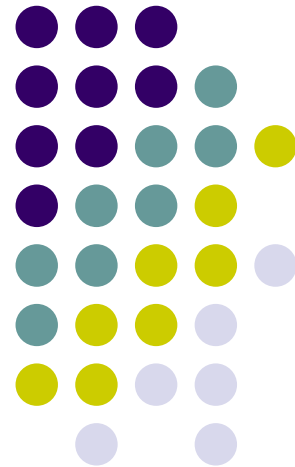


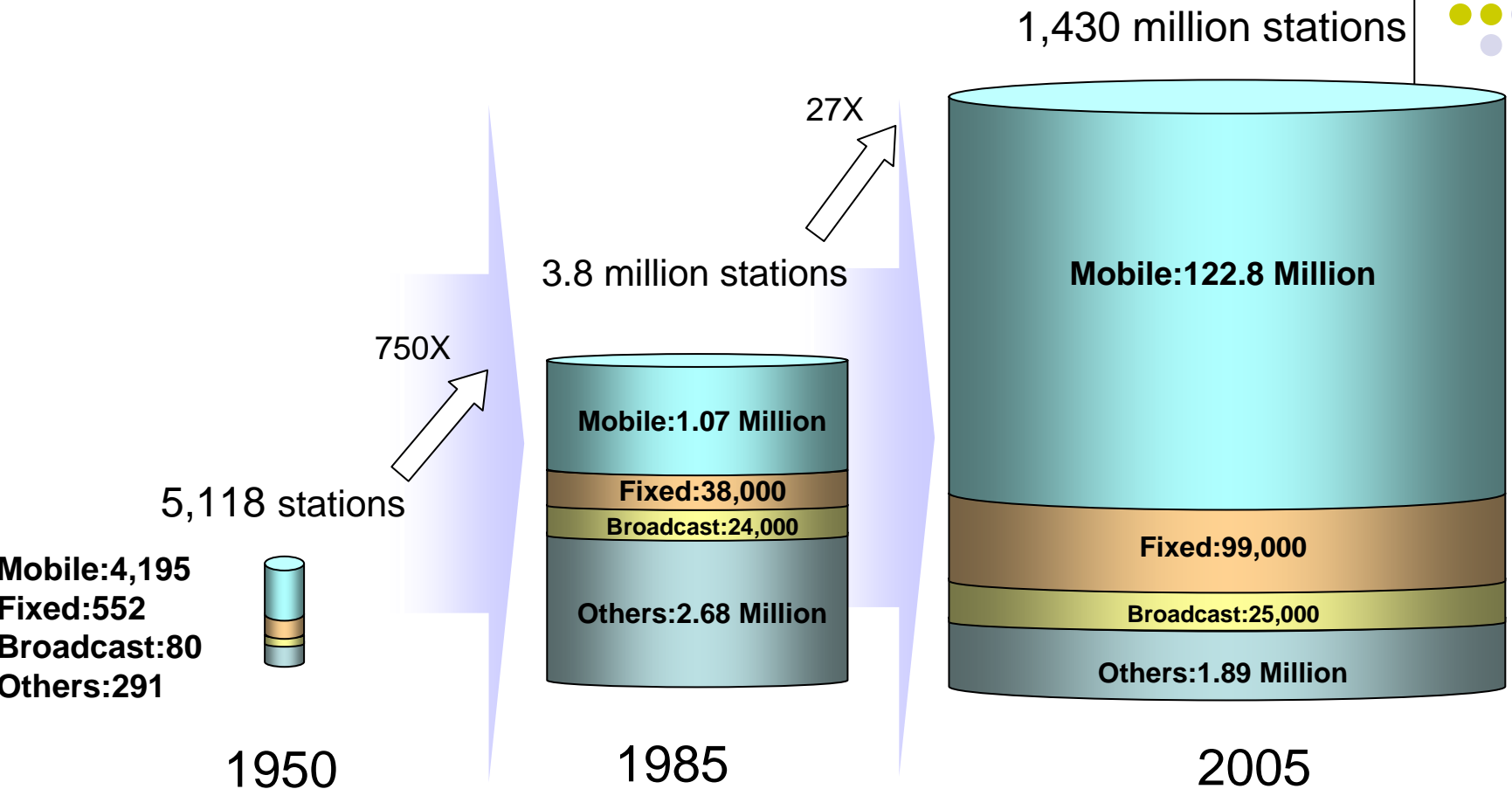
Status of Conformity Assessment system

~ Supplier's Declaration of Conformity (SDoC) & post regulations ~

DEC.14th ,2006
Electromagnetic Environment Division
Telecommunications Bureau
Ministry of Internal Affairs and Communications



Growing Demand for Spectrum



The Number of Licensed Radio Stations

(Radio Station License is required to establish and operate a radio station.)

