

Poisonous and Deleterious Substances Control Act

(Act No. 303 of December 28, 1950)

(Purpose)

Article 1 The purpose of this Act is to provide necessary control on Poisonous Substances and Deleterious Substances from the viewpoint of health and hygiene.

(Definition)

Article 2 (1) The term "Poisonous Substance(s)" as used in this Act means the substances listed in Appended Table 1 other than pharmaceutical products and quasi-pharmaceutical products.

(2) The term "Deleterious Substance(s)" as used in this Act means the substances listed in Appended Table 2 other than pharmaceutical products and quasi-pharmaceutical products.

(3) The term "Specified Poisonous Substance(s)" as used in this Act means the Poisonous Substances listed in Appended Table 3.

(Prohibitions)

Article 3 (1) No person may engage in the manufacture of any Poisonous Substance or Deleterious Substance for the purpose of selling or giving the same unless the person is registered as a manufacturer of Poisonous Substances or Deleterious Substances.

(2) No person may engage in the import of any Poisonous Substance or Deleterious Substance for the purpose of selling or giving the same unless the person is registered as an importer of Poisonous Substances or Deleterious Substances.

(3) No person may sell or give, or store, transport, or display for the purpose of selling or giving, any Poisonous Substance or Deleterious Substance unless the person is registered as a distributor of Poisonous Substances or Deleterious Substances; provided, however, that this does not apply if a manufacturer or importer of Poisonous Substances or Deleterious Substances sells or gives the Poisonous Substances or Deleterious Substances which it has manufactured or imported to another manufacturer, importer, or a distributor of Poisonous Substances or Deleterious Substances (hereinafter referred to as a "Poisonous and Deleterious Substances Business Operator"), or stores, transports, or displays said substances for that purpose.

Article 3-2 (1) No person may engage in the manufacture of any Specified

- Poisonous Substance unless the person is a manufacturer of Poisonous Substances or Deleterious Substances or has obtained a license from a prefectural governor as a person who is permitted to manufacture or use any Specified Poisonous Substance for the purpose of academic research (hereinafter referred to as a "Specified Poisonous Substance Researcher").
- (2) No person may engage in the import of any Specified Poisonous Substance unless the person is an importer of Poisonous Substances or Deleterious Substances or is a Specified Poisonous Substance Researcher.
 - (3) No person may use any Specified Poisonous Substance unless the person is a Specified Poisonous Substance Researcher or a person designated by Cabinet Order on an item-by-item basis as a person who is permitted to use said Specified Poisonous Substance (hereinafter referred to as the "Specified Poisonous Substance User"); provided, however, that this does not apply if a manufacturer of Poisonous Substances or Deleterious Substances uses Specified Poisonous Substances for the purpose of manufacturing Poisonous Substances or Deleterious Substances.
 - (4) A Specified Poisonous Substance Researcher must not make any Specified Poisonous Substance available for any use other than academic research.
 - (5) A Specified Poisonous Substance User must not make any Specified Poisonous Substance available for any use other than the one specified by Cabinet Order on an item-by-item basis.
 - (6) No person may transfer, or accept transfer of, any Specified Poisonous Substance unless the person is a Poisonous and Deleterious Substances Business Operator, a Specified Poisonous Substance Researcher, or a Specified Poisonous Substance User.
 - (7) A person prescribed in the preceding paragraph must not transfer any Specified Poisonous Substance to any person other than the one prescribed in the same paragraph, or accept transfer of said substance from any person other than the one prescribed in the same paragraph.
 - (8) Neither a Poisonous and Deleterious Substances Business Operator nor a Specified Poisonous Substance Researcher may transfer, to a Specified Poisonous Substance User, any Specified Poisonous Substance other than the one said user is permitted to use.
 - (9) Whenever a standard for quality, coloring, or marking of any Specified Poisonous Substance is established by Cabinet Order for preventing health and hygiene hazards, a Poisonous and Deleterious Substances Business Operator or a Specified Poisonous Substance Researcher must not transfer said Specified Poisonous Substance to a Specified Poisonous Substance User unless it conforms to the standard.
 - (10) No person may possess any Specified Poisonous Substance unless the person is a Poisonous and Deleterious Substances Business Operator, a Specified

Poisonous Substance Researcher, or a Specified Poisonous Substance User.
(11) A Specified Poisonous Substance User must not accept a transfer of, or possess, any Specified Poisonous Substance other than the one said user is permitted to use.

Article 3-3 No person may ingest or inhale, or possess for those purpose, any Poisonous Substance or Deleterious Substance that causes stimulation, hallucination, or a narcotic influence (including any substance that contains the same effects) and that is prescribed by Cabinet Order, without good reason.

Article 3-4 No person may possess any Poisonous Substance or Deleterious Substance that is inflammable, combustible, or explosive and that is specified by Cabinet Order, except the case where there are business or other justifiable grounds for the possession.

(Registration of Business)

Article 4 (1) The registration of a manufacturing business or import business of Poisonous Substances or Deleterious Substances is conducted by the Minister of Health, Labour and Welfare for each manufacturing facility or business office, and the registration of a distribution business of said substances is conducted for each shop by the prefectural governor of the location of each respective shop (the mayor or ward head if the location of the shop is within an area of a city specified by Cabinet Order referred to in Article 5, paragraph (1) of the Community Health Act (Act No. 101 of 1947) (hereinafter referred to as a "City Establishing a Health Center") or a special ward; the same applies in paragraph (3), Article 7, paragraph (3), Article 10, paragraph (1), and Article 21, paragraph (1)).

(2) A person who intends to obtain the registration of a manufacturing business or import business of Poisonous Substances or Deleterious Substances must submit a written application, for each manufacturing facility in the case of a manufacturer or for each business office in the case of an importer, to the Minister of Health, Labour and Welfare via the prefectural governor of the location of said manufacturing facility or business office.

(3) A person who intends to obtain the registration of a distribution business of Poisonous Substances or Deleterious Substances must submit a written application for each shop to the prefectural governor of the location of said shop.

(4) The registration expires unless it is renewed every five years in the case of a manufacturing business or import business, or every six years in the case of a distribution business.

(Types of Registration of a Distribution Business)

Article 4-2 The registration of a distribution business of Poisonous Substances or Deleterious Substances is to be divided and classified as follows:

- (i) registration of a general distribution business;
- (ii) registration of a distribution business of agricultural items; and
- (iii) registration of a distribution business of specified items.

(Limitation of Distribution Items)

Article 4-3 (1) A person who has obtained the registration of a distribution business of agricultural items must not sell or give, or store, transport, or display for the purpose of selling or giving, any Poisonous Substance or Deleterious Substance other than those which are necessary for agricultural purposes and are specified by Ordinance of the Ministry of Health, Labour and Welfare.

(2) A person who has obtained the registration of a distribution business of specified items must not sell or give, or store, transport, or display for the purpose of selling or giving, any Poisonous Substance or Deleterious Substance other than those specified by Ordinance of the Ministry of Health, Labour and Welfare.

(Registration Standards)

Article 5 The Minister of Health, Labour and Welfare, a prefectural governor, mayor of a City Establishing a Health Center, or ward head of a special ward must not conduct the registration referred to in Article 4 when said minister, governor, mayor, or ward head finds that the equipment of a person who intends to obtain the registration of a manufacturing business, import business, or distribution business of Poisonous Substances or Deleterious Substances fails to conform to the standards specified by Ordinance of the Ministry of Health, Labour and Welfare, or when the registration of said person has been rescinded pursuant to the provisions of Article 19, paragraph (2) or (4) and two years have not elapsed since the day of said rescission.

(Registration Matters)

Article 6 The registration referred to in Article 4 is to be made with regard to the matters set forth in the following items:

- (i) name and address (name and location of principal office in the case of a corporation) of the applicant;
- (ii) in the case of registration of a manufacturing business or import business, the items of Poisonous Substances or Deleterious Substances which the applicant intends to manufacture or import; and
- (iii) location of the manufacturing facility, the business office, or the shop.

(License for Specified Poisonous Substance Researcher)

Article 6-2 (1) A person who intends to obtain a license for Specified Poisonous Substance Researcher must submit a written application to the prefectural governor.

(2) A prefectural governor must not grant a license of Specified Poisonous Substance Researcher to any person unless the person has reasonable knowledge of Poisonous Substances and needs to manufacture or use the Specified Poisonous Substance in the course of the person's academic research.

(3) A prefectural governor may choose not to grant a license of Specified Poisonous Substance Researcher to the following persons:

(i) a person specified by Ordinance of the Ministry of Health, Labour and Welfare as a person who is unable to properly engage in the services of a Specified Poisonous Substance Researcher due to a mental or physical disability;

(ii) a person who is addicted to narcotics, cannabis, opium, or stimulants;

(iii) a person who has committed a crime in relation to any Poisonous Substance or Deleterious Substance, or pharmaceutical affairs, and has been sentenced to a fine or heavier punishment, and for whom three years have not elapsed since the day on which execution of the sentence was completed or on which the person ceased to be subject to execution of the sentence; or

(iv) a person whose license has been rescinded pursuant to the provisions of Article 19, paragraph (4) and for whom two years have not elapsed since the day of the rescission.

(Person Responsible for Handling Poisonous Substances and Deleterious Substances)

Article 7 (1) A Poisonous and Deleterious Substances Business Operator must assign a full-time person responsible for handling poisonous and deleterious substances for each manufacturing facility, business office, or shop directly handling Poisonous Substances or Deleterious Substances, and have said person engage in the prevention of health and hygiene hazards caused by Poisonous Substances or Deleterious Substances; provided, however, that this does not apply to any manufacturing facility, business office, or shop at which the Poisonous and Deleterious Substances Business Operator itself engages, as the person responsible for handling poisonous and deleterious substances, in the prevention of health and hygiene hazards caused by Poisonous Substances or Deleterious Substances.

(2) If a Poisonous and Deleterious Substances Business Operator operates two or more businesses among a manufacturing business, import business and distribution business of Poisonous Substances or Deleterious Substances

concurrently and the manufacturing facility, business office, or shop adjoins each other or one another, or said Poisonous and Deleterious Substances Business Operator operates two or more distribution businesses of Poisonous Substances or Deleterious Substances concurrently within the same shop, one person responsible for handling poisonous and deleterious substances is sufficient for those facilities, notwithstanding the provisions of the preceding paragraph.

- (3) When a Poisonous and Deleterious Substances Business Operator has assigned a person responsible for handling poisonous and deleterious substances, it must provide notification of said person's name within 30 days to the Minister of Health, Labour and Welfare, via the prefectural governor of the location of the manufacturing facility or business office, if the Poisonous and Deleterious Substances Business Operator has obtained the registration of a manufacturing business or import business, or to the prefectural governor of the location of the shop if it has obtained the registration of a distribution business. The same applies to the case where the person responsible for handling poisonous substances and deleterious substances is changed.

