

Act on Prohibition of Chemical Weapons and Control, etc. of Specific Chemicals

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The Act on Prohibition of Chemical Weapons and Control, etc. of Specific Chemicals shall hereby be promulgated.

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Table of Contents

Chapter I General Provisions

Chapter II Prohibition of Manufacture, etc. of Chemical Weapons

Chapter III Control of Manufacture, etc. of Specific Chemicals

Chapter IV Notification of Manufacture of Designated Chemicals

Chapter V Inspection, etc. by International Organization

Chapter VI Miscellaneous Provisions

Chapter VII Penal Provisions

Supplementary Provisions

Chapter I General Provisions

Article 1 (Purpose)

The purpose of this Act, which aims to ensure appropriate implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (hereinafter referred to as the “Chemical Weapons Convention”) and the International Convention for the Suppression of Terrorist Bombings, is to prohibit the manufacture, possession, provision, and acceptance of chemical weapons, control the manufacture and use of specific chemicals, as well as implement other necessary measures.

Article 2 (Definition, etc.)

1. The term “toxic chemicals” as used in this Act shall mean chemicals having such properties as those that can cause death to humans who have inhaled or been in contact with them or cause temporary or lasting harm to the bodily functions of such humans (hereinafter referred to as “toxic properties”), as specified by Cabinet Order in accordance with the provisions of the Chemical Weapons Convention.
2. The term “chemical weapons” as used in this Act shall mean bombshells, rocket bombs, and other weapons specified by Cabinet Order, which are loaded with toxic chemicals or chemicals having similar toxic properties (including those loaded with other chemicals that can cause chemical changes internally and produce toxic chemicals or chemicals having similar toxic properties).
3. The term “specific chemicals” as used in this Act shall mean toxic chemicals and materials from which toxic chemicals are made (hereinafter referred to as “precursors”), which are specified by Cabinet Order as being highly likely to be used for the manufacture of chemical weapons.
4. The term “designated chemicals” as used in this Act shall mean toxic chemicals and their precursors other than specific chemicals, which are designated by Cabinet Order as being highly likely to be used for the manufacture of chemical weapons.
5. The term “first-class designated chemicals” as used in this Act shall mean designated chemicals which are specified by Cabinet Order as being less likely to be used for purposes other than chemical weapons, and the term “second-class designated chemicals” shall mean designated chemicals other than first-class designated chemicals.
6. The Cabinet Order set forth in the preceding three paragraphs shall be enacted in accordance with the provisions of the Chemical Weapons Convention.
7. In this Act, the manufacture of specific chemicals or designated chemicals shall also cover the temporary production of specific chemicals or designated chemicals in the process of manufacturing other chemicals, and the use of specific chemicals or designated chemicals shall also mean changing such temporarily produced specific chemicals or designated chemicals into other chemicals.
8. The term “international organization” as used in this Act shall mean the organization established under the Chemical Weapons Convention with the objective of prohibiting chemical weapons.

Chapter II Prohibition of Manufacture, etc. of Chemical Weapons

Article 3 (Prohibited Acts)

1. No person shall manufacture chemical weapons.
2. No person shall possess, provide or accept chemical weapons.
3. No person shall manufacture, possess, provide or accept toxic chemicals or chemicals having similar toxic properties or materials from which these chemicals are made, for the purpose of use in the manufacture of chemical weapons.
4. No person shall manufacture, possess, provide or accept parts used exclusively for chemical weapons or machine tools used exclusively for using chemical weapons, which are specified by Cabinet Order.

Chapter III Control of Manufacture, etc. of Specific Chemicals

Article 4 (Manufacturing License)

1. A person who intends to manufacture a specific chemical (or extract such a chemical; hereinafter the same in this chapter, Article 31(1), Article 34(1), Article 43(i), and Article 44(ii)) shall obtain a license from the Minister of Economy, Trade and Industry for each place of business.
2. A person who intends to obtain a license under the preceding paragraph shall, pursuant to Ordinance of the Ministry of Economy, Trade and Industry, file an application to the Minister of Economy, Trade and Industry, stating the following matters:
 - (i) the name and address of the applicant, as well as the name of the representative if the applicant is a juridical person;
 - (ii) the address of the place of business where manufacture is to be implemented;
 - (iii) the specific chemical to be manufactured;
 - (iv) the manufacturing method and the tools, machinery or equipment used therefor;
 - (v) other matters specified by Ordinance of the Ministry of Economy, Trade and Industry.

Article 5 (Disqualification)

A person who falls under any of the following items may not obtain a license under Article 4(1):

- (i) a person who was sentenced to a fine or severer punishment for violation of any provisions of this Act or of an order given under this Act, where a period of three years

has not yet elapsed since the person served out the sentence or ceased to be subject to the sentence;

(ii) a person whose license was revoked pursuant to the provisions of Article 9(1), where a period of three years has not yet elapsed since the date of revocation;

(iii) a person who was sentenced to a fine or severer punishment for violation of the provisions of other laws or regulations, where a period of three years has not yet elapsed since the person served out the sentence or ceased to be subject to the sentence and the person is deemed to be inappropriate as a manufacturer of the specific chemical;

(iv) an adult ward;

(v) a juridical person, any of whose directors in charge of its business falls under any of the preceding items.

Article 6 (Standards for Manufacturing License)

The Minister of Economy, Trade and Industry shall not grant a license under Article 4(1) unless an application for the license filed under Article 4(1) satisfies all of the following:

(i) the applicant's production capacity for the specific chemical does not exceed the limit set by Ordinance of the Ministry of Economy, Trade and Industry in accordance with the provisions of the Chemical Weapons Convention;

(ii) the total production capacity in Japan for the specific chemical would not exceed the limit set under the Chemical Weapons Convention even if a license were granted;

(iii) appropriate implementation of the Chemical Weapons Convention would not be affected.

Article 7 (Permission for Change, etc.)

1. When a person licensed under Article 4(1) (hereinafter referred to as a "licensed manufacturer") intends to change the matters listed in Article 4(2)(iii) or (iv), the licensed manufacturer shall obtain permission from the Minister of Economy, Trade and Industry. However, this shall not apply to any change of the said matters that is insubstantial as specified by Ordinance of the Ministry of Economy, Trade and Industry.

2. A licensed manufacturer who intends to change the matters listed in Article 4(2)(ii) shall, pursuant to Ordinance of the Ministry of Economy, Trade and Industry, notify the Minister of Economy, Trade and Industry to this effect.

3. A licensed manufacturer shall, without delay, notify the Minister of Economy, Trade and Industry of any of the following:

(i) Change of matters listed in Article 4(2)(i); or

(ii) Insubstantial changes as specified by Ordinance of the Ministry of Economy, Trade and Industry set forth in the proviso of Paragraph 1.

4. The provisions of the preceding article shall apply mutatis mutandis to the permission under Paragraph 1.

Article 8 (Notification of Discontinuance of Manufacture)

1. A licensed manufacturer who has discontinued the manufacture of the specific chemical shall, without delay, notify the Minister of Economy, Trade and Industry to this effect.

