

*Manual for Market Entry into Japanese
Telecommunications Business*

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December 2006

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Ministry of Internal Affairs and Communications(MIC)

*Manual for Market Entry into Japanese
Telecommunications Business*
Japan

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(Unofficial and tentative translation)

Preface

Japan introduced the principles of market competition into all areas of the telecommunications market as of April 1985, in addition to privatizing Nippon Telegraph and Telephone Public Corp. (NTT PC). Today, more than 14,000 new telecommunications carriers have entered the market. Also, along with the enforcement of the Administrative Procedures Law, measures -- disclosed in October 1994 -- were taken on the examination standards for permission, authorization, etc. regarding the telecommunications business and the standard processing period.

Following up on such activities, this booklet is published in accordance with the "Deregulation Action Program," as decided upon by the Cabinet on March 31, 1996, in an attempt to extend further the transparency of Japan's regulatory system. In accordance with the drastically amended Telecommunications Business Law that came into force on April 1, 2004, this booklet summarizes the procedures, documents to be submitted and relevant laws required for entry into the field of Japanese telecommunications business, concomitant to the abolition of the business classification of Type I telecommunications carriers and Type II telecommunications carriers.

Although the documents and excerpts of related laws such as the Telecommunications Business Law are attached for reference purposes, please refer to the English version of the Telecommunications Business Law, the Radio Law (the two preceding laws being available for perusal over the Internet) and the related examination standards issued by the "Ministry of Internal Affairs and Communications (MIC)" for further details.

MIC has been furnishing information on the current status of Japanese telecommunications market and the policy trends in English under its own initiative. The "MIC Communications News," which introduces MIC's policy trends, is being published bi-weekly, while information is provided on the Internet at:

<http://www.soumu.go.jp/>

In addition, MIC since December 1999 has been publishing the "Manual for Establishing Telecommunications Networks" in order to provide an in-depth understanding on Japan's telecommunications legislation and examples of how telecommunications carriers establish their networks.

This booklet is provided to help promote the understanding of Japan's regulatory frameworks.

Overview

I. Outline of Telecommunications Business System

1. Laws and Ordinances Related to Telecommunications Business

1) Telecommunications Business Law

In April 1985, the Telecommunications Business Law, for regulation of the telecommunications business, came into effect upon Japan's introduction of the principles of market competition into all areas of the telecommunications market.

Under the Telecommunications Business Law, regulations have been put in place to govern such items as entry and withdrawal regarding the telecommunications business, telecommunications facilities, rights-of-way, etc.

2) Radio Law

For construction of a network using radio equipment by a telecommunications carrier, in addition to the regulations as set forth in 1) under the Telecommunications Business Law, the telecommunications carrier shall abide by other regulations concerning radio station license, radio equipment, radio operator and operations of a radio station, etc. under the Radio Law.

2. Process for launching telecommunications business

Upon launching a telecommunications business, with respect to a person (a telecommunications carrier) installing large-scale telecommunications circuit facilities, the person shall be registered by the Minister. In cases of a person (a telecommunications carrier) installing no or only small-scale telecommunications circuit facilities, the person shall submit a notification with the Minister.