(Qualification of Person Responsible for Handling Poisonous Substances and Deleterious Substances)

Article 8 (1) No person other than those listed in the following items may be appointed as a person responsible for handling poisonous substances and deleterious substances referred to in the preceding Article:

- (i) a pharmacist;
 - (ii) a person who has completed academic courses on applied chemistry at a school specified by Ordinance of the Ministry of Health, Labour and Welfare;
- or
- (iii) a person who has passed the examination for a person handling poisonous substance and deleterious substance conducted by a prefectural governor.
- (2) The following persons may not be appointed as a person responsible for handling poisonous substances and deleterious substances referred to in the preceding Article:
- (i) a person under 18 years of age;
 - (ii) a person specified by Ordinance of the Ministry of Health, Labour and Welfare as a person who is unable to properly engage in the services of a person responsible for handling poisonous substances and deleterious substances due to a mental or physical disability;
 - (iii) a person who is addicted to narcotics, cannabis, opium, or stimulants; or
 - (iv) a person who has committed a crime in relation to any Poisonous Substance or Deleterious Substance, or pharmaceutical affairs, and has been sentenced to a fine or heavier punishment, and for whom three years have

- not elapsed since the day on which execution of the sentence was completed or on which the person ceased to be subject to execution of the sentence.
- (3) The examination for a person handling poisonous substance and deleterious substance referred to in item (iii), paragraph (1) is to be divided into the examination for a person handling the general poisonous substance and deleterious substance, the examination for a person handling the poisonous substance and deleterious substance of agricultural items, and the examination for a person handling the poisonous substance and deleterious substance of specified items.
- (4) A person who has passed the examination for a person handling poisonous substance and deleterious substance of agricultural items may be appointed as a person responsible for handling poisonous substances and deleterious substances only at a business office of an import business or a shop of a distribution business of agricultural items dealing only with the Poisonous Substances or Deleterious Substances specified by Ordinance of the Ministry of Health, Labour and Welfare referred to in Article 4-3, paragraph (1), and a person who has passed the examination for a person handling poisonous substance and deleterious substance of specified items may be appointed as a person responsible for handling poisonous substances and deleterious substances only at a business office of an import business or a shop of a distribution business of specified items dealing only with the Poisonous Substances or Deleterious Substances specified by Ordinance of the Ministry of Health, Labour and Welfare referred to in the same Article, paragraph (2).
- (5) In addition to what is provided for in this Act, the examination subjects and other matters necessary for the examination for a person handling poisonous substance and deleterious substance are specified by Ordinance of the Ministry of Health, Labour and Welfare.

(Change of Registration)

- Article 9 (1) When a manufacturer or importer of Poisonous Substances or Deleterious Substances intends to manufacture or import any Poisonous Substance or Deleterious Substance other than the Poisonous Substances or Deleterious Substances for which it has obtained registration, it must receive a change of registration with regard to the matters set forth in Article 6, item (ii) in advance.
- (2) The provisions of Article 4, paragraph (2) and Article 5 apply mutatis mutandis to the change of registration.

(Notification)

- Article 10 (1) When a Poisonous and Deleterious Substances Business Operator falls under any of the following items, it must provide notification to that effect

within 30 days to the Minister of Health, Labour and Welfare, via the prefectural governor of the location of the manufacturing facility or business office, if it is a person who has obtained the registration of a manufacturing business or import business, or to the prefectural governor of the location of the shop if it is a person who has obtained the registration of a distribution business:

- (i) when the Poisonous and Deleterious Substances Business Operator has changed its name or address (name and location of the principal office in the case of a corporation);
 - (ii) when the Poisonous and Deleterious Substances Business Operator has changed an important part of the equipment for manufacture, storage, or transportation of Poisonous Substances or Deleterious Substances;
 - (iii) when the Poisonous and Deleterious Substances Business Operator has changed any other matter specified by Ordinance of the Ministry of Health, Labour and Welfare; or
 - (iv) when the Poisonous and Deleterious Substances Business Operator has abolished its business in said manufacturing facility, business office, or shop.
- (2) When a Specified Poisonous Substance Researcher falls under any of the following items, the Specified Poisonous Substance Researcher must notify the prefectural governor to that effect within 30 days:
- (i) when the Specified Poisonous Substance Researcher has changed the Specified Poisonous Substance Researcher's name or address;
 - (ii) when the Specified Poisonous Substance Researcher has changed any other matter specified by Ordinance of the Ministry of Health, Labour and Welfare; or
 - (iii) when the Specified Poisonous Substance Researcher has ceased said research.
- (3) In the case referred to in paragraph (1), item (iv) or the preceding paragraph, item (iii), when the notification is made, the relevant registration or license ceases to be effective.

(Handling of Poisonous Substances or Deleterious Substances)

Article 11 (1) A Poisonous and Deleterious Substances Business Operator and a Specified Poisonous Substance Researcher must take necessary measures for preventing theft or loss of the Poisonous Substances or Deleterious Substances.

(2) A Poisonous and Deleterious Substances Business Operator and a Specified Poisonous Substance Researcher must take necessary measures for preventing Poisonous Substances or Deleterious Substances, or any item that contains Poisonous Substances or Deleterious Substances and is specified by Cabinet Order, from scattering, leaking, draining, or seeping outside their manufacturing facility, business office, or shop, or the research institute, or

from seeping underground at those facilities.

- (3) When a Poisonous and Deleterious Substances Business Operator and a Specified Poisonous Substance Researcher transport Poisonous Substances or Deleterious Substances, or an item specified by Cabinet Order set forth in the preceding paragraph, outside their manufacturing facility, business office, or shop, or the research institute, they must take necessary measures for preventing said substances or item from scattering, leaking, draining, or seeping out.
- (4) A Poisonous and Deleterious Substances Business Operator and a Specified Poisonous Substance Researcher must not use any item that is usually used as a container for food or drink as a container for Poisonous Substances or the Deleterious Substances specified by Ordinance of the Ministry of Health, Labour and Welfare.

(Indication of a Poisonous Substance or Deleterious Substance)

Article 12 (1) A Poisonous and Deleterious Substances Business Operator and a Specified Poisonous Substance Researcher must indicate, on the containers and packaging of any Poisonous Substance or Deleterious Substance, the characters "医薬用外" (meaning "not for medical use") and, in the case of a Poisonous Substance the characters "毒物" (meaning "poisonous substance") in white on a red background or in the case of a Deleterious Substance the characters "劇物" (meaning "deleterious substance") in red on a white background.

- (2) A Poisonous and Deleterious Substances Business Operator must not sell or give any Poisonous Substance or Deleterious Substance without indicating the following matters on the containers and packaging of said Poisonous Substance or Deleterious Substance:
 - (i) the name of the Poisonous Substance or Deleterious Substance;
 - (ii) the components of the Poisonous Substance or Deleterious Substance and their respective contents;
 - (iii) for Poisonous Substances or Deleterious Substances specified by Ordinance of the Ministry of Health, Labour and Welfare, the name of the respective antidotes specified by Ordinance of the Ministry of Health, Labour and Welfare; and
 - (iv) matters which are found particularly necessary for the handling and use of the Poisonous Substances or Deleterious Substances and specified by Ordinance of the Ministry of Health, Labour and Welfare.
- (3) A Poisonous and Deleterious Substances Business Operator and a Specified Poisonous Substance Researcher must indicate, at the place where Poisonous Substances or Deleterious Substances are stored or displayed, the characters "医薬用外" (meaning "not for medical use") and, in the case of a Poisonous Substance the characters "毒物" (meaning "poisonous substance") and in the

case of a Deleterious Substance the characters "劇物" (meaning "deleterious substance").

(Sale of Poisonous Substances or Deleterious Substances Used for Specified Purpose)

Article 13 A Poisonous and Deleterious Substances Business Operator must not sell or give any Poisonous Substance or Deleterious Substance that is specified by Cabinet Order for agricultural use unless said substance is colored in a manner specified by Ordinance of the Ministry of Health, Labour and Welfare.

Article 13-2 A Poisonous and Deleterious Substances Business Operator must not sell or give any Poisonous Substance or Deleterious Substance that is found to be provided mainly for use in the daily lives of general consumers and that is specified by Cabinet Order unless said substance conforms to the standards specified by Cabinet Order with regard to the content of the components thereof, or the containers or packaging thereof.

(Procedures for Transfer of Poisonous Substance or Deleterious Substance)

Article 14 (1) A Poisonous and Deleterious Substances Business Operator must describe the following matters in writing each time it sells or gives any Poisonous Substance or Deleterious Substance to another Poisonous and Deleterious Substances Business Operator:

- (i) the name and volume of the Poisonous Substance or Deleterious Substance;
- (ii) the date of selling or giving the Poisonous Substance or Deleterious Substance; and
- (iii) the name, profession, and address (name and location of principal office in the case of a corporation) of the transferee.

(2) A Poisonous and Deleterious Substances Business Operator must not sell or give any Poisonous Substance or Deleterious Substance to any person other than a Poisonous and Deleterious Substances Business Operator unless it receives a document describing the matters set forth in each item of the preceding paragraph and prepared pursuant to the provisions of Ordinance of the Ministry of Health, Labour and Welfare from the transferee.

(3) In lieu of receiving the document under the provisions of the preceding paragraph, the Poisonous and Deleterious Substances Business Operator set forth in the preceding paragraph may receive the provisions of the matters to be described in said document by a method using an electronic data processing system or other method using information and communications technology specified by Ordinance of the Ministry of Health, Labour and Welfare, pursuant to the provisions of Cabinet Order and with the consent of said transferee. In this case, said Poisonous and Deleterious Substances Business

Operator is deemed to have received said document.

- (4) A Poisonous and Deleterious Substances Business Operator must retain the documents referred to in paragraphs (1) and (2), and the electromagnetic records which are made when the method prescribed in the first sentence of the preceding paragraph is used and made in said method (meaning records made in an electronic form, a magnetic form, or any other form not recognizable to human perception, which are used in information processing by computers and specified by Ordinance of the Ministry of Health, Labour and Welfare), for five years from the day the Poisonous Substance or Deleterious Substance is sold or given.

(Limitation of Delivery of Poisonous Substance or Deleterious Substance)

Article 15 (1) A Poisonous and Deleterious Substances Business Operator must not deliver any Poisonous Substance or Deleterious Substance to the following persons:

- (i) a person under 18 years of age;
 - (ii) a person specified by Ordinance of the Ministry of Health, Labour and Welfare as a person who is unable to properly take measures to prevent health and hygiene hazards caused by Poisonous Substances or Deleterious Substances due to a mental or physical disability; or
 - (iii) a person who is addicted to narcotics, cannabis, opium, or stimulants.
- (2) A Poisonous and Deleterious Substances Business Operator must not deliver the substance specified by Cabinet Order as prescribed by Article 3-4 to any person until it has confirmed the name and address of the person who is to receive the delivery, pursuant to the provisions of Ordinance of the Ministry of Health, Labour and Welfare.
- (3) A Poisonous and Deleterious Substances Business Operator must keep books and, whenever it has made a confirmation set forth in the preceding paragraph, enter the matters related to the confirmation pursuant to the provisions of Ordinance of the Ministry of Health, Labour and Welfare.
- (4) A Poisonous and Deleterious Substances Business Operator must retain the books set forth in the preceding paragraph for five years from the day on which the last entry is made.

