

- (2) In case the Minister of International Trade and Industry has tried to make the staff inspect special containers, facilities for manufacture or inspection of special containers, books, documents, and other matters or ask questions to any person concerned to the extent necessary for the enforcement of this Law in the designated manufacturer's factory, business place, branch office, business office or warehouse, when such inspection has been refused, disturbed or evaded or such questions have not been answered or falsely answered :
- (3) When the expenses under the provisions of the following Paragraph are not burdened by the designated foreign manufacturer.
3. The expenses required for the inspection under the provisions of the preceding Paragraph Item 2 (Limited to only the ones prescribed by Cabinet Order) shall be burdened by the designated foreign manufacturer who is inspected as mentioned above.

## Chapter V Verification, Etc.

### Section 1

#### Verification, Inspection of Electric Meter with Transformer and Fitting Inspection

##### (Application for Verification)

Article 70 Any person who intends to take the verification under Article 16 Paragraph 1 Item (2) a) (Hereinafter referred to simply as "verification") as to specified measuring instruments shall submit an application form to the Minister of International Trade and Industry, a governor of Prefecture, Japan Electric Meters Inspection Corporation or a designated verification body in accordance with the classification prescribed by Cabinet Order.

##### (Conditions for Qualification)

Article 71 When a specified measuring instrument which has been verified conforms to the following items, it shall be regarded as qualified :

(1) That the construction (including the performance and property of materials. Hereinafter the same.) conforms to the technical requirements prescribed by the Ministry of International Trade and Industry Ordinance :

(2) That the instrumental error does not exceed the verification tolerance prescribed by the Ministry of International Trade and Industry Ordinance :

2. Whether or not the specified measuring instruments conforms to the preceding Paragraph Item (1) shall be determined by the method prescribed by the Ministry of International Trade and Industry Ordinance. Provided, however, that the specified measuring instrument

affixed with the declaration under Article 84 Paragraph 1 (Including the case which applies correspondingly to Article 89 Paragraph 4. Hereinafter the same in this Paragraph.) (For a specified measuring instrument prescribed by Cabinet Order under Article 50 Paragraph 1, which has passed the period prescribed for each specified measuring instrument by the Ministry of International Trade and Industry Ordinance after affixation with the declaration under Article 84 Paragraph 1, limited to only the one that is affixed with the declaration under Article 50 Paragraph 1 and has not yet passed the period prescribed by the Ministry of International Trade and Industry Ordinance) shall be regarded as conforming to the technical requirements (Excluding those which refer to the performance prescribed by the Ministry of International Trade and Industry Ordinance as requiring to be respectively decided with respect to the conformity of the said performance) prescribed by the Ministry of International Trade and Industry Ordinance under the same Item in the case of verification.

3. Whether or not the specified measuring instrument conforms to Paragraph 1 Item 2, shall be determined by the method prescribed by the Ministry of International Trade and Industry Ordinance and by using the measuring instrument which has passed the inspection of verification standards under Article 102 Paragraph 1 (The reference material prescribed by the Ministry of International Trade and Industry Ordinance with respect to the instrumental error of the specified measuring instrument prescribed by the Ministry of International Trade and Industry Ordinance)

(Verification Mark)

Article 72 The verification mark shall be affixed to the specified measuring instruments which have passed the verification.

2. The term of validity of the verification mark of the specified measuring instrument prescribed by Cabinet Order as recognized suitable for determining the term of validity of the verification judging from the construction, working conditions, working

situations, etc. shall be the term prescribed by Cabinet Order and the expiration date shall be declared on the verification mark.

3. The verification mark of the specified measuring instrument prescribed by Cabinet Order under Article 19 Paragraph 1 or Article 116 Paragraph 1 shall bear the year and the month in which the verification has been performed.
4. In case a specified measuring instrument which has been disqualified in the verification bears a verification mark, the verification mark shall be removed.
5. When an electric meter which has been verified is affixed with a matching number under Article 74 Paragraph 2 or 3, the matching number shall be removed.

(Application for Inspection of Electric Meter with Transformer)

Article 73 Any one who intends to take the inspection of electric meter with transformer with respect to electric meters shall submit an application form to the Minister of International Trade and Industry, Japan Electric Meters Inspection Corporation or the designated verification body in accordance with the classification prescribed by Cabinet Order.

2. In case an application is made under the provisions of the preceding Paragraph, the transformer to be used with an electric meter shall be attached. Provided, however, that the same shall not apply in case an electric meter intended to be used together with the transformer which is affixed with the matching number under the preceding Article Paragraph 2 which has not passed the term prescribed by the Ministry of International Trade and Industry Ordinance, calculating from the date declared thereon, is submitted for the said inspection of electric meter with transformer when a document bearing the matters prescribed by the Ministry of International Trade and Industry Ordinance as to the transformer has been submitted.

(Conditions of Qualification and Matching Number)

Article 74 In case the Minister of International Trade and Industry, Japan Electric Meters

Inspection Corporation or the designated verification body makes the inspection of electric meter with transformer by the method prescribed by the Minister of International Trade and Industry Ordinance. when an electric meter and a transformer to be used therewith conform to the following items (Item 2 in case a transformer is not attached by the provisions of the preceding Article Paragraph 2 Proviso), the electric meter with the transformer shall be regarded as qualified :

- (1) That the construction and the error of a transformer conform to the technical requirements prescribed by the Ministry of International Trade and Industry Ordinance ;
  - (2) That the error in case an electric meter is used together with the said transformer does not exceed the tolerance prescribed by the Ministry of International Trade and Industry Ordinance.
2. Excluding the provisions of the preceding Article Paragraph 2 Proviso. an electric meter and a transformer to be used therewith which have passed the inspection of electric meter with transformer shall be affixed with the matching numbers under the provision of the Ministry of International Trade and Industry Ordinance. In this case the date when the inspection of electric meter with transformer has been performed. shall be declared in the matching number to the transformer.
  3. In the case prescribed by the preceding Article Paragraph 2 Proviso an electric meter which has passed the inspection of electric meter with transformer shall be affixed with the same matching number as the one affixed to the said transformer.
  4. When an electric meter or a transformer used therewith which has not passed the inspection of electric meter with transformer is affixed with a matching number under the preceding two Paragraphs. the matching number shall be removed.

(Fitting Inspection)

Article 75 Any one who intends to receive the fitting inspection with respect to measuring instruments for fitting to vehicles, etc. shall, in accordance with the classification

prescribed by Cabinet Order, submit an application form to the Minister of International Trade and Industry, the governor of Prefecture or the designated verification body.

2. When the Minister of International Trade and Industry, the governor of Prefecture or the designated verification body has performed the fitting inspection by the method prescribed by the Ministry of International Trade and Industry Ordinance and a measuring instrument for fitting to vehicles, etc. conforms to the technical requirements prescribed by the Ministry of International Trade and Industry Ordinance, the measuring instrument for fitting to vehicles, etc. shall be regarded as qualified and affixed with a fitting inspection mark by the provisions of the Ministry of International Trade and Industry Ordinance.
3. The term of validity of the fitting inspection mark shall be the term prescribed by Cabinet Order for each measuring instrument for fitting to vehicles, etc. and the year and the month of expiration shall be declared in the fitting inspection mark.
4. When a measuring instrument for fitting to vehicles, etc. which has not passed the fitting inspection is affixed with a fitting inspection mark, this shall be removed.

## Section 2 Pattern Approval

(Pattern Approval relating to Manufacturer)

Article 76 The notifying manufacturer may obtain the approval of the pattern of specified measuring instruments he manufactures from the Minister of International Trade and Industry or Japan Electric Meters Inspection Corporation in accordance with the classification prescribed by Cabinet Order.

2. Any person who intends to obtain the pattern approval under the preceding Paragraph shall submit an application form on which the following matters are described to the Min-

ister of International Trade and Industry or Japan Electric Meters Inspection Corporation

:

(1) Name or title and address, and the name of the representative in case of a corporation

:

(2) Classification of enterprise prescribed by the Ministry of International Trade and Industry Ordinance under Article 40 Paragraph 1 ;

(3) Name and location of the factory or workshop where the said specified measuring instrument is manufactured ;

(4) Date of notification by the provision of Article 40 Paragraph 1.

3. To the application under the preceding Paragraph, sample specified measuring instruments, their construction drawings and other documents shall be attached as prescribed by the Ministry of International Trade and Industry Ordinance. Provided, however, that when the person intends to obtain the approval of Paragraph 1 with respect to the pattern of the specified measuring instrument which has passed the test under Article 78 Paragraph 1, and he has attached the document certifying that the relevant specified measuring instrument is qualified in the said test, the same shall not apply.

(Criteria of Approval)

Article 77 A person whose approval has been cancelled under the provisions of Article 88 (including the case which applies correspondingly to Article 89 Paragraph 4) or Article 89 Paragraph 5 and who has not passed one year from the date of cancellation cannot obtain the approval.

2. The Minister of International Trade and Industry or Japan Electric Meters Inspection Corporation shall approve the specified measuring instrument when the construction of the specified measuring instrument relating to the application of the approval under the preceding Article Paragraph 1 conforms to the technical requirements prescribed by the Ministry of International Trade and Industry Ordinance under Article 71 Paragraph 1 Item

(1).

(Test by Designated Verification body)

Article 78 A notifying manufacturer may, with respect to a specified measuring instrument of the pattern intended to obtain the approval under Article 76 Paragraph 1, take the test performed by the designated verification body performing the verification of the said specified measuring instrument.

2. The notifying manufacturer who intends to take the test under the preceding Paragraph shall, in accordance with the provisions of the Ministry of International Trade and Industry Ordinance, submit the sample specified measuring instruments and the construction diagram and other documents to the said designated verification body.

3. In the test of Paragraph 1, when the construction of the sample specified measuring instruments conforms to the technical requirements prescribed by the Ministry of International Trade and Industry Ordinance under Article 71 Paragraph 1 Item (1), the said specified measuring instrument shall be regarded as qualified.

(Notification of Alteration, Etc.)

Article 79 The notifying manufacturer who has obtained the approval under Article 76 Paragraph 1 (Hereinafter referred to as "approved manufacturer") shall, when the matters of the same Article Paragraph 2 Item (1) or (3) has altered, notify to the same effect without delay to the Minister of International Trade and Industry or Japan Electric Meters Inspection Corporation.

2. The provisions of Article 61 and Article 62 Paragraph 2 shall apply correspondingly to the approved manufacturer. In this case "the preceding Article Paragraph 1" in Article 61 shall be read, "Article 77 Paragraph 1" and "the preceding Paragraph" in the same Paragraph shall be read, "Article 79 Paragraph 1".

(Duty for Conforming to Requirements relating to Approved Manufacturer)

Article 80 When the approved manufacturer manufactures the specified measuring instruments



belonging to the type relating to the approval, he shall make them conform to the technical requirements prescribed by the Ministry of International Trade and Industry Ordinance under Article 71 Paragraph 1 Item (1) (Excluding the ones prescribed by the Ministry of International Trade and Industry Ordinance under the same Article Paragraph 2. Hereinafter referred to as "manufacturing technical requirements"). Provided, however, that in case he manufactures the said specified measuring instruments for export, when he has notified to the same effect to the governor of Prefecture in advance and when he manufactures them for sample, this shall not apply.

(Pattern Approval, Etc. relating to Importer)

Article 81 Any person who is engaged in the business of import of specified measuring instruments (Hereinafter referred to as "importer") may, with respect to the pattern of specified measuring instruments he imports, obtain the approval by the Minister of International Trade and Industry or Japan Electric Meters Inspection Corporation in accordance with the classification prescribed by Cabinet Order under Article 76 Paragraph 1.

2. The provisions of Article 76 Paragraph 2 (Excluding Item (2) and (4)) and 3. Article 77 and 78 shall apply correspondingly to the approval of the preceding Paragraph. In this case "name and location of the factory or workshop where the said specified measuring instruments are manufactured" in Article 76 Paragraph 2 Item (3) shall read, "name or title and address of a person who manufactures them".

3. The provisions of Article 61, Article 62 Paragraph 2 and Article 79 Paragraph 1 shall apply correspondingly to the importer who has obtained the approval under Paragraph 1 (Hereinafter referred to as "the approved importer"). In this case "the preceding Article Paragraph 1" in Article 61 shall read, "Article 77 Paragraph 1", and "the preceding Paragraph" in Article 62 Paragraph 2 shall read, "Article 79 Paragraph 1 which applies correspondingly in Article 81 Paragraph 3".

(Duty for Conforming to Requirements relating to Approved Importer)

Article 82 When the approved importer intends to sell a specified measuring instrument belonging to the pattern relating to the approval, he shall sell the one which conforms to the manufacturing technical requirements. Provided, however, that in case he sells the said specified measuring instrument for export, when he has notified to the same effect in advance to the governor of Prefecture, this shall not apply.

(Term of Validity for Approval, Etc.)

Article 83 The approval under Article 76 Paragraph 1 and Article 81 Paragraph 1 shall lose validity by the elapse of the term, unless the renewal is obtained for each term prescribed by Cabinet Order for each specified measuring instrument.

2. The matters on the procedure necessary for the application of renewal of the approval under the preceding Paragraph shall be determined by the Ministry of International Trade and Industry Ordinance.

(Declaration)

Article 84 When the approved manufacturer or the approved importer has manufactured or imported specified measuring instruments belonging to the pattern relating to the approval (Excluding the ones manufactured or sold by application of Article 80 Proviso or Article 82 Proviso), he may affix the declaration thereto in accordance with the provisions of the Ministry of International Trade and Industry Ordinance.

2. The declaration under the preceding Paragraph affixed to the specified measuring instruments prescribed by Cabinet Order under Article 50 Paragraph 1 shall bear the year when the declaration has been affixed.

3. Any person shall not affix the declaration under Paragraph 1 or the one liable to be confounded with this, excluding the provisions under Paragraph 1 (Including the case which applies correspondingly in Article 89 Paragraph 4).

(Removal of Declaration)

Article 85 When the importer has imported the specified measuring instruments affixed with the

declaration under the preceding Article Paragraph 1 or the one liable to be confounded with this, excluding the case affixed with the declaration by the provisions of the preceding Article Paragraph 1 (Including the case which applies correspondingly in Article 89 Paragraph 4) he shall remove the declaration before he transfers or lend this or submits to the verification for this.

(Order for Improvement)

Article 86 The Minister of International Trade and Industry may, when he recognizes that the approved manufacturer or the approved importer has violated the provisions of Article 80 or 82, order the person to take the measures necessary to make the specified measuring instruments to be manufactured or imported conform to the manufacturing technical requirements.

