ARTICLE 12

Level of involvement of the validating authority

1. The level of involvement of the validating authority of a Party during the validation process referred to in Article 9 of this Annex and as detailed in the technical implementation procedures, shall be mainly determined by:

(a) the experience and records of the competent authority of the other Party as certificating authority;

(b) the experience already gained by this validating authority during previous validation exercises with the competent authority of the other Party;

(c) the nature of the design to be validated;

(d) the performance and experience of the applicant with the validating authority; and

(e) the outcome of qualification requirements assessments referred to in Articles 28 and 29 of this Annex.

2. The validating authority shall exercise special procedures and scrutiny, in particular regarding the certificating authority's processes and methods, during the first validation of a given product category, as detailed in the technical implementation procedures.

3. The effective implementation of the principles specified in paragraphs 1 and 2 of this Article shall be regularly measured, monitored and reviewed by the Certification Oversight Board, using metrics as detailed in the technical implementation procedures.

ARTICLE 13

Automatic acceptance process

1. For a design certificate subject to automatic acceptance, the validating authority shall accept the design certificate issued by the certificating authority without any validation activities. In this case, the design certificate shall be recognised by the validating authority as equivalent to a certificate issued in accordance with laws, regulations and administrative provisions of its Party and the validating authority shall not issue its corresponding certificate.

2. Non-significant supplemental type certificates, non-significant major changes or non-significant major repairs and technical standard order approvals issued by the technical agent of the European Union as certificating authority shall be automatically accepted by the technical agent of Japan as validating authority.