

Paragraph 2, Article 33 and Article 36 shall not apply.

3. As regards the mine under Article 2 of the Mine Safety Law (Law No. 70 of 1949), the provisions of Article 19, Article 20, Article 25 paragraph 1, Article 26, Article 29, Article 30 paragraph 2 (regarding only the consumption of explosives), Article 43 paragraph 1 (regarding only the place of consumption of explosive), Article 45 items (2) and (3) (regarding only the prevention of disasters relative to transportation and consumption of explosives) and Article 47 (regarding only the disasters relative to transportation and consumption of explosives) shall not apply.

(Relations between the Minister of International Trade and Industry and the National Public Safety Commission, Etc.)

Article 52. The Minister of International Trade and Industry or the Governor of To, Do, Fu or prefecture, in case he has given the permission under Article 3, Article 5, Article 10 paragraph 1, Article 12 paragraph 1, Article 17 paragraph 1, Article 24 paragraph 2 or Article 25 paragraph 1, or has received the reports under Article 16 or Article 20, shall notify to that effect the National Public Safety Commission, the Public Safety Commission of To, Do, Fu and prefectures, Public Safety Commission of Cities, Towns and Villages or the Special District Public Safety Commission according to the classification as provided for by Cabinet Order.

2. The member of the National Rural Police and municipal police who has received the report under the provision of Article 39 paragraph 2 or Article 46 paragraph 1 shall immediately notify the governor of To, Do, Fu or prefecture concerned to that effect.
(Public Hearing)

Article 53. In case the competent Minister intends to institute the order under Article 27 item (1) or (2), Article 11 paragraph 2, Article 12 paragraph 2, Article 19 paragraph 2, Article 26, or Article 27 paragraph 1, he shall hear the opinions of general public by holding a public hearing.
(Hearing)

Article 54. In case any administrative agency intends to exercise the disposition under Article 8, Article 31 paragraph 4, Article 34 or Article 44, it shall, after giving an advance notice of the adequate period to the person concerned, hold a hearing open to the public.

2. In the notice under the preceding paragraph, the date, place and contents of the matter shall be shown.

3. In holding the hearing, the administrative agency shall give the person concerned with the disposition or the person interested an opportunity to present evidences and express his opinion, concerning the matter in question.
(Appeal of Dissatisfaction)

Article 55. Any person who is dissatisfied with the disposition

an advance notice of the adequate period to the person concerned, hold a hearing open to the public.

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(Appeal of Dissatisfaction)

Article 55. Any person who is dissatisfied with the disposition taken by the administrative agency in accordance with the provisions of this Law or orders issued thereunder ^{and} ~~may~~ make the appeal of dissatisfaction to the administrative agency concerned by presenting a statement in writing to that effect.

(Decision)

Article 56. When the administrative agency has received the appeal of dissatisfaction under the preceding Article, it shall, after having held an open hearing by applying *mutatis mutandis* the provisions of Article 54, make a decision in writing and send a copy of the decision to the person who made the appeal of dissatisfaction.

(Delegation of Power)

Article 57. The matters under the authority of the competent Ministers under the provisions of this Law or orders issued there-under may be delegated to the governor of F., D.,

F prefecture in accordance with the provisions of Cabinet Order.

Article 44.

Article 59. Any person who falls under any one of the following items shall be punished with penal servitude not exceeding one year or a fine not exceeding 50,000 yen, or with both:

- (1) One who has violated the order, prohibition or restriction under the provisions of Article 9 paragraph 3, Article 11 paragraph 3, Article 14 paragraph 2, Article 28 paragraph 3, Article 34, Article 36 paragraph 2, or Article 45;
- (2) One who has carried out the construction work of alteration of the location, structure, or facilities of manufacturing equipment or who has changed the variety of explosives to be manufactured or the method of manufacture thereof without getting the permission under the provision of Article 10 paragraph 1;
- (3) One who has violated the provisions of Article 11 paragraph 1, Article 13, Article 15, Article 18, Article 21, Article 23 paragraph 2, Article 30 paragraphs 1 or 2, Article 33 paragraph 1, Article 37 or Article 38;
- (4) One who has set up or moved a magazine, or changed the structure or facilities thereof without getting the permission under the provision of provided in Article 13 paragraph 1;
- (5) One who has transferred or received explosives without obtaining a permission in violation of the provision of Article 17 paragraph 1;
- (6) One who has exploded or burned the explosives in violation of the provision of Article 25 paragraph 1;

- (7) One who has manufactured explosives without getting the permission under the provision of Article 28 paragraph 1;
- (8) One who has not carried out the stability test in violation of the provision of Article 36 paragraph 1.