2. The license under Article 4(1) shall cease to be effective when a notification is made pursuant to the provisions of the preceding paragraph.

Article 9 (Revocation of Manufacturing License, etc.)

1. Where a licensed manufacturer falls under any of the following items, the Minister of Economy, Trade and Industry may revoke the license or order suspension of manufacture for a specified period:

(i) the licensed manufacturer has come to fall under Item (i) or any of Items (iii) to (v) of Article 5;

(ii) the licensed manufacturer has obtained license under Article 4(1) or permission under Article 7(1) by wrongful means;

(iii) the licensed manufacturer has changed any matters for which permission shall be obtained pursuant to the provisions of Article 7(1), without obtaining the said permission;

(iv) the licensed manufacturer has manufactured the specific chemical in violation of the provisions of Article 14(1);

(v) the licensed manufacturer has violated any conditions set pursuant to the provisions of Article 19(1) on licenses under Article 4(1).

2. Where a licensed manufacturer is not engaged in manufacturing the specific chemical for a period of not less than two years, the Minister of Economy, Trade and Industry may revoke the license.

Article 10 (User License)

1. A person who intends to use a specific chemical shall obtain a license from the Minister of Economy, Trade and Industry.

2. A person who intends to obtain a license under the preceding paragraph shall, pursuant to Ordinance of the Ministry of Economy, Trade and Industry, file an

application to the Minister of Economy, Trade and Industry, stating the following matters:

- (i) the name and address of the applicant, as well as the name of the representative if the applicant is a juridical person;
- (ii) the specific chemical to be used and the quantity thereof;
- (iii) the purpose and method of use;
- (iv) the time and place of use;
- (v) other matters specified by Ordinance of the Ministry of Economy, Trade and Industry.

3. Having granted a license under Paragraph 1, the Minister of Economy, Trade and Industry shall issue a license certificate stating the specific chemical pertaining to the license and the quantity thereof.

4. Reissue and return of a license certificate and other procedural matters pertaining to a license certificate shall be specified by Ordinance of the Ministry of Economy, Trade and Industry.

Article 11 (Standards for User License)

1. The Minister of Economy, Trade and Industry shall not grant a license under Article 10(1) unless the application for the license filed under Article 10(1) satisfies all of the following:

- (i) it is certain that the specific chemical will be used for purposes allowed under the Chemical Weapons Convention;
- (ii) the total quantity of the specific chemical to be manufactured in or imported to Japan for the year and the total quantity of the specific chemical existing in Japan for the year would not exceed the limit set by the Chemical Weapons Convention even if the specific chemical were manufactured or imported in the quantity stated in the application;
- (iii) appropriate implementation of the Chemical Weapons Convention would not be affected.

2. The provisions of Article 5 shall apply mutatis mutandis to the license granted under Article 10(1). In this case, “Article 9(1)” in Article 5(ii) shall be deemed to be replaced with “Article 12.”

Article 12 (Revocation of User License)

1. Where a person licensed under Article 10(1) (hereinafter referred to as a “licensed user”) falls under any of the following items, the Minister of Economy, Trade and

Industry may revoke the license, if the licensed user has yet to finish using the specific chemical pertaining to the license:

- (i) the licensed user has come to fall under Item (i) or any of Items (iii) to (v) of Article 5;
- (ii) the licensed user has obtained a license under Article 10(1) by wrongful means;
- (iii) the licensed user has violated any conditions set pursuant to the provisions of Article 19(1) on licenses under Article 10(1).

Article 13 (Approval for Import)

A person who intends to import a specific chemical shall be obligated to obtain approval for import in accordance with the provisions of Article 52 of the Foreign Exchange and Foreign Trade Control Law (Act No. 228 of 1949).

Article 14 (Restriction of Manufacture and Import)

1. A licensed manufacturer shall not manufacture a specific chemical unless he/she, for the purpose of providing a licensed user with the specific chemical pertaining to the user license (only in the quantity under the user license; hereinafter the same), manufactures the specific chemical (including cases where he/she, as a licensed user, manufactures the specific chemical pertaining to the user license). This shall not apply to cases as otherwise provided for by Ordinance of the Ministry of Economy, Trade and Industry.
2. Approval for import under Article 13 shall not be granted unless the specific chemical pertaining to the user license is imported for the purpose of providing it for the licensed user or imported by the licensed user.
3. A person who intends to manufacture or import a specific chemical for the purpose of providing it for a licensed user shall confirm the specific chemical pertaining to the user license by the license certificate.

Article 15 (Restriction of Provision and Acceptance)

1. Except in any of the cases listed in the following items, no person shall provide or accept a specific chemical:
 - (i) where a licensed manufacturer provides a licensed user with the specific chemical pertaining to the user license;
 - (ii) where a person granted approval for import under Article 13 (hereinafter referred to as an “approved importer”) provides a licensed user with the specific chemical pertaining to the user license;
 - (iii) where a licensed user accepts the specific chemical pertaining to the user license

from a licensed manufacturer or approved importer.

2. A licensed manufacturer or approved importer who has provided a licensed user with the specific chemical manufactured or imported shall, without delay, notify the Minister of Economy, Trade and Industry to this effect.

Article 16 (Restriction of Possession)

1. Except in any of the cases listed in the following items, no person shall possess a specific chemical:

(i) where a licensed manufacturer possesses the specific chemical manufactured until he/she provides it to a licensed user;

(ii) where an approved importer possesses the specific chemical imported until he/she provides it to a licensed user;

(iii) where a licensed user possesses the specific chemical until he/she uses it;

(iv) where a person who shall destroy the specific chemical pursuant to the provisions of Article 18(1) possesses it until he/she destroys it;

(v) where a person who has been entrusted by the person listed in any of the preceding items with transportation or destruction possesses the specific chemical pertaining to the entrustment for the purpose of transportation or destruction;

(vi) where an employee of the person listed in any of the preceding items possesses the specific chemical in the course of their duties.

2. The person listed in any of the preceding items shall store the specific chemical in his/her possession within a strong, locked facility.

Article 17 (Transportation)

1. Where a licensed manufacturer, approved importer, licensed user or person who shall destroy the specific chemical pursuant to the provisions of Article 18(1) intends to transport the specific chemical (including transportation under entrustment, and excluding transportation by ship or aircraft), they shall, pursuant to the Rules of the National Public Safety Commission, notify the prefectural public safety commission to this effect and obtain a document to certify the notification (hereinafter referred to as a “transportation certificate”).

2. Having received the notification under the provisions of the preceding paragraph, the prefectural public safety commission may give necessary instructions on the date and route of transportation and other matters specified by the Rules of the National Public Safety Commission, where it finds such instructions necessary to prevent the specific chemical from being stolen or going missing during the transportation pertaining to the

notification.