Example of Unlicensed Radio Stations

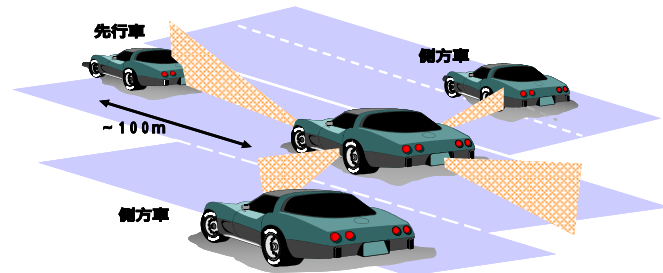
Specified Radio Equipment affixed with the mark of technical regulations conformity certification do not need Radio Station License.



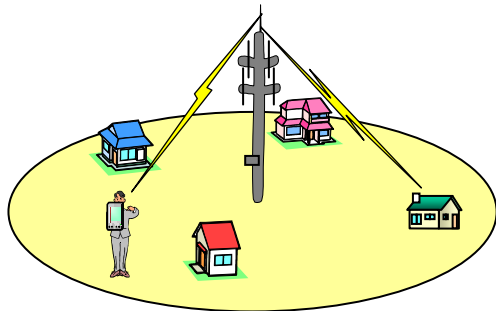
wireless phone



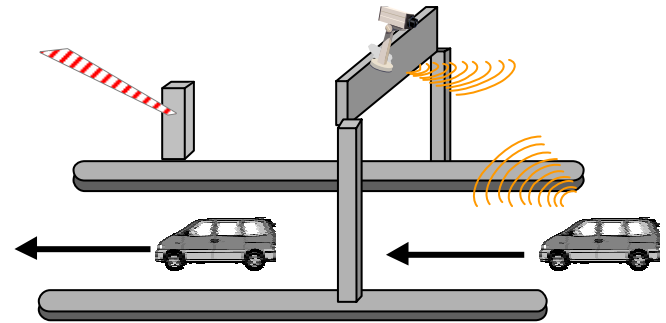
digital cordless telephones · PHS



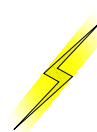
millimeter-wave radar



Land mobile station for a 5GHz band wireless access system (less than 0.01W)

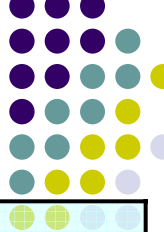


DSRC (ETC)



Wireless LAN)

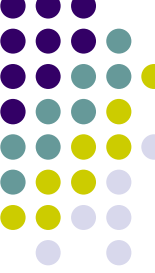
Shipments of un-licensed Equipments



Wireless LAN	Low power data communications system in the 2.4GHz band (2,400 – 2,483.5MHz)	FY15	12,917 thousand
	Low power data communications system in the 2.4GHz band (2,471 – 2,497 MHz)	FY15	4,342 thousand
	Low power data communications system in the 5.2GHz band	FY17	5,043 thousand
Specified low power radio station	Telemeter(400MHz) etc.	FY16	2,093 thousand
	wireless phone	FY16	241 thousand
Low power security system	-	FY16	609 thousand
Cordless telephones	main phone +cordless handset	FY16	8,262 thousand

The volume of shipments in a year

Shift to post regulations




The Conformity Assessment system revision in Jun 2003

- Supplier's Declaration of Conformity (SDoC)
- Registered Certification Bodies

Supplier's Declaration of Conformity Scheme



1. Background

- Improvement of equipment quality
 - Upgrade of quality control by manufactures
-  Introduction of self-verification scheme (so-called SDoC)

2. Legislation

- Bills to amend Radio Law and Telecommunications Business Law submitted to Diet and both bills have been approved by Diet.
- Expect to come into effect by Jan. of 2004.

