(b) The other Party shall consider whether the proposed conformity assessment body complies with the criteria for designation set out in the applicable laws, regulations and administrative provisions of that other Party specified in the relevant Sectoral Annex and indicate its position regarding the registration of that conformity assessment body within 90 days from the receipt of the proposal referred to in subparagraph (a). In such consideration, such other Party should assume that the proposed conformity assessment body complies with the aforementioned criteria. The Joint Committee on Mutual Recognition shall take a decision whether to register the proposed conformity assessment body within 90 days from the receipt of the proposal;

(c) In the event that the Joint Committee on Mutual Recognition cannot decide to register the proposed conformity assessment body, the Joint Committee on Mutual Recognition may decide to conduct a joint verification or to request the proposing Party to conduct a verification of the proposed body with the prior consent of such body. After the completion of such verification, the Joint Committee on Mutual Recognition may reconsider the proposal.

2. The proposing Party shall provide the following information in its proposal for registration of a conformity assessment body and keep such information up to date:

(a) the name and address of the conformity assessment body;

(b) the products or processes the conformity assessment body is authorised to assess;

(c) the conformity assessment procedures the conformity assessment body is authorised to conduct; and

(d) the designation procedure and necessary information used to determine the compliance of the conformity assessment body with the criteria for designation.

3. Notwithstanding paragraphs 1 and 2, the Joint Committee on Mutual Recognition shall, on the date of application of this Protocol, decide to register the conformity assessment bodies of the Parties that have been registered as the conformity assessment bodies under the EC-Japan MRA and that are considered appropriate by the Parties.

4. Each Party shall ensure that its Designating Authority withdraws the designation of a registered conformity assessment body when the Designating Authority considers that the conformity assessment body no longer complies with the criteria for designation set out in the applicable laws, regulations and administrative provisions of the other Party specified in the relevant Sectoral Annex.

5. Each Party shall propose the termination of the registration of its conformity assessment body when that Party considers that the conformity assessment body no longer complies with the criteria for designation set out in the applicable laws, regulations and administrative provisions of the other Party specified in the relevant Sectoral Annex, or the Designating Authority of that Party withdraws the designation of a conformity assessment body. Proposals for terminating the registration of that conformity assessment body shall be made to the Joint Committee on Mutual Recognition and the other Party. The registration of that conformity assessment body shall be terminated upon receipt of the proposal by the co-chair of that other Party on the Joint Committee on Mutual Recognition, unless otherwise determined by the Joint Committee on Mutual Recognition.

6. In the case of a registration of a new conformity assessment body, the other Party shall accept the results of conformity assessment procedures conducted by that conformity assessment body from the date of the registration. In the event that the registration of a conformity assessment body is terminated, the other Party shall accept the results of the conformity assessment procedures conducted by that conformity assessment body prior to the termination, without prejudice to paragraph 1 of Article 6 of this Protocol and paragraph 3 of Article 7 of this Protocol.

ARTICLE 10

1. Nothing in this Protocol shall be construed to limit the authority of a Party to take measures it considers appropriate, for protecting health, safety or the environment or prevention of deceptive practices.