3. Having given instructions under the preceding paragraph, the prefectural public safety commission shall state the contents of the instructions in the transportation certificate.
4. The person who transports the specific chemical shall carry the transportation certificate and implement transportation according to the matters stated in the transportation certificate.
5. Revision of a transportation certificate, reissue of a transportation certificate, and return of a transportation certificate that is no longer necessary, as well as notification under Paragraph 1 and instructions under Paragraph 2 in cases where transportation is to be implemented in areas of two or more prefectures, and liaison between prefectural public safety commissions necessary for issue, revision, reissue, and return of a transportation certificate in such cases, shall be specified by Cabinet Order.

Article 18 (Destruction)

1. In any of the cases listed in the following items, the person listed in the respective items who possesses a specific chemical shall, without delay, destroy the specific chemical (in the case listed in Item (iii), this is limited to the portion beyond the quantity prescribed for the said item):

- (i) where a licensed manufacturer has made a notification under the provisions of Article 8(1);
- (ii) where a licensed manufacturer has had the license revoked pursuant to the provisions of Article 9;
- (iii) where a licensed manufacturer has manufactured an amount of the specific chemical beyond the quantity pertaining to the license under Article 10(1);
- (iv) where a licensed user has had the license revoked pursuant to the provisions of Article 12;
- (v) where a licensed user no longer needs to use the specific chemical pertaining to the license;
- (vi) where a licensed manufacturer or approved importer has manufactured or imported the specific chemical for the purpose of providing it to a licensed user but the licensed user has had the license revoked pursuant to the provisions of Article 12 before acceptance of the specific chemical.

2. The person who shall destroy the specific chemical pursuant to the provisions of the preceding paragraph (hereinafter referred to as the “person obligated to destroy”) shall, pursuant to Ordinance of the Ministry of Economy, Trade and Industry, notify the

Minister of Economy, Trade and Industry of the specific chemical to be destroyed and the quantity thereof and the destruction method.

3. The Minister of Economy, Trade and Industry may order that the destruction method pertaining to the notification under the provisions of the preceding paragraph be changed (including regarding entrusting of the destruction to others) where he/she considers the destruction method inappropriate.

Article 19 (Conditions on License)

1. Conditions may be set for the license under Article 4(1) or Article 10(1), and such conditions for the license may be changed.

2. Conditions under the preceding paragraph shall be limited to minimum conditions necessary for ensuring appropriate implementation of the Chemical Weapons Convention or ensuring enforcement of the matters pertaining to the license, and they shall not impose any undue obligations on the licensed person.

Article 20 (Succession)

1. When inheritance or a merger occurs with respect to a licensed manufacturer or licensed user, the heir (or person appointed as successor among two or more heirs by consent of all heirs) or the juridical person that continues to exist after the merger or juridical person that is established upon the merger shall succeed to the position of licensed manufacturer or licensed user.

2. The person who has succeeded to the licensed manufacturer or licensed user pursuant to the provisions of the preceding paragraph shall, without delay, notify the Minister of Economy, Trade and Industry to this effect, with a document to prove the fact.

Article 21 (Notification of Quantity, etc. Manufactured or Used)

1. A licensed manufacturer shall, with respect to the specific chemical manufactured, pursuant to Ordinance of the Ministry of Economy, Trade and Industry, notify the Minister of Economy, Trade and Industry each year of the quantity of the specific chemical manufactured in the preceding year, the maximum stock in the preceding year, and other matters specified by Ordinance of the Ministry of Economy, Trade and Industry.

2. A licensed user who has used the specific chemical pertaining to the license shall, pursuant to Ordinance of the Ministry of Economy, Trade and Industry, notify the Minister of Economy, Trade and Industry of the quantity used and other matters specified by Ordinance of the Ministry of Economy, Trade and Industry.

Article 22 (Record)

1. A licensed manufacturer shall prepare a journal and record the following matters on the specific chemical manufactured in the journal:

- (i) the quantity manufactured;
- (ii) if the specific chemical has been provided for another person, the person who has been provided with it and the quantity provided;
- (iii) if the licensed manufacturer has used the specific chemical, the quantity used and the purpose of use;
- (iv) the quantity of stock;
- (v) other matters specified by Ordinance of the Ministry of Economy, Trade and Industry

2. The journal in the preceding paragraph shall be stored pursuant to Ordinance of the Ministry of Economy, Trade and Industry.

Article 22 (Incident Report)

A licensed manufacturer, approved importer, licensed user or person obligated to destroy or a person entrusted by any of these persons with transportation or destruction shall, when the specific chemical in their possession has been stolen or gone missing, report the incident to a police officer or marine safety official without delay.

Chapter IV Notification of Manufacture of Designated Chemicals

Article 24 (Estimated Quantity of First-Class Designated Chemical Manufactured, etc.)

1. A person engaged in manufacturing, extracting or refining (hereinafter referred to as “manufacturing, etc.”) first-class designated chemicals shall, if the quantity of the first-class designated chemicals intended to be manufactured, etc. in the next year will exceed the quantity predetermined by Ordinance of the Ministry of Economy, Trade and Industry for each place of business per chemical, notify the Minister of Economy, Trade and Industry, pursuant to Ordinance of the Ministry of Economy, Trade and Industry, of the quantity of each first-class designated chemical intended to be manufactured, etc. in the next year at each place of business and other matters specified by Ordinance of the Ministry of Economy, Trade and Industry.

2. A person engaged in manufacturing, etc. first-class designated chemicals shall, if the quantity of the first-class designated chemicals intended to be manufactured, etc. in the

current year exceeds the quantity predetermined by Ordinance of the Ministry of Economy, Trade and Industry under the preceding paragraph for each place of business per chemical, notify the Minister of Economy, Trade and Industry in advance, pursuant to Ordinance of the Ministry of Economy, Trade and Industry, to the effect and of the quantity of each first-class designated chemical intended to be manufactured, etc. in the current year at each place of business and other matters specified by Ordinance of the Ministry of Economy, Trade and Industry under the preceding paragraph. However, this shall not apply where notification under the preceding paragraph has been made with respect to the quantity of each first-class designated chemical to be manufactured, etc. in the relevant year at each place of business.

3. A person who manufactured, etc. first-class designated chemicals, in any of the past three years, beyond the quantity predetermined by Ordinance of the Minister of Economy, Trade and Industry under Paragraph 1 for each place of business per chemical, and a person who has made a notification under the preceding two paragraphs with respect to the quantity of each first-class designated chemical to be manufactured, etc. in the current year at each place of business shall, pursuant to Ordinance of the Minister of Economy, Trade and Industry, notify the Minister of Economy, Trade and Industry of the quantity of each first-class designated chemical to be manufactured, etc. in the next year at each place of business and other matters specified by Ordinance of the Ministry of Economy, Trade and Industry under Paragraph 1. However, this shall not apply where notification under Paragraph 1 is made with respect to such a quantity.

4. The person who has made a notification under the preceding three paragraphs shall, if the quantity of each first-class designated chemical to be manufactured, etc. in the relevant year significantly exceeds the quantity pertaining to the notification based on Ordinance of the Ministry of Economy, Trade and Industry, notify the Minister of Economy, Trade and Industry in advance, pursuant to Ordinance of the Ministry of Economy, Trade and Industry, to this effect. However, this shall not apply where the person who has made a notification under the preceding paragraph shall make a notification under Paragraph 2 with respect to the quantity of each first-class designated chemical to be manufactured, etc. in the year pertaining to the notification at each place of business.