Article 60. Any person who falls under any one of the following items shall be punished with a fine not exceeding 50,000 yen:

- (1) One who has violated the provisions of Article 9 paragraph 1 or 2, Article 11 paragraph 2, Article 14 paragraph 1, Article 17 paragraph 4, Article 19 paragraph 2, Article 22, Article 23 paragraph 1, Article 26, Article 27 paragraph 1, Article 40 paragraph 1 or 2, or Article 47;
- (2) One who has transported explosives without carrying a transport certificate in violation of the provisions of Article 19 paragraph 1;
- (3) One who has received the transport certificate under Article 20 by making a false report;
- (4) One who has exported explosives without making the report under Article 24 paragraph 1 or made a false report;
- (5) One who has violated the conditions on the permission under Article 24 paragraph 2;
- (6) One who has condemned explosives without making any report in violation of Article 24 paragraph 2;

violation of the provisions of Article 19 paragraph 1;

(3) One who has received the transport certificate under Article 20 by making a false report;

(4) One who has exported explosives without making the report under Article 24 paragraph 1 or made a false report;

(5) One who has violated the conditions on the permission under Article 24 paragraph 2;

(6) One who has condemned explosives without making any report in violation of the provisions of Article 27 paragraph 2 or who made a false report.

Article 61. Any person who falls under any one of the following items shall be punished with a fine not exceeding 10,000 yen;

(1) One who has not returned, without due reason, the license of the responsible supervisor of manufacture of explosives or the license of the responsible supervisor of manufacture of explosives in violation of the order under Article 31 paragraph 4;

(2) One who has not recorded the matters under the provisions of Article 41 in his book, or made a false entry;

(3) One who has not reported the matters under Article 36 paragraph 1, Article 42, or Article 46 paragraph 2, or who made a false report;

(4) One who has not made the report under Article 16 paragraph 1 or 2, Article 24

paragraph 4, Article 30 paragraph 3, Article 33 paragraph 2, or Article 46 paragraph

1 or who made a false report;

- (5) One who has refused, obstructed or avoided the inspection or taking of the explosives under the provision of Article 35 paragraph 1, Article 43 paragraph 1 or 2 or who has not made replies to the questions or made false statements.

(Dual Punishment Provisions)

Article 62. In case a representative of a juridical person or a proxy an employe, or other worker of a juridical person or natural person has committed the violations under the preceding four Articles in connection with its business the juridical person or the natural person shall be punished with a fine under the respective Article in addition to that the offender shall be punished.

Supplementary Provisions:

(Date of Enforcement)

1. The date of the enforcement of this Law shall be fixed by Cabinet Order to be within six months computing from the day of the promulgation of this Law.
(Revision and Abolishment of Other Laws and Orders)
2. The Fire-arms Explosives Control Law (Law No. 53 of 1910; hereafter called the "old Law") shall be abolished.

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(Date of Enforcement)

1. The date of the enforcement of this Law shall be fixed by Cabinet Order to be within six months computing from the day of the promulgation of this Law.
(Revision and Abolishment of Other Laws and Orders)
2. The Fire-arms Explosives Control Law (Law No. 53 of 1910; hereafter called the "old Law") shall be abolished.
3. The Ministry of International Trade and Industry Establishment Law (Law No. 102 of 1949) shall be partially amended as follows:

In Article 4 paragraph 1 item (29), "fire-arms explosives" shall be amended as "explosives."

(Transitory Provisions)

4. The orders, dispositions, permission, approvals, inspections and other measures taken in accordance with the provisions of the old Law shall be regarded as the measures taken in accordance with the provisions of this Law when the corresponding provisions are found in this Law.
5. The licenses for the responsible supervisor of manufacture of explosives and for the responsible supervisor of handling explosives issued in accordance with the provisions of the old Law shall be regarded as the licenses for the responsible supervisor of manufacture of explosives for the responsible supervisor of handling of explosives under the provisions of this Law.