(Disposal)

Article 15-2 Poisonous Substances or Deleterious Substances, or the substances specified by Cabinet Order as prescribed by Article 11, paragraph (2) may not be disposed of unless said disposal is conducted using a method conforming to the technical standards specified by Cabinet Order.

(Order for Recall)

Article 15-3 When it is found that a method adopted by a Poisonous and Deleterious Substances Business Operator or a Specified Poisonous Substance Researcher to dispose of Poisonous Substances or Deleterious Substances, or the substances specified by Cabinet Order as prescribed by Article 11, paragraph (2), fails to conform to the standards specified by Cabinet Order referred to in the preceding Article, and there is a risk of health and hygiene hazards to unspecified or many persons if the situation is left unaddressed, a prefectural governor (a mayor or ward head in the case of distribution business of Poisonous Substances or Deleterious Substances if the location of the shop is within an area of a City Establishing a Health Center or a special ward; the same applies in Article 17, paragraph (2) and Article 23-3) may order said Dealer or Researcher to take necessary measures for preventing health and hygiene hazards, such as recall of said disposed substances or removal of the poisonous properties thereof.

(Technical Standards for Transportation)

Article 16 (1) When technical standards for the transportation, storage, or other handling of Poisonous Substances or Deleterious Substances are necessary to prevent health and hygiene hazards, they may be specified by Cabinet Order.

(2) When the following matters are particularly necessary to prevent health and hygiene hazards, they may be specified by Cabinet Order:

- (i) technical standards concerning the handling of any item to which any Specified Poisonous Substance is attached or any item containing any Specified Poisonous Substance;
- (ii) a statement that a manufacturer or importer of an item containing any Specified Poisonous Substance may not sell or give the item containing the Specified Poisonous Substance unless it complies with certain quality or coloring standards; or
- (iii) a statement that a manufacturer, importer, or distributor of an item containing any Specified Poisonous Substance is required to make a certain indication when it sells or gives the item containing the Specified Poisonous Substance.

(Measures to be Taken upon an Accident Occurrence)

Article 16-2 (1) A Poisonous and Deleterious Substances Business Operator and a Specified Poisonous Substance Researcher must immediately notify the health center, police station, or fire department, while taking emergency measures necessary to prevent health and hygiene hazards, if a Poisonous Substance or Deleterious Substance, or a substance specified by Cabinet Order as prescribed by Article 11, paragraph (2) which they handle scatters, leaks, drains, seeps out, or seeps underground, and there is a risk of health and

hygiene hazards to unspecified or many persons.

- (2) A Poisonous and Deleterious Substances Business Operator and a Specified Poisonous Substance Researcher must immediately notify the police station if any of the Poisonous Substances or Deleterious Substances which they handle is stolen or lost.

(On-site Inspection)

Article 17 (1) When the Minister of Health, Labour and Welfare finds it necessary for health and hygiene purposes, said minister may collect necessary reports from a manufacturer or importer of Poisonous Substances or Deleterious Substances, or have a person who is designated in advance from among pharmaceutical affairs inspectors enter their manufacturing facility, business office, or other place where the Poisonous Substances or Deleterious Substances are handled in the course of business to inspect books and other articles, question persons concerned, or remove the Poisonous Substances, the Deleterious Substances, the substances specified by Cabinet Order as prescribed by Article 11, paragraph (2), or any substance suspected of being any of said substances, only in the minimum amount necessary for testing.

(2) When a prefectural governor finds it necessary for health and hygiene purposes, said governor may collect necessary reports from a distributor of Poisonous Substances or Deleterious Substances or a Specified Poisonous Substance Researcher, or have a person who is designated in advance from among pharmaceutical affairs inspectors enter their shop, research institute, or other place where the Poisonous Substances or Deleterious Substances are handled in the course of business to inspect books and other articles, question persons concerned, or remove the Poisonous Substances, the Deleterious Substances, the substances specified by Cabinet Order as prescribed by Article 11, paragraph (2), or any substance suspected of being any of said substances, in the minimum amount necessary for testing.

(3) A person designated pursuant to the provisions of the preceding two paragraphs is to be called a poisonous substance and deleterious substance inspector.

(4) A poisonous substance and deleterious substance inspector must carry an identification card and produce it at the request of relevant persons.

(5) The provisions of paragraphs (1) and (2) must not be construed as being granted for criminal investigation purposes.

Article 18 Deleted

(Rescission of Registration)

Article 19 (1) When the Minister of Health, Labour and Welfare, with regard to

- a person who has obtained the registration of a manufacturing business or import business of Poisonous Substances or Deleterious Substances, or the prefectural governor (the mayor or ward head if the location of the shop for the distribution business is within an area of a City Establishing a Health Center or a special ward; the same applies in paragraphs (3) and (4)), with regard to a person who has obtained the registration of a distribution business, finds that the equipment of said person has ceased to conform to the standards specified by Ordinance of the Ministry of Health, Labour and Welfare pursuant to the provisions of Article 5, said minister or governor may order said person to take necessary measures to cause said equipment to conform to the standards specified by Ordinance of the Ministry of Health, Labour and Welfare pursuant to the provisions of the same Article by specifying a reasonable period of time.
- (2) If the person who has received an order set forth in the preceding paragraph fails to take necessary measures within the designated period, the Minister of Health, Labour and Welfare, or prefectural governor, mayor of a City Establishing a Health Center, or ward head of a special ward must rescind the registration of said person.
- (3) With regard to a person responsible for handling poisonous substances and deleterious substances in a manufacturing business or import business of Poisonous Substances or Deleterious Substances, and with regard to a person responsible for handling poisonous substances and deleterious substances in a distribution business, the Minister of Health, Labour and Welfare and the prefectural governor, respectively, may order the manufacturer, importer, or distributor of Poisonous Substances or Deleterious Substances to change said person, if said person has committed an act in violation of this Act or if said minister or governor finds that said person is inappropriate as a person responsible for handling poisonous substances and deleterious substances.
- (4) With regard to a person who has obtained the registration of a manufacturing business or import business of Poisonous Substances or Deleterious Substances, and with regard to a person who has obtained the registration of a distribution business or a Specified Poisonous Substance Researcher, the Minister of Health, Labour and Welfare and the prefectural governor, respectively, may rescind the registration or license for Specified Poisonous Substance Researcher, or order said person to suspend the operation of services in whole or in part for a specified period, if said person has committed an act in violation of this Act or any disposition thereunder (including the case where the Specified Poisonous Substance Researcher has come to fall under any of items (i) to (iii) of paragraph (3) of Article 6-2).
- (5) When a prefectural governor finds that a disposition under any of the preceding paragraphs is necessary with regard to a manufacturer or importer of Poisonous Substances or Deleterious Substances, said governor must state

an opinion to that effect to the Minister of Health, Labour and Welfare.

- (6) When the Minister of Health, Labour and Welfare finds it necessary in case of emergency, said minister may instruct a prefectural governor, mayor of a City Establishing a Health Center, or ward head of a special ward to make a disposition pursuant to the provisions of paragraphs (1) to (4).

(Special Provisions on Method of Hearing)

Article 20 (1) Notices referred to in Article 15, paragraph (1) or Article 30 of the Administrative Procedure Act (Act No. 88 of 1993) pertaining to a disposition under the provisions of paragraphs (2) to (4) of the preceding Article must be given no later than one week prior to the date of hearing or the deadline for submission of a written statement of explanation (if an opportunity for an oral explanation is granted, the date and time of the oral explanation).

- (2) When the Minister of Health, Labour and Welfare, or a prefectural governor, mayor of a City Establishing a Health Center or ward head of a special ward, has given notice referred to in Article 15, paragraph (1) of the Administrative Procedure Act pertaining to rescission of registration under the provisions of the preceding Article, paragraph (2), an order to change the person responsible for handling poisonous substances and deleterious substances under the provisions of the same Article, paragraph (3), or rescission of license under the provisions of the same Article, paragraph (4) (referred to as the "Disposition to Rescind Registration" in the following paragraph), said minister, governor, mayor, or ward head must provide public notification of the date and place of the hearing.

- (3) The proceedings on the date of the hearing pertaining to the Disposition to Rescind Registration must be open to the public.

(Measures Taken upon Lapse of Registration)

Article 21 (1) Upon the lapse of business registration or a license for Specified Poisonous Substance Researcher, or upon ceasing to be a Specified Poisonous Substance User, a Poisonous and Deleterious Substances Business Operator, a Specified Poisonous Substance Researcher, or a Specified Poisonous Substance User, respectively, must provide notification of the name and quantity of the Specified Poisonous Substances currently owned within 15 days to the Minister of Health, Labour and Welfare via the prefectural governor of the location of the manufacturing facility or business office in the case of a manufacturer or importer of Poisonous Substances or Deleterious Substances, or to the prefectural governor of the location of the shop in the case of a distributor of Poisonous Substances or Deleterious Substances, or to the applicable prefectural governor in the case of a Specified Poisonous Substance Researcher or a Specified Poisonous Substance User.

- (2) With regard to a person who is required to make notification pursuant to the provisions of the preceding paragraph, only if the person transfers the Specified Poisonous Substances referred to in the same paragraphs to a Poisonous and Deleterious Substances Business Operator, a Specified Poisonous Substance Researcher, or a Specified Poisonous Substance User within fifty days from the day on which said person comes to be required to make said notification, the provisions of Article 3-2, paragraphs (6) and (7) do not apply to the transfer or the receipt thereof, and the provisions of Article 3-2, paragraph (10) do not apply to the possession of the Specified Poisonous Substances set forth in the preceding paragraph by said person only during the same period.
- (3) When a person who was a Poisonous and Deleterious Substances Business Operator or a Specified Poisonous Substance Researcher transfers the Specified Poisonous Substances referred to in paragraph (1) during the period set forth in the preceding paragraph, the person is deemed as a Poisonous and Deleterious Substances Business Operator or a Specified Poisonous Substance Researcher with regard to the application of the provisions of Article 3-2, paragraphs (8) and (9).
- (4) When a Poisonous and Deleterious Substances Business Operator, a Specified Poisonous Substance Researcher, or a Specified Poisonous Substance User dies or, when the person is a corporation, extinguishes as a result of a merger, the provisions of the preceding three paragraphs apply mutatis mutandis to the heir or a person who controls the inherited property on behalf of the heir, or the representative of a corporation which continues to exist after the merger or is established as a result of merger.