Overview of proposed SDoC Scheme



1. Outline

Manufacturers may choose either

- a) SDoC or b) CAB Certification

2. Equipment for SDoC

- Radio equipment (*Special specified radio equipment*): limited at initial stage
Special specified radio equipment is defined in the applicable MIC ordinance, from the viewpoints of the technical regulations, usage modes, etc. of radio equipment, as the one which severely causes interference or other disturbance extremely damaging the operation of other radio stations.
- Terminal equipment: almost all

3. Procedure and Effect

Manufacturers shall

- a) Conduct test, b) Maintain test records,
- c) Notify to MIC, and
- d) Affix Mark



Then, they may enjoy identical benefit of the effect with CAB certification.

Required documents for SDoC



Upon conducting the self-confirmation of technical regulations conformity, a manufacturer or an importer may, in accordance with the applicable MIC ordinance, notify the Minister of the following items:

- i) Name and address of the manufacturer or importer, in the case where the manufacturer or importer is a juridical person, name of the representative
- ii) Classification and construction type of the special specified radio equipment on which the self-confirmation of technical regulations conformity was conducted
- iii) Outline of the verification results under the preceding paragraph
- iv) Method to verify that any of special specified radio equipment based on the construction type of item ii) conforms to said construction type
- v) Other matters concerning the methods, etc. of self-confirmation of technical regulations conformity, which are stipulated in the applicable MIC ordinance



Monitoring and Post regulations



- Directions may be issued by MIC against violation of rules to improve assessment procedure, to prohibit marking, or to re-call equipment, if necessary.
- MIC monitors conformity assessment situation through market surveillance and other measures.



Post procedures



Obligations to Conform to Construction Types

(Article 38-25 of the Radio Law)

- (1) A person who received the certification of construction type (hereinafter referred to as “certified dealer”) from a registered certification body shall, when dealing specified radio equipment based on the construction type pertaining to said certification of construction type (hereinafter referred to as “certified construction type”) ensure that said specified radio equipment conforms to said certified construction type.
- (2) A certified dealer shall conduct an examination on specified radio equipment provided for under the preceding paragraph that it deals, in accordance with the method to verify the certification of construction type, and prepare and maintain the examination records in accordance with the applicable MIC ordinance.

(Article 38-34 of the Radio Law)

- (1) A notified supplier shall, when manufacturing or importing the special specified radio equipment based on the construction type pertaining to the notification under the provisions of paragraph (3) of the preceding article (hereinafter simply referred to as “notified construction type”), make such special specified radio equipment conform to said notified construction type.
- (2) A notified supplier shall inspect the special specified radio equipment pertaining to the manufacture or import as set forth in the preceding paragraph in accordance with the confirmation methods pertaining to the notification under the provisions of paragraph (3) of the preceding article, and prepare and keep the inspection records pursuant to the applicable MIC ordinance.

Violation of these Articles



Article 38-27 applied

(Order for Certified Dealers to Take Measures)

Post procedures



Mark of Specified Radio Equipment Based on Certified Construction Type

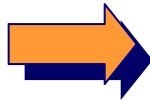
(Article 38-26 of the Radio Law)

A certified dealer may, upon performing the obligations under paragraph (2) of the preceding article regarding specified radio equipment based on a certified construction type, affix to said specified radio equipment the mark stipulated in the applicable MIC ordinance.

(Article 38-35 of the Radio Law)

A notified supplier may, upon performing the obligation under the provisions of paragraph (2) of the preceding article with regard to the special specified radio equipment based on the notified construction type, affix to said special specified radio equipment the mark set forth in the applicable MIC ordinance.

Violation of these Articles



Fine not exceeding 500 thousand yen

(Violation of Article 38-7 and Article 112 i) applied)

Juridical person shall be punished with the fine not exceeding one 500 thousand yen. (Article 114 ii applied)

Notification of Changes in Name or Trade Name etc.