Article 25 (Actual Quantity of First-Class Designated Chemicals Manufactured, etc.)

The person who has made a notification under Article 24(1) to (3) shall, pursuant to Ordinance of the Ministry of Economy, Trade and Industry, notify the Minister of Economy, Trade and Industry of the quantity of each first-class designated chemical

manufactured, etc. in the year pertaining to the notification at each place of business and other matters specified by Ordinance of the Ministry of Economy, Trade and Industry.

Article 26 (Application Mutatis Mutandis to Use of First-Class Designated Chemicals, etc.)

The provisions of the preceding two articles shall apply mutatis mutandis to a person who uses first-class designated chemicals (including chemicals containing first-class designated chemicals as specified by Ordinance of the Minister of Economy, Trade and Industry) pursuant to Ordinance of the Ministry of Economy, Trade and Industry, and the quantity of first-class designated chemicals used (or the quantity of first-class designated chemicals contained in the chemicals used).

Article 27 (Application Mutatis Mutandis to the Manufacture of Second-Class Designated Chemicals)

The provisions of Article 24 and Article 25 shall apply mutatis mutandis to a person who manufactures second-class designated chemicals and the quantity of second-class designated chemicals manufactured. In this case, “any of the past three years” in Article 24(3) shall be deemed to be replaced with “preceding year.”

Article 28 (Actual Quantity of Designated Chemicals, etc. Exported or Imported)

A person who has exported or imported designated chemicals (including chemicals containing designated chemicals as specified by Ordinance of the Ministry of Economy, Trade and Industry) shall, pursuant to Ordinance of the Ministry of Economy, Trade and Industry, notify the Minister of Economy, Trade and Industry each year of the quantity of designated chemicals exported or imported in the preceding year (or the quantity of designated chemicals contained in the chemicals exported or imported).

Article 29 (Classification for Actual Quantity of Organic Chemicals Manufactured)

1. A person engaged in manufacturing (excluding manufacture as specified by Cabinet Order; hereinafter the same in this article) such organic chemicals other than specific chemicals and designated chemicals as specified by Cabinet Order (hereinafter simply referred to as “organic chemicals”) shall, if the quantity of organic chemicals manufactured in the preceding year at each place of business exceeded the quantity predetermined by Ordinance of the Ministry of Economy, Trade and Industry, notify the Minister of Economy, Trade and Industry, pursuant to Ordinance of the Ministry of Economy, Trade and Industry, to this effect and of the classification of the quantity of

organic chemicals manufactured in the preceding year at each place of business based on Ordinance of the Ministry of Economy, Trade and Industry.

2. A person engaged in manufacturing such organic chemicals containing phosphorus, sulfur or fluorine as specified by Cabinet Order (hereinafter referred to as “specific organic chemicals”) shall, if the quantity of specific organic chemicals manufactured in the preceding year at each place of business exceeded the quantity predetermined by Ordinance of the Ministry of Economy, Trade and Industry, notify the Minister of Economy, Trade and Industry, pursuant to Ordinance of the Ministry of Economy, Trade and Industry, to this effect and of the classification of the quantity of specific organic chemicals manufactured in the preceding year at each place of business based on Ordinance of the Ministry of Economy, Trade and Industry.

Chapter V Inspection, etc. by International Organization

Article 30 (Inspection, etc. by Persons Appointed by International Organizations)

1. A person appointed by an international organization may, in the presence of an official appointed by the Minister of Economy, Trade and Industry from his/her staff (or an official appointed by the Minister of Economy, Trade and Industry from his/her staff and an official appointed by the Minister of Foreign Affairs from his/her staff in cases specified by Cabinet Order), and within the scope specified by the Chemical Weapons Convention, enter such places where toxic chemicals or chemicals having similar toxic properties or materials from which these chemicals are made are handled or other places as designated by the international organization, inspect or photograph books, documents, and other articles, question the people concerned or take samples in the minimum necessary quantity for testing free of charge.

2. A person appointed by the government of a foreign country that is a State Party to the Chemical Weapons Convention (hereinafter referred to as the “government of a State Party”) may, within the scope specified by the Chemical Weapons Convention, observe inspection, photographing, questioning or taking of samples under the provisions of the preceding paragraph (hereinafter referred to as “inspection, etc.”).

3. The official who observes inspection, etc. pursuant to the provisions of Paragraph 1 shall make efforts to ensure that the inspection, etc. will be conducted appropriately and smoothly within the scope of the Chemical Weapons Convention.

4. The official who observes inspection, etc. pursuant to the provisions of Paragraph 1 shall carry a certificate for identification and produce it to the people concerned.

5. The Minister of Economy, Trade and Industry may, where he/she finds it necessary, cause the National Institute of Technology and Evaluation (hereinafter referred to as “NITE”) to observe inspection, etc. under the provisions of Paragraph 1.

6. When causing NITE to observe inspection, etc. pursuant to the provisions of the preceding paragraph, the Minister of Economy, Trade and Industry shall instruct NITE to conduct inspection, etc., while informing it of the place of inspection, etc. and other necessary matters.

7. The employee of NITE who observes inspection, etc. pursuant to the provisions of Paragraph 5 shall carry a certificate for identification and produce it to the people concerned.

Article 31 (Installation of Seals or Monitoring Devices)

1. A person appointed by the international organization may, in the presence of an official appointed by the Minister of Economy, Trade and Industry from his/her staff, and within the scope specified by the Chemical Weapons Convention, install necessary seals or devices in the licensed manufacturer’s plant or other places of business for the purpose of monitoring the manufacture or transfer of the specific chemical.

2. The provisions of Articles 30(3) and (4) shall apply mutatis mutandis to the person who observes the installation of seals or devices pursuant to the provisions of the preceding paragraph.

3. No person shall, without justifiable grounds, remove or damage the seals or devices installed pursuant to the provisions of Paragraph 1.

4. Where the seals or devices installed pursuant to the provisions of Paragraph 1 have been lost or damaged or involved in any other accidents, the licensed manufacturer shall, without delay, notify the Minister of Economy, Trade and Industry to this effect.

Chapter VI Miscellaneous Provisions

Article 32 (Collection of Reports)

1. The Minister of Economy, Trade and Industry and the prefectural public safety commission may, within the limits necessary for the enforcement of this Act (or the provisions of Article 17(2) in respect of the prefectural public safety commission), cause a licensed manufacturer, approved importer, licensed user or person obligated to destroy to report on their operation.

2. Where the international organization or the government of a State Party has made a

request pursuant to the Chemical Weapons Convention, the Minister of Economy, Trade and Industry may, within the limits necessary for explaining to the international organization or the government of the State Party, cause the person who handles toxic chemicals or chemicals having similar toxic properties or materials from which these chemicals are made and other persons to report on the matters pertaining to the request.