(Notification of Persons Handling Poisonous Substances or Deleterious Substances in Their Business)

- Article 22 (1) A person who is engaged in a business specified by Cabinet Order and handles sodium cyanide, or other Poisonous Substances or Deleterious Substances specified by Cabinet Order in the course of business must notify the prefectural governor of the location of the workplace of the person (the mayor or ward head if the location of the workplace is within an area of a City Establishing a Health Center or a special ward; the same applies in paragraph (3)) of the matters set forth in the following items for each workplace within thirty days from the day on which the person comes to handle those Poisonous Substances or Deleterious Substances in the course of business, pursuant to the provisions of Ordinance of the Ministry of Health, Labour and Welfare.
- (i) the name and address (name and location of the principal office in the case of a corporation);
- (ii) the items of Poisonous Substances or Deleterious Substances to be handled

- from among sodium cyanide and other Poisonous Substances or Deleterious Substances specified by Cabinet Order;
- (iii) the location of the workplace; and
- (iv) other matters specified by Ordinance of the Ministry of Health, Labour and Welfare.
- (2) When a Cabinet Order pursuant to the provisions of the preceding paragraph is enacted and a person comes to be a person prescribed in the same paragraph as a result of the enforcement of the Cabinet Order, the person must provide notification of the matters set forth in each item of the same paragraph within 30 days from the date of enforcement of the Cabinet Order in accordance with the provisions of the same paragraph.
- (3) When a person who has made notification pursuant to the provisions of the preceding two paragraphs discontinues the business at said workplace, ceases to handle the Poisonous Substances or Deleterious Substances referred to in paragraph (1) at said workplace in the course of business, or changes any matter set forth in each item of the same paragraph, the person must notify the prefectural governor of the location of said workplace to that effect.
- (4) The provisions of Article 7, Article 8, Article 11, Article 12, paragraphs (1) and (3), Article 15-3, Article 16-2, Article 17, paragraphs (2) to (5), and Article 19, paragraphs (3) and (6) apply mutatis mutandis to a person prescribed by paragraph (1) (including a person prescribed by paragraph (2)); hereinafter the same applies in this Article). In this case, the term "the prefectural governor" in Article 7, paragraph (3) is deemed to be replaced with "the prefectural governor (the mayor or ward head if the location of the workplace is within an area of a City Establishing a Health Center or a special ward)", the term "in the case of a distribution business of Poisonous Substances or Deleterious Substances where the location of the shop" in Article 15-3 is deemed to be replaced with "if the workplace of the person prescribed by Article 22, paragraph (1) (including the person prescribed by paragraph (2) of the same Article)", and the term "Article 23-3" is deemed to be replaced with "Article 19, paragraph (3)".
- (5) The provisions of Article 11, Article 12, paragraphs (1) and (3), Article 16-2, and Article 17, paragraphs (2) to (5) apply mutatis mutandis to a person who is not a Poisonous and Deleterious Substances Business Operator, a Specified Poisonous Substance Researcher, or a person prescribed by paragraph (1) and who handles Poisonous Substances or Deleterious Substances specified by Ordinance of the Ministry of Health, Labour and Welfare in the course of business. In this case, the term "a prefectural governor" in Article 17, paragraph (2) is deemed to be replaced with "a prefectural governor (a mayor or ward head if the location of the place where the person prescribed by Article 22, paragraph (5) handles the Poisonous Substances or Deleterious Substances

in the course of business is within an area of a City Establishing a Health Center or a special ward)".

(6) When the Minister of Health, Labour and Welfare or a prefectural governor (a mayor or ward head if the location of the workplace of the person prescribed by paragraph (1) or the place where the person prescribed in the preceding paragraph handles the Poisonous Substances or Deleterious Substances in the course of business is within an area of a City Establishing a Health Center or a special ward; the same applies in the following paragraph) finds that the person prescribed by paragraph (1) is in violation of the provisions of Article 7 or Article 11, as applied mutatis mutandis pursuant to paragraph (4), or the disposition referred to in Article 19, paragraph (3), as applied mutatis mutandis pursuant to paragraph (4), or that the person prescribed in the preceding paragraph is in violation of the provisions of Article 11, as applied mutatis mutandis pursuant to the same paragraph, said minister, governor, mayor, or ward head may order said person to take necessary measures and specify a reasonable period of time in which to do so.

(7) The provisions of Article 20 apply mutatis mutandis when the Minister of Health, Labour and Welfare or a prefectural governor intends to make the disposition referred to in Article 19, paragraph (3), as applied mutatis mutandis pursuant to paragraph (4), or the disposition set forth in the preceding paragraph.

(Fees)

Article 23 A person set forth in the following items (limited to a person who files an application to the Minister of Health, Labour and Welfare) must pay a fee to the Treasury in the amount specified by Cabinet Order by taking into account the actual costs of the assessment of the State made in response to each application referred to in the respective items:

- (i) a person who files an application for registration of a manufacturing business or import business of Poisonous Substances or Deleterious Substances;
- (ii) a person who files an application for renewal of the registration referred to in item (i); or
- (iii) a person who files an application for change of the registration referred to in item (i).

(Consultation with the Pharmaceutical Affairs and Food Sanitation Council)

Article 23-2 When the Minister of Health, Labour and Welfare intends to plan an enactment, revision, or abolition of Cabinet Order referred to in Article 16, paragraph (1), and in Appended Table 1, item (xxviii), Appended Table 2, item (xciv), and Appended Table 3, item (x), said minister must hear the opinions of

the Pharmaceutical Affairs and Food Sanitation Council in advance; provided, however, that this does not apply to the matters which the Pharmaceutical Affairs and Food Sanitation Council finds to be minor.

(Affairs Administered by Prefectural Governments)

Article 23-3 Part of the affairs that are under the authority of the Minister of Health, Labour and Welfare provided for in this Act may be undertaken by a prefectural governor, pursuant to the provisions of Cabinet Order.

(Execution of Affairs by the Minister of Health, Labour and Welfare in an Emergency)

Article 23-4 (1) Affairs that are supposed to be placed under the authority of a prefectural governor pursuant to the provisions of Article 17, paragraph (2) are to be conducted by the Minister of Health, Labour and Welfare or the prefectural governor when the Minister of Health, Labor and Welfare finds an urgent necessity. In this case, the provisions concerning a prefectural governor in the provisions of this Act (limited to those provisions pertaining to said affairs) apply to the Minister of Health, Labor and Welfare as the provisions concerning the Minister of Health, Labor and Welfare.

(2) In the case referred to in the preceding paragraph, when the Minister of Health, Labour and Welfare or the prefectural governor is to conduct said affairs, said minister or governor is to do so in close coordination with the other.

(Classification of Affairs)

Article 23-5 Affairs required to be administered by prefectural governments pursuant to the provisions of Article 4, paragraph (2) (including the case where the provisions are applied mutatis mutandis pursuant to Article 9, paragraph (2)), Article 7, paragraph (3) (limited to the portion pertaining to manufacturers or importers), Article 10, paragraph (1) (limited to the portion pertaining to manufacturers or importers), and Article 21, paragraph (1) (limited to the portion pertaining to manufacturers or importers and including the case where the provisions are applied mutatis mutandis pursuant to the same Article, paragraph (4)) are to be the Type 1 statutory entrusted functions prescribed by Article 2, paragraph (9), item (i) of the Local Autonomy Act (Act No. 67 of 1947).

(Delegation of Authority)

Article 23-6 (1) The authority of the Minister of Health, Labour and Welfare provided for in this Act may be delegated to the Director-General of a Regional Bureau of Health and Welfare, pursuant to the provisions of Ordinance of the

Ministry of Health, Labour and Welfare.

- (2) The authority delegated to the Director-General of a Regional Bureau of Health and Welfare pursuant to the provisions of the preceding paragraph may be delegated to the Director-General of a Regional Branch Bureau of Health and Welfare, pursuant to the provisions of Ordinance of the Ministry of Health, Labour and Welfare.

(Delegation to Cabinet Order)

Article 23-7 In addition to what is provided for in this Act, matters necessary for the registration and registration renewal of a manufacturing business, import business, or distribution business of Poisonous Substances or Deleterious Substances, and for the licensure and notification of a Specified Poisonous Substance Researcher, and the disposition of a Specified Poisonous Substance Researcher referred to in Article 19, paragraph (4) are specified by Cabinet Order.

(Transitional Measures)

Article 23-8 When enacting, revising, or abolishing a Cabinet Order or an Ordinance of the Ministry of Health, Labour and Welfare pursuant to the provisions of this Act, necessary transitional measures may be specified by the Cabinet Order or the Ordinance of the Ministry of Health, Labour and Welfare, to the extent considered reasonably necessary for the enactment, revision, or abolition.

(Penal Provisions)

Article 24 A person who falls under any of the following items is punished by imprisonment with work for not more than three years or a fine of not more than two million yen, or both:

- (i) a person who has violated the provisions of Article 3, Article 3-2, Article 4-3, or Article 9;
- (ii) a person who fails to make an indication referred to in Article 12 (including the case where applied *mutatis mutandis* pursuant to Article 22, paragraphs (4) and (5)) or has made a false indication;
- (iii) a person who has violated the provisions of Article 13, Article 13-2, or Article 15, paragraph (1);
- (iv) a person who has violated the provisions of Article 14, paragraph (1) or (2);
- (v) a person who has violated the provisions of Article 15-2; or
- (vi) a person who has violated an order to suspend the operation of services under the provisions of Article 19, paragraph (4).

Article 24-2 A person who falls under any of the following items is punished by

imprisonment with work for not more than two years or a fine of not more than one million yen, or both:

- (i) a person who has sold or given any substance specified by Cabinet Order as prescribed by Article 3-3 knowingly to a person who would ingest or inhale, or possess for those purposes, said substance without good reason;
- (ii) a person who has sold or given any substance specified by Cabinet Order as prescribed by Article 3-4 knowingly to a person who would possess said substance without business or other justifiable grounds; or
- (iii) a person who has violated an order issued under the provisions of Article 22, paragraph (6).

Article 24-3 A person who has violated the provisions of Article 3-3 is punished by imprisonment with work for not more than one year or a fine of not more than five hundred thousand yen, or both.

Article 24-4 A person who has violated the provisions of Article 3-4 is punished by imprisonment with work for not more than six months or a fine of not more than five hundred thousand yen, or both.

Article 25 A person who falls under any of the following items is punished by a fine of not more than three hundred thousand yen:

- (i) a person who fails to make notification or has made false notification of the matters prescribed by Article 10, item (iv) of paragraph (1) or item (iii) of paragraph (2);
- (ii) a person who has violated the provisions of Article 14, paragraph (4);
- (ii)-2 a person who has violated the provisions of Article 15, paragraphs (2) to (4);
- (iii) a person who has violated the provisions of Article 16-2 (including the case where applied mutatis mutandis pursuant to Article 22, paragraphs (4) and (5));
- (iv) a person who fails to make reports or has made a false report when required by the Minister of Health, Labour and Welfare, a prefectural governor, mayor of a City Establishing a Health Center, or ward head of a special ward under the provisions of Article 17, paragraph (1) or (2) (including the case where applied mutatis mutandis pursuant to Article 22, paragraphs (4) and (5));
- (v) a person who has refused, obstructed, or avoided the entrance, inspection, questioning, or removal under the provisions of Article 17, paragraph (1) or (2) (including the case where applied mutatis mutandis pursuant to Article 22, paragraphs (4) and (5));
- (vi) a person who has violated the provisions of Article 21, paragraph (1)

- (including the case where applied mutatis mutandis pursuant to the same Article, paragraph (4)); or
- (vii) a person who fails to make notification prescribed by Article 22, paragraphs (1) to (3), or has made a false notification.

Article 26 When a representative of a corporation, or any agent, employee, or other worker of a corporation or a person, commits a violation of Article 24, Article 24-2, Article 24-4, or the preceding Article with regard to the business of the corporation or person, not only the offender but also the corporation or person is punished by the fines prescribed in the respective Articles; provided, however, that this does not apply to the corporation or person if it has been proven that due care and supervision had been exercised with regard to the business to avoid said violation by any agent, employee, or other worker of the corporation or person.