(Invalidation of Approval)

Article 87 When the approved manufacturer has abolished the business to manufacture the specified measuring instruments relating to the notification or the approved importer has abolished the business to import the specified measuring instruments, the said approval shall lose validity.

(Cancellation of Approval)

Article 88 The Minister of International Trade and Industry may cancel the approval, when the approved manufacturer or the approved importer falls under any one of the following items

:

- (1) The approved manufacturer or the approved importer has violated the provisions of Article 79 Paragraph 1 (Including the case which applies correspondingly to Article 81 Paragraph 3) or Article 84 Paragraph 3 ;
- (2) When the approved manufacturer or the approved importer has violated the order under the provisions of Article 44 or 86 ;
- (3) When the approved manufacturer or the approved importer has obtained the approval by

unfair means :

(Pattern Approval, Etc. relating to Foreign Manufacturer)

Article 89 Any person who is engaged in the business of manufacturer of specified measuring instruments exported to Japan in a foreign country (Hereinafter referred to as "a foreign manufacturer") may obtain the approval of the Minister of International Trade and Industry or Japan Electric Meters Inspection Corporation with respect to the pattern of the specified measuring instrument in accordance with the classification prescribed by Cabinet Order under Article 76 Paragraph 1.

2. When the foreign manufacturer who has obtained the approval under the preceding Paragraph (Hereinafter referred to as "the approved foreign manufacturer") manufactures the specified measuring instruments belonging to the pattern relating to the approval and exported to Japan, he shall make the said measuring instruments conform to the manufacturing technical requirements.

3. The provisions of Article 76 Paragraph 2 (Excluding Item 2 and 4) and 3, Article 77, Article 78 and Article 83 shall apply correspondingly to the approval under Paragraph 1.

4. The provisions of Article 61, Article 62 Paragraph 2, Article 79 Paragraph 2, Article 79 Paragraph 1, Article 84 Paragraph 1 and 3, and the preceding three Articles shall apply correspondingly to the approved foreign manufacturer. In this case "the preceding Article Paragraph 1" in Article 61 shall read, "Article 77 Paragraph 1 which applies correspondingly to Article 89 Paragraph 3". "the preceding Paragraph" in Article 62 Paragraph 2 shall read, "Article 79 Paragraph 1" which applies correspondingly to Article 89 Paragraph 4. "any person" in Article 84 Paragraph 3 shall read, "the approved foreign manufacturer". "the specified measuring instrument" therein shall read, "the specified measuring instrument exported to Japan". "Article 80 or 82 in Article 86 shall read", "Article 89 Paragraph 2". "Order" therein shall read, "request". when he has violated the order" in the preceding Article Item 2 shall read, "when he has not met the request".

5. The Minister of International Trade and Industry may cancel the approval, besides the provisions which applies correspondingly to the preceeding Paragraph, when: the foreign manufacturer falls under any one of the following items :

(1) When the Minister of International Trade and Industry has, to the extent necessary for the enforcement of this Law in accordance with the provisions of the Cabinet Order, requested the report to the approved foreign manufacturer in case the report has not been made or a false report has been made ;

(2) In case the Minister of International Trade and Industry intends to make the staffs inspect the specified measuring instruments, books, documents and other matters or make the person concerned ask any question to the extent necessary for the enforcement of this Law in the approved manufacturer's factory, workshop, business branch, business office or the warehouse, when the inspection has been refused, disturbed or evaded or the question has not been answered or a false answer has been made ;

(3) In the inspection under the provisions of the preceding item in case the Minister of International Trade and Industry has recognized it intensely difficult to make the staffs inspect the specified measuring instrument in the existing place for the approved manufacturer and requested the approved manufacturer submit the specified measuring instrument with the time limit decided, when the said request has not been responded ;

6. The government shall compensate the loss caused by the request by the provisions of the preceding Paragraph Item 3 to the approved foreign manufacturer. In this case the loss to be compensated shall be regarded as the loss caused normally by the request under the provisions of the same item.

## Section 3 Designated Manufacturer

(Designation)

Article 90 The designation under Article 16 Paragraph 1 Item 2b shall be performed for each factory or workshop by the application of the notifying manufacturer or the foreign manufacturer in accordance with the classification (Referred to simply as classification of the business in the following Article) of the business prescribed by the Ministry of International Trade and Industry Ordinance under Article 40 Paragraph 1.

(Application for Designation relating to Notifying Manufacturer)

Article 91 Any notifying manufacturer who intends to obtain the designation under Article 16 Paragraph 1 Item 2b shall submit the application form to the Minister of International Trade and Industry, stating the following matters :

- (1) Name or title and address and the name of the representative in the case of a corporation ;
  - (2) Classification of business ;
  - (3) Title and location of the factory or workshop ;
  - (4) Year, month and day of notification under the provisions of Article 40 Paragraph 1 ;
  - (5) Matters on quality control (Limited to the ones prescribed by the Ministry of International Trade and Industry Ordinance)
2. The notifying manufacturer who has made application by the provisions of the preceding Paragraph shall submit to the inspection performed by the governor of Prefecture or Japan Electric Meters Inspection Corporation with respect to the method of quality control in the said factory or workshop in accordance with the classification prescribed by Cabinet Order. Provided, however, that when the document under Article 93 Paragraph 2 has been attached to the application form under the same Paragraph, this shall not apply.

(Criteria of Designation)

Article 92 The notifying manufacturer who falls under any one of the following items cannot obtain the designation under Article 16 Paragraph 1 Item 2 :

(1) Any person who has been sentenced to a fine or heavier penalty due to the violation of this Law or the order based on this Law and has not yet passed two years from the date of completion of the execution of such penalty or the date on which such execution has been remitted :

(2) Any person whose designation has been cancelled under the provisions of Article 99 and has not yet passed two years from the date of such cancellation :

(3) A corporation in which any of directors who executes the business falls under any one of the preceding two items.

2. The Minister of International Trade and Industry shall not make designation, unless the method of quality control in the factory or workshop relating to the application of designation under Article 16 Paragraph 1 Item 2b is recognized as conforming to the requirements prescribed by the Ministry of International Trade and Industry Ordinance.

(Investigation by Designated Verification Body)

Article 93 The notifying manufacturer may submit to the investigation performed by the designated verification body which verifies the said specified measuring instruments with respect to the method of quality control in the factory or the workshop relating to the application of designation under Article 16 Paragraph 1 Item 2b.

2. When the designated verification body recognizes that the method of quality control in the factory or workshop which has investigated in accordance with the preceding Paragraph conforms to the requirements prescribed by the Ministry of International Trade and Industry Ordinance under the preceding Article Paragraph 2, the body shall deliver the document showing to the effect to the notifying manufacturer.

(Notification of Alteration, Etc.)

Article 94 The notifying manufacturer who has obtained the designation under Article 16 Para-

graph 1 Item 2b (Hereinafter referred to as "the designated manufacturer") shall, when any alteration has been caused with respect to the matters under in Article 91 Paragraph 1 Item 5, notify to the same effect without delay to the Minister of International Trade and Industry.

2. The provisions of Article 61 and Article 62 Paragraph 2 shall apply correspondingly to the designated manufacturer. In this case the term "the the preceding Article Paragraph 1" in Article 61 shall read, "Article 92 Paragraph 1" and "the preceding Paragraph" in the same Paragraph shall read, "Article 94 Paragraph 1".

(Duty for Conforming to Requirements, Etc.)

Article 95 When the designated manufacturer manufactures the specified measuring instruments belonging to the pattern relating to the approval under Article 76 Paragraph 1 in the factory or workshop relating to the designation, he shall make the relevant specified measuring instrument conform to the technical requirements prescribed by the Ministry of International Trade and Industry Ordinance under Article 71 Paragraph 1 Item 1 and prescribed by the Ministry of International Trade and Industry Ordinance under the same Article Paragraph 2 and shall not make its instrumental error exceed the verification tolerance prescribed by the Ministry of Interational Trade and Industry Ordinance under the same Article Paragraph 1 Item 2. Provided, however, that in case he manufactures the relevant specified measuring instrument for export, when he has notified to the same effect beforehand to the governor of Prefecture and when he manufactures the relevant sample specified measuring instrument, this shall not apply.

2. The designated manufacturer shall perform the inspection, compose the inspection record prescribed and preserve this with respect to the specified measuring instrument belonging to the pattern relating to the approval under Article 76 Paragraph 1 and manufactured in the factory or workshop relating to the designation (Excluding the ones manufactured with the application of the provisions of the preceding Paragraph Proviso)



(Declaration)

Article 96 When the designated manufacturer has manufactured the specified measuring instrument belonging to the pattern relating to the approval under Article 76 Paragraph 1 (Excluding the ones manufactured with the application of the provisions of the preceding Article Paragraph 1 Proviso) he may affix the declaration in accordance with the provisions of the Ministry of International Trade and Industry Ordinance.

2. The term of validity of the declaration under the preceding Paragraph affixed to the specified measuring instrument prescribed by Cabinet Order under Article 72 Paragraph 2 shall be rendered as the term prescribed by Cabinet Order, and the year and the month of the expiry shall be indicated in the declaration.

3. The declaration under Paragraph 1, affixed to the specified measuring instrument prescribed by Cabinet Order under Article 19 Paragraph 1 or Article 116 Paragraph 1 shall bear the year and the month in which the declaration has been affixed.

(Restriction of Declaration)

Article 97 Any person shall not, except for the case prescribed by the preceding Paragraph 1 (Including the case which applies correspondingly to Article 101 Paragraph 3) affix to a specified measuring instrument the declaration under the preceding Article Paragraph 1 or a declaration liable to be confounded with the said declaration.

2. When the importer has, except for the case where the declaration is affixed by the provisions of the preceding Article Paragraph 1 (Including the case which applies correspondingly to Article 101 Paragraph 3) imported any specified measuring instrument affixed with the declaration under the preceding Article Paragraph 1 or a declaration liable to be confounded with this, he shall remove the declaration before he transfers or lends it.

(Order for Improvement)

Article 98 The Minister of International Trade and Industry may, in the following case, order

to the designated manufacturer the improvement of appliances, machines, equipment for the inspection of the said specified measuring instrument, the improvement of the business for quality control or to take other necessary measures :

- (1) When the Minister of International Trade and Industry recognizes that the method of quality control in the factory or workshop relating to the said designation does not conform to the requirements prescribed by the Ministry of International Trade and Industry Ordinance under Article 92 Paragraph 2 ;
- (2) When the Minister of International Trade and Industry recognizes that the designated manufacturer has violated the provisions of Article 95 Paragraph 1.

(Cancellation of Designation)

Article 99 The Minister of International Trade and Industry may, when the designated manufacturer falls under any one of the following items, cancel the designation :

- (1) When the designated manufacturer has violated the provisions of Article 84 Paragraph 3, Article 94 Paragraph 1, Article 95 Paragraph 2 or Article 97 Paragraph 1 ;
- (2) When the designated manufacturer has fallen under Article 92 Paragraph 1 Item 1 or 3 ;
- (3) When the designated manufacturer has violated the order by the provision of Article 86 or the preceding Article ;
- (4) When the designated manufacturer has obtained the designation under Article 16 Paragraph 1 Item 2b.

(Corresponding Application)

Article 100 The provisions of Article 40 Paragraph 2 shall apply correspondingly to the submission of the application under Article 91 Paragraph 1 and the provisions of Article 66 shall apply correspondingly to the designated manufacturer.

(Designation, Etc. relating to Foreign Manufacturer)

Article 101 Any foreign manufacturer who intends to obtain the designation under Article 16

Paragraph 1 Item 2b shall submit the application bearing the matters from Article 91 Paragraph 1 Item 1 to 3 and Item 5 to the Minister of International Trade and Industry.

2. When the foreign manufacturer who has obtained the designation under Article 16 Paragraph 1 Item 2 (Hereinafter referred to as "designated foreign manufacturer") manufactures specified measuring instruments, exported to Japan, belonging to the pattern for which he has obtained the approval under Article 89 Paragraph 1 in the factory or workshop relating to the designation, he shall make the relevant specified measuring instruments conform to the technical requirements, prescribed by the Ministry of International Trade and Industry Ordinance under Article 71 Paragraph 1 Item 1 and prescribed by the Ministry of International Trade and Industry Ordinance under the same Article Paragraph 2, and shall not make its instrumental error exceed the verification tolerance prescribed by the Ministry of International Trade and Industry Ordinance under the same Article Paragraph 1 Item 2.

3. The provisions of Article 92 shall apply correspondingly to the designation under Article 16 Paragraph 1 item 2b and the provisions of Article 61, Article 62, Article 65, Article 66, Article 89 Paragraph 5 and 6, Article 94 Paragraph 1, Article 95 paragraph 2, Article 96 Paragraph 1, Article 97 Paragraph 1, Article 98 and Article 99 shall apply correspondingly to the designated foreign manufacturer. In this case the term "the preceding Article Paragraph 1" in Article 61 shall read, "Article 92 Paragraph 1 which applies correspondingly to Article 101 Paragraph 3", the term "Article 59 each Item" in Article 62 Paragraph 1 shall read, "from Article 91 Paragraph 1 Item 1 to Item 3", the term "the preceding Article which applies correspondingly to the preceding Paragraph" shall read, "Article 99 which applies correspondingly to Article 101 Paragraph 3", the term "specified measuring instruments belonging to the pattern relating the approval" under Article 76 Paragraph 1 (Excluding the ones manufactured with application of the provisions of the preceding Paragraph Proviso) in Article 95 Paragraph 2 and the term "specified

measuring instruments belonging to the pattern relating to the approval under Article 76 Paragraph 1 (Excluding the ones manufactured with application of the provisions of the preceding Article Paragraph 1 Proviso)" in Article 96 Paragraph 1 shall read, "specified measuring instruments belonging to the pattern relating to the approval under Article 89 Paragraph 1 and exported to Japan", the term "any person" in Article 97 Paragraph 1 shall read, "a designated foreign manufacturer", the term "specified measuring instruments" shall read, "specified measuring instruments, exported to Japan", the term "order" in Article 98 shall read, "request", the term "Article 95 Paragraph 1" in the same Article Item 2 shall read, "Article 101 Paragraph 2", the term "Article 84 Paragraph 3" in Article 99 Item 1 shall read, "Article 84 Paragraph 3" which applies correspondingly to Article 89 Paragraph 4, the term "Article 86" in the same Article Item 3 shall read, "Article 86 which applies correspondingly to Article 89 Item 4", and the term "when he has violated the order" shall read, "when he has not met the request".