(Article 17 of the Ordinance concerning Technical Regulations Conformity Certification etc. of Specified Radio Equipment)

Whenever there has been a change in the information mentioned in Item (1) or Item (3) of Paragraph 4, the certified dealer mentioned in Article 38-25, Paragraph 1 of the Law (hereinafter referred to as “Certified Dealer”) shall submit without delay to the Minister for Internal Affairs and Communications, during ten years’ period from the date of the last inspection of the Specified Radio Equipment of the certified type, a notification in accordance with Form No. 6 containing the following information. Provided, however, that dealing of the said Specified Radio Equipment has been terminated, this shall not apply.

- (1) The matter that was changed;
- (2) The date on which the change was made; and
- (3) The reasons) for which the change was made.

(Article 38-33(5) of the Radio Law)

A notified supplier shall, in case of any change in the matters stipulated in the items (except items ii) and iii)) of paragraph (3) of this article, notify the Minister to that effect, without delay, in accordance with the applicable MIC ordinance.

Violation of these Articles



Non-penal fine not exceeding 300 thousand yen

(Article 116 xii) applied)

Post regulations



On-site Inspection, etc. on Those Who Were Given Technical Regulations Conformity Certification

(Article 38-20 of the Radio Law)

- (1) When deemed necessary for the enforcement of this Law, the Minister may order those who have been given the certification of conformity with technical regulations by a registered certification body to report on the specified radio equipment pertaining to said certification of conformity with technical regulations, or delegate ministerial staffs to enter the office of those who have been given the certification of conformity with technical regulations and check said specified radio equipment and other articles.
- (2) The provisions of Article 24-8 paragraphs (2) and (3) shall apply, mutatis mutandis, to the on-site inspection under the provisions of the preceding paragraph.

Violation of these Articles



Fine not exceeding 300 thousand yen

(Article 113 vii) applied)



Post regulations



Order for Prevention of Jamming, etc.

(Article 38-21 of the Radio Law)

- (1) Where the Minister deems that specified radio equipment given a certification of conformity with technical regulations by a registered certification body and attached with the mark as provided for under Article 38-7 paragraph (1) does not comply with the technical regulations stipulated in the preceding Chapter and that the use of said specified radio equipment threatens to induce interference and other disturbance that jam other radio stations' operation or cause harm to human bodies, and if the Minister deems it necessary in particular for preventing said disturbance or harm from escalation, the Minister may order said person who was given said certification of conformity with technical regulations to take measures necessary for preventing said disturbance or harm caused by said specified radio equipment from further escalation.
- (2) The Minister shall, when ordering in accordance with the provisions of the preceding paragraph, consult with the Minister for Economy, Trade and Industry.

Violation of these Articles



Fine not exceeding 300 thousand yen

(Article 113 viii) applied)

Order for Certified Dealers to Take Measures

(Article 38-27 of the Radio Law)

The Minister may, when the Minister deems that a certified dealer has violated the provisions of Article 38-25 paragraph (1), order such certified dealer to take measures necessary for improving the verification method pertaining to the certification of construction type.

Violation of these Articles



Article 38-28 applied

(Prohibition of Affixing the Mark)

Post regulations

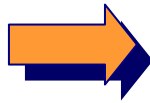


Prohibition of Affixing the Mark

(Article 38-28 of the Radio Law)

- (1) The Minister may, in each case of the following items, prohibit a certified dealer from affixing the mark of Article 38-26, for a specified period not exceeding two years, to the specified radio equipment based on the certified construction type or construction type as stipulated in the following items:
- i) Where specified radio equipment based on the certified construction type does not conform to the technical regulations stipulated in the preceding Chapter, and if the Minister deems it necessary in particular for preventing the occurrence of interference and other disturbance that jam other radio stations' operation or of harm to human bodies (except the case of item vi): Certified construction type of said specified radio equipment
 - ii) When a certified dealer has violated the provisions of Article 38-25 paragraph (2): Certified construction type of the specified radio equipment pertaining to said contravention
 - iii) When a certified dealer has violated the order under the provisions of the preceding article: Certified construction type of the specified radio equipment pertaining to said contravention
 - iv) If a certified dealer has received the certification of construction type from a registered certification body through dishonest means: Construction type pertaining to said certification of construction type
 - v) When a registered certification body has conducted the certification of construction type in violation of the provisions of Article 38-24 paragraph (2), or of Article 38-8 paragraph (2) which shall apply, mutatis mutandis, to Article 38-24 paragraph (3): Construction type pertaining to said certification of construction type
 - vi) Where the technical regulations stipulated in the preceding Chapter are revised, and when it is deemed that the construction type which received the certification of construction type prior to such revision does not conform to the revised technical regulations: Said construction type
- (2) The Minister shall, when prohibiting the affixing of the mark as stipulated in the preceding paragraph, issue a public notice to that effect.