Article 27 A Cabinet Order pursuant to the provisions of Article 16 may provide that a person who has violated the Cabinet Order be punished by imprisonment with work of not more than two years or a fine of not more than one million yen, or both, and that if a representative of a corporation or an agent, employee, or other worker of a corporation or a person has committed said violation with regard to the business of the corporation or person, not only the offender but also the corporation or person is punished by the fines prescribed in the respective Articles.

Supplementary Provisions [Extract]

(Effective Date)

- (1) This Act comes into effect as of the date of promulgation.

(Repeal of the Poisonous and Deleterious Substances Business Control Act)

- (2) The Poisonous and Deleterious Substances Business Control Act (Act No. 206 of 1947; hereinafter referred to as the "Former Act") are repealed.

(Transitional Provisions)

- (4) A person who has passed the business manager examination referred to in Article 4 of the Ordinance for Enforcement of the Poisonous and Deleterious Substances Business Control Act (Ordinance of the Ministry of Health and Welfare No. 38 of 1947) is deemed to be a person who has passed the examination for a person handling poisonous substance and deleterious substance referred to in Article 8.
- (7) A disposition or other act which is made with regard to a person who engages

in the business related to Poisonous Substances or Deleterious Substances prior to the enforcement of this Act pursuant to the provisions of the Former Act and for which there are corresponding provisions in this Act is deemed as a disposition or other act which is made pursuant to said corresponding provisions of this Act.

Supplementary Provisions [Act No. 213 of August 15, 1953] [Extract]

(1) This Act comes into effect as of September 1, 1953.

Supplementary Provisions [Act No. 71 of April 22, 1954] [Extract]

(Effective Date)

(1) This Act comes into effect as of May 1, 1954.

Supplementary Provisions [Act No. 162 of August 12, 1955] [Extract]

(1) This Act comes into effect as of the day on which 50 days have elapsed from the date of promulgation.

Supplementary Provisions [Act No. 145 of August 10, 1960] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation.

Supplementary Provisions [Act No. 165 of July 10, 1964]

(Effective Date)

(1) This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation.

(Transitional Provisions)

(2) A person who has obtained the registration of a distribution business of Poisonous Substances or Deleterious Substances under the Poisonous and Deleterious Substances Control Act prior to revision at the time of the enforcement of this Act is deemed, in accordance with the classification described in the left hand columns of the following table, to be a person who has obtained the registration of a distribution business of Poisonous Substances or Deleterious Substances under the Poisonous and Deleterious Substances Control Act after the revision as provided in the right hand

columns of the same table.

| | |
|---|---|
| Distributors other than the distributors who deal in the Poisonous Substances or Deleterious Substances necessary for agriculture only and the distributors who deal in the Poisonous Substances or Deleterious Substances designated by the Minister of Health and Welfare pursuant to the provisions of Article 8, paragraph (5) prior to the revision only | Registration of general distribution business |
| Distributors who deal in the Poisonous Substances or Deleterious Substances necessary for agriculture only | Registration of distribution business of agricultural items |
| Distributors who deal in the Poisonous Substances or Deleterious Substances designated by the Minister of Health and Welfare pursuant to the provisions of Article 8, paragraph (5) prior to the revision only | Registration of distribution business of specified items |

(3) A person who has passed the examination for a person handling poisonous substance and deleterious substance under the Poisonous and Deleterious Substances Control Act prior to revision is deemed, in accordance with the classification described in the left hand columns of the following table, to be a person who has passed the examination for a person handling poisonous substance and deleterious substance under the Poisonous and Deleterious Substances Control Act after the revision as provided in the right hand columns of the same table.

| | |
|--|---|
| A person who has passed the examination for a person handling poisonous substance and deleterious substance without limitation of examination subjects | General Poisonous Substance and Deleterious Substance Supervisor's Examination |
| A person who has passed the examination for a person handling poisonous substance and deleterious substance with regard to the subjects limited pursuant to the provisions of Article 8, paragraph (3) prior to the revision | Poisonous Substance and Deleterious Substance Supervisor's Examination for Agricultural Items |
| A person who has passed the examination for a person handling poisonous substance and deleterious substance with regard to the subjects limited pursuant to the provisions of Article 8, paragraph (3) as applied mutatis mutandis pursuant to the same Article, paragraph (5) prior to the revision | Poisonous Substance and Deleterious Substance Supervisor's Examination for Specified Items |

Supplementary Provisions [Act No. 131 of December 25, 1970]

This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation.

Supplementary Provisions [Act No. 103 of June 26, 1972] [Extract]

(Effective Date)

(1) This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding three months from the date of promulgation.

(Transitional Provisions)

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

Supplementary Provisions [Act No. 112 of October 12, 1973] [Extract]

(Effective Date)

(1) This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding one year from the date of promulgation.

(Transitional Measures upon Partial Revision of the Poisonous and Deleterious Substances Control Act)

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

Supplementary Provisions [Act No. 51 of May 25, 1981]

This Act comes into effect as of the date of promulgation.

Supplementary Provisions [Act No. 90 of September 1, 1982]

This Act comes into effect as of the day on which thirty days have elapsed from the date of promulgation.

Supplementary Provisions [Act No. 83 of December 10, 1983] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the date of promulgation; provided, however, that the provisions set forth in the following items come into effect as of the dates prescribed respectively in those items:

(i) omitted

(ii) the provisions of Articles 1 to 3, Article 21, and Article 23, the provisions in Article 24 to revise Article 29 of the Narcotics Control Act, the provisions of Article 41, Article 47, and Articles 54 to 56, and the provisions of Article 2, Article 6, Article 13, and Article 20 of the Supplementary Provisions: April 1, 1984

(Transitional Measures upon Partial Revision of the Poisonous and Deleterious Substances Control Act)

Article 6 With regard to a person who has obtained a registration of a distribution business of Poisonous Substances or Deleterious Substances in effect at the time of the enforcement of Article 23, the validity period of the registration prescribed by Article 4, paragraph (4) of the Poisonous and Deleterious Substances Control Act revised by the provisions of Article 23 is counted as being from the date of registration which is in effect or the renewal thereof.

(Transitional Measures Pertaining to Other Dispositions and Applications)

Article 14 With regard to the application of respective revised Acts on and after the date of enforcement of this Act, permissions given and other dispositions made or other acts conducted pursuant to the provisions of respective Acts prior to revision before the enforcement of this Act (or, with regard to the provisions set forth in the items of Article 1 of the Supplementary Provisions, said respective provisions; hereinafter the same applies in this Article and Article 16) (hereinafter referred to as the "Dispositions and Other Acts" in this Article), or applications for permission, etc. filed or other acts conducted pursuant to the provisions of respective Acts prior to revision at the time of the enforcement of this Act (hereinafter referred to as the "Applications and Other Acts" in this Article), for which the administrative affairs are to be carried out by a different person on the date of enforcement of this Act, are deemed to be the Dispositions and Other Acts or the Applications and Other Acts made or conducted pursuant to the corresponding provisions of the respective revised Acts, except those prescribed by the provisions of Article 2 to the preceding Article of the Supplementary Provisions or in the provisions concerning transitional measures in the respective revised Acts (including orders issued thereunder).

(Transitional Measures Concerning Penal Provisions)

Article 16 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act as well as acts committed after the enforcement of the provisions of Article 17, Article 22, Article 36, Article 37, or

Article 39 if the provisions then in force are to remain applicable pursuant to the provisions of Article 3, Article 5, paragraph (5), Article 8, paragraph (2), Article 9, or Article 10 of the Supplementary Provisions, the provisions then in force remain applicable.

Supplementary Provisions [Act No. 90 of July 12, 1985] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the date of promulgation; provided, however, that the provisions set forth in the following items come into effect as of the dates prescribed respectively in those items:

(i) and (ii) omitted

(iii) the provisions of Article 22 and the provisions of Article 6 of the Supplementary Provisions: the day on which one month has elapsed from the date of promulgation

(Transitional Measures upon Partial Revision of the Poisonous and Deleterious Substances Control Act)

Article 6 A person who, at the time of the enforcement of Article 22, is a poisonous substance and deleterious substance inspector referred to in Article 18 of the Poisonous and Deleterious Substances Control Act prior to revision by the provisions of Article 22 and who is also a pharmaceutical affairs inspector is deemed to be a person who is designated pursuant to the provisions of Article 17, paragraph (1) of the Poisonous and Deleterious Substances Control Act revised by the provisions of Article 22.

(Transitional Measures Concerning Penal Provisions)

Article 11 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act (or, with regard to the provisions set forth in the items of Article 1 of the Supplementary Provisions, the respective provisions), the provisions then in force remain applicable.

Supplementary Provisions [Act No. 89 of November 12, 1993] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the date of enforcement of the Administrative Procedure Act (Act No. 88 of 1993).

(Transitional Measures for Adverse Dispositions Following Consultation)

Article 2 If, prior to the enforcement of this Act, a council or any other body with a council system has received a consultation or other request under laws and

regulations with regard to the implementation of procedures corresponding to hearings, granting of an opportunity for explanation, and other procedures for statement of opinion prescribed by Article 13 of the Administrative Procedure Act, the provisions then in force remain applicable with regard to the procedures for adverse dispositions related to said consultation or other request, notwithstanding the provisions of the relevant Acts revised by this Act.

(Transitional Measures Concerning Penal Provisions)

Article 13 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions then in force remain applicable.

(Transitional Measures upon Arrangement of Provisions on Hearings)

Article 14 Hearings, public hearings, or hearing panels (excluding those concerning adverse dispositions) implemented pursuant to the provisions of the Acts prior to the enforcement of this Act or procedures incidental thereto are deemed to have been implemented pursuant to the corresponding provisions of the relevant Acts revised by this Act.

(Delegation to Cabinet Order)

Article 15 In addition to what is provided for in Article 2 to the preceding Article of the Supplementary Provisions, necessary transitional measures for the enforcement of this Act are specified by Cabinet Order.

Supplementary Provisions [Act No. 105 of November 21, 1997] [Extract]

(Effective Date)

(1) This Act comes into effect as of the date of promulgation.

(Transitional Measures upon Partial Revision of the Poisonous and Deleterious Substances Control Act)

(4) With regard to the validity period of registration referred to in Article 4, paragraph (3) of the Poisonous and Deleterious Substances Control Act of a person who has obtained said registration at the time of the enforcement of Article 6, the provisions then in force remain applicable, notwithstanding the provisions of Article 4, paragraph (4) of the same Act revised by the provisions of Article 6.