3. Where inspection, etc. under the provisions of Article 30(1) has been conducted, the Minister of Economy, Trade and Industry may, within the limits necessary for explaining to the international organization, cause the people concerned to report on the activities covered by the inspection, etc.

Article 33 (On-site Inspection)

1. The Minister of Economy, Trade and Industry may, within the limits necessary for the enforcement of this Act, cause his/her staff to enter the office, plant or other places of business of the licensed manufacturer, approved importer, licensed user or person obligated to destroy, inspect books, documents, and other articles, question the people concerned or take samples in the minimum necessary quantity for testing free of charge.

2. The prefectural public safety commission may, within the limits necessary for the enforcement of the provisions of Article 17(2), cause a police officer to enter the office, plant or other places of business of the licensed manufacturer, approved importer, licensed user or person obligated to destroy, inspect books, documents, and other articles or question the people concerned.

3. The police officer who makes an entry pursuant to the provisions of the preceding two paragraphs shall carry a certificate for identification and produce it to the people concerned.

4. The Minister of Economy, Trade and Industry may, where he/she finds it necessary, cause NITE to conduct on-site inspection, questioning or taking of samples under the provisions of Paragraph 1.

5. When causing NITE to conduct on-site inspection, questioning or taking of samples pursuant to the provisions of the preceding paragraph, the Minister of Economy, Trade and Industry shall instruct NITE to conduct these operations, while informing it of the place of on-site inspection and other necessary matters.

6. Having conducted on-site inspection, questioning or taking of samples prescribed in Paragraph 4 as instructed under the preceding paragraph, NITE shall report to the Minister of Economy, Trade and Industry about the results of these operations.

7. The employee of NITE who makes an entry pursuant to the provisions of Paragraph 4 shall carry a certificate for identification and produce it to the people concerned.

8. The authority under the provisions of Paragraphs 1 and 2 shall not be construed as vested for criminal investigation.

Article 33-2 (Orders to NITE)

The Minister of Economy, Trade and Industry may, where he/she finds it necessary for ensuring appropriate implementation of observation under the provisions of Article 30(5) or on-site inspection, questioning or taking of samples prescribed in Article 33(4), give NITE the necessary orders concerning these operations.

Article 33-3 (Application for Review on Taking of Samples by NITE)

Any person who is dissatisfied with the taking of samples by NITE may apply to the Minister of Economy, Trade and Industry for review under the Administrative Appeal Law (Act No. 160 of 1962).

Article 34 (Special Provisions on Specific Facilities)

1. The manufacture by the State of a specific chemical in a quantity specified by Cabinet Order at a specific facility (the only national facility designated by Cabinet Order as a facility for the manufacture of specific chemicals for the purpose of conducting research on how to protect the human body from toxic properties of specific chemicals (hereinafter referred to as “specific research”); hereinafter the same) shall be implemented with approval under Article 4(1) through substitute rules pursuant to the provisions of Article 36, and the use by the State of a specific chemical in the quantity specified by Cabinet Order at the specific facility shall be deemed to be implemented with approval under Article 10(1) through substitute rules pursuant to the provisions of Article 36.

2. The provisions of Article 18(1) and Article 32(2) and (3) shall not apply mutatis mutandis to the specific chemical for which approval for use is deemed to be granted pursuant to the provisions of the preceding paragraph or matters pertaining to the specific chemical.

3. When a person appointed by the international organization enters the specific facility and conducts inspection, etc. and when a person appointed by the international organization installs seals or devices in the specific facility, the “Minister of Economy, Trade and Industry” in Article 30(1) and Article 31(1) shall be deemed to be replaced with the “head of the administrative organ pertaining to the specific facility.”

Article 35 (Relationship between the Minister of Economy, Trade and Industry and the

National Public Safety Commission, etc.)

1. Having made dispositions under the provisions of Article 4(1), Article 9, Article 10(1) or Article 12 or having received notifications under the provisions of Article 7(2) or (3) (except for Item (ii)), Article 8(1), Article 20(2) or Article 21(2), the Minister of Economy, Trade and Industry shall, without delay, notify the National Public Safety Commission to this effect. The same shall apply where notification under the provisions of Article 18(2) has been made, and destruction is entrusted to other parties or the Minister of Economy, Trade and Industry has ordered destruction to be entrusted to other parties pursuant to the provisions of Article 18(3).
2. A police officer or marine safety official who has received a notification under the provisions of Article 23 shall, without delay, notify the Minister of Economy, Trade and Industry to this effect.
3. The Minister of Economy, Trade and Industry and the National Public Safety Commission shall cooperate with each other to prevent specific chemicals from being stolen or going missing.

Article 36 (Application to the State)

The provisions of this Act shall, except those of the next chapter, apply to the State. In this case, the term “license” shall be deemed to be replaced with “approval.”

Article 37 (Transitional Measures)

Where an order is enacted, revised or abolished in accordance with this Act, transitional measures (including transitional measures for penal provisions) may be specified by the order as required to the extent reasonably necessary for enacting, revising or abolishing it.

Chapter VII Penal Provisions

Article 38

1. A person who has used a chemical weapon, thereby discharging toxic chemicals or chemicals having similar toxic properties that are placed inside the chemical weapon or produced within the chemical weapon shall be punished by imprisonment with work for life or for not less than two years or a fine of not more than ten million yen.
2. A person who has indiscriminately discharged toxic chemicals or chemicals having similar toxic properties, thereby threatening human life, body or property shall be

punished by imprisonment with work for not more than ten years or a fine of not more than five million yen.

3. Attempt of the offenses prescribed in the preceding two paragraphs shall be punished.

Article 39

1. A person who has violated the provisions of Article 3(1) shall be punished by imprisonment with work for a definite term of not less than one year or a fine of not more than seven million yen.

2. A person who has violated the provisions of Article 3(2) shall be punished by imprisonment with work for not more than ten years or a fine of not more than five million yen.

3. A person who has violated the provisions of Article 3(3) or (4) shall be punished by imprisonment with work for not more than seven years or a fine of not more than three million yen.

4. Attempt of the offenses prescribed in the preceding three paragraphs shall be punished.

Article 40

A person who has prepared for committing the offense prescribed in Article 38(1) shall be punished by imprisonment with work for not more than five years or a fine of not more than two million yen.

Article 41

A person who has prepared for committing the offense prescribed in Article 39(1) shall be punished by imprisonment with work for not more than three years or a fine of not more than one million yen.

Article 42

The offenses prescribed in Article 38(1) and (3) (limited to the part concerning Article 38(1)) shall be governed by Article 3 and Article 4-2 of the Penal Code (Act No. 45 of 1907), the offenses prescribed in Article 38(2) and (3) (limited to the part concerning Article 38(2)) shall be governed by Article 4-2 of the Penal Code, and the offenses prescribed in the preceding three articles shall be governed by Article 3 of the Penal Code.