Violation of these Articles



(Violation of Article 38-28(1) i)

- Fine not exceeding 500 thousand yen (Article 112 i) applied)
- Juridical person shall be punished with the fine not exceeding one 500 thousand yen. (Apply for the Article 114 ii) applied)

(Violation of Article 38-28(1) ii)- vi)

- Penal servitude for a period not exceeding one year or to a fine not exceeding one million yen. (Article 110 ix) applied)
- Juridical person shall be punished with the fine not exceeding one 100 million yen. (Article 114 i) applied)



Post regulations



Prohibition of Affixing the Mark

(Article 38-36 of the Radio Law)

- (1) The Minister may, in each case of the following items, prohibit a notified supplier from affixing the mark under the preceding article, for a period not exceeding two years specified by the Minister, to said special specified radio equipment based on the notified construction type or construction type as stipulated in each of the following items:
- i) Where the special specified radio equipment based on the notified construction type does not conform to the technical regulations stipulated in the preceding Chapter, and if the Minister deems it necessary in particular for preventing the occurrence of interference and other disturbance that jam other radio stations' operation or of harm to human bodies (except item v) of this paragraph): Notified construction type of said special specified radio equipment
 - ii) When a notified supplier made a false notification in notifying pursuant to the provisions of Article 38-33 paragraph (3): Construction type pertaining to said false notification
 - iii) When a notified supplier has violated the provisions of Article 38-33 paragraph (4) or Article 38-34 paragraph (2): Notified construction type of the special specified radio equipment pertaining to said contravention
 - iv) When a notified supplier has violated the order under provisions of Article 38-27 which shall apply, mutatis mutandis, to Article 38-38: Notified construction type of the special specified radio equipment pertaining to said contravention
 - v) Where the technical regulations stipulated in the preceding Chapter are revised, and when it is deemed that the construction type notified prior to such revision pursuant to the provisions of Article 38-33 paragraph (3) does not conform to the revised technical regulations: Said construction type
- (2) The Minister shall, when prohibiting the affixing of the mark as stipulated in the preceding paragraph, issue a public notice to that effect.

Violation of these Articles



(Violation of Article 38-36(1) i)

- Fine not exceeding 500 thousand yen (Article 112 i) applied)
- Juridical person shall be punished with the fine not exceeding one 500 thousand yen. (Article 114 ii) applied)

(Violation of Article 38-36(1) ii)- vi))

- Penal servitude for a period not exceeding one year or to a fine not exceeding one million yen. (Article 110 ix) applied)
- Juridical person shall be punished with the fine not exceeding one 100 million yen. (Article 114 i) applied)



Post regulations



Case Where Mark Is Deemed Not to Be Affixed

(Article 38-23 of the Radio Law)

- (1) Where the specified radio equipment given the technical regulations conformity certification by a registered certification body and affixed with the mark as provided for in Article 38-7 paragraph (1) does not satisfy the technical regulations stipulated in the preceding Chapter, and if the Minister deems it necessary in particular for preventing the occurrence of interference and other disturbance that jam other radio stations' operation or of harm to human bodies, said specified radio equipment shall be deemed not attached with the mark under the provisions of the same paragraph.
- (2) The Minister shall, when the specified radio equipment is deemed not affixed with the mark in accordance with the provisions of the preceding paragraph, issue a public notice to that effect.

Article 38-22 can applied simultaneously

Order for Certified Dealers to Take Measures

(Article 38-37 of the Radio Law)

The Minister may, when the Minister deems that a certified dealer has violated the provisions of Article 38-25 paragraph (1), order such certified dealer to take measures necessary for improving the verification method pertaining to the certification of construction type.

Violation of these Articles



1. Penal servitude for a period not exceeding one year or to a fine not exceeding one million yen.
(Article 110 ix) applied)
2. Juridical person shall be punished with the fine not exceeding one 100 million yen.
(Article 114 i) applied)



Post regulations

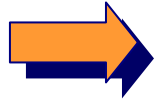


Order for Prevention of Jamming, etc.