## Section 4 Inspection of Verification Standards

(Inspection of Verification Standards)

Article 102 The inspection of measuring instruments used for verification, periodic inspection and other inspections of measuring instruments prescribed by the Ministry of International Trade and Industry Ordinance (Hereinafter referred to as "inspection of verification standards") shall be, in accordance with the classification prescribed by Cabinet Order, performed by the Minister of International Trade and Industry, governor of Prefecture or Japan Electric Meters Inspection Corporation.

2. The classification of measuring instruments which perform the inspection of veri-

fication standards and the person who can take the said inspection shall be prescribed by the Ministry of International Trade and Industry Ordinance.

(Conditions for Qualification of Inspection of Verification Standards)

Article 103 When a measuring instrument which has received the inspection of verification standards conforms to the following items, it shall be regarded as qualified :

(1) That the construction conforms to the technical requirements prescribed by the Ministry of International Trade and Industry Ordinance :

(2) That the instrumental error conforms to the requirements prescribed by the Ministry of International Trade and Industry Ordinance.

2. Whether or not the measuring instrument conforms to Paragraph 1 Item 1 shall be determined by the method prescribed by the Ministry of International Trade and Industry Ordinance.

3. Whether or not the measuring instrument conforms to Paragraph 1 Item 2 shall be determined by calibrating the said measuring instrument by use of the method prescribed by the Ministry of International Trade and Industry Ordinance.

(Inspection Mark of Verification Standards)

Article 104 A measuring instrument which has passed the inspection of verification standards (Hereinafter referred to as "verification standards") shall be affixed with an inspection mark of verification standards in accordance with the provisions of the Ministry of International Trade and Industry Ordinance.

2. The term of validity for an inspection mark of verification standards shall be the term prescribed by the Ministry of International Trade and Industry Ordinance for each classification of the measuring instrument.

3. When a measuring instrument which has not passed the inspection of verification standards is affixed with an inspection mark of verification standards, the inspection mark of verification standards shall be removed.

(Certificate of Inspection of Verification Standards)

Article 105 When a measuring standard has passed the inspection of verification standards, a certificate of the inspection of verification standards, on which the instrumental error, the method of calibration of the instrumental error and the term of validity under the preceding Article Paragraph 2 shall be delivered to the person who has applied for the said inspection.

2. With respect to the verification standards prescribed by the Ministry of International Trade and Industry Ordinance the usage or how to use shall be mentioned on the certificate of inspection of verification standards.
3. In case a person who has applied for the inspection of verification standards has been granted the certificate of the inspection of verification standards as to the measuring instrument which has been disqualified in the inspection of verification standards, such a record shall be cancelled with an obliteration mark.
4. When a verification standard is transferred or lent, it shall be accompanied with the certificate of the inspection of verification standards.

## Section 5 Designated Verification Body

Article 106 The designation under Article 16 Paragraph 1 Item 2a shall be performed by application of the person who intends to perform verification [including the inspection of electric meters with a transformer, fitting inspection, the test under Article 78 Paragraph 1 (including the case which applies correspondingly to Article 81 Paragraph 2 and Article 89 Paragraph 3) Hereinafter the same in this Article.] and the investigation under Article 93 Paragraph 1.

2. The designated verification body shall, when he intends to change its location of the business place where verification is performed, notify the same to the Minister of International Trade and Industry not later than two weeks before the date when it is intended to change.
3. The provisions of Article 27 through Article 38 shall apply correspondingly to the designated verification body and the verification. In this case the term "the governor of Prefecture or the head of the specified city, town or village" in these provisions shall read, "the Minister of International Trade and Industry" and the term "Article 20 Paragraph 1" in Article 27, Article 28 and Article 38 Item 5 shall read, "Article 16 Paragraph 1 Item 2a".

## Chapter VI Measurement Certification Business

### Section 1 Measurement Certification Business

#### (Registration of Measurement Certification Business)

Article 107 Any person who intends to perform the business of measurement certification enumerated in the following shall be registered in accordance with the classification of the business (Simply referred to as "classification of business" in the next Article) for every workshop to the governor of Prefecture exercising jurisdiction over the place of the said business. Provided, however, that the same shall not apply in the case where the government or a local public entity engages in the said measurement certification business and in the case where the person who has been registered, designated or disposed in other ways, for doing the business based on the provisions of the Law prescribed by Cabinet Order, engages in the said business of measurement certification :

- (1) The business of measurement certification of the length, mass, area, volume or amount of heat of the goods at the time of loading, unloading or warehousing of the said goods with the object of forwarding, depositing or selling (Excluding the measurement certification of the mass or volume of the goods for shipping at the time of loading or unloading of the said goods) ;
- (2) The business of measurement certification of concentration, noise level and other physical quantities (Excluding those enumerated in the preceding item).

#### (Application for Registration)

Article 108 Any person who intends to apply for the registration under the preceding Article shall submit the application stating the following matters to the governor of Prefecture exercising the jurisdiction over the place of the workshop :



- (1) Name or title and address, and the name of the representative in case of a corporation ;
- (2) Classification of business ;
- (3) Location of the workshop ;
- (4) Title, performance and number of the specified measuring instruments and other appliances, machines or equipment used for measurement certification, which are prescribed by the Ministry of International Trade and Industry Ordinance ;
- (5) Name (Name and the registration number for those enumerated in (a)) and the content of the job of the person who engages in the service relating to the business :
  - (a) Certified measurer prescribed by the Ministry of International Trade and Industry Ordinance according to the classification of the business
  - (b) The person having such knowledge and experience as conform to the conditions prescribed by the Ministry of International Trade and Industry Ordinance according to the classification of the business.

(Criteria for Registration)

Article 109 The governor of Prefecture shall, when the application of registration under Article 107 conforms to the following items, register the business :

- (1) That the specified measuring instruments and other appliances, machines or equipment used for measurement certification conform to the requirements prescribed by the Ministry of International Trade and Industry Ordinance ;
- (2) That the person enumerated in the preceding Article Item 5 a or b performs measurement control relating to the said business (Meaning to take necessary measures for the arrangement of measuring instruments, preservation of the accuracy of measurement, improvement of the method of measurement and securing the execution of correct measurement. Hereinafter the same.)

(Rules for Business)

Article 110 The person who has obtained the registration under Article 107 (Hereinafter referred to as "measurement certifier") shall prepare the rules for business stating the matters prescribed by the Ministry of International Trade and Industry Ordinance with respect to the method of carrying out the business relating to the relevant registration and after he has obtained the registration he shall forthwith notify the same to the governor of Prefecture. The same shall apply in the case of amendment thereto.

2. The governor of Prefecture may, when he recognizes it necessary to secure a proper enforcement of measurement certification, order the measurement certifier to amend the rules for business relating to the notification by the provisions of the preceding Paragraph.

(Order for Conformity)

Article 111 The governor of Prefecture may, when he recognizes that a measurement certifier has not conformed to Article 109 each Item, order the measurement certifier to take necessary measures for conforming to these provisions.

(Invalidation of Registration)

Article 112 When the measurement certifier has discontinued the business relating to the registration or when he has removed the place of business out of the jurisdiction of the governor of Prefecture from which he has obtained the registration thereof, the said registration shall be invalidated.

(Cancellation of Registration, Etc.)

Article 113 The governor of Prefecture may, when a measurement certifier falls under any one of the following Items, cancel his registration thereof or order him suspend the business by fixing the period within one year :

- (1) When the measurement certifier has violated the provisions of Article 62 Paragraph 1 or Article 116 which applies correspondingly to the preceding Article ;
- (2) When the measurement certifier has come to fall under Article 92 Paragraph 1 Item 1 or 3 which applies correspondingly to the preceding Article ;

- (3) When the measurement certifier has violated the order under the provision of Article 110 Paragraph 2 or Article 111 ;
- (4) When it is recognized that the rules for business relating to the notification under the provisions of Article 110 Paragraph 1 have not been enforced ;
- (5) When the measurement certifier has obtained the registration under Article 107 by the unfair means.

(Corresponding Application)

Article 114 The provisions of Article 92 Paragraph 1 shall apply correspondingly to the registration under Article 107 and the provisions of Article 61, Article 62 and Article 65 shall apply correspondingly to the measurement certifier. In this case the term "two years" in Article 92 Paragraph 1 Item 1 and Item 2 shall read, "one year", the term "Article 99" in the same Item shall read, "Article 113", the term "the preceding Article Paragraph 1" shall read, "Article 92 Paragraph 1 which applies correspondingly to Article 114", the term "Article 59 each Item" in Article 62 Paragraph 1 shall read, "Article 108 Item 1 or 3 to Item 5".

(Entrustment to Ministerial Ordinance)

Article 115 Besides the provisions from Article 107 to the preceding Article, the granting, amendment, regranting and restoration of the registered certificate, the granting and perusal of the certified copy of the registration book and other matters relating to the registration of the measurement certification business shall be determined by the Ministry of International Trade and Industry Ordinance.

## Section 2 Measurement Certification Inspection

(Measurement Certification Inspection)

Article 116 The measurement certifier shall receive the inspection performed by the governor of Prefecture to whom he has made the said registration (Hereinafter referred to as "measurement certification inspection") with respect to the specified measuring instrument used for measurement certification (Excluding those prescribed by Cabinet Order under Article 16 Paragraph 1) and prescribed by Cabinet Order in accordance with the provision of the Ministry of International Trade and Industry Ordinance for every period prescribed for each specified measuring instrument from the date upon which he has received the registration under Article 107. Provided, however, that the same shall not apply with respect to the specified measuring instrument enumerated in the following :

- (1) A specified measuring instrument on which the verification mark, etc. which does not pass the period prescribed by Cabinet Order for each specified measuring instrument, starting from the first of the following month of the year and month declared thereto by the provisions of Article 72 Paragraph 3 or Article 96 Paragraph 3, is affixed ;
  - (2) A specified measuring instrument used in the place of business relating to the designation (Excluding those enumerated in the preceding Item) by the measurement certifier who has received the designation under Article 127 Paragraph 1.
2. The measurement certifier who has received the designation under Article 127 Paragraph 1 shall make a certified measurer prescribed by Article 128 Item 1 inspect whether a specified measuring instrument prescribed by Cabinet Order under the same Paragraph, used in the place of business relating to the designation, conforms to Article 118 Paragraph 1 each Item by the method prescribed by the Ministry of International Trade and Industry Ordinance under the same Article Paragraph 2 and 3 once during the period prescribed by Cabinet Order for the part other than those enumerated in the preceding Paragraph each Item.

(Designated Measurement Certification Inspection Body)

Article 117 The governor of Prefecture may make the person whom he has designated (Hereinafter

referred to as "Designated Measurement Certification Body" perform the measurement certification inspection.

2. The governor of Prefecture shall not, when he has determined to make the designated measurement certification body perform the whole or a part of the service of the measurement certification inspection (Hereinafter referred to as "inspection service"), perform the whole or a part of the relevant inspection service.

(Conditions for Qualification of Inspection)

Article 118 A specified measuring instrument which has received the measurement certification inspection shall be considered to be qualified, when it conforms to the following Items :

- (1) That the verification mark, etc. (Limited to the one which does not pass the term of validity for the specified measuring instrument prescribed by Cabinet Order under Article 72 Paragraph 2) is affixed thereto ;
  - (2) That the performance conforms to the technical requirements prescribed by the Ministry of International Trade and Industry Ordinance ;
  - (3) That the instrumental error does not exceed the in-service tolerance prescribed by the Ministry of International Trade and Industry Ordinance
2. Whether or not the specified measuring instrument conforms to the preceding Paragraph Item 2 shall be determined by the method prescribed by the Minister of International Trade and Industry Ordinance.
  3. Whether or not the specified measuring instrument conforms to Paragraph 1 Item 3 shall be determined by the method prescribed by the Ministry of International Trade and Industry Ordinance by use of a verification standard (Reference material prescribed by the Ministry of International Trade and Industry Ordinance under the same Paragraph with respect to the instrumental error of the specified measuring instrument prescribed by the Ministry of International Trade and Industry Ordinance under Article 71 Paragraph 2).

(Measurement Certification Inspection Mark, Etc.)

Article 119 The specified measuring instrument which has passed the measurement certification inspection shall be affixed with the measurement certification inspection mark according to the provisions of the Ministry of International Trade and Industry Ordinance.

2. In the measurement certification inspection mark under the preceding Paragraph, the year and month upon which the measurement certification inspection has been performed, shall be declared.

3. When a specified measuring instrument which has not passed the measurement certification inspection shall, when it is affixed with the verification mark, etc. the said verification mark, etc. shall be removed.

(Inspection by Certified Measurer in place of Measurement Certification Inspection)

Article 120 With respect to the specified measuring instrument for which a measurement certifier ought to receive the measurement certification inspection by the provisions of Article 116 Paragraph 1, in case the certified measurer prescribed by the Ministry of International Trade and Industry Ordinance in accordance with the classification of the specified measuring instrument, has performed the inspection by the method prescribed by the Ministry of International Trade and Industry Ordinance under Article 118 Paragraph 2 and 3 within the period prescribed by the Ministry of International Trade and Industry Ordinance and has affixed the declaration thereto by the provisions of Article 25 Paragraph 3, which applies correspondingly to the following Paragraph, the measurement certifier need not receive the measurement certification inspection irrespective of the provision of Article 116 Paragraph 1, when he has notified the same to the governor of Prefecture.

2. The provisions of Article 25 Paragraph 2 and 3 shall apply correspondingly to the case of the preceding Paragraph. In this case the term "Article 23 Paragraph 1 each item" in the same Article Paragraph 3 shall read, "Article 118 Paragraph 1 each item".

(Accreditation of Designated Measurement Certification Inspection Institute, Etc.)

Article 121 The designation under Article 117 Paragraph 1 shall be performed by the application from the person who intends to perform the inspection service.

2. The provisions from Article 27 to Article 39 and Article 106 Paragraph 2 shall apply correspondingly to the designated measurement certification inspection body and the measurement certification inspection. In this case the term "the governor of Prefecture or the head of the city, town or village" and "the Minister of International Trade and Industry" in Article 106 Paragraph 2 shall read. "the governor of Prefecture" and the term "Article 20 Paragraph 1" in Article 27, Article 28 and Article 38 Item 5 shall read. "Article 117 Paragraph 1".

## Chapter VII Proper Measurement Control

### Section 1 Certified Measurer

#### (Registration)

Article 122 The Minister of International Trade and Industry may register any person having knowledge and experience necessary for performing properly the inspection of measuring instruments and other measurement control as a certified measurer.