Article 43

A person who falls under any of the following items shall be punished by imprisonment with work for not more than three years or a fine of not more than one million yen or both:

- (i) person who has manufactured a specific chemical without license under Article 4(1);
- (ii) person who has violated an order given under the provisions of Article 9(1);
- (iii) person who has used a specific chemical without license under Article 10(1).

Article 44

A person who falls under any of the following items shall be punished by imprisonment with work for not more than one year or a fine of not more than 500,000 yen or both:

- (i) person who has, in violation of the provisions of Article 7(1), changed matters listed in Article 4(2)(iii) or (iv);
- (ii) person who has, in violation of the provisions of Article 14(1), manufactured a specific chemical;
- (iii) person who has violated the provisions of Article 15(1), Article 16(1) or Article 18(1);
- (iv) person who has, in violation of an order given under the provisions of Article 18(3), destroyed a specific chemical.

Article 45

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

- (i) person who has failed to make a notification under the provisions of Article 7(2), Article 17(1), Article 18(2), Article 21, Article 23, Article 24(2) to (4) or Article 25 (including cases where these provisions apply mutatis mutandis pursuant to Article 26 or Article 27), or Article 28, Article 29 or Article 31(4), or has made a false notification;
- (ii) person who has violated the provisions of Article 16(2), Article 17(4) or Article 31(3);
- (iii) person who has, in violation of the provisions of Article 22(1), failed to prepare a journal or record necessary matters in the journal or has made false records;
- (iv) person who has, in violation of the provisions of Article 22(2), failed to store the journal;
- (v) person who has refused, obstructed or avoided inspection, photographing or taking of samples under the provisions of Article 30(1) or has failed to answer questions under said paragraph or stated false answers;
- (vi) person who has refused, obstructed or avoided observation under the provisions of

Article 30(2);

(vii) person who has refused, obstructed or avoided the installation of seals or devices under the provisions of Article 31(1);

(viii) person who has failed to report under the provisions of Article 32 or has made false report;

(ix) person who has refused, obstructed or avoided inspection or taking of samples under the provisions of Article 33(1) or has failed to answer questions under said paragraph or stated false answers;

(x) person who has refused, obstructed or avoided inspection under the provisions of Article 33(2) or has failed to answer questions under said paragraph or stated false answers.

Article 46

When the representative of a juridical person or or an agent, employee or other worker of a juridical person or an individual has, with regard to the business of the juridical person or individual, committed the offenses prescribed in Article 38 or Article 40 or violations prescribed in Article 39 or Article 41 or the preceding three articles, not only shall the offender be punished but also the juridical person or individual shall be punished by the fine prescribed in the respective articles.

Article 47

A person who has failed to make a notification under the provisions of Article 7(3), Article 8(1), Article 15(2) or Article 20(2) or has made a false notification shall be punished by a civil fine of not more than 200,000 yen.

Article 48

The director of NITE who has violated an order under the provisions of Article 33-2 shall be punished by a civil fine of not more than 200,000 yen.

Supplementary Provisions (Extract)

Article 1 (Effective Date)

This Act shall come into force as of the date specified by Cabinet Order within a period not exceeding three months from the date of promulgation. However, the provisions listed in the following items shall come into force as from the dates prescribed in the

respective items (effective as from May 5, 1995, by Cabinet Order No. 191 of 1995):

(i) the provisions of Article 28, Article 29, and Article 45(i) (limited to the part concerning Article 28 and Article 29), and Article 4(1), (3), and (4) (limited to the part concerning Paragraph 1) and Article 5(2)(ii) (limited to the part concerning Article 4(1) of the Supplementary Provisions (including cases where it applies *mutatis mutandis* pursuant to Article 4(3) or (4)) of the Supplementary Provisions: the date specified by Cabinet Order prior to the date on which the Convention takes effect in Japan (hereinafter referred to as the “Effective Date of the Convention”) (effective as from March 19, 1997, by Cabinet Order No. 18 of 1997);

(ii) the provisions of Article 2(8), Chapter IV (except for Article 28 and Article 29), Chapter V, Article 32(2) and (3), and Article 34(2) (except for the part concerning Article 18(1)) and (3), Article 45(i) (limited to the part concerning Article 24(2) to (4) and Article 25 (including cases where these provisions apply *mutatis mutandis* pursuant to Article 26 or Article 27) and Article 31(4)), Article 45(ii) (limited to the part concerning Article 31(3)), and Article 45(v) to (vii) and (viii) (except for the part concerning Article 32(1)), and Article 3, Article 4(2), (3), and (4) (limited to the part concerning Paragraph 2) of the Supplementary Provisions: Effective Date of the Convention (April 29, 1997).

Article 2 (Transitional Measures)

1. Where a person who possesses a specific chemical upon the enforcement of this Act fails to apply for a license under Article 10(1) within 30 days of the effective date of this Act (hereinafter referred to as the “period of suspension”) or applies for a license during the period of suspension but the application is refused, the person shall, without delay after the expiration of the period of suspension in the former case or after refusal is made in the latter case, destroy the specific chemical in his/her possession.

2. A person who possesses a specific chemical upon the enforcement of this Act may, notwithstanding the provisions of Article 16(1), possess the specific chemical during the periods listed below. The same shall apply where such a person’s employee possesses the specific chemical in the course of duties or another person entrusted by such a person with transportation or destruction (including such person’s employee) possesses the specific chemical for the purpose of transportation or destruction:

(i) period of suspension;

(ii) period until disposition is made with respect to the application for a license under Article 10(1) filed during the period of suspension;

(iii) period until destruction is carried out pursuant to the provisions of the preceding

paragraph.

3. The provisions of Article 16(2) shall apply mutatis mutandis to a person who possesses a specific chemical pursuant to the provisions of the preceding paragraph.

4. With regard to the application of the provisions of Article 17 and Article 23, a person who possesses a specific chemical upon the enforcement of this Act shall be deemed to be a licensed user.

5. The provisions of Article 18(2) and (3) shall apply mutatis mutandis where a person who possesses a specific chemical upon the enforcement of this Act destroys the specific chemical.

6. The provisions of the preceding paragraphs shall not apply to specific chemicals possessed by the State at the specific facility upon the enforcement of this Act.

Article 3

1. With regard to the application of the provisions of Article 24(2) to a person engaged in manufacturing, etc. first-class designated chemicals where the quantity of the first-class designated chemicals manufactured, etc. in the year that includes the Effective Date of the Convention exceeds, prior to the Effective Date of the Convention or within 30 days from the Effective Date of the Convention, the quantity predetermined by Ordinance of the Ministry of Economy, Trade and Industry under Article 24(1) for each place of business per chemical, “in advance” in Article 24(2) shall mean “within 30 days from the date on which the Convention takes effect in Japan.”

2. The provisions of the preceding paragraph shall apply mutatis mutandis to a person who uses first-class designated chemicals (including chemicals containing first-class designated chemicals as specified by Ordinance of the Ministry of Economy, Trade and Industry under Article 26; hereinafter the same under Article 4(3)) pursuant to Ordinance of the Ministry of Economy, Trade and Industry under Article 26, and the quantity of first-class designated chemicals used (or the quantity of first-class designated chemicals contained in the chemicals used; hereinafter the same under Article 4(3)).