(Article 38-22 of the Radio Law)

The Minister may, when the Minister deems that a certified dealer has violated the provisions of Article 38-25 paragraph (1), order such certified dealer to take measures necessary for improving the verification method pertaining to the certification

Violation of these Articles



1. Penal servitude for a period not exceeding one year or to a fine not exceeding one million yen.
(Article 110 viii) applied)
2. Juridical person shall be punished with the fine not exceeding one 100 million yen.
(Article 114 i) applied)



Post regulations

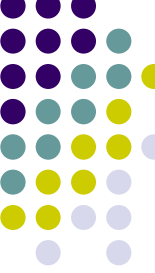


report to the Minister for Internal Affairs and Communications

(Article 17 of the Ordinance concerning Technical Regulations Conformity Certification etc. of Specified Radio Equipment)

- **If the Registered Certification Body finds that the Certified Dealer received means or that the Certifier conducted the examination for certification by type 38-8, Paragraph 2 of the Law that is applied, mutatis mutandis, under Paragraph the Law, it shall immediately report to the Minister for Internal Affairs and Communications to that effect.**
- **If the Registered Certification Body finds that the radio equipment with the mentioned in Article 38-25, Paragraph 1 of the Law does not comply with Chapter 3 of the Law (hereinafter referred to as “technical regulations”), Management, Home Affairs, Posts and Telecommunications to that effect.**






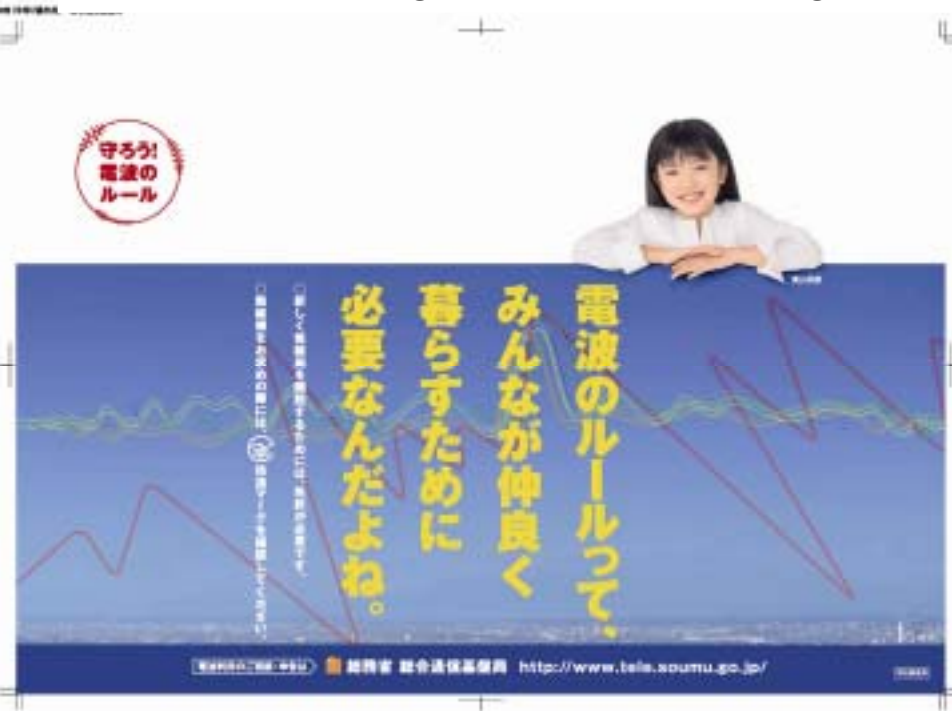
- The results
 - about 1/4 of investigated Specified Radio Equipment had the following problems.
 - nonconformity to the Construction Types
 - nonconformity to the technical requirement
 - mislabeling
 - about 40% of wireless LAN models investigated had some problems.

Public awareness campaigns



Most of the radio equipment in general use is affixed with the mark of technical regulations conformity certification (Technical Conformity Mark; ) for specified radio equipment.

MIC are running a public awareness campaigns through posters and internet in the preventing unlicensed or illegal radio stations.



http://www.tele.soumu.go.jp/e/monitoring_qa/index.htm



Thank you very much.

