

## **Annex**

### **Part 1 Scope and Coverage**

1. This Annex relates to conformity assessment procedures for all electrical and electronic products and information technology equipment, which in the area of either Side respectively are subject to conformity assessment procedures conducted by conformity assessment bodies, as set out in the laws, regulations and administrative provisions in the area of that Side specified in Section 1 of Part 2 of this Annex.
2. For the purposes of this Annex, the criteria for registration or recognition shall be consistent with the criteria for conformity assessment bodies concerned, as provided for by International Organization for Standardization (ISO) and International Electrotechnical Commission (IEC).
3. It is understood that the term “amendment” referred to in Part 2 of this Annex includes the following cases where:
  - (a) Applicable laws, regulations and/or administrative provisions listed in Part 2 of this Annex are entirely or partially changed, whether or not their titles are changed;
  - (b) Applicable laws, regulations and/or administrative provisions listed in Part 2 of this Annex are repealed and new laws, regulations and/or administrative provisions, substituting for the previous laws, regulations and/or administrative provisions, are adopted, whether or not the previous titles are changed; and
  - (c) The whole or a relevant part of applicable laws, regulations and/or administrative provisions listed in Part 2 of this Annex are incorporated into other laws, regulations and/or administrative provisions.
4. For the purposes of this Annex:
  - (a) the term “Public Interest Incorporated Associations” and the term “Public Interest Incorporated Foundations” mean juridical persons authorized and registered as Public Interest Incorporated Associations and Public Interest Incorporated Foundations respectively according to the Act on Authorization of Public Interest Incorporated Associations and Public Interest Incorporated Foundations (Act No. 49 of 2006) or the Act on the Revision of Related Acts for the Enforcement of the Act on General Incorporated Associations and General Incorporated Foundations and the Act on the Authorization of Public-interest Incorporated Associations and Public-interest Incorporated Foundations (Act No. 50 of 2006) in Japan.

(b) the term “General Incorporated Associations” and the term “General Incorporated Foundations” mean juridical persons registered as General Incorporated Associations and General Incorporated Foundations respectively according to the Act on General Incorporated Associations and General Incorporated Foundations (Act No. 48 of 2006) or the Act on the Revision of Related Acts for the Enforcement of the Act on General Incorporated Associations and General Incorporated Foundations and the Act on the Authorization of Public-interest Incorporated Associations and Public-interest Incorporated Foundations (Act No. 50 of 2006) in Japan.

**Part 2** The Applicable Laws, Regulations and Administrative Provisions, and  
Registering Authority or Recognizing Authority

**Section 1** The Applicable Laws, Regulations and Administrative Provisions  
Stipulating Products

<b>Japan</b>	<b>Taiwan</b>
1 Electrical Appliance and Material Safety Law (Law No. 234, 1961) and amendments thereto	1 The Commodity Inspection Act and amendments thereto
2 Cabinet Order of the Electrical Appliance and Material Safety Law (Cabinet Order No. 324, 1962) and amendments thereto	2 Enforcement Rules of the Commodity Inspection Act and amendments thereto

**Section 2** The Applicable Laws, Regulations and Administrative Provisions  
Stipulating the Technical Requirements and the Conformity  
Assessment Procedures

Japan	Taiwan
<p>1 Electrical Appliance and Material Safety Law (Law No. 234, 1961) and amendments thereto</p> <p>2 Ordinance of the Electrical Appliance and Material Safety Law (Ordinance of the Ministry of International Trade and Industry No. 84, 1962) and amendments thereto</p> <p>3 Ordinance concerning Technical Requirements for Electrical Appliances and Materials (Ordinance of the Ministry of International Trade and Industry No. 85, 1962) and amendments thereto</p> <p>4. Public Announcement for the Technical Requirements pursuant to paragraph 2 of the Ordinance concerning Technical Requirements for Electrical Appliances and Materials (Ordinance of the Ministry of International Trade and Industry No. 85, 1962)(Public Announcement by the Minister of Economy, Trade and Industry, HEISEI14.03.13 SHO No. 6) and amendments thereto</p> <p>5. Working Regulations for the Ordinance concerning Technical Requirements for Electrical Appliances and Materials (50 Shikobu No. 192 (1975)) and amendments thereto</p>	<p>1 The Commodity Inspection Act and amendments thereto</p> <p>2 Enforcement Rules of the Commodity Inspection Act and amendments thereto</p> <p>3 Regulations Governing Registration of Product Certification and amendments thereto</p> <p>4 Directions Governing Factory Inspection and amendments thereto</p> <p>5 Procedures Governing Factory Inspection and amendments thereto</p>