3. The provisions of Paragraph 1 shall apply mutatis mutandis to a person engaged in manufacturing second-class designated chemicals and the quantity of second-class designated chemicals manufactured.

Article 4

1. A person who manufactured, etc. first-class designated chemicals, in any of the three years preceding the year that includes the Effective Date of the Convention, beyond the

quantity predetermined by Ordinance of the Ministry of Economy, Trade and Industry under Article 24(1) for each place of business per chemical shall, pursuant to Ordinance of the Ministry of Economy, Trade and Industry, notify the Minister of Economy, Trade and Industry of the quantity of each first-class designated chemical to be manufactured, etc. in the preceding three years at each place of business and other matters specified by Ordinance of the Ministry of Economy, Trade and Industry.

2. With regard to the application of the provisions of Article 25, a person who has made a notification under the provisions of the preceding paragraph shall be deemed to have made a notification pursuant to the provisions of Article 24(1) to (3) with respect to the quantity of each first-class designated chemical intended to be manufactured, etc. in the year that includes the Effective Date of the Convention at each place of business.

3. The provisions of the preceding two paragraphs shall apply *mutatis mutandis* to a person who has used first-class designated chemicals pursuant to Ordinance of the Ministry of Economy, Trade and Industry under Article 26 and the quantity of first-class designated chemicals used.

4. The provisions of Paragraph 1 and Paragraph 2 shall apply *mutatis mutandis* to a person who has manufactured second-class designated chemicals and the quantity of second-class designated chemicals manufactured. In this case, “any of the three years preceding” and “preceding three years” shall be deemed to be replaced with “the year preceding” and “preceding year” respectively.

Article 5

1. A person who falls under any of the following items shall be punished by imprisonment with work for not more than one year or a fine of not more than 500,000 yen or both:

(i) a person who has violated the provisions of Article 2(1) of the Supplementary Provisions;

(ii) a person who has, in violation of an order given under the provisions of Article 18(3) that applies *mutatis mutandis* pursuant to Article 2(5) of the Supplementary Provisions, destroyed the specific chemical;

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

(i) a person who has violated the provisions of Article 16(2) that applies *mutatis mutandis* pursuant to Article 2(3) of the Supplementary Provisions;

(ii) person who has failed to make a notification under the provisions of Article 18(2) or Paragraph 1 of the preceding article (including cases where it applies *mutatis mutandis*

pursuant to Paragraph 3 or Paragraph 4 of the said article) that apply mutatis mutandis pursuant to Article 2(5) of the Supplementary Provisions, or has made a false notification.

3. Where the representative of a juridical person or an agent, employee or other worker of a juridical person or an individual has, with regard to the business of the juridical person or individual, committed the violations prescribed in the preceding two paragraphs, not only shall the offender be punished but also the juridical person or individual shall be punished by the fine prescribed in the respective paragraphs.

Article 6

In addition to what is provided in Articles 2 to 5 of the Supplementary Provisions, necessary transitional measures for the enforcement of this Act shall be specified by Cabinet Order.

Supplementary Provisions (Extract from Act No. 59 of May 23, 1997)

Article 1 (Effective Date)

This Act shall come into force as of April 1, 1998.

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

Article 1 (Effective Date)

This Act shall come into force as of April 1, 2000. However, the provisions listed in the following items shall come into force as of the dates prescribed in the respective items:

(i) the provisions for revision in Article 1 to add five articles, the section title, and two subsections and the titles thereof following Article 250 of the Local Autonomy Act (limited to the parts concerning Article 250-9(1) of the said Act (limited to the part concerning the requirement of consent of both Houses)), the provisions in Article 40 to revise Paragraph 9 and Paragraph 10 of the Supplementary Provisions for the Natural Parks Act (limited to the part concerning Paragraph 10 of the Supplementary Provisions for the said Act), the provisions of Article 244 (except for the part concerning the provisions to revise Article 14-3 of the Agricultural Improvement and Promotion Act), and the provisions of Article 472 (except for the part concerning the provisions to revise Article 6, Article 8, and Article 17 of the Act on Special Provisions Concerning Merger

of Municipalities), and the provisions of Article 7, Article 10, Article 12, proviso of Article 59, Article 60(4) and (5), Article 73, Article 77, Article 157(4) to (6), Article 160, Article 163, Article 164, and Article 202 of the Supplementary Provisions: date of promulgation.

Article 159 (Affairs of the State, etc.)

In addition to what is provided in the respective Acts prior to the revision by this Act, affairs that shall be managed or performed, prior to the enforcement of this Act, by a local government on behalf of the State, other local governments or other public bodies pursuant to Acts or Cabinet Order enacted thereon (hereinafter referred to as “affairs of the State, etc.” in Article 161 of the Supplementary Provisions) shall be, after the enforcement of this Act, handled by the local government as its affairs pursuant to Acts or Cabinet Order enacted thereon.

Article 160 (Transitional Measures for Dispositions, Applications, etc.)

1. With respect to dispositions to grant licenses or permission, etc. and other acts conducted prior to the enforcement of this Act (or the respective provisions listed in the items of Article 1 of the Supplementary Provisions; hereinafter the same in this article and Article 163 of the Supplementary Provisions) pursuant to the respective Acts prior to the revision (hereinafter referred to as “dispositions and other acts.” in this article) or applications for license or permission, etc. and other acts pending upon the enforcement of this Act pursuant to the respective Acts before the revision (hereinafter referred to as “application and other acts” in this article), if administrative affairs pertaining to these acts come under the jurisdiction of different persons on the effective date of this Act, these acts, except those prescribed in Articles 2 to 159 of the Supplementary Provisions or in the provisions of the respective Acts concerning transitional measures, shall be deemed, with regard to the application of the respective revised Acts after the effective date of this Act, as dispositions and other acts conducted or applications and other acts pending pursuant to relevant provisions of the respective revised Acts.

2. With respect to matters for which reports, notification, submission or other procedures shall be conducted before the state or local government organs prior to the enforcement of this Act pursuant to the respective Acts before the revision, if these procedures have not yet been conducted by the effective date of this Act, the provisions of the respective Acts revised by this Act shall apply to such procedures, except those otherwise provided by this Act or Cabinet Order enacted thereon, on the assumption that reports, notification, submission or other procedures have not yet been conducted with

respect to matters for which such procedures shall be conducted before the State or local government organs pursuant to relevant provisions of the respective revised Acts.

Article 161 (Transitional Measures for Appeal)

1. With respect to dispositions pertaining to affairs of the State, etc. made prior to the effective date by the administrative agencies (hereinafter referred to as “administrative agencies that made the dispositions”) that are subordinated, prior to the effective date, to higher administrative agencies prescribed under the Administrative Appeal Act (hereinafter referred to as “higher administrative agencies” in this article), the Administrative Appeal Act shall apply to appeals filed against such dispositions pursuant to the said Act, on the assumption that the administrative agencies that made the dispositions are still subordinated to higher administrative agencies after the effective date. In this case, the administrative agencies that shall be deemed as higher administrative agencies of the administrative agencies that made the dispositions shall be the administrative agencies to which the administrative agencies that made the dispositions were subordinated prior to the effective date.