2. Any person who falls under any one of the following items may, according to each classification of the certified measurer prescribed by the Ministry of International Trade and Industry Ordinance (Hereinafter referred to as "the classification of the certified measurer") become a certified measurer by receiving the registration by the provisions of the preceding Paragraph as to the name, the year, month and the day of birth and other matters prescribed by the Ministry of International Trade and Industry Ordinance :

(1) The person who has passed the national examination for a certified measurer and conforms to the experience of actual service and other conditions prescribed by the Ministry of International Trade and Industry Ordinance according to the classification of the certified measurer ;

(2) The person who has completed the course of the Measurement Training Institute and conforms to the experience of actual service and other conditions prescribed by the Ministry of International Trade and Industry Ordinance according to the classification of the certified measurer and who has also been recognized by the Measurement Administration Council as a man having the equal or higher level of learning and experience compared with the person in the preceding Item.

3. Any person who falls under any one of the following Items shall not be registered as a



certified measurer :

(1) Any person who has been sentenced to a fine or heavier penalty due to the violation of this Law or any order based on this Law and has not yet passed one year from the date of completion of the execution of such penalty or the date on which such execution has been remitted ;

(2) Any person whose registration of a certified measurer has been cancelled under the following Article and has not yet passed one year from the date of such cancellation.

(Cancellation of Registration, Etc.)

Article 123 The Minister of International Trade and Industry may cancel the registration or order the suspension of using the title of a certified measurer by fixing the period within one year in case a certified measurer falls under any one of the following items :

(1) When a certified measurer has violated the provisions of this Law or orders based on this Law ;

(2) Besides the provisions in the preceding item, when a certified measurer has conducted a dishonest behavior with respect to the inspection service of a specified measuring instruments ;

(3) When a certified measurer has obtained the registration through dishonest means.

(Restriction of Use of Title)

Article 124 Any person who is not a certified measurer shall not use the title of a certified measurer.

(National Examination for Certified Measurer)

Article 125 The national examination for a certified measurer shall be performed at least once a year for each classification of a certified measurer with respect to knowledge and skill necessary for the inspection of measuring instruments and other measurement control by the Minister of International Trade and Industry.

(Entrustment to Ministry of International Trade and Industry Ordinance)

Article 126 Besides the provisions from Article 122 to the preceding Article the application of the registration, delivery, amendment, redelivery and restoration of the registration certificate, delivery perusal of a certified copy of the registration book, and other matters relating to the registration of a certified measurer, as well as the subjects of the examination, procedure to take examination and other execution details on the national examination for a certified measurer shall be determined by the Ministry of International Trade and Industry Ordinance.

## Section 2 Proper Measurement Control Business Place

(Designation)

Article 127 The Minister of International Trade and Industry may perform the designation of a proper measurement control business place which uses specified measuring instruments and performs proper measurement control.

2. Any person who intends to obtain the designation under the preceding Paragraph shall submit the application stating the following matters to the Minister of International Trade and Industry through the governor of Prefecture who has jurisdiction over the location of the business place for using the said measuring instruments (The head of the specified city, town or village in case such a location is within the specified city, town or village.)

(1) Name or title and address, and the name of the representative in the case of a corporation ;

(2) Title and address of the business place ;

(3) Title, performance and number of specified measuring instruments to be used ;

- (4) Name, registration number and classification of the certified measurer inspecting specified measuring instruments to be used ;
  - (5) Matters relating to the method of measurement control (Limited to the ones prescribed by the Ministry of International Trade and Industry Ordinance.
3. The person who has made the application of designation under Paragraph 1 shall forthwith receive the inspection performed by the said governor of Prefecture or the head of the specified city, town or village as to the method of measurement control in the said business place.

(Criteria of Designation)

Article 128 The Minister of International Trade and Industry shall, when he recognizes that the application for designation under the preceding Article Paragraph 1 conforms to the following Items, make the designation :

- (1) That a certified measurer prescribed by the Ministry of International Trade and Industry Ordinance according to the classification of specified measuring instruments executes the inspection periodically for specified measuring instruments used in the said business place in accordance with the provisions of the Ministry of International Trade and Industry Ordinance ;
- (2) Besides that, the method of measurement control conforms to the requirements prescribed by the Ministry of International Trade and Industry Ordinance.

(Entry in Book)

Article 129 The person who has obtained the designation under Article 127 Paragraph 1 shall prepare for a book in accordance with the provisions of the Ministry of International Trade and Industry Ordinance and keep it by entering the result of the inspection which has been performed by a certified measurer for specified measuring instruments used in the said proper measurement control business place.

(Sign)

Article 130 The person who has obtained the designation under Article 127 Paragraph 1 may raise the sign of such a form as prescribed by the Ministry of International Trade and Industry Ordinance in the said proper measurement control business place :

2. Except for the case prescribed by the preceding Paragraph, any person shall not raise the sign under the same Paragraph or any mark liable to be confounded with this.

(Order for Conformity)

Article 131 The Minister of International Trade and Industry may, when he recognizes that the person who has obtained the designation under Article 127 Paragraph 1 has come not to comply with Article 128 each Item, order him to take the measures necessary for complying with these provisions.

(Cancellation of Designation)

Article 132 The Minister of International Trade and Industry may, when it is recognized that the person who has obtained the designation under Article 127 Paragraph 1 falls under any one of the following Items, cancel the designation :

- (1) When the person has violated the provisions of Article 130 Paragraph 2 or Article 62 Paragraph 1 which applies correspondingly to the following Article :
- (2) When the person has come to fall under Article 92 Paragraph 1 Item 1 or 3 which applies correspondingly to the following Article :
- (3) When the person has violated the Order under the provisions of the preceding Article :
- (4) When the person has obtained the designation under Article 127 Paragraph 1 by dishonest means.

(Corresponding Application)

Article 133 The provisions of Article 92 Paragraph 1 shall apply correspondingly to the designation under Article 127 Paragraph 1 and the provisions of Article 61, Article 62, Article 65 and Article 66 shall apply correspondingly to the person who has obtained the designation under Article 127 Paragraph 1. In this case the term "two years" in Article

92 Item 1 and 2 shall read, "one year". the term "Article 99" in the same Item shall read, "Article 132". the term "the preceding Article Paragraph 1" shall read, "Article 92 Paragraph 1" which applies correspondingly to Article 133 and the term "Article 59 each Item" in Article 62 Paragraph 1 shall read, "Article 127 Paragraph 2 each Item".

## Chapter VIII Calibration of Measuring Instruments, Etc.

### Section 1 Calibration by means of Specified Standard, Etc.

(Designation of Specified Standards, Etc.)

Article 134 The Minister of International Trade and Industry shall designate a measuring instrument to be standard for measuring instruments which represents the quantity of the specified status of physical phenomena, or an appliance, machine or equipment for manufacturing the reference material representing the said quantity.

2. In case the Minister of International Trade and Industry designates, according to the provisions of the preceding Paragraph, a measuring instrument to be standard for measuring instruments, which represents the quantity of the specified status of physical phenomena, when he recognizes it unsuitable to use repeatedly the measuring instrument relating to the designation (Hereinafter referred to as "specified standard") for calibration of measuring instruments, he shall designate in addition a measuring instrument which has been calibrated by use of the specified standard and which he recognizes it suitable to use for calibration as usable in place of the specified standard.
3. When the Minister of International Trade and Industry recognizes that a specified standard or a reference material manufactured by use of or an appliance, machine or equipment relating to the designation under the provisions of Paragraph 1 (Hereinafter referred to as "specified reference material") has become unsuitable as the one representing the quantity of the specified status of physical phenomena, he may cancel the designation. In this case when the specified standard relating to the cancellation of the designation has received the designation under the provisions of the preceding Paragraph, the relevant designation shall be cancelled together in combination.

4. When the Minister of International Trade and Industry recognizes that a measuring instrument relating to the designation under the provision of Paragraph 2 has become unsuitable for being used for calibration in place of the specified standard, he may cancel the designation.

(Calibration by means of Specified Standard, Etc.)

Article 135 The calibration of a measuring instrument or the valuing of a reference material (Hereinafter referred to as "calibration by means of a specified standard, etc.") performed by use of a specified standard or a measuring instrument relating to the designation under the provisions of the preceding Article Paragraph 2 (Hereinafter referred to as "specified standard, etc.") or a specified reference material shall be performed by the Minister of International Trade and Industry, Japan Electric Meters Inspection Corporation or the person whom the Minister of International Trade and Industry has designated. (Hereinafter referred to as "designated calibration body")

2. The Minister of International Trade and Industry shall, when the Minister of International Trade and Industry, Japan Electric Meters Inspection Corporation or the designated calibration body performs calibration by use of the specified standard, etc. according to the provisions of the preceding Paragraph, publish the following matters :

- (1) The person who performs the calibration by the specified standard, etc. ;
- (2) The measuring instrument or the reference material which is subject to calibration by the specified standard, etc. ;
- (3) Specified standards, etc. or specified reference material used for the calibration by the specified standard, etc. ;

3. When the Minister of International Trade and Industry has become unable to perform the calibration by the specified standard, etc. relating to the publication under the provisions of the preceding Paragraph he shall publish to the same effect.

(Granting of Certificate, Etc.)

Article 136 When the Minister of International Trade and Industry, Japan Electric Meters Inspection Corporation or the designated calibration body has performed calibration by means of the specified standard, etc., he shall deliver a certificate mentioning the matters prescribed by the Ministry of International Trade and Industry Ordinance and affixed with the mark prescribed by the Ministry of International Trade and Industry Ordinance.

2. Any person shall not, except for the case prescribed by the preceding Paragraph, affix the mark under the same Paragraph or the mark liable to be confounded with this on a certificate relating to the calibration of a measuring instrument or the valuing of the reference material (Hereinafter referred to as "calibration of a measuring instrument, etc.").

3. Besides the provisions of preceding Paragraph, the designated calibration body and the person who has obtained the accreditation under Article 143 shall not affix the mark under Paragraph 1 or the mark liable to be confounded with this on those other than the certificate relating to the calibration of a measuring instrument, etc.

(Duty for Calibration by Specified Standard, Etc.)

Article 137 When the Minister of International Trade and Industry, Japan Electric Meters Inspection Corporation or the designated calibration body has been requested to perform the calibration by the specified standard, etc., he shall, excluding the case for the sufficient reason, perform the calibration by the specified standard, etc.

(Application for Designation)

Article 138 The designation under Article 135 Paragraph 1 shall be performed with the range of the business limited by the application of the person who intends to perform calibration by means of the specified standard, etc.

(Disqualification)

Article 139 The person who falls under any one of the following items shall not obtain the



designation under Article 135 Paragraph 1 :

- (1) Any person who has been sentenced to a fine or heavier penalty by violating this Law or any order based on this Law and has not yet passed two years from the date of completion of the execution of such penalty or the date on which such execution has been remitted :
- (2) Any person whose designation under Article 135 Paragraph 1 was cancelled under the provisions of Article 141 and has not yet passed two years from the date of such cancellation (Excluding the person whose designation under Article 135 Paragraph 1 was cancelled as falling under Article 141 Paragraph 1 accompanying with the cancellation of the designation under Article 134 Paragraph 1 or 2 by the provisions of the same Article Paragraph 3 or 4)
- (3) Any corporation who has any one director of those who execute the business falling under Item 1.

(Criteria of Designation)

Article 140 Unless the Minister of International Trade and Industry recognizes the application for the designation under Article 135 Paragraph 1 conforms to the following items, he shall not perform the designation :

- (1) That the applicant is the person who performs calibration of a measuring instrument by use of a specified standard, etc. or the person who manufactures a specified reference material by use of appliances, machines or equipment relating to the designation under the provisions of Article 134 Paragraph 1 and performs calibration of a measuring instrument or valuing of a reference material by use of it :
- (2) That the applicant is the person who has technical capability and economical foundation necessary for performing properly and smoothly the business such as calibration by use of a specified standard, etc. :
- (3) That the applicant is the corporation who has been established by Civil Law Article 34

and whose construction of directors and staffs is not likely to exert any hindrance for fair performance of calibration by a specified standard.etc. :

- (4) That the applicant is not likely to make calibration by use of a specified standard.etc. unfair by performing the other business. in case he performs the business other than the business of calibration by use of a specified standard.etc. :

(Cancellation of Designation. Etc.)

Article 141 The Minister of International Trade and Industry may, when the designated calibration body falls under any one of the following items, cancel the designation or order the body to suspend the whole or a part of the business of calibration by use of a specified standard.etc. by fixing the period :

- (1) When the body has violated the provisions in this chapter ;
- (2) When the body has come to fall under Article 139 Item 1 or 3 ;
- (3) When the body has not conformed to the preceding Article Item 1 ;
- (4) When the body has performed calibration by use of a specified standard.etc. without depending on the rule for business which has received the approval under Article 30 Paragraph 1 which applies correspondingly to the following Article :
- (5) When the body has violated the order by the provisions of Article 30 Paragraph 3 or Article 37 which applies correspondingly to the following Article ;
- (6) When the body has obtained the designation under Article 135 Paragraph 1 by unfair means.

(Correspondingly Application)

Article 142 The provisions of Article 30 to Article 32, Article 36, Article 37 and Article 106 Paragraph 2 shall apply correspondingly to the designated calibration body and the calibration by use of a specified standard.etc.. In this case the term "the governor of Prefecture or the head of the specified city, town or village" in these provisions shall read. "the Minister of International Trade and Industry" and the term "from Article 28

Item 1 to Item 5" in Article 37 shall read. "from Article 140 Item 2 to Item 4".

## Section 2

### Calibration by Measuring Instrument

### other than Specified Standard, Etc.

#### (Accreditation)

Article 143 The person who engages in the business of calibration of measuring instruments, etc. may, in accordance with the classification of the business prescribed by the Ministry of International Trade and Industry Ordinance, obtain the accreditation to the effect that the business conforms to the following items by the application to the Minister of International Trade and Industry :

- (1) That the business is to perform calibration of a measuring instrument, etc. by use of the measuring instrument or the reference material, of which the calibration by means of a specified standard, etc. has been performed, within the period prescribed by the Ministry of International Trade and Industry Ordinance ;
- (2) That the business has the technical capability necessary for performing properly and smoothly the calibration of measuring instruments, etc. ;
- (3) That the business is provided with the method of carrying out the service necessary for performing properly the calibration of measuring instruments, etc.

#### (Granting of Certificate)

Article 144 When the person who has obtained the accreditation under the preceding Article (Hereinafter referred to as "accredited enterprise") has performed the calibration of a

measuring instrument, etc. by use of the measuring instrument or reference material, of which the calibration by a specified standard under the same Article Item 1 has been performed, he may deliver a certificate mentioning the matters prescribed by the Ministry of International Trade and Industry Ordinance and affixed with the mark prescribed by the Ministry of International Trade and Industry Ordinance.