Supplementary Provisions [Act No. 87 of July 16, 1999] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2000; provided, however, that the provisions set forth in the following items come into effect as of the dates prescribed respectively in those items:

(i) the provisions in Article 1 for a revision to add five Articles, a Section heading, two Subsections and Subsection headings after Article 250 of the Local Autonomy Act (limited to the portion pertaining to Article 250-9, paragraph (1) of the same Act (limited to the portion pertaining to obtaining the consent of both Houses of the Diet)); the provisions in Article 40 to revise paragraphs (9) and (10) of the Supplementary Provisions of the Natural Parks Act (limited to the portion pertaining to paragraph (10) of the Supplementary Provisions of the same Act); the provisions of Article 244 (excluding the portion pertaining to the provisions to revise Article 14-3 of the Agricultural Improvement Promotion Act); the provisions of Article 472 (excluding the portion pertaining to the provisions to revise Article 6, Article 8, and Article 17 of the Act on Special Provisions Concerning Merger of Municipalities); and the provisions of Article 7, Article 10, Article 12, the proviso to Article 59, Article 60, paragraphs (4) and (5), Article 73, Article 77, Article 157, paragraphs (4) to (6), Article 160, Article 163, Article 164, and Article 202 of the Supplementary Provisions: the date of promulgation

(Transitional Measures Concerning Affairs pursuant to the Provisions then in Force)

Article 69 Affairs, powers, or authority of a prefectural governor pertaining to the matters for which the provisions then in force remain applicable pursuant to the provisions of Article 32, paragraph (1), Article 78, paragraph (1), and Article 87, paragraphs (1) and (13) of the Supplementary Provisions of the Act for the Partial Revision of the National Pension Act (Act No. 34 of 1985) (hereinafter referred to as the "Affairs, etc." in this Article) are regarded as affairs or powers of the Minister of Health and Welfare or the Director-General of the Social Insurance Agency who is required to administer or exercise the affairs or powers corresponding to said Affairs, etc. pursuant to the provisions of the National Pension Act, the Employees' Pension Insurance Act, and the Mariners Insurance Act, as revised by this Act, or the provisions of any order pursuant to these Acts, or of the head of a local social insurance bureau delegated by the foregoing or the head of a social insurance office delegated by said head of the local social insurance bureau.

(Special Application of Article 156, Paragraph (4) of the New Local Autonomy Act)

Article 70 The provisions of Article 156, paragraph (4) of the new Local Autonomy Act do not apply to a local social insurance bureau and a social

insurance office referred to in Article 14 of the Act for Establishment of the Ministry of Health and Welfare revised by the provisions of Article 166, which is established, at the time of the enforcement of this Act, in the same location as the prefectural government organ for administering the affairs referred to in Article 8 of the Supplementary Provisions of the former Local Autonomy Act (limited to one handling social insurance related affairs) (in the case of a local social insurance bureau, limited to one established in a city, including a special ward, where the prefectural capital is located).

(Transitional Measures Concerning a Local Official Related to Social Insurance)

Article 71 A person who is an official prescribed by Article 8 of the Supplementary Provisions of the former Local Autonomy Act at the time of the enforcement of this Act (limited to a person appointed by the Minister of Health and Welfare or by any person delegated by said minister; referred to as a "Local Official Related to Social Insurance" in Article 158 of the Supplementary Provisions) is to become an official of the corresponding local social insurance bureau or social insurance office unless a separate appointment is issued for said person.

(Transitional Measures Concerning Local Social Insurance Medical Council)

Article 72 A local social insurance medical council established under the provisions of the Social Insurance Medical Council Act prior to revision by the provisions of Article 169 as well as the chairperson, a member, or expert advisor thereof are to become a local social insurance medical council and its chairperson, member, or expert advisor of the corresponding local social insurance bureau, and remain with identity.

(Preparatory Act)

Article 73 Designation under the provisions of Article 92-3, paragraph (1), item (ii) of the National Pension Act revised by the provisions of Article 200, and public notice under the provisions of the Article 92-3, paragraph (2) of the same Act may be made even prior to the enforcement of the provisions of Article 200.

(Transitional Measures Concerning Requests for Re-Examination to Minister of Health and Welfare)

Article 74 With regard to requests for re-examination pertaining to dispositions made by an administrative agency prior to the date of enforcement pursuant to the provisions of Article 59-4, paragraph (2) of the Child Welfare Act, Article 12-4 of the Act on Massage and Finger Pressure Practitioners, Acupuncturists, Moxibustion Practitioners, etc., Article 29-4 of the Food Sanitation Act, Article

9-3 of the Inns and Hotels Act, Article 7-3 of the Public Bath Houses Act, Article 71-3 of the Medical Care Act, Article 43-2, paragraph (2) of the Act on Welfare of Persons with Physical Disabilities, Article 51-12, paragraph (2) of the Act on Mental Health and Welfare for Persons with Mental Disabilities, Article 14-2, paragraph (2) of the Laundries Act, Article 25-2 of the Rabies Prevention Act, Article 83-2, paragraph (2) of the Social Welfare Services Act, Article 69 of the Tuberculosis Prevention Act, Article 20 of the Slaughterhouse Act, Article 27-2 of the Dental Technicians Act, Article 20-8-2 of the Act on Clinical Laboratory Technicians, Public Health Laboratory Technicians, etc., Article 30, paragraph (2) of the Act on Welfare of Persons with Intellectual Disabilities, Article 34, paragraph (2) of the Act on Social Welfare for the Elderly, Article 26, paragraph (2) of the Maternal and Child Health Act, Article 23 of the Judo Therapists Act, Article 14, paragraph (2) of the Act on Maintenance of Sanitation in Buildings, Article 24 of the Waste Management and Public Cleaning Act, Article 41, paragraph (3) of the Poultry Slaughtering Business Control and Poultry Meat Inspection Act, or Article 65 of the Act on Prevention of Infectious Diseases and Medical Care for Patients Suffering Infectious Diseases, prior to revision by the provisions of Articles 149 to 151, Article 157, Article 158, Article 165, Article 168, Article 170, Article 172, Article 173, Article 175, Article 176, Article 183, Article 188, Article 195, Article 201, Article 208, Article 214, Articles 219 to 221, Article 229, or Article 238, the provisions then in force remain applicable.

(Transitional Measures Concerning Orders for Suspension of Business or Other Dispositions by the Minister of Health and Welfare or Prefectural Governor or Other Local Government Organ)

Article 75 Orders for suspension of business or other dispositions issued or made by the Minister of Health and Welfare or a prefectural governor or other local government organ pursuant to the provisions of Article 46, paragraph (4) or Article 59, paragraph (1) or (3) of the Child Welfare Act, Article 8, paragraph (1) of the Act on Massage and Finger Pressure Practitioners, Acupuncturists, Moxibustion Practitioners, etc. (including the cases where applied *mutatis mutandis* pursuant to Article 12-2, paragraph (2) of the same Act), Article 22 of the Food Sanitation Act, Article 5, paragraph (2) or Article 25, paragraph (1) of the Medical Care Act, Article 17, paragraph (1) of the Poisonous and Deleterious Substances Control Act (including the cases where applied *mutatis mutandis* pursuant to Article 22, paragraphs (4) and (5) of the same Act), Article 100, paragraph (1) of the Employees' Pension Insurance Act, Article 39, paragraph (1) of the Water Supply Act, Article 106, paragraph (1) of the National Pension Act, Article 69, paragraph (1) or Article 72 of the Pharmaceutical Affairs Act, or Article 18, paragraph (1) of the Judo Therapists

Act, prior to revision by this Act are deemed as orders of suspension of business or other dispositions issued or made by the Minister of Health and Welfare or a local government pursuant to the provisions of Article 46, paragraph (4) or Article 59, paragraph (1) or (3) of the Child Welfare Act, Article 8, paragraph (1) of the Act on Massage and Finger Pressure Practitioners, Acupuncturists, Moxibustion Practitioners, etc. (including the cases where applied *mutatis mutandis* pursuant to Article 12-2, paragraph (2) of the same Act), Article 22 or Article 23 of the Food Sanitation Act, Article 5, paragraph (2) or Article 25, paragraph (1) of the Medical Care Act, Article 17, paragraph (1) or (2) of the Poisonous and Deleterious Substances Control Act (including the cases where applied *mutatis mutandis* pursuant to Article 22, paragraphs (4) and (5) of the same Act), Article 100, paragraph (1) of the Employees' Pension Insurance Act, Article 39, paragraph (1) or (2) of the Water Supply Act, Article 106, paragraph (1) of the National Pension Act, Article 69, paragraph (1) or (2) or Article 72, paragraph (2) of the Pharmaceutical Affairs Act, or Article 18, paragraph (1) of the Judo Therapists Act, as revised by this Act, respectively.

(Affairs of the National Government)

Article 159 In addition to what is provided for in the respective Acts prior to revision by this Act, affairs of the national government, other local governments, and other public entities that are, prior to the enforcement of this Act, managed or executed by a local government organ in accordance with an Act or a Cabinet Order thereunder (in Article 161 of the Supplementary Provisions referred to as the "Affairs of the National Government, etc.") are to be, after the enforcement of this Act, administered by the local government as its own affairs in accordance with an Act or a Cabinet Order thereunder.

(Transitional Measures Concerning Dispositions and Applications)

Article 160 (1) With regard to the application of respective revised Acts on and after the date of enforcement of this Act, permissions given and other dispositions made, or other acts conducted pursuant to the provisions of respective Acts prior to revision before the enforcement of this Act (or, with regard to the provisions set forth in the items of Article 1 of the Supplementary Provisions, said respective provisions; hereinafter the same applies in this Article and Article 163 of the Supplementary Provisions) (hereinafter referred to as "Dispositions and Other Acts" in this Article), or applications for permission, etc. filed or other acts conducted pursuant to the provisions of respective Acts prior to revision at the time of the enforcement of this Act (hereinafter referred to as "Applications and Other Acts" in this Article), for which the administrative affairs are to be carried out by a different person on

the date of enforcement of this Act, are deemed to be Dispositions and Other Acts or Applications and Other Acts made or conducted pursuant to the corresponding provisions of the respective revised Acts, except those prescribed by the provisions of Article 2 to the preceding Article of the Supplementary Provisions or in the provisions concerning transitional measures in the respective revised Acts (including orders issued thereunder).

- (2) With regard to the matters for which report, notification, submission, or other procedures are required to be made or taken prior to the enforcement of this Act to or with a national or local government organ pursuant to the provisions of the respective Acts prior to revision, and for which those procedures have not been taken prior to the date of enforcement of this Act, the provisions of the respective Acts revised by this Act apply by regarding the same as the matters for which report, notification, submission, or other procedures are required to be made or taken to or with the corresponding organ of national or local government pursuant to the corresponding provisions of the respective revised Acts, and for which those procedures have not been taken, except as otherwise provided for in this Act or a Cabinet Order hereunder.

(Transitional Measures Concerning Appeals)

Article 161 (1) With regard to appeals filed under the Administrative Appeal Act against dispositions pertaining to the Affairs of the National Government, etc. ordered prior to the date of enforcement by an administrative agency (hereinafter referred to as the "Administrative Agency Ordering the Disposition" in this Article) which is subordinate to a higher administrative agency provided for in the Administrative Appeal Act (hereinafter referred to as the "Higher Administrative Agency" in this Article) prior to the date of enforcement, the provisions of the Administrative Appeal Act apply to the appeals filed against said dispositions by regarding that the Administrative Agency Ordering the Disposition is still subordinate to a Higher Administrative Agency on and after the date of enforcement. In this case, the administrative agency to be regarded as the Higher Administrative Agency of said Administrative Agency Ordering the Disposition is the administrative agency which was the Higher Administrative Agency of said Administrative Agency Ordering the Disposition prior to the date of enforcement.