2. In the case referred to in the preceding paragraph, where the administrative agencies that shall be deemed as higher administrative agencies are local government organs, affairs to be handled by the organs pursuant to the provisions of the Administrative Appeal Act shall be Item (i) statutory entrusted affairs prescribed in Article 2(9)(i) of the new Local Autonomy Act.

Article 162 (Transitional Measures for Fees)

With regard to fees payable prior to the effective date pursuant to the provisions of the respective Acts prior to the revision by this Act (including orders given thereunder), except those otherwise provided by this Act or Cabinet Order enacted thereon, the provisions then in force shall remain applicable.

Article 163 (Transitional Measures for Penal Provisions)

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

Article 164 (Delegation of Other Transitional Measures to Cabinet Order)

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

2. Necessary matters concerning the application of Article 18, Article 51, and Article 184 of the Supplementary Provisions shall be specified by Cabinet Order.

Article 250 (Examination)

Item (i) statutory entrusted affairs prescribed in Article 2(9)(i) of the new Local Autonomy Act shall be additionally created to the minimum possible extent, and such affairs listed in Appended Table I of the new Local Autonomy Act and those provided for by Cabinet Order enacted under the new Local Autonomy Act shall be examined from the perspective of promoting decentralization and be reviewed as appropriate.

Article 251

The national government shall, in order to enable local governments to execute their affairs and services voluntarily and independently, examine how to secure adequate sources of local tax revenue based on the sharing of roles between the national and local governments taking into account the prevailing economic trends, and take the necessary measures based on the examination results.

Article 252

The national government shall, along with various reforms such as the medical insurance system reform and the pension system reform, study an ideal administrative system for social insurance and a desirable personnel system therefor from the viewpoint of ensuring convenience for the insured and increasing efficiency in administration, and take measures as required based on examination results where it finds it necessary.

Supplementary Provisions (Extract from Act No. 151 of December 8, 1999)

Article 1 (Effective Date)

This Act shall come into force as from April 1, 2000.

Article 3 (Transitional Measures)

With regard to the application of the provisions for revision by this Act on quasi-incompetent persons and their curators, for which the provisions then in force shall remain applicable pursuant to the provisions of Article 3(3) of the Supplementary Provisions of the Act for Partial Revision of the Civil Code (Act No. 149 of 1999), except for the following provisions for revision, the provisions then in force shall

remain applicable:

(i) to (xxv): Omitted

Article 4

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

Act for Enforcement of the Act on Central Government Reform (Extract from Act No. 160 of 1999)

Article 1301 (Transitional Measures for Dispositions, Applications, etc.)

1. With the exception of those otherwise provided for by laws and regulations, licenses, permissions, approvals, recognitions, designations, and other dispositions or notices granted or made or other acts conducted by the previous state organs pursuant to laws and regulations prior to the enforcement of the Act for Enforcement of the Act on Central Government Reform and this Act (hereinafter collectively referred to as the "Reform Act, etc.") shall be, after the enforcement of the Reform Act, etc., deemed as licenses, permissions, approvals, recognitions, designations, and other dispositions or notices granted or made or other acts conducted by the relevant state organs in accordance with the relevant laws and regulations after the enforcement of the Reform Act, etc.

2. With the exception of those otherwise provided for by laws and regulations, applications, notifications and other acts pending before the previous state organs pursuant to laws and regulations upon the enforcement of the Reform Act, etc. shall be, after the enforcement of the Reform Act, etc., deemed as applications, notifications and other acts pending before the relevant state organs in accordance with relevant laws and regulations after the enforcement of the Reform Act, etc.

3. With respect to matters for which report, notification, submission or other procedures shall be conducted before the previous state organs pursuant to laws and regulations prior to the enforcement of the Reform Act, etc., if these procedures have not yet been conducted by the effective date of the Reform Act, etc., with the exception of those otherwise provided for by laws and regulations, the provisions of laws and regulations after the enforcement of the Reform Act, etc. shall apply to such procedures, on the assumption that report, notification, submission or other procedures have not yet been conducted with respect to matters for which such procedures shall be conducted before

the relevant state organs pursuant to relevant laws and regulations after the enforcement of the Reform Act, etc.

Article 1303 (Transitional Measures for Penal Provisions)

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

Article 1344 (Delegation to Cabinet Order)

With the exception of those provided for in Articles 71 to 76 and Articles 1301 to 1343 as well as by the Act on Central Government Reform, necessary transitional measures for the enforcement of the Reform Act, etc. (including transitional measures for penal provisions) shall be specified by Cabinet Order.

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

Article 1 (Effective Date)

This Act (except for Article 2 and Article 3) shall come into force as of January 6, 2001. However, the provisions listed in the following items shall come into force as of the dates prescribed in the respective items:

(i) the provisions of Article 995 (limited to the part concerning the provisions for revision in the Supplementary Provision of the Act for Partial Revision of the Act on Control of Nuclear Source Materials, Nuclear Fuel Materials and Reactors), Article 1305, Article 1306, Article 1324(2), Article 1326(2), and Article 1344: date of promulgation.

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

Article 1 (Effective Date)

This Act shall come into force as of January 6, 2001. However, the provisions of Articles 8 to 19 of the Supplementary Provisions shall come into force as of the date specified by Cabinet Order within a period not exceeding six months from the said date (effective as of April 1, 2001, by Cabinet Order No. 333 of 2000).

Article 20 (Transitional Measures for Penal Provisions)

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

Article 21 (Delegation to Cabinet Order)

With the exception of those provided in Articles 2 to 7, Article 9, Article 11, Article 18, and Article 20 of the Supplementary Provisions, necessary transitional measures for the establishment of NITE and necessary transitional measures for the enforcement of this Act shall be specified by Cabinet Order.

Supplementary Provisions (Extract from Act No. 121 of November 16, 2001)

Article 1 (Effective Date)

This Act shall come into force as of the date on which the International Convention for the Suppression of Terrorist Bombings takes effect in Japan (December 16, 2001).

Article 2 (Transitional Measures)

1. The provisions of Article 10 of the revised Explosive Act, the provisions of Article 51-2 of the Act on Prevention of Radiation Sickness Caused by Radioactive Isotopes, the provisions of Article 4 of the Act on Punishment of the Use of Molotov Cocktails, the provisions of Article 11 of the Act on Enforcement of the Convention on the Prohibition of the Development, Production, and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, the provisions of Article 42 of the Act on Prohibition of Chemical Weapons and Control, etc. of Specific Chemicals (limited to the part concerning Article 4-2 of the Penal Code (Act No. 45 of 1907)), and the provisions of Article 8 of the Act on Prevention of Physical Injury by the Use of Sarin, etc. shall only apply to such offenses that shall be punishable even when committed outside Japan pursuant to conventions that take effect after the enforcement of this Act.

2. Omitted