2. In case the accredited enterprise performs calibration of a measuring instrument or a reference material which he himself sells or lends, the said enterprise may sell or lend the measuring instrument or a reference material together with the certificate under the preceding Paragraph.
3. Any person shall not, except for the case prescribed in the preceding two Paragraphs, affix the mark under Paragraph 1 or the mark liable to be confounded with this to the certificate relating to the calibration of a measuring instrument, etc..
4. Besides the provisions of the preceding Paragraph, the accredited enterprise shall not affix the mark under Paragraph 1 or the mark liable to be confounded with this to the one other than a certificate relating to the calibration of a measuring instrument, etc..

(Cancellation of Accreditation)

Article 145 The Minister of International Trade and Industry may, when the accredited enterprise conforms to any one of the following items, cancel the accreditation :

- (1) When the accredited enterprise has not conformed to any one of Article 143 each Item :
- (2) When the authorized enterprise has obtained the accreditation by unfair means.

(Corresponding Application)

Article 146 The provisions of Article 41, Article 65 and Article 66 shall apply correspondingly to the accredited enterprise.

## Chapter IX Miscellaneous Provisions

(Request to present Report)

Article 147. The Minister of International Trade and Industry, the governor of Prefecture or the head of the specified city, town or village may, in the extent necessary for enforcement of this Law according to the provision of Cabinet Order, request to present a report on the business to a notifying manufacturer, notifying repairer, the person who engages in the business of sales of measuring instruments, specified manufacturer, importer of specified container, importer, certified measurer, accredited enterprise or the person who makes measurement in the transaction or certification (Including the person who sells a specified commodity which is sealed with respect to the quantity of the specified state of physical phenomena and whose container or packing is declared with the quantity of the state of physical phenomena (Hereinafter referred to as "specified commodity declared with the quantity of the state of physical phenomena.") The same in the following Article, Paragraph 1).

2. The Minister of International Trade and Industry may, to the extent necessary for enforcement of this Law, request to present a report on the business or the financial conditions to the designated verification body or the accredited calibration body.
3. The governor of Prefecture or the head of the specified city, town or village may, to the extent necessary for enforcement of this Law, request to present a report on the business or the financial conditions of the designated periodic inspection body or the designated measurement certification inspection body.

(On-the-Spot Inspection)

Article 148 The Minister of International Trade and Industry, the governor of Prefecture or the head of the specified city, town or village may, to the extent necessary for the enforcement of this Law, make his personnel enter the factory, workshop, business branch, business office, business place or the warehouse of the notifying manufacturer, notifying repairer, the person who engages in the business of sales of measuring instruments, specified manufacturer, importer of specified containers, importer, certified measurer, accredited enterprise or the person who makes measurement in transaction or certification, make them inspect measuring instruments, appliances, machines or equipment for inspection of measuring instruments, specified container, specified commodity declared with the specified state physical phenomena, books, documents or other matters or make them inquire those who are concerned.

2. The Minister of International Trade and Industry may, to the extent necessary for enforcement of this Law, make his personnel enter the business office or the workshop of the designated verification body or the designated calibration body make them inspect the conditions of the business, books, documents or other matters or make them inquire those who are concerned.
3. The governor of Prefecture or the head of the specified city, town or village make his personnel enter the business office or the workshop of the designated periodic inspection body or the designated measurement certification inspection body, make them inspect the conditions of the business or books, documents or other matters or make them inquire those who are concerned.
4. The person who makes on-the-spot inspection by the provisions of the preceding three Paragraphs shall carry a certificate of identification and present it to those who are concerned.
5. The authority under the provisions from Paragraph 1 to Paragraph 3 shall not be interpreted as being authorized for criminal investigation.

(Presentation of Measuring Instruments, Etc.)

Article 149 The Minister of International Trade and Industry, the governor of Prefecture or the head of the specified city, town or village may, in case they have made their officials inspect under the provisions of the preceding Article Paragraph 1 and found there are measuring instruments, specified containers or specified commodity declared with the quantity of the specified state of physical phenomena which are recognized to be extremely difficult to inspect at the places where they are located, order the owner or possessor thereof to present them by fixing a period of time.

2. The state, the Prefecture or the specified city, town or village shall compensate for a loss caused by the order under the preceding Paragraph to the owner or the possessor.

3. The loss to be compensated under the provisions of the preceding Paragraph shall be such that would ordinarily arise from the order under Paragraph 1.

(Deletion of Declaration of Quantity of State of Physical Phenomena)

Article 150 The governor of Prefecture or the head of the specified city, town or village may, in case they have made their officials inspect the specified commodity declared with quantity of specified state of physical phenomena by the provisions of Article 148 Paragraph 1 as prescribed by the Ministry of International Trade and Industry Ordinance and found the error of the quantity of the specified state of physical phenomena exceeds the quantity tolerance, delete the declaration of the quantity of the specified state of physical phenomena.

2. When the governor of Prefecture or the head of the specified city, town or village intends to perform the disposition under the provision of the preceding Paragraph, he shall notify the reason to the owner or the possessor of such specified commodity.

(Removal of Verification Mark, Etc.)

Article 151 The Minister of International Trade and Industry, the governor of Prefecture or the head of the specified city, town or village may, in case they have made their offi-

cials inspect the specified measuring instruments used for measurement by the legal measuring units in transaction or certification (Excluding those prescribed by Cabinet Order under Article 16 Paragraph 1) and found the relevant specified measuring instrument fall under any one of the following Items, remove the verification mark affixed to the specified measuring instrument :

- (1) When the performance does not conform to the technical requirements prescribed by the Ministry of International Trade and Industry Ordinance ;
- (2) When the instrumental error exceeds the in-service tolerance prescribed by the Ministry of International Trade and Industry Ordinance ;
- (3) When the verification mark, etc. passes the term of validity for the specified measuring instrument prescribed by Cabinet Order under Article 72 Paragraph 2.

2. Whether or not the specified measuring instrument falls under the preceding Paragraph Item 1. shall be determined by the method prescribed by the Ministry of International Trade and Industry Ordinance.

3. Whether or not the specified measuring instrument falls under Paragraph 1 Item 2 shall be determined by the method prescribed by the Ministry of International Trade and Industry Ordinance by use of the verification standard (reference material prescribed by the Ministry of International Trade and Industry Ordinance under Article 71 Paragraph 3 with respect to the instrumental error of the specified measuring instrument prescribed by the Ministry of International Trade and Industry Ordinance under the same Paragraph).

4. When the Minister of International Trade and Industry, the governor of Prefecture or the head of the specified city, town or village, intends to perform the disposition by the provision of Paragraph 1, he shall notify the reason to the owner or the possessor of the specified measuring instrument.

(Removal of Matching Number)

Article 152 The Minister of International Trade and Industry may, when he has made his of-



officials inspect electric meters and transformers used therewith which are used for measurement by the legal measuring units in transaction or certification according to the provisions under Article 148 Paragraph 1 and the relevant electric meter or the transformer used therewith falls under any one of the following items, remove the matching number under Article 74 Paragraph 2 or 3, affixed therewith :

(1) That the construction and the error of the transformer does not conform to the technical requirements ;

(2) That the error of the electric meter in case it is used with the said transformer exceeds the tolerance prescribed by the Ministry of International Trade and Industry Ordinance ;

2. Whether or not they conform to the preceding Paragraph each item shall be determined by the method prescribed by the Ministry of International Trade and Industry Ordinance.

3. The provisions of the preceding Article Paragraph 4 shall apply correspondingly to the disposition under the provisions of Paragraph 1.

(Removal of Fitting Inspection Mark)

Article 153 The Minister of International Trade and Industry, the governor of Prefecture or the head of the specified city, town or village may, according to the provisions of Article 148 Paragraph 1 in case they have their officials inspect measuring instruments for fitting to vehicles, etc. fitted to a machine or appliance and used for measurement by legal measuring units in transaction or certification, when the said measuring instrument falls under any one of the following items, remove the fitting inspection mark under Article 75 Paragraph 2, which is affixed to the measuring instrument for fitting to vehicles, etc. :

(1) That the said measuring instrument does not conform to the technical requirements prescribed by the Ministry of International Trade and Industry Ordinance ;

(2) That the fitting inspection mark under Article 75 Paragraph 2 have passed the term of

validity.

2. Whether or not the said measuring instrument for fitting to vehicles, etc. falls under the preceding Paragraph Item 1 shall be determined by the method prescribed by the Ministry of International Trade and Industry Ordinance.
3. The provisions of Article 151 Paragraph 4 shall apply correspondingly to the disposition under the provisions of Paragraph 1.

(Removal of Verification Mark, Etc. independent on On-the-Spot Inspection)

Article 154 Besides the case prescribed in Article 151 Paragraph 1, the Minister of International Trade and Industry, the governor of Prefecture or the head of the specified city, town or village may, when a specified measuring instrument prescribed by Cabinet Order and used for measurement by the legal measuring units in transaction or certification, falls under any one of the same Paragraph each Item, remove the verification mark, etc. affixed to the specified measuring instrument.

2. Besides the case prescribed in Article 152 Paragraph 1, the Minister of International Trade and Industry may, in case an electric meter is used together with a transformer for measurement by the legal measuring units in transaction or certification, when the electric meter or the transformer used therewith falls under any one of the same Paragraph each Item, remove the matching number under Article 74 Paragraph 2 or 3 affixed thereto.
3. The provisions from Article 151 Paragraph 2 to Paragraph 4 shall apply correspondingly to the case under Paragraph 1 and the provisions of the same Article Paragraph 4 and Article 152 Paragraph 2 shall apply correspondingly to the case under the preceding Paragraph. In this case the word "reason" in Article 151 Paragraph 4 shall read, "the term and reason

(Consultation)

Article 155 The governor of Prefecture and the head of the specified city, town or village

shall hold consultation in April of each year as to the execution of the business belonging to the authority by this Law in the area of the said specified city, town or village.

(Measurement Administration Council)

Article 156 The Measurement Administration Council (Hereinafter referred to as "the Council") shall be established in the Ministry of International Trade and Industry Ordinance.

2. The Council shall respond to consultation made by the Minister of International Trade and Industry on important matters related to measurement or shall make recommendations to the Minister of International Trade and Industry.
3. The Council shall consist of one chairman and members of not exceeding thirty persons in number, whom the Minister of International Trade and Industry appoints among those having knowledge and experience.
4. Besides the provisions of the preceding Paragraph the matters necessary for the organization and administration of the Council shall be prescribed by the Ministry of International Trade and Industry Ordinance.

(Consultation with Council)

Article 157. The Minister of International Trade and Industry shall consult with the Council on the following case :

- (1) When he intends to plan the enactment or abolition of Cabinet Order under Article 2 Paragraph 1 Item 2 or Paragraph 4, Article 3, Article 4 Paragraph 1 or 2, Article 5 Paragraph 2, Article 12 Paragraph 2, Article 13 Paragraph 1, Article 16 Paragraph 1, Article 51 Paragraph 1, Article 53 Paragraph 1, Article 57 Paragraph 1 or Article 72 Paragraph 2, Cabinet Order determining the commodities under Article 12 Paragraph 1 or Cabinet Order determining the specified measuring instruments under Article 19 Paragraph 1 :

- (2) When he intends to make the designation under the provisions of Article 13 Paragraph

1 or 2 or make the cancellation of the said designation according to the provisions of the same Article Paragraph 3 or 4 :

- (3) When he intends to perform the calibration by use of specified standards or make Japan Electric Meters Inspection Corporation or the designated calibration body calibrate them or make the cancellation of the calibration.

(Fees)

Article 158 The persons who are mentioned in the following shall pay the fees prescribed by Cabinet Order, taking the actual cost into consideration. Provided, however, that in case the Minister of International Trade and Industry, the governor of Prefecture, the head of the specified city, town or village, Japan Electric Meters Inspection Corporation, the designated periodic inspection body, the designated verification body or the designated measurement certification inspection body receives the inspection of verification standards for the measuring instruments used for inspection by the provisions of this Law or the order based on this Law, this shall not apply :

- (1) The person who intends to receive the periodic inspection ;
- (2) The person who intends to receive the designation under Article 17 Paragraph 1 ;
- (3) The person who intends to receive the verification (Excluding those performed by the designated verification body) ;
- (4) The person who intends to receive the inspection for electric meters with a transformer (Excluding those performed by the designated verification body) ;
- (5) The person who intends to receive the fitting inspection (Excluding those performed by the designated verification body) ;
- (6) The person who intends to obtain the approval under Article 76 Paragraph 1, Article 81 Paragraph 1 or Article 89 Paragraph 1 (Excluding the person who intends to obtain the approval with respect to the pattern of a specified measuring instrument which has passed the test under Article 76 Paragraph 1, Article 81 Paragraph 1 or Article

- 89 Paragraph 1 (Including the case which applies correspondingly to Article 81 Paragraph 2 and Article 89 Paragraph 3) ;
- (7) The person who intends to obtain the renewal of the approval under Article 83 Paragraph 1 (Including the case which applies correspondingly to Article 89 Paragraph 3. The same in Paragraph 3.) ;
  - (8) The person who intends to obtain the designation under Article 16 Paragraph 1 Item 2a ;
  - (9) The person who intends to receive the inspection under Article 91 Paragraph 2 ;
  - (10) The person who intends to receive the inspection of verification standards ;
  - (11) The person who intends to obtain the registration of the business of measurement certification ;
  - (12) The person who intends to receive the correction or regranting of the registration certificate for the business of measurement certification ;
  - (13) The person who intends to request the granting or perusal of the certified copy of the registration book for the business of measurement certification ;
  - (14) The person who intends to receive the inspection of measurement certification ;
  - (15) The person who intends to obtain the registration of a certified measurer ;
  - (16) The person who intends to obtain the correction or regranting of the registration certificate for a certified measurer ;
  - (17) The person who intends to request the granting or perusal of the certified copy of the registration book for certified measurers ;
  - (18) The person who intends to receive the national examination for a certified measurer ;
  - (19) The person who intends to obtain the designation of the proper measurement control business place ;
  - (20) The person who intends to receive the inspection under Article 127 Paragraph 3 ;
  - (21) The person who intends to obtain the accreditation under Article 143.