- (2) In the case referred to in the preceding paragraph, if an administrative agency to be regarded as the Higher Administrative Agency is a local government organ, affairs required to be administered by said organ pursuant to the provisions of the Administrative Appeal Act are regarded as the Type 1 statutory entrusted functions prescribed by Article 2, paragraph (9), item (i) of the new Local Autonomy Act.

(Transitional Measures Concerning Fees)

Article 162 With regard to the fees which should have been paid prior to the date of enforcement pursuant to the provisions of the respective Acts (including the orders thereunder) prior to revision by this Act, the provisions then in force remain applicable, except as otherwise provided for in this Act or a Cabinet Order hereunder.

(Transitional Measures Concerning Penal Provisions)

Article 163 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions then in force remain applicable.

(Delegation of Other Transitional Measures to Cabinet Order)

Article 164 (1) In addition to what is provided for in these Supplementary Provisions, the necessary transitional measures for the enforcement of this Act (including the transitional measures concerning the penal provisions) are specified by Cabinet Order.

(2) Matters necessary for the application of the provisions of Article 18, Article 51, and Article 184 of the Supplementary Provisions are specified by Cabinet Order.

(Review)

Article 250 With regard to the Type 1 statutory entrusted functions prescribed by Article 2, paragraph (9), item (i) of the new Local Autonomy Act, the creation of new functions is to be avoided to the extent possible, and the functions listed in Appended Table 1 of the new Local Autonomy Act and those specified by Cabinet Order under the new Local Autonomy Act are to be reviewed from the viewpoint of promoting decentralization, and revised as appropriate.

Article 251 In order to enable local governments to execute their affairs and services voluntarily and independently, the government is to examine how to secure adequate sources of local tax revenue according to the sharing of roles between the national government and local governments taking into account the prevailing economic trends and other factors, and take necessary measures based on the results of said examination.

Article 252 The government is to review the framework of administrative processing for social insurance, the requirements for officials engaged therein, and other matters, in line with reforms in the medical insurance system, pension system, and other systems, from the viewpoint of securing convenience

for the insured and other persons, increasing the efficiency of administrative processing and the like, and when it finds it necessary, it is to take necessary measures based on the results of said review.

Supplementary Provisions [Act No. 160 of December 22, 1999] [Extract]

(Effective Date)

Article 1 This Act (excluding Article 2 and Article 3) comes into effect as of January 6, 2001.

Supplementary Provisions [Act No. 126 of November 27, 2000] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding five months from the date of promulgation; provided, however, that the provisions set forth in the following items come into effect as of the dates prescribed respectively in those items.

(Transitional Measures Concerning Penal Provisions)

Article 2 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions then in force remain applicable.

Supplementary Provisions [Act No. 87 of June 29, 2001] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding one month from the date of promulgation.

(Review)

Article 2 After approximately five years from the enforcement of this Act, the government is to review how the grounds for disqualification in the respective Acts revised by this Act as related to persons with disabilities should be, taking into account the status of enforcement of the provisions concerning said grounds for disqualification, and is to take necessary measures based on the results of said review.

(Transitional Measures Pertaining to Re-granting of a license)

Article 3 If a person's license has been revoked on the grounds for revocation of a license provided for in the respective Acts prior to revision by this Act, which are equivalent to the grounds for revocation that, pursuant to the respective

Acts revised by this Act, allow for a person to be re-granted a license (hereinafter referred to as the "Grounds for Revocation of a License Allowing Re-granting of a License" in this Article), the provisions concerning re-granting of a license in the respective Acts revised by this Act apply by regarding that said person's license has been revoked on the Grounds for Revocation of a License Allowing Re-granting of a License.

(Transitional Measures Pertaining to Penal Provisions)

Article 4 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions then in force remain applicable.

Supplementary Provisions [Act No. 70 of June 22, 2011] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2012; provided, however, that the provisions of the following Article come into effect as of the date of promulgation, and the provisions of Article 17 of the Supplementary Provisions come into effect as of the date of promulgation of the Act on the Development of Related Acts for Promoting Reform with the Aim of Increasing the Autonomy and Independence of Local Authorities (Act No. 105 of 2011) or the date of promulgation of this Act, whichever comes later.

Supplementary Provisions [Act No. 105 of August 30, 2011] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the date of promulgation; provided, however, that the provisions set forth in the following items come into effect as of the dates prescribed respectively in those items:

(ii) The provisions of Article 2; Article 10 (limited to the provisions to revise Article 18 of the Act on Special Districts for Structural Reform); Article 14 (limited to the provisions to revise Article 252-19 and Article 260 of the Local Autonomy Act; and in Appended Table 1 of said Act, the row of the Noise Regulation Act (Act No. 98 of 1968); the row of the City Planning Act (Act No. 100 of 1968); the row of the Urban Renewal Act (Act No. 38 of 1969); the row of the Basic Environment Act (Act No. 91 of 1993); and the row of the Act on Promotion of Improvement of Disaster Control Districts in Populated Urban Districts (Act No. 49 of 1997); as well as in Appended Table 2 of the Local Autonomy Act, the row of the Urban Renewal Act (Act No. 38 of 1969); the row of the Act on Advancement of Expansion of Public Lands (Act No. 66 of 1972); the row of the Act on Special Measures concerning Promotion of

Supply of Houses and Housing Land in Urban Districts (Act No. 67 of 1975); the row of the Act on Promotion of Improvement of Disaster Control Districts in Populated Urban Districts (Act No. 49 of 1997); and the row of the Act on Facilitation of Reconstruction of Condominiums (Act No. 78 of 2002)); Article 17 to Article 19; Article 22 (limited to the provisions to revise Article 21-5-6, Article 21-5-15, Article 21-5-23, Article 24-9, Article 24-17, Article 24-28, and Article 24-36 of the Child Welfare Act); Article 23 to Article 27; Article 29 to Article 33; Article 34 (limited to the provisions to revise Article 62, Article 65, and Article 71 of the Social Welfare Act); Article 35; Article 37; Article 38 (excluding the provisions to revise Article 46, Article 48-2, Article 50, and Article 50-2 of the Water Supply Act); Article 39; Article 43 (limited to the provisions to revise Article 19, Article 23, Article 28, and Article 30-2 of the Human Resources Development Promotion Act); Article 51 (limited to the provisions to revise Article 64 of the Act on Prevention of Infectious Diseases and Medical Care for Patients Suffering Infectious Diseases); Article 54 (excluding the provisions to revise Article 88 and Article 89 of the Services and Supports for Persons with Disabilities Act); Article 65 (excluding the provisions to revise Article 3, paragraph (1), item (ix), Article 4, Article 5, and Article 57 of the Agricultural Land Act); Article 87 to Article 92; Article 99 (limited to the provisions to revise Article 24-3 and Article 48-3 of the Road Act); Article 101 (limited to the provisions to revise Article 76 of the Land Readjustment Act); Article 102 (limited to the provisions to revise Article 18 to Article 21, Article 27, Article 49, and Article 50 of the Act on Special Measures concerning Road Construction and Improvement); Article 103; Article 105 (excluding the provisions to revise Article 4 of the Parking Lot Act); Article 107; Article 108; Article 115 (limited to the provisions to revise Article 15 and Article 17 of the Act on the Conservation of Suburban Green Zones in the National Capital Region); Article 116 (excluding the provisions to revise Article 3-2 of the Act on the Improvement of Urban Distribution Centers); Article 118 (limited to the provisions to revise Article 16 and Article 18 of the Act on Arrangement of Conservation Districts in Kinki Area); Article 120 (excluding the provisions to revise Article 6-2, Article 7-2, Article 8, Article 10-2 to Article 12-2, Article 12-4, Article 12-5, Article 12-10, Article 14, Article 20, Article 23, Article 33, and Article 58-2 of the City Planning Act); Article 121 (limited to the provisions to revise Article 7-4 to Article 7-7, Article 60 to Article 62, Article 66, Article 98, Article 99-8, Article 139-3, Article 141-2, and Article 142 of the Urban Renewal Act); Article 125 (excluding the provisions to revise Article 9 of the Act on Advancement of Expansion of Public Lands); Article 128 (excluding the provisions to revise Article 20 and Article 39 of the Urban Green Space Conservation Act); Article 131 (limited to the provisions to revise Article 7,

Article 26, Article 64, Article 67, Article 104, and Article 109-2 of the Act on Special Measures concerning Promotion of Supply of Houses and Housing Lands in Urban Districts); Article 142 (limited to the provisions to revise Article 18 and Article 21 to Article 23 of the Act on Comprehensive Development of Regional Core Cities with Relocation of Office-Work Function); Article 145; Article 146 (excluding the provisions to revise Article 5 and Article 7, paragraph (3) of the Act on Special Measures concerning Reconstruction of Urban Districts Damaged by Disaster); Article 149 (limited to the provisions to revise Article 20, Article 21, Article 191, Article 192, Article 197, Article 233, Article 241, Article 283, Article 311, and Article 318 of the Act on Promotion of Improvement of Disaster Control Districts in Populated Urban Districts); Article 155 (limited to the provisions to revise Article 51, paragraph (4) of the Act on Special Measures concerning Urban Reconstruction); Article 156 (excluding the provisions to revise Article 102 of the Act on Facilitation of Reconstruction of Condominiums); Article 157; Article 158 (limited to the provisions to revise Article 57 of the Landscapes Act); Article 160 (limited to the provisions to revise Article 6, paragraph (5) of the Act on Special Measures concerning Development of Public Rental Housing, etc. to Accommodate Various Demands of Communities (excluding the part to revise the term "paragraph (2), item (ii), (a)" to "paragraph (2), item (i), (a)"), and the provisions to revise Article 11 and Article 13 of said Act); Article 162 (limited to the provisions to revise Article 10, Article 12, Article 13, Article 36, paragraph (2), and Article 56 of the Act on Promotion of Smooth Transportation, etc. of Elderly Persons, Disabled Persons, etc.); Article 165 (limited to the provisions to revise Article 24 and Article 29 of the Act on Maintenance and Improvement of Traditional Scenery in Certain Districts); Article 169; Article 171 (limited to the provisions to revise Article 21 of the Waste Management and Public Cleaning Act); Article 174; Article 178; Article 182 (limited to the provisions to revise Article 16 and Article 40-2 of the Basic Environment Act); and Article 187 (limited to the provisions to revise Article 15 of the Wildlife Protection and Proper Hunting Act, the provisions to revise Article 28, paragraph (9) of said Act (excluding the part to revise the term "Article 4, paragraph (3)" to "Article 4, paragraph (4)"), the provisions to revise Article 29, paragraph (4) of said Act (excluding the part to revise the term "Article 4, paragraph (3)" to "Article 4, paragraph (4)"), and the provisions to revise Article 34 and Article 35 of said Act); and the provisions of Article 13; Article 15 to Article 24; Article 25, paragraph (1); Article 26; Article 27, paragraphs (1) to (3); Article 30 to Article 32; Article 38; Article 44; Article 46, paragraphs (1) and (4); Article 47 to Article 49; Article 51 to Article 53; Article 55; Article 58; Article 59; Article 61 to Article 69; Article 71; Article 72, paragraphs (1) to (3); Article 74 to Article 76;