**Section 3** The Applicable Laws, Regulations and Administrative Provisions  
Stipulating the Criteria for Registration or Recognition

Japan	Taiwan
<ol style="list-style-type: none"> <li>1 Electrical Appliance and Material Safety Law (Law No. 234, 1961) and amendments thereto</li> <li>2 Cabinet Order of the Electrical Appliance and Material Safety Law (Cabinet Order No. 324, 1962) and amendments thereto</li> <li>3 Ordinance of the Electrical Appliance and Material Safety Law (Ordinance of the Ministry of International Trade and Industry No. 84, 1962) and amendments thereto</li> </ol>	<ol style="list-style-type: none"> <li>1 Regulations Governing Commission of Commodity Inspection Operations and amendments thereto</li> <li>2 Regulations Governing Recognition of Designated Testing Laboratory for Commodity Inspection and amendments thereto</li> <li>3 Particular Criteria Governing Designated Testing Laboratories for Electromagnetic Compatibility and amendments thereto</li> <li>4 Particular Criteria Governing Designated Testing Laboratories for Electrical and Electronic Commodities and amendments thereto</li> <li>5 Particular Criteria Governing Designated Testing Laboratories for Information Technology Equipment and amendments thereto</li> <li>6 Particular Criteria Governing Designated Testing Laboratories for Digital Terrestrial Television Receivers and amendments thereto</li> <li>7 Directions for Recognition of Quality Management Systems Certification Bodies and amendments thereto</li> <li>8 Directions Governing Recognition of Factory Inspection Bodies and amendments thereto</li> </ol>

	9 Procedures Governing Recognition of Factory Inspection Bodies and amendments thereto
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**Section 4** Registering Authority or Recognizing Authority

<b>Japan</b>	<b>Taiwan</b>
Ministry of Economy, Trade and Industry or an authority succeeding this ministry	Bureau of Standards, Metrology and Inspection or an authority succeeding this bureau

### **Part 3** Details of Implementation and Operation

1. Juridical personality of the bodies in Japan which may be recognized as “commodity certification bodies” by the Recognizing Authority in Taiwan pursuant to Article 5 shall be:
  - (a) Public Interest Incorporated Associations;
  - (b) Public Interest Incorporated Foundations;
  - (c) General Incorporated Associations; and
  - (d) General Incorporated Foundations.
2. Except the provision of paragraph 1 above, no restriction on juridical personality shall be applied to the conformity assessment bodies in Japan which may be recognized by the Recognizing Authority in Taiwan pursuant to Article 5.
3. The notification from the Bureau of Standards, Metrology and Inspection to the Taipei Office of the Interchange Association concerning recognition of the testing laboratories in Japan dated April 14, 2004 shall be no longer valid on the date of entry into force of this Arrangement, and no such conditions as those in the notification above applies to any conformity assessment bodies in Japan.
4. (a) Recognized testing laboratories in Japan may conduct tests outside Japan, in accordance with the applicable laws, regulations and administrative provisions in Taiwan. However, prior notification shall be made by such recognized testing laboratories in Japan to the Recognizing Authority in Taiwan.  
  
(b) Registered conformity assessment bodies in Taiwan may conduct tests outside Taiwan, in accordance with the applicable laws, regulations and administrative provisions in Japan.
5. The Association of East Asian Relations recognizes the request from the Interchange Association to extend the scope of the juridical personality of the bodies in Japan which may be recognized as “commodity certification bodies” by the Recognizing Authority in Taiwan beyond that indicated in paragraph 1 above to include profit-making corporations, and shall inform the relevant authorities in Taiwan the request in order to make such extension at the earliest possible time.
6. Conformity assessment bodies in Japan shall be recognized through Article 15 of the Commodity Inspection Act of 1932, as amended by the Commodity Inspection Act of July 11, 2007, and amendments thereto, of Taiwan.