2. The person who intends to receive the calibration by use of the specified standard, etc. shall pay the fees, which are the amount prescribed by the Minister of International Trade and Industry by considering the actual cost with respect to the calibration by use of the specified standard, etc. performed by the Minister of International Trade and Industry, or the fees which are the amount determined by Japan Electric Meters Inspection Corporation or the designated calibration body to the extent not exceeding the actual cost after having received the permission of the Minister of International Trade and Industry with respect to the calibration by use of the specified standard, etc. performed by Japan Electric Meters Inspection Corporation or the designated calibration body.
3. The fees under the preceding two Paragraphs shall belong to the national revenue with respect to the designation, verification, inspection of electric meters with a transformer and fitting inspection under Article 17 Paragraph 1, the approval under Article 76 Paragraph 1, Article 81 Paragraph 1 or Article 89 Paragraph 1, the renewal of the approval under Article 83 Paragraph 1, the designation under Article 16 Paragraph 1 Item 2a, inspection of verification standards, registration of a certified measurer, the correction or regranting of the registration certificate of a certified measurer, the national examination for certified measurer, the designation of the proper measurement control business place, the accreditation or the calibration by use of the specified standard, etc. under Article 143, or granting or perusal of the certified copy of the registration book for a certified measurers requested to the Minister of International Trade and Industry, and those paid by the person who intends to receive the periodic inspection or the inspection under Article 127 Paragraph 3 performed by the head of the specified city, town or village shall belong to the revenue of the said city, town or village, and those paid by the person who intends to receive the verification, the inspection of electric meters with a transformer, the approval under Article 76 Paragraph 1,

Article 81 Paragraph 1 or Article 89 Paragraph 1. the renewal of the approval under Article 83 Paragraph 1. the inspection under Article 91 Paragraph 2. the inspection of verification standards or the calibration by use of the specified standard. etc. performed by Japan Electric Meters Inspection Corporation shall belong to the revenue of the said Japan Electric Meters Inspection Corporation. and those paid by the person who intends to receive the periodic inspection performed by the designated periodic inspection body shall belong to the revenue of the said designated periodic inspection body, and those paid by the person who intends to receive the inspection of measurement certification shall belong to the revenue of the said designated measurement certification inspection body, and those paid by the person who intends to receive the calibration by use of the specified standard. etc. performed by the designated calibration body shall belong to the revenue of the said designated calibration body, and those paid by the others shall belong to the revenue of the said Prefecture.

(Public Notice)

Article 159 The Minister of International Trade and Industry shall, in the following cases, make public notice to the respective effect :

- (1) When he has made the designation under Article 16 Paragraph 1 Item 2a ;
- (2) When he has made the designation under Article 16 Paragraph 1 Item 2b ;
- (3) When he has made the designation under Article 17 Paragraph 1 ;
- (4) When he has confirmed that the designation or the accreditation has lost validity according to the provisions of Article 66 (Including the case which applies correspondingly to Article 69 Paragraph 1, Article 100, Article 101 Paragraph 3 and Article 146) or when he has cancelled the designation according to the provisions of Article 67 (Including the case which applies correspondingly to Article 69 Paragraph 1) or Article 69 Paragraph 2 ;
- (5) When he has made the approval under Article 76 Paragraph 1 or Article 89 Paragraph 1 ;

- (6) When he has confirmed that the approval has lost validity by the provisions of Article 87 (Including the case which applies correspondingly to Article 89 Paragraph 4) or when he has cancelled the approval according to the provisions of Article 88 (Including the case which applies correspondingly to Article 89 Paragraph 4) or Article 89 Paragraph 5 :
- (7) When he has cancelled the designation according to the provisions of Article 99 (Including the case which applies correspondingly to Article 101 Paragraph 3) or Article 89 Paragraph 5 which applies correspondingly to Article 101 Paragraph 3 ;
- (8) When he has made the notification under the provisions of Article 106 Paragraph 2 (Including the case which applies correspondingly to Article 142) ;
- (9) When he has made the permission under Article 30 which applies correspondingly to Article 106 Paragraph 3 :
- (10) When he has cancelled the designation by the provisions of Article 38 which applies correspondingly to Article 106 Paragraph 3 or he has ordered the discontinuance of the business of verification (Including the inspection of an electric meter with a transformer, fitting inspection, the examination under Article 78 Paragraph 1 (Including the case which applies correspondingly to Article 81 Paragraph 2 and Article 89 Paragraph 3) and the investigation under Article 93 Paragraph 1) ;
- (11) When he has made the designation under the provisions of Article 134 Paragraph 1 or 2 :
- (12) When he has cancelled the designation by the provisions of Article 134 Paragraph 3 or 4 :
- (13) When he has made the designation under Article 135 Paragraph 1 :
- (14) When he has cancelled the designation by the provisions of Article 141 or the discontinuance of the business of the calibration, etc. by use of the specified standard has been ordered :



- (15) When he has made the permission under Article 32 which applies correspondingly to Article 142 ;
  - (16) When he has made the authorization under Article 143 ;
  - (17) When he has cancelled the accreditation according to the provisions of Article 145.
2. The governor of Prefecture shall, in the following case, make public notice to the effect :
- (1) When he has made the designation under Article 20 Paragraph 1 ;
  - (2) When he has made the permission under Article 32 (Including the case which applies correspondingly to Article 121 Paragraph 2) ;
  - (3) When he has ordered to cancel the designation or to discontinue the business of the *periodic inspection or measurement certification inspection under Article 38* (Including the case which applies correspondingly to Article 121 Paragraph 2) ;
  - (4) When he intends to perform the whole or a part of the periodic inspection or the measurement certification inspection for himself under the provisions of Article 39 Paragraph 1 (Including the case which applies correspondingly to Article 121 Paragraph 2) ;
  - (5) When he has made the designation under Article 117 Paragraph 1.
3. The head of the specified city, town or village shall make public notice to the effect in the following case :
- (1) When he has made the designation under Article 20 Paragraph 1 ;
  - (2) When he has made the permission under Article 32 ;
  - (3) When he has ordered to cancel the designation or to discontinue the business of the periodic inspection under the provisions of Article 38 ;
  - (4) When he intends to perform the whole or a part of the periodic inspection for himself *under the provisions of Article 39 Paragraph 1.*
4. Japan Electric Meters Inspection Corporation shall, when it has made the approval under

Article 76 Paragraph 1, Article 81 Paragraph 1 or Article 89 Paragraph 1, make public notice to the effect.

(Time Limit of Verification, Etc.)

Article 160 The Minister of International Trade and Industry, the governor of Prefecture, Japan Electric Meters Inspection Corporation or the designated verification body shall, when they have received the application for the verification, inspection of electric meters with a transformer, fitting inspection, inspection of verification standards or the approval under Article 76 Paragraph 1, Article 81 Paragraph 1 or Article 89 Paragraph 1, dispose of its qualification or disqualification or the approval or disapproval within the period prescribed by the Ministry of International Trade and Industry Ordinance.

2. The designated verification body shall, when they have been requested to perform the test under Article 78 Paragraph 1 (including the case which applies correspondingly to Article 81 Paragraph 2 and Article 89 Paragraph 3), determine its qualification or disqualification within the period prescribed by the Ministry of International Trade and Industry Ordinance.

(Notice of Reasons for Disqualification)

Article 161 The Minister of International Trade and Industry, the governor of Prefecture, Japan Electric Meters Inspection Corporation or the designated verification body shall, when they have disposed of disqualification or disapproval by the provisions of the preceding Article Paragraph 1, notify the reasons to the applicant. When the designated verification body has performed the test prescribed by the same Article Paragraph 2 and made the decision of disqualification, too, the same shall apply.

2. The governor of Prefecture, the head of the specified city, town or village, the designated periodic inspection body, or the designated measurement certification inspection body shall, when they have disposed of disqualification in case they have performed the periodic inspection or the measurement certification inspection, notify the reason to the

said applicant.

(Hearing)

Article 162 The Minister of International Trade and Industry, the governor of Prefecture or the head of the specified city, town or village shall, when they intend to make the disposition under the provisions of Article 38 (Including the case which applies correspondingly to Article 69 Paragraph 1) Article 69 Paragraph 2, Article 88 (Including the case which applies correspondingly to Article 89 Paragraph 4) Article 89 Paragraph 5 (Including the case which applies correspondingly to Article 101 Paragraph 3) Article 113, Article 123, Article 132, Article 141 or Article 145, perform a public hearing after notifying beforehand to the effect to the persons relating to the relevant disposition with the reasonable period before the date of hearing.

2. In the advance notice under the preceding Paragraph the date and place of hearing and the contents of the case shall be presented.
3. At the hearing the opportunity shall be afforded to the parties concerned and interested persons to present evidences and to state their opinions with respect to the relevant case.

(Investigation Agency)

Article 163 An appeal for investigation as to the disposition or negative action made by the head of the city, town or village under the provisions of this Law or of the order based on this Law shall be requested to the Minister of International Trade and Industry.

2. A person who has been dissatisfied with the disposition or negative action made by Japan Electric Meters Inspection Corporation, the designated periodic inspection body, the designated verification body, the designated measurement certification inspection body or the designated calibration body under the provisions of the Law or of the order based on this Law may file a petition for investigation under the Administrative Grievance Investigation Law (Law No.160, 1962) to the Minister of International Trade and Industry.

(Hearing in Procedure of Grievance Appeals)

Article 164 The determination or decision (Excluding the determination or decision for dismissal) for the petition for investigation or grievance appeals as to the disposition under the provisions of this Law or the Order based on this Law shall be performed after the public hearing, following the example of Article 162.

(Measurement Investigation Official)

Article 165 The Minister of International Trade and Industry shall appoint a measurement investigation official among the staffs who have the qualification prescribed by the Ministry of International Trade and Industry and make him engage in the business relating to grievance appeals.

(Measurement Training Institute)

Article 166 The Ministry of International Trade and Industry shall install a Measurement Training Institute in the main office.

2. The Measurement Training Institute shall be the institution which gives necessary education in technique and practical business to the personnels of the Ministry of International Trade and Industry, Prefectures, cities, towns and villages, the designated periodic inspection body, the designated verification body, the designated measurement certification body and the designated calibration body who take charge of the business of measurements and to those who are intending to be a certified measurer.
3. The extent of the personnels who must take the training of the Measuring Training Institute shall be prescribed by Cabinet Order.
4. Other matters required for the Measurement Training Institute other than those prescribed in the preceding three Paragraphs shall be prescribed by the Ministry of International Trade and Industry Ordinance.

(Lending of Verification Devices, Etc.)

Article 167 The Minister of International Trade and Industry shall gratuitously lend devices

necessary for periodic inspection, verification, fitting inspection, inspection of verification standards, measurement certification inspection or inspection under the provisions of Article 148 Paragraph 1 and prescribed by the Ministry of International Trade and Industry Ordinance (Excluding those which are subject to the National Property Law (Law No. 73, 1948) to the governor of Prefecture or the head of the specified city, town or village.

(Transitory Measures)

Article 168 In the case wherer the Order is enacted or abolished under the provisions of this Law, necessary transitory measures may be decided by the said Order within the scope deemed as reasonably necessary, accompanied by the enactment or abolition thereof.

(Entrustment of Authority)

Article 169 The matters belonging to the Minister of International Trade and Industry based on the provisions by this Law may make the director-general of the Bureau of International Trade and Industry or the governor of Prefectures performed.

2. The governor of Prefecture may, when he recognizes especially the necessity to secure the enforcement of the provisions of Article 10 Paragraph 1 or from Article 12 to Article 14, make other head of a city, town or village other than the specified city, town or village perform the authority under the provisions of Article 10 Paragraph 2 or 3, Article 15, Article 148 Paragraph 1 (Limited to the part relating to Article 10 Paragraph 2 or 3, or Article 15.) or Article 150.

## Chapter X Penal Provisions

Article 170 Any person who falls under any one of the following items shall be punished with a penal servitude not exceeding one year or a fine not exceeding one million yen or both concurrently :

(1) A person who has violated the provisions of Article 57 Paragraph 1 or 2 or Article 107

;

(2) A person who has violated the Order under the provisions of Article 113.

Article 171 In the case of violation of the Order for the suspension of the business under Article 38 (Including the case which applies correspondingly to Article 106 Paragraph 3 and Article 121 Paragraph 2) or Article 141, the officer or the staff member of the designated periodic inspection body the designated verification body, the designated measurement certification inspection institute or the designated calibration body shall be punished with a penal servitude not exceeding one year or a fine not exceeding one million yen.

Article 172 A person who falls under any one of the following items shall be punished with a penal servitude not exceeding six months or a fine not exceeding five hundred thousand yen or both concurrently :

(1) A person who has violated the provisions of Article 16 Paragraph 1 through 3, Article 17 Paragraph 2, Article 49 Paragraph 1 or 3, Article 68, Article 97 Paragraph 2 or Article 116 Paragraph 1 or 2 ;

(2) A person who has affixed the declaration in violation of the provisions Article 63 Paragraph 3, Article 84 Paragraph 3 or Article 97 Paragraph 1.

Article 173 A person who falls under any one of the following items shall be punished with a

fine not exceeding five hundred thousand yen :

- (1) A person who has violated the provisions of Article Paragraph 1 or 2, Article 9 Paragraph 1, Article 18, Article 19 Paragraph 1 or 2, Article 49 Paragraph 2, Article 63 Paragraph 2, Article 85 or Article 124 ;
- (2) A person who has violated the Order under the provisions of Article 15 Paragraph 3, Article 56, Article 64, Article 86, Article 98, Article 111, Article 123 or Article 131 ;
- (3) A certified measurer who stated to the effect conforming to Article 23 Paragraph 1 each item in violation of the provisions of Article 25 Paragraph 3 (including the case which applies correspondingly to Article 120 Paragraph 2) ;
- (4) A person who has affixed the declaration in violation of the provisions of Article 50 Paragraph 3 or Article 54 Paragraph 3 ;
- (5) A person who has not affixed the declaration in violation of the provisions of Article 54 Paragraph 1 ;
- (6) A person who has sold or exposed for sale a specified measuring instrument in violation of the provisions of Article 55 ;
- (7) A person who has not performed the inspection, not composed any inspection record but composed a false inspection record or not kept any inspection record in violation of the provisions of Article 95 Paragraph 2 ;
- (8) A person who has not entered the inspection result, made a false entering or not kept the book in violation of the provisions of Article 129 ;
- (9) A person who has raised the mark in violation of the provisions of Article 130 Paragraph 2 ;
- (10) A person who has affixed the mark in violation of the provisions of Article 136 Paragraph 2 or Article 144 Paragraph 3.

Article 174 A person who falls under any one of the following items shall be punished with a

fine not exceeding three hundred thousand yen :

- (1) A person who has violated the provisions of Article 40 Paragraph 1, Article 46 Paragraph 1 or Article 51 Paragraph 1 ;
- (2) A person who has violated the Order under the provisions of Article 44 , Article 8 or Article 52 Paragraph 4.