Article 78; Article 80, paragraphs (1) and (3); Article 83; Article 87 (excluding the provisions to revise Article 587-2 of the Local Tax Act and Article 11 of the Supplementary Provisions); Article 89; Article 90; Article 92 (limited to the provisions to revise Article 25 of the National Highway Act), Article 101; Article 102; Article 105 to Article 107; Article 112; Article 117 (limited to the provisions to revise Article 4, paragraph (8) of the Act on the Promotion of Conservation for Biodiversity Activities through the Cooperation among Regional Diversified Actors (Act No. 72 of 2010)); Article 119; Article 121-2; and Article 123, paragraph (2) of the Supplementary Provisions: April 1, 2012

(Transitional Measures upon Partial Revision of the Poisonous and Deleterious Substances Control Act)

Article 24 (1) Orders issued and other acts made prior to the enforcement of Article 33 pursuant to the provisions of the Poisonous and Deleterious Substances Control Act prior to revision by the provisions of the same Article (hereinafter referred to as the "Former Poisonous and Deleterious Substances Control Act" in this Article) or notifications which have been made pursuant to the provisions of the Former Poisonous and Deleterious Substances Control Act at the time of the enforcement of Article 33, for which the administrative affairs are to be carried out by a different person on the date of enforcement of the same Article, are deemed, with regard to the application of the Poisonous and Deleterious Substances Control Act revised by the provisions of the same Article (hereinafter referred to as the "New Poisonous and Deleterious Substances Control Act" in this Article) on and after the same date, as the orders and other acts or the notifications issued or made pursuant to the corresponding provisions of the New Poisonous and Deleterious Substances Control Act.

(2) With regard to the matters for which notification or other procedures are required to be made or taken prior to the enforcement of Article 33 to or with the prefectural governor pursuant to the provisions of the Former Poisonous and Deleterious Substances Control Act, and for which those procedures have not been taken prior to the date of enforcement of the same Article, the provisions of the New Poisonous and Deleterious Substances Control Act apply by regarding the same as the matters for which notification or other procedures are required to be made or taken to or with the mayor of a city specified by Cabinet Order under Article 5, paragraph (1) of the Community Health Act or the ward head of a special ward pursuant to the corresponding provisions of the New Poisonous and Deleterious Substances Control Act, and for which those procedures have not been taken.

(Transitional Measures Concerning Penal Provisions)

Article 81 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act (or, with regard to the provisions set forth in the items of Article 1 of the Supplementary Provisions, said provisions; hereinafter the same applies in this Article) as well as acts committed after the enforcement of this Act if the provisions then in force remain applicable pursuant to the provisions of these Supplementary Provisions, the provisions then in force remain applicable.

(Delegation to Cabinet Order)

Article 82 In addition to what is provided for in these Supplementary Provisions, the necessary transitional measures for the enforcement of this Act (including the transitional measures concerning the penal provisions) are specified by Cabinet Order.

Supplementary Provisions [Act No. 122 of December 14, 2011] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding two months from the date of promulgation; provided, however, that the provisions set forth in the following items come into effect as of the dates prescribed respectively in those items:

(i) the provisions of Article 6, Article 8, Article 9, and Article 13 of the Supplementary Provisions: the date of promulgation

Appended Table 1

- (i) Ethylparanitrophenylthiono benzenephosphonate (also known as EPN)
- (ii) Yellow phosphorus
- (iii) Octachlorotetrahydro methanophthalan
- (iv) Octamethyl pyrophosphoramidate (also known as schradan)
- (v) Curare
- (vi) Tetraalkyl lead
- (vii) Hydrogen cyanide
- (viii) Sodium cyanide
- (ix) Diethyl paranitrophenyl thiophosphate (also known as parathion)
- (x) Dinitrocresol
- (xi) 2,4-Dinitro-6-(1-methylpropyl)-phenol
- (xii) Dimethylethylmercapto ethylthiophosphate (also known as demeton-methyl)
- (xiii) Dimethyl-(diethylamido-1-chlorocrotonyl)-phosphate
- (xiv) Dimethylparanitrophenyl thiophosphate (also known as parathion-

- methyl)
- (xv) Mercury
 - (xvi) Selenium
 - (xvii) Thiosemicarbazide
 - (xviii) Tetraethylpyrophosphate (also known as TEPP)
 - (xix) Nicotine
 - (xx) Nickel carbonyl
 - (xxi) Arsenic
 - (xxii) Hydrogen fluoride
 - (xxiii) Hexachloro-epoxy-octahydro-endo, endo-dimethanonaphthalene (also known as endrin)
 - (xxiv) Hexachloro-hexahydro-methano-benzo-dioxathiepine oxide
 - (xxv) Monofluoroacetate
 - (xxvi) Fluoroacetamide
 - (xxvii) Phosphorus sulfide
 - (xxviii) In addition to the substances set forth in the preceding items, preparations which contain any of the substances set forth in the preceding items and other poisonous substances which are specified by Cabinet Order.

Appended Table 2

- (i) Acrylonitrile
- (ii) Acrolein
- (iii) Aniline
- (iv) Ammonia
- (v) 2-isopropyl-4-methylpyrimidyl-6-diethylthiophosphate (also known as diazinon)
- (vi) Ethyl-N-(diethyldithiophosphorylacetyl)-N-methylcarbamate
- (vii) Ethylene chlorohydrin
- (viii) Hydrogen chloride
- (ix) Mercurous chloride
- (x) Hydrogen peroxide
- (xi) Sodium peroxide
- (xii) Urea peroxide
- (xiii) Potassium
- (xiv) Alloy of potassium and sodium
- (xv) Cresol
- (xvi) Ethyl chloride
- (xvii) Chlorosulfonic acid
- (xviii) Chloropicrin
- (xix) Methyl chloride
- (xx) Chloroform

- (xxi) Fluorosilicic acid
- (xxii) Sodium cyanate
- (xxiii) Diethyl-4- chlorophenylmercaptomethyl dithiophosphate
- (xxiv) Diethyl-(2,4-dichlorophenyl)-thiophosphate
- (xxv) Diethyl-2,5-dichlorophenyl mercapto methyl dithiophosphate
- (xxvi) Carbon tetrachloride
- (xxvii) Cycloheximide
- (xxviii) Dichloroacetic acid
- (xxix) Dichlorobutylene
- (xxx) 2,3-dl-(Diethyl dithiophosphoro)-paradoxan
- (xxxii) 2,4-Dinitro-6- cyclohexylphenol
- (xxxiii) 2,4-Dinitro-6-(1-methylpropyl)-phenylacetate
- (xxxiv) 2,4-Dinitro-6-methylpropylphenoldimethylacrylate
- (xxxv) 2,2'-Dipyridinium-1,1'-ethylene-dibromide
- (xxxvi) 1,2-Dibromoethane (also known as EDB)
- (xxxvii) Dibromochloropropane (also known as DBCP)
- (xxxviii) 3,5-Dibromo-4-hydroxy-4'-nitroazobenzene
- (xxxix) Dimethyl ethylsulfony isopropyl thiophosphate
- (xl) O,O-dimethyl-S-ethylthioethyl-dithiophosphate (also known as thiometon)
- (xli) Dimethyl-2,2-dichlorovinyl-phosphate (also known as DDVP)
- (xlii) Dimethyl dithiophosphorylphenyl acetic acid ethylester
- (xliii) Dimethyl dibromodichloroethylphosphate
- (xliv) Dimethyl-phthalylimide methyl dithiophosphate
- (xlv) Dimethyl-methylcarbamylethyl thioethyl thiophosphate
- (xlvi) O,O-Dimethyl-N-methylcarbamylmethyl-dithiophosphate (also known as dimethoate)
- (xlvii) O,O-Dimethyl-O-4-(methylmercapto)-3-methylphenylthiophosphate
- (xlviii) Dimethyl sulfate
- (xlix) Dichromic acid
- (l) Oxalic acid
- (li) Bromine
- (lii) Nitric acid
- (liii) Thallium nitrate
- (liiii) Potassium hydroxide
- (liv) Sodium hydroxide
- (lv) Sulfonal
- (lvi) Tetraethylmethylene bisdithiophosphate
- (lvii) Triethanolammonium-2,4-dinitro-6-(1-methylpropyl)-phenolate
- (lviii) Trichloroacetic acid
- (lix) Trichlorohydroxyethyl dimethylphosphonate

- (lx) Trithiocycloheptadiene-3,4,6,7-tetranitrile
- (lxi) Toluidine
- (lxii) Sodium
- (lxiii) Nitrobenzene
- (lxiv) Carbon disulfide
- (lxv) Fuming sulfuric acid
- (lxvi) p-Toluylene-diamine
- (lxvii) p-Phenylenediamine
- (lxviii) Picric acid, except for explosives.
- (lxix) Hydroxylamine
- (lxx) Phenol
- (lxxi) Blasticidin-S
- (lxxii) Ethyl bromide
- (lxxiii) Hydrogen bromide
- (lxxiv) Methyl bromide
- (lxxv) Hexachloro-epoxy-octahydro-endo,exo-dimethnonaphtalene (also known as dieldrin)
- (lxxvi) 1,2,3,4,5,6-Hexachlorocyclohexane (also known as lindane)
- (lxxvii) Hexachloro hexahydro dimethanonaphthalene (also known as aldrin)
- (lxxviii) Beta-naphthol
- (lxxix) 1,4,5,6,7-Pentachloro- 3a,4,7,7a-tetrahydro-4,7-(8,8-dichloromethano)-indene (also known as heptachlor)
- (lxxx) Pentachlorophenol (also known as PCP)
- (lxxxii) Formaldehyde
- (lxxxiii) Chromium trioxide
- (lxxxiv) Methanol
- (lxxxv) Methyl sulfonal
- (lxxxvi) N-Methyl-1-Naphthylcarbamate
- (lxxxvii) Monochloroacetic acid
- (lxxxviii) Hydrogen iodine
- (lxxxix) Iodine
- (lxxxix) Sulfuric acid
- (xc) Thallium sulfate
- (xci) Zinc phosphide
- (xcii) Ethyl thiocynoacetate
- (xciii) Rotenone
- (xciv) In addition to the substances set forth in the preceding items, preparations which contain any of the substances set forth in the preceding items and other deleterious substances which are specified by Cabinet Order.

Appended Table 3

- (i) Octamethyl pyrophosphoramidate
- (ii) Tetraalkyl lead
- (iii) Diethyl paranitrophenyl thiophosphate
- (iv) Dimethylethylmercapto ethylthiophosphate
- (v) Dimethyl-(diethylamido-1-chlorocrotonyl)-phosphate
- (vi) Dimethylparanitrophenyl thiophosphate
- (vii) Tetraethylpyrophosphate
- (viii) Monofluoroacetate
- (ix) Monofluoroacetamide
- (x) In addition to the substances set forth in the preceding items, preparations which contain any of the substances set forth in the preceding items and other Poisonous Substances with extremely poisonous properties which are specified by Cabinet Order.