Any person who contravenes the provisions of Article 31 paragraph (2) or Article 33 paragraph (2) or paragraph (3).

Article 48

Any person who comes under any of the following items shall be sentenced to a fine not exceeding three hundred thousand yen:

- (i) Any person who changes the matters listed items (iii) through (v) of Article 3 paragraph (3) in contravention of the provisions of Article 7 paragraph (1).
- (ii) Any person who fails to prepare or maintain books and records or who prepares false books and records pursuant to the provisions of Article 9.
- (iii) Any person who fails to make a report or makes any false report pursuant to the provisions of Article 37 paragraph (1), or refuses, obstructs or evades any on-site inspection pursuant to the provisions of Article 37 paragraph (1), or fails to answer or gives a false answer to an inquiry pursuant to the provisions of Article 37 paragraph (1).

Article 49

Where a designated accreditation body comes under any of the following items, any officer or staff of such body which commits such violation shall be sentenced to a fine not exceeding three hundred thousand yen:

- (i) Any body which fails to keep or maintain books and records or makes no entry or makes a false entry in contravention the provisions of Article 24.
- (ii) Any body which wholly discontinues evaluation activities in contravention of the provisions of Article 26 paragraph (1).
- (iii) Any body which fails to make a report under the provisions of Article 37 paragraph (2) or makes any false report, or refuses, obstructs or evades on-site inspection under the provisions of Article 37 paragraph (2), or fails to answer or gives a false answer to an inquiry under the provisions of Article 37 paragraph (2).

Article 50

When any representative of a juridical person, or any agent, employee or other operator of a person or juridical person commits a violation referred to in Article 47 or Article 48 in respect of the activities of the juridical person or person concerned, not only the violator shall be punished but also the person or juridical person concerned shall be punished by the fine under the applicable Article.

Article 51

In the event of the contravention of an order pursuant to the provisions of Article 39, the officers of the NITE committing the violation shall be liable to a non-penal fine not exceeding two hundred thousand yen.

Article 52

Any person who fails to file notice or files a false notice pursuant to the provisions of Article 7 paragraph (4) or Article 8 paragraph (1) shall be liable to a non-penal fine not exceeding one hundred thousand yen.

Supplementary Provisions <Excerpts>

Supplementary Provisions (Law No. 111 - July 11, 2001)

Article 1 (Date of Enforcement)

This Law shall come into force from the date on which the Agreement enters effect. However, the provisions of the following articles shall come into force from the date stipulated by cabinet order which shall be issued within six months from the day of promulgation of this Law.

Article 2 (Preparatory Actions)

Designation pursuant to the provisions of Article 14 paragraph (1), related procedures and other necessary action may be conducted according to the provisions of Articles 15 through 17, Article 18 paragraph (1) and Article 23 paragraph (1) and paragraph (2) even if prior to the enforcement of this Law.

Supplementary Provisions (Law No. 31 - April 26, 2002)

Article 1 (Date of Enforcement)

This Law shall come into force from the date on which the Agreement between Japan and the Republic of Singapore for a New-Age Economic Partnership enters effect. However, the provisions of the following articles shall come into force from the date stipulated by cabinet order which shall be issued within six months from the

day of promulgation of this Law.

Article 2 (Preparatory Actions)

Relevant to the overseas conformity assessment business as prescribed in Article 2 paragraph (8) item (vi) and item (vii) of the Law 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 (hereinafter referred to as "the new Law"), the designation pursuant to the provisions of Article 14 paragraph (1) of the new Law, related procedures and other necessary action with regard to the person who conducts the evaluation pursuant to the provisions of Article 5 paragraph (2) of the new Law 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) of the new Law even before enforcement of this Law.

Supplementary Provisions (Law No. 68 - June 6, 2003) (Excerpts) (Law that Partially Amends the Radio Law)

Article 1 (Date of Enforcement)

This Law shall come into force as of the date stipulated in the applicable cabinet order within a period not exceeding nine months from the day of promulgation. However, the provisions listed in each of the following items shall come into force from the day specified in each item.

Article 12 (Transitional Measures in connection with Partial Amendment to the Law 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)

(1) The specified radio equipment stipulated in Article 33 paragraph (1) item (i) of the Law 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 before enforcement of this Law and the amendment stipulated in the provisions in the preceding article (hereinafter referred to as "the old law for implementation of the mutual recognition) shall be regarded as the same as that stipulated in Article 33 paragraph (1) item (i) of the Law 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 posterior to said amendment (hereinafter referred to as "the new law for implementation of the mutual recognition).

(2) The specified radio equipment stipulated in Article 33 paragraph (1) item (ii)

of the old law for implementation of the mutual recognition before enforcement of this Law shall be regarded as the same as that stipulated in Article 33 paragraph (1) item (ii) of the new law of the mutual recognition.

Supplementary Provisions (Law No. 125 - July 24, 2003) (Excerpts)

(Law that Partially Amends the Telecommunications Business Law and the Law concerning Nippon Telegraph and Telephone Corporation, etc.)

Article 1 (Date of Enforcement)

This Law shall come into force as of the date stipulated in the applicable cabinet order within a period not exceeding nine months from the day of promulgation. However, the provisions listed in each of the following items shall come into force from the day stipulated in each item.

Article 43 (Transitional Measures in connection with Partial Amendment to the Law 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)

- (1) The terminal equipment stipulated in Article 31 paragraph (1) item (i) of the Law 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 prior to the amendment stipulated in the provisions of the preceding article (hereinafter referred to as "the old law for implementation of the mutual recognition") shall be regarded as the same as that specified in Article 31 paragraph (1) item (i) of the Law 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 posterior to the amendment stipulated in the provisions of the preceding article (hereinafter referred to as "the new law for implementation of the mutual recognition").
- (2) The terminal equipment stipulated in Article 31 paragraph (1) item (ii) of the old law for implementation of the mutual recognition shall be regarded as the same as that stipulated in Article 31 paragraph (1) item (ii) of the new law for implementation of the mutual recognition.
- (3) When applying the provisions in Article 31 and Article 32 of the new law of implementation of the mutual recognition within the period between the date of implementation of this Law and the previous day; in Article 31 paragraph (1), "Article 69 paragraph (1)" shall be "Article 51 paragraph (1)"; "Article 53 paragraph (2)" shall be "Article 50 paragraph (2)"; "Article 52 paragraph (1)" shall be "Article 49 paragraph (1)"; "Article 86 paragraph (1)" shall be "Article 68

paragraph (1)"; and "Article 62 paragraph (1)" shall be "Article 50-10 paragraph (1)"; in Article 32, "Article 52 paragraph (1)" shall be "Article 49, paragraph (1)."

Supplementary Provisions (Law No. 47 - May 19, 2004) (Excerpts)

(Law that Partially Amends the Radio Law and the Wire Telecommunications Law)

Article 1 (Date of Enforcement)

This Law shall come into force as of the date stipulated in the applicable cabinet order within a period not exceeding three months from the day of promulgation. However, the provisions listed in each of the following items shall come into force from the day stipulated in each item.

- (iii) The provisions of Article 2 (except the amended provision of Article 99-11 paragraph (1) item (i) of the Radio Law) and Supplementary Provisions of Article 6 and Article 8 through Article 12: the date fixed in the applicable cabinet order not exceeding one year from the day of promulgation.