Article 175 A person who falls under any one of the following items shall be punished with a fine not exceeding two hundred thousand yen ;

- (1) A person who has not made the notification under the provisions of Article 110 Paragraph 1 or made a false notification ;
- (2) A person who has not made report under the provisions of Article 147 Paragraph 1 or made a false report ;
- (3) A person who has rejected, disturbed or evaded the inspection in accordance with the provisions of Article 148 Paragraph 1 or has not answered the question under the provisions of the same Paragraph or made a false answer ;
- (4) A person who has violated the Order under the provisions of Article 149 Paragraph 1 ;
- (5) A person who has rejected, disturbed or evaded the disposition under the provisions of Article 150 Paragraph 1, Article 151 Paragraph 1, Article 152 Paragraph 1 or Article 153 Paragraph 1 ;

Article 176 In case there has been a violation enumerated in any one of the following items, the officer or staff member of the designated periodic inspection body, designated verification body, designated measurement certification inspection body or the designated calibration body which has conducted the said violation shall be punished with a fine not exceeding two hundred thousand yen :

- (1) When they have not entered the matters prescribed by Article 31, made a false entering or not kept a book in violation of the provisions of Article 31 (including the case which applied correspondingly to Article 106 Paragraph 3, Article 121 Paragraph 2 and



Article 142) ;

- (2) When they have abolished the whole of the business of the periodic inspection, verification[including inspection of an electric meter with a transformer, fitting in inspection, the test under Article 78 Paragraph 1 (Including the case which applies correspondingly to Article 81 Paragraph 2 and Article 89 Paragraph 3) and the investigation under Article 93 Paragraph 1] measurement certification inspection or the calibration by use of the specified standard, etc. without receiving the permission under Article 32 (Including the case which applies correspondingly to Article 106 Paragraph 3, Article 121 Paragraph 2 and Article 142)
- (3) When they have not made the report under the provisions of Article 147 Paragraph 2 or 3 or made a false report.
- (4) When they have rejected, disturbed or evaded the inspection under the provisions of Article 148 Paragraph 2 or 3, or have not answered the question under these provisions or made a false answer.

Article 177 In case a representative of a juridical person, an agent of a juridical person or an individual person and an employee or other workers have committed any act of violation of Article 170 or Article 172 through Article 175 in connection with the business of the relevant juridical person or individual person, the relevant juridical person or the individual person shall be punished with the monetary penalty under each relevant Article in addition to the punishment of the person who has committed such an act.

Article 178 Any person who has failed to make report under the provisions of Article 62 Paragraph 1 (Including the case which applies correspondingly to Article 114 and Article 133) Article 79 Paragraph 1 (Including the case which applies correspondingly to Article 81 Paragraph 3) or Article 94 Paragraph 1 or has made a false report shall be punished with a fine, not exceeding two hundred thousand yen.

Article 179 Any person who has failed to make a report under the provisions of Article 42

Paragraph 1 (Including the case which applies correspondingly to Article 46 Paragraph 2 and Article 51 Paragraph 2) Article 45 Paragraph 1 (Including the case which applies correspondingly to Article 46 paragraph 2 and Article 51 Paragraph 2) or Article 65 (Including the case which applies correspondingly to Article 114, Article 133 and Article 146) or has made a false report shall be punished with a fine not exceeding one hundred thousand yen.

## SUPPLEMENTARY PROVISIONS

(Date of Enforcement)

Article 1 This Law shall be enforced from the date prescribed by Cabinet Order to the extent not exceeding one year and six months starting from the date of promulgation.

(Abolition of the Law of the Enforcement for the Measurement Law)

Article 2 The Law of the Enforcement for the Measurement Law (Law No. 208, 1951. Hereinafter referred to as "the Old Law of the Enforcement") shall be abolished.

(Measuring Units)

Article 3 The measuring units enumerated in the right column of the Annexed Table I of the supplementary provisions and those decimal multiples and sub-multiples, which are prescribed by Cabinet Order, shall be regarded as the legal measuring units under Article 8 Paragraph 1 (Hereinafter simply referred to as "legal measuring units") of the Measurement Law after revision (Hereinafter referred to as "New Law") of the quantity of the state of the physical phenomena enumerated in the left column of the same Table till the 30th of September of 1995.

2. The measuring units enumerated in the right column of the Annexed Table I of the supplementary provisions and those decimal multiples and sub-multiples, which are prescribed by Cabinet Order, shall be regarded as the legal measuring units of the quantity of the state of physical phenomena enumerated in the left column of the same Table till the 30th of September of 1997.

3. The measuring units enumerated in the right column of the Annexed Table III of the supplementary provisions and those decimal multiples and sub-multiples, which are prescribed by Cabinet Order, shall be regarded as the legal measuring units of the quantity of the state of physical phenomena enumerated in the left column of the same Table till the 30th

of September of 1999.

4. The definitions of the measuring units prescribed in the preceding three Paragraphs shall be prescribed by Cabinet Order.

Article 4 The measuring units prescribed by the preceding Article Paragraph 1 to 3 may be still regarded as the legal measuring units by Cabinet Order even after the term prescribed by these provisions.

2. In the case of the preceding Paragraph the term for which the said measuring units are regarded as the legal measuring units, the extent of the transaction and certification for which these can be used and the method how these are used by the said Cabinet Order shall be prescribed by the same Cabinet Order.

(Measuring Units in Yard-Pound System)

Article 5 The measuring units in the yard-pound system and the definitions shall be determined by Cabinet Order.

2. The measuring units in the yard-pound system prescribed by Cabinet Order under the preceding Paragraph shall be regarded as legal measuring units, for the time being, in case they are used for the transaction or certification enumerated in the following :

- (1) The transaction or certification relating to the flight of an air craft or the transaction or certification relating to other aviation and prescribed by Cabinet Order :
- (2) The transaction or certification relating to the commodities imported whose quantity of the state of physical phenomena is declared by the measuring units on the yard-pound system prescribed by Cabinet Order under the preceding Paragraph and which are prescribed by Cabinet Order.

(French Horse Power)

Article 6 The French horse power shall be regarded as the measuring unit of power, for the time being, in case it is used for the transaction or certification relating to an internal-

combustion engine or other transaction or certification prescribed by Cabinet Order.

2. The definitions of the French horse power shall be prescribed by Cabinet Order.

(Symbols)

Article 7 The symbols of the measuring units prescribed by the Annexed Provisions Article 3 Paragraph 1 to 3. Article 5 Paragraph 1 and the preceding Article Paragraph 1 and which ought to be typical for the expression by use of the symbols of the measuring units shall be prescribed by the Ministry of International Trade and Industry Ordinance.

(Declaration of Measuring Units, Etc.)

Article 8 Before the term prescribed by the Annexed Provisions Article 3 Paragraph 1 to 3. when the declaration by the measuring unit prescribed by these provisions has been mentioned in documents or affixed to commodities or other materials, the declaration may, irrespective of the provisions of New Law Article 8 Paragraph 1, be used in the transaction or certification even after the said term.

2. The measuring instruments prescribed by the following Article Paragraph 1 may, irrespective of the provisions of New Law Article 8 Paragraph 1, be used for measurement prescribed by Cabinet Order under New Law Article 2 Paragraph 3 even after the term prescribed by the Annexed Provisions Article 3 Paragraph 1 to 3.

3. The declaration by the measuring units prescribed in Old Law of the Enforcement Article 4. Article 5. Article 7. Article 8. Article 9 Paragraph 1 or Article 10 Paragraph 1 which was mentioned in documents or affixed to commodities and other materials before the term prescribed by Old Law of the Enforcement Article 3. Article 6 Paragraph 1. Article 9 Paragraph 1 or Article 10 Paragraph 1 may, irrespective of the provisions of New Law Article 8 Paragraph 1, be used in the transaction or certification.

(Measuring Instruments)

Article 9 With respect to the measuring instrument which has been affixed with the graduations or declaration by measuring units prescribed by the Supplementary Provisions Article 3 Paragraph 1 to 3. which were affixed thereto before the term prescribed in the same Arti-

cle Paragraph 1 to 3, the provisions of New Law Article 9 Paragraph 1 shall not apply.

2. With respect to the measuring instrument which has been affixed with the graduations or the declaration by the measuring units prescribed by the Supplementary Provisions Article 5 Paragraph 1 or Article 6 Paragraph 1 and which are prescribed by Cabinet Order, the provisions of New Law Article 9 Paragraph 1 shall not apply.

(Periodic Inspection)

Article 10 With respect to the application of the provisions of New Measurement Law Article 19 Paragraph 1 for the periodic inspection under the same Paragraph which is performed in the year to which the day of the enforcement of this Law (Hereinafter referred to as "day of the enforcement") belongs, the term "the specified measuring instrument affixed" in the same Paragraph Item 3 shall read "the specified measuring instrument affixed and the specified measuring instrument affixed with the inspection mark under Measurement Law (Law No. 207, 1951, Hereinafter referred to as "Old Law") Article 136 or Article 151, or the periodic inspection mark under Old Law Article 146, bearing the figures indicating the same year as the year in which the said periodic inspection is performed".

2. The conditions of qualification for the periodic inspection whose date and place were published according to the provisions of Article 143 of Measurement Law (Hereinafter referred to as "Old Law") before revision antecedent to the date of enforcement and is performed after the date of enforcement shall depend on the conventional examples.

(Business of Manufacture)

Article 11 The person who has been actually receiving the registration under Old Law Article 13 in the enforcement of this Law shall be regarded as having made the notification under New Law Article 40 Paragraph 1 on the date of enforcement with respect to the classification of the business prescribed by the Ministry of International Trade and Industry Ordinance under the same Paragraph to which the specified measuring instrument belongs, which is included in the classification of the business prescribed by the Ministry of In-

ternational Trade and Industry Ordinance under the relevant Article 13 of Old Law relating to the registration.

(Business of Repair)

Article 12 The person who has been actually receiving the registration under Old Law Article 31 in the enforcement of this Law shall be regarded as having made the notification under the provisions of New Law Article 46 Paragraph 1 with respect to the classification of the business prescribed by the Ministry of International Trade and Industry Ordinance under the same Paragraph, to which the specified measuring instrument belongs, which is included in the classification of the business under Old Law Article 31 relating to the registration.

(Business of Sale)

Article 13 The person who has been actually receiving the registration under Old Law Article 47 Paragraph 1 shall be regarded as having made the notification under New Law Article 51 Paragraph 1 with respect to the classification of the business prescribed by the Ministry of International Trade and Industry Ordinance under the same Paragraph to which the measuring instrument belongs, which is included in the classification of the business prescribed by the Ministry of International Trade and Industry Ordinance under Old Law Article 47 Paragraph 1 relating to the registration.

2. With respect to the business of sale of the specified measuring instruments relating to the notification under the provisions of Old Law Article 47 Paragraph 2, which was performed before the date of the enforcement, the provision of New Law Article 51 Paragraph 1 shall not apply to this.

(Application of Verification, Etc.)

Article 14 With respect to the application for verification under Old Law Article 86 or for the inspection of verification standard under Old Law Article 106 which was performed before the date of the enforcement and has not yet disposed for qualification or dis-

qualification in the enforcement of this Law, the application for the approval under Old Law Article 95, Article 96-3 Paragraph 1 or Article 96-10 Paragraph 1, the registration under Old Law Article 123 or the designation under Old Law Article 173, Article 181-2 or Article 181-10-2 Paragraph 1, which was performed before the date of the enforcement and has not yet been disposed as to whether or not approval, registration or designation is made in the enforcement of this Law, the disposition for these shall depend on the conventional examples.

2. With respect to the application of the examination under Old Law Article 96-2 Paragraph 1, Article 96-3 Paragraph 2 or Article 95-10-2 Paragraph 2, which was performed before the date of the enforcement and has not yet judged for qualification or disqualification, the judgement for qualification or disqualification shall depend on the conventional examples.

(Verification Mark)

Article 15 The verification mark affixed by the provisions of Old Law Article 91 Paragraph 1 shall be regarded as the verification mark under New Law Article 72 Paragraph 1. In this case the term of validity of the verification mark under Old Law Article 91 Paragraph 1 affixed to the specified measuring instrument prescribed by Cabinet Order under New Law Article 72 Paragraph 2 shall be rendered as till the date of expiration of the term of validity under Old Law Article 91 Paragraph 2.

2. With respect to the application of New Law Article 71 Paragraph 2 as to the specified measuring instrument prescribed by Cabinet Order under New Law Article 50 Paragraph 1, which has been affixed with the number of pattern approval under Old Law Article 96-6 Paragraph 1 or Article 96-10-3 Paragraph 1, which has been regarded as the declaration under New Law Article 84 Paragraph 1 (Including the case which applies correspondingly to New Law Article 89 Paragraph 4) by the provisions of the Supplementary Provisions Article 29 Paragraph 2, the term from affixation of the declaration under Article 84 Paragraph 1



"under New Law Article 84 Paragraph 1" under New Law Article 71 Paragraph 2 shall read  
"from the date of the enforcement of this Law".

(Matching Number)

Article 16 The matching number affixed to an electric meter and a transformer used therewith  
by the provisions of Old Law Article 91 Paragraph 4 shall be regarded as the matching  
number under New Law Article 74 Paragraph 2 or 3.

(Fitting Inspection)

Article 17 With respect to the measuring instrument for fitting to vehicles, etc. affixed  
with the verification mark under Old Law Article 91 Paragraph 1 which has been regarded  
as the verification mark under New Law Article 72 Paragraph 1 by the provisions of the  
Supplementary Provisions Article 15 Paragraph 1. New Law Article 16 Paragraph 3. shall not  
apply to this till the date of expiration of the said verification mark.

(Pattern Approval)

Article 18 The person who actually receives the approval under Old Law Article 95. Article 96-  
10-2 Paragraph 1 (Including the person who has been regarded as having received the ap-  
proval under the provisions of Old Law by the provisions of Law revising a part of Mea-  
surement Law (Law No. 112, 1966) the Supplementary Provisions Article 14 shall, with re-  
spect to the pattern relating to the said approval, be regarded as having received the  
approval under New Law Article 76 Paragraph 1. Article 81 Paragraph 1 or Article 89  
Paragraph 1.

2. With respect to the application of New Law Article 80 Proviso or Article 82 Proviso as  
to the person, who has been regarded as having received the approval under New Law Article  
76 Paragraph 1 or Article 81 Paragraph 1 by the provisions of the preceding Paragraph,  
the term "beforehand" in these provisions shall read "within 60 days from the date of the  
enforcement of this Law".

(Designated Manufacturer)

Article 19 The designation under New Law Article 16 Paragraph 1 Item 2b shall be performed after the date prescribed by Cabinet Order by considering the situations of quality control relating to manufacture of the specified measuring instrument for each classification of the business prescribed by the Ministry of International Trade and Industry Ordinance under New Law Article 40 Paragraph 1.

2. The date prescribed by Cabinet Order under the preceding Paragraph shall not exceed five years starting from the date of the enforcement.

(Comparison Inspection)

Article 20 The Minister of International Trade and Industry may, for the time being, perform the comparison inspection of the specified measuring instrument prescribed by Cabinet Order.

2. In case the Minister of International Trade and Industry performs the comparison inspection by the provisions under the preceding Paragraph, the provisions of Old Law Article 99 (Excluding Paragraph 1 Item 1), Article 102 and Article 104 shall have still the effect with respect to the relevant comparison inspection. In this case the term "Cabinet Order" in Old Law Article 99 Paragraph 1 Item 3 shall read "the Ministry of International Trade and Industry Ordinance" and the term "from Article 88 Paragraph 1 Item 1 to 3" shall read "Article 88 Paragraph 1 Item 2 and 3".
3. The provisions of New Law Article 160 Paragraph 1 and Article 161 Paragraph 1 shall apply correspondingly to the comparison inspection.
4. The comparison inspection mark (Limited to the one which does not pass the term of validity of the comparison inspection) affixed by the provisions under Old Law Article 101 Paragraph 1 before the date of the enforcement and the comparison inspection mark affixed by the provisions under the same Article Paragraph 1 which has been rendered as having still the effect by the provisions of Paragraph 2 after the date of the enforcement shall be regarded as the verification mark under New Law Article 72 paragraph 1 with respect to

the application of New Law Article 16 Paragraph 1. Article 49 Paragraph 1. Article 72 Paragraph 4. Article 118 Paragraph 1. Article 119 Paragraph 3 and Article 151 Paragraph 1.

5. The person who intends to receive the comparison inspection shall pay the fee of the amount prescribed by Cabinet Order by considering the actual cost.

*(Inspection of Verification Standards)*

Article 21 The verification standards inspection mark affixed by the provisions of Old Law Article 109 shall be regarded as the verification standards inspection mark under New Law Article 104 Paragraph 1. In this case the term of validity for the relevant verification standards inspection mark shall be till the date of expiration of the term of validity under Old Law Article 108.

*(Business of Measurement Certification)*

Article 22 The person who receives actually registration under Old Law Article 123 in the enforcement of this Law shall be regarded as having received the registration under the provisions of New Law Article 107 with respect to the classification of the business prescribed by the Ministry of International Trade and Industry Ordinance under Old Law Article 123 relating to the registration on the date of the enforcement.

2. With respect to the application of New Law Article 116 Paragraph 1 as to the person who is receiving the registration under Old Law Article 123 which has been regarded as having received the registration under New Law Article 107 by the provisions of the preceding Paragraph. the term "the date on which he has received the registration" shall read "the date on which he received the inspection under Old Law Article 132 Paragraph 1 at last before the date of the enforcement of this Law".

*(National Examination for Certified Measurer)*

Article 23 The person who passed the national examination for certified measurers under Old Law Article 169 before the date of the enforcement (Including the person who was regarded as having passed the national examination of certified measurers under the provisions of

Old Law by the provisions of Law revising a part of Measurement Law the Annexed Provisions Paragraph 8 (Law No. 42, 1974) shall be regarded as having passed the national examination of certified measurers under New Law Article 125.

(Business Place for Using Measuring Instruments)

Article 24 The person who received the designation under Old Law Article 173 in the enforcement of this Law shall be regarded as having received the designation under New Law Article 127 Paragraph 1.

(Measurement Administration Council)

Article 25 The Measurement Administration Council and the chairman and members established by the provisions of Old Law Article 208 shall become the Measurement Administration Council and the chairman and members established by the provisions of New Law Article 156 Paragraph 1 on the date of the enforcement, and continue to exist with the same character.

(Training Course)

Article 26 The person who completed the course of the measurement training institute under Old Law Article 224 before the date of the enforcement (including the person who was regarded as having completed the course of the measurement training institute under Old Law Article 224 by the provisions of Old Enforcement Law Article 68) shall be regarded as having completed the course of the measurement training institute under New Law Article 166.

(Reinspection and Grievance Appeal)

Article 27 The reinspection applied for before the date of the enforcement and grievance appeal and investigation request performed before the date of the enforcement shall depend on the conventional examples.

(Reason Disqualification)

Article 28 The cancellation of the registration under Old Law Article 27 shall, with respect to the application of the provisions of New Law Article 77 Paragraph 1 or Article 92 Paragraph 1, be regarded as the cancellation of the approval under New Law Article 88 and

the cancellation of the designation under the provisions of New Law Article 99.

2. The person who was sentenced to a fine or heavier in violation to the provisions of Old Law or the Order based on this shall, with respect to the application of New Law Article 27 (Including the case which applies correspondingly to New Law Article 101 Paragraph 3, Article 114 and Article 133) Article 122 Paragraph 3 and Article 139, be regarded as having been sentenced to a fine or heavier in violation to the provisions of New Law or the Order based on this.

(Disposition, Etc.)

Article 29 The disposition, procedure or any other action performed by the provisions of Old Law or the Order based on this Law before the date of the enforcement, which has the corresponding provisions in New Law or the Order based on this Law shall, excluding the one which has a different provisions in this Supplementary Provisions, be regarded as having performed by the corresponding provisions of New Law or the Order based on this Law.

2. The declaration affixed or the document delivered by Old Law or the Order based on this Law, which has the corresponding provisions in New Law or the Order based on this Law shall, excluding the one which has different provisions in this Supplementary Provisions, be regarded as having been performed by the corresponding provisions of New Law or the Order based on this Law.

(Application of Penal Provisions)

Article 30 Relating to the action performed before the date of the enforcement and the matters which has been rendered as depending on the conventional examples by the provisions of this Annexed Provisions, the application of the penal provisions for the action performed after the date of the enforcement shall depend still on the conventional examples.

(Entrustment to Cabinet Order)

Article 31 Besides the provisions from Article 3 to the preceeding Article of the supplementary provisions, the transitory measures necessary for the enforcement of this Law

shall be determined by Cabinet Order.

(Partial Revision of Law relating to Local Self-Government)

Article 32 - A part of the Law relating to Local Self-Government (Law No. 67.1947) shall be revised as follows :

The annexed Table III Item 1 (94) is revised as follows :

(94) To take measures necessary for security of proper measurement by performing the periodic inspection of the specified measuring instruments, verification, and fitting inspection as well as the inspection of verification standards, receiving the notification relating to the business of repair or sale of the specified measuring instruments and manufacture, etc. of the measuring instruments for export and performing the service of registering the business of measurement certification, etc. as well as requesting the necessary report from the manufacturers of the specified measuring instruments or making the personnel enter and inspect the factories, etc. by the provisions of Measurement Law (Law No. 51.1992) and the Cabinet Order based on this Law.

The Annexed Table IV Item 2 (36)

The term "measuring instruments" in (36) shall read "specified measuring instruments, the term "enforce ..... and measuring instruments" shall read "perform ..... and specified measuring instruments". the term "for the purpose of control of measuring instruments" shall read "for the purpose of security of proper measurement" and the term "the classification of measuring instruments and" in the same Item (37) shall be revised to "specified measuring instruments".

The Paragraph "verification office" in the Annexed Table Item 1 shall be deleted.

The term "of verification, etc. of measuring instruments in the Annexed Table VI Item 1

Table (1) and (2) shall be revised to "relating to the measurement", the term "Measurement Law Article 225" shall be revised to "Cabinet Order based on the provisions of Measurement Law Article 166 Paragraph 3"

(Partial Revision of the Meteorological Business Law)

Article 33 A part of the Meteorological Business Law (Law No.165, 1952) shall be revised as follows :

The comparison inspection governmental institutes, local public entities, electric enterpriser prescribed by Electric Business Law Article 2 Paragraph 6 and the person other than ships under Article 7 Paragraph 1 receive shall be deleted.

(Partial Revision of Japan Electric Meters Inspection Corporation Law)

Article 34 A part of Japan Electric Meters Inspection Corporation Law (Law No.151,1964) shall be revised as follows :

Article 23 Paragraph 1 Item 1 shall be revised as follows :

1) With respect to electric meters, (Including a transformer used therewith) to perform verification under Measurement Law (Law No.51, 1992) Article 16 Paragraph 1 Item 2a, electric meter with a transformer inspection under the same Article Paragraph 2, approval under the same Law Article 76 Paragraph 1, Article 81 Paragraph 1 or Article 89 Paragraph 1, inspection under the same Law Article 91 Paragraph 2, verification standards under the same Law Article 102 Paragraph 1, and calibration by use of specified standards, etc., under the same Law Article 135 Paragraph 1 (Hereinafter referred to as "verification, etc.").

Paragraph 1 in Article 25 shall be deleted, Paragraph 2 shall be rendered as Paragraph 1 and Paragraph 3 shall be rendered as Paragraph 2.

(Partial Revision of Law relating to Measuring Degree for Tonnage of Ships)

A part of the Law relating to the measuring degree for tonnage of ships (Law No.40, 1955) shall be revised as follows :

The term "prescribed by Measurement Law (Law No.207. 1951) Article 6 Paragraph 1 Item 2" in Article 7 Paragraph 2 shall be revised to " enumerated in the Paragraph of mass under Measurement Law (Law No.51.1992) the Annexed Table I.

(Partial Revision of the Agency of Industrial Science and Technology Installation Law)

Article 36 A part of the Agency of Industrial Science and Technology Installation Law (Law No.207. 1948) shall be revised as follows :

The term "kilogram prototype, candera primary standard, ohm standard, disintegration per second primary standard, neutron per second primary standard, coulomb per kilogram primary standard and phon primary standard" shall be revised to "the primary standards prescribed by Cabinet Order.

(Partial Revision of the Ministry of International Trade and Industry Installation Law)

Article 37 A part of the Ministry of International Trade and Industry Installation Law (Law No.275.1952) shall be revised as follows :

The term "manufacturers, etc. of measuring instruments" shall be revised to "measurement certifiers". The term "Item 25" in Article 20 shall be deleted.



Supplementary Provisions Annexed Table I

Quantity of State of Physical Phenomena	Measuring Unit
force	dyne
work	erg
quantity of heat	kilogram-force meter, erg
neutron emission rate	neutron per second, neutron per minute
radioactivity	disintegration per second, disintegration per minute

Supplementary Provisions Annexed Table II

Quantity of State of Physical Phenomena	Measuring Unit
length	micron
frequency	cycle or cycle per second
magnetic field strength	ampere turn per meter, oersted
magnetomotive force	ampere turn
magnetic flux density	gauss, gamma
magnetic flux	maxwell
acoustic pressure level	phon
concentration	normal

Supplementary Provisions Annexed Table III

Quantity of State of Physical Phenomena	Measuring Unit
force	kilogram-force, gram-force, ton-force
moment of force	kilogram-force meter
pressure	kilogram-force per square meter, gram-force per square meter, meter of mercury, meter of water
stress	kilogram-force per square meter, gram-force per square meter
work	kilogram-force meter
power	kilogram-force meter per second
quantity of heat	calorie
thermal conductivity	calorie per second per meter per degree, calorie per hour per meter per degree
specific heat capacity	calorie per kilogram per degree

Annexed Table I (Article 3 Related)

Quantity of State of Physical Phenomena	Measuring Unit
length	meter
mass	kilogram, gram, tonne
time	second, minute, hour
current	ampere
temperature	kelvin, celsius degree or degree
amount of substance	mole
luminous intensity	candela

angle	radian, degree, second, minute
solid angle	steradian
area	square meter
volume	cubic meter, liter
angular velocity	radian per second
angular acceleration	radian per second squared
speed	meter per second, meter per hour
acceleration	meter per second squared
frequency	hertz
speed of revolution	reciprocal second, reciprocal minute reciprocal hour
wave number	reciprocal meter
density	kilogram per cubic meter, gram per cubic meter, gram per liter
force	newton
moment of force	newton meter
pressure	pascal or newton per square meter, bar
stress	pascal or newton per square meter
viscosity	pascal second or newton second per square meter
kinemastic viscosity	square meter per second
work	joule or watt second, watt hour
power	watt
mass flow rate	kilogram per second, kilogram per minute, kilogram per hour, gram per second, gram per minute, gram per hour, tonne per second, tonne per minute, tonne per hour
flow rate	cubic meter per second, cubic meter per minute, cubic meter per hour, liter per second, liter per minute, liter per hour

quantity of heat	joule or watt second. watt hour
thermal conductivity	watt per meter kelvin or watt per meter degree
specific heat capacity	joule per kilogram kelvin or joule per kilogram degree
entropy	joule per kelvin
quantity of electricity	coulomb
electric field strength	volt per meter
voltage	volt
electromotive force	volt
capacitance	farad
magnetic field strength	ampere per meter
magnetomotive force	ampere
magnetic flux density	tesla or weber per square meter
magnetic flux	weber
inductance	henry
electric resistance	ohm
electric conductance	siemens
impedance	ohm
electric power	watt
electric energy	joule or watt second. watt hour
electric power density of electromagnetic wave	watt per square meter
radiant intensity	watt per steradian
luminous flux	lumen
luminance	candela per square meter
illuminance	lux
acoustic power	watt

concentration	mole per cubic meter, mole per liter, kilogram per cubic meter, gram per cubic meter, gram per liter
neutron emission rate	reciprocal second, reciprocal minute
radioactivity	becquerel, curie
absorbed dose	gray, rad
absorbed dose rate	gray per second, gray per minute, gray per hour, rad per second, rad per minute, rad per hour
kerma	gray
kerma rate	gray per second, gray per minute, gray per hour
exposure	coulomb per kilogram, roentgen
exposure rate	coulomb per kilogram second, coulomb per kilogram minute, coulomb per kilogram hour, roentgen per second, roentgen per minute, roentgen per hour
dose equivalent	sievert, rem
dose equivalent rate	sievert per second, sievert per minute, sievert per hour, rem per second, rem per minute, rem per hour

Annexed Table II (Article 4 Related)

Quantity of State of Physical Phenomena	Measuring Unit
reactive electric power	var
apparent electric power	volt ampere
reactive electric energy	var second, var hour
apparent electric energy	volt ampere second, volt ampere hour
attenuation of electromagnetic wave	decibel
acoustic pressure level	decibel
oscilating acceleration level	decibel

Annexed Table III (Article 4 Related)

Quantity of State of Physical Phenomena	Measuring Unit
speed of revolution	revolution per minute, revolution per hour
pressure	atmosphere
viscosity	poise
kinematic viscosity	stokes
concentration	mass percentage, mass part per mill, mass part per million, mass part per billion, volume percentage, volume part per mill, volume part per million, volume part per billion, pH



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