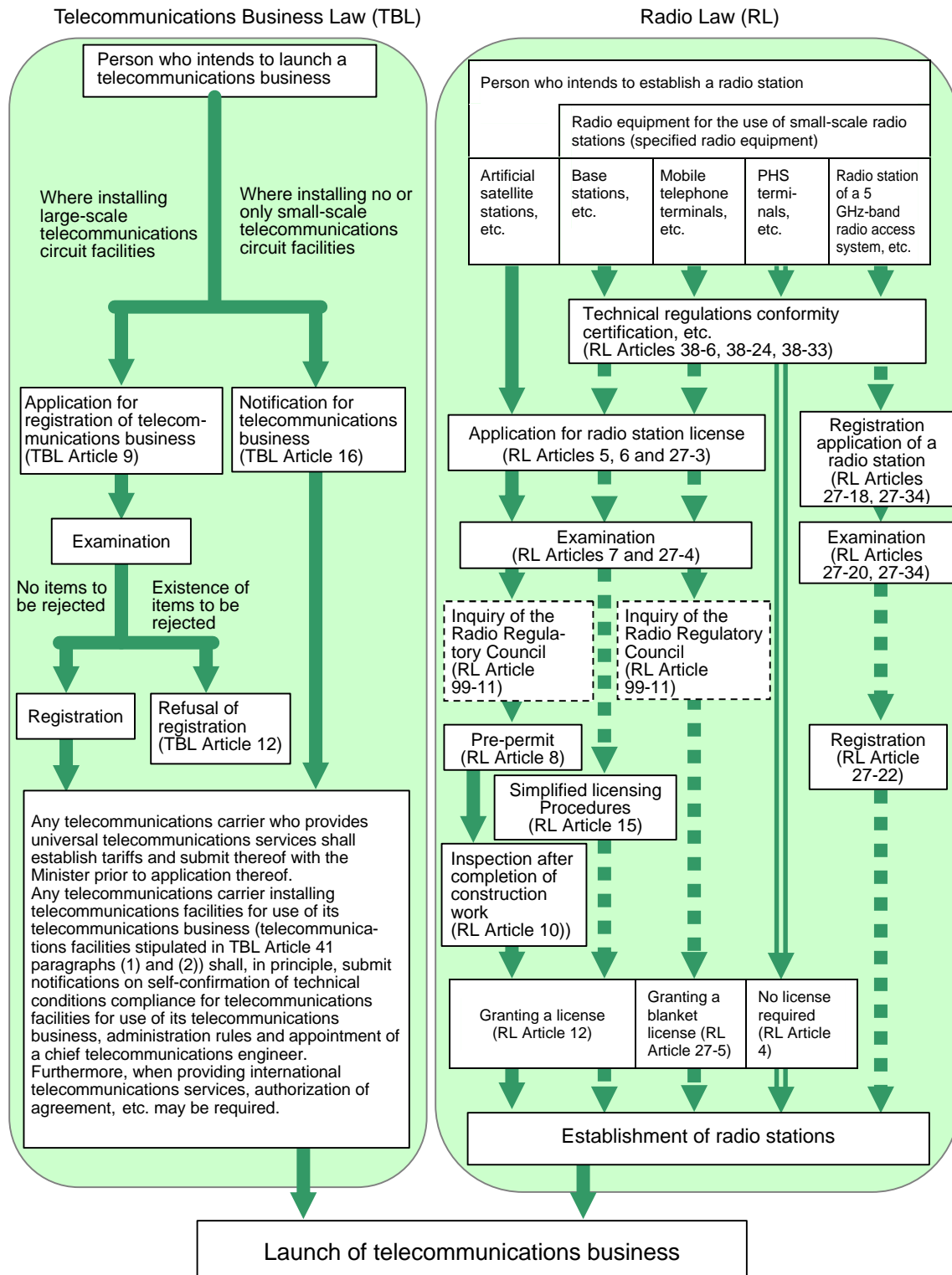
Whether the person should take procedures for registration or notification depends upon the following standard:

- i) With regard to telecommunications circuit facilities to be installed, a person who meets the following two requirements shall submit a "notification":
 - a) Terminal system transmission line facilities remain within areas in one city, town or village (in cases of special wards and designated cities under the Local Autonomy Law, within one ward).
 - b) Transit system transmission line facilities remain within areas in one prefecture.
- ii) A person who intends to conduct a telecommunications business by installing telecommunications circuit facilities that would surpass either one of the scale stipulated under the preceding requirement a) or b) shall register with the Minister.

Upon launching a telecommunications business, the procedures illustrated in **Fig. 1** shall be taken (the procedures stipulated in the Radio Law shall be limited to cases where conducting a telecommunications business by means of radio communications.).

Of persons intending to conduct a telecommunications business by installing telecommunications circuit facilities, those who intend to exercise the right-of-way (so-called public utility privilege) for installing transmission lines may, separately from telecommunications business entry procedures such as the registration or notification, be granted the public utility privilege for all or part of its telecommunications business by obtaining approval from the Minister.

Fig. 1. Procedure for Telecommunications Business



TBL: Telecommunications Business Law
The Regulations: Regulations for Enforcement of the Telecommunications Business Law
RL: Radio Law
RRL: Regulations for Procedure for Obtaining a Radio Station License

[Entry into Telecommunications Business]

II. Procedures for Telecommunications Business

II-1. Registration of Telecommunications Business

Telecommunications Business Law

(Registration of Telecommunications Business)

Article 9. Any person who intends to operate telecommunications business shall obtain registration from the Minister. Provided, however, that the scale of telecommunications circuit facilities (meaning telecommunications circuit facilities connecting transmitting points with receiving points, switching facilities installed as inseparable units therefrom, and other facilities accessory to such facilities; hereinafter the same shall apply.) as installed by the person and the scope of areas where said telecommunications circuit facilities are installed do not exceed the standards specified in the applicable MIC ordinance, this shall not apply.

(Article 3 of the Regulations for Enforcement of the Telecommunications Business Law (MIC ordinance))

Telecommunications Business Law

Article 10.

- (1) Any person who intends to obtain the registration stipulated in the preceding article shall, as specified in the applicable MIC ordinance, submit an application describing the following matters to the Minister:
- i) Name and address of the applicant and, in the cases where the applicant is a juridical person, name of the representative
 - ii) Service areas
 - iii) Outline of telecommunications facilities
- (2) A written covenant stating that the applicant does not fall under any item of item i) through item iii), paragraph (1), Article 12, and other documents specified in the applicable MIC ordinance shall be attached to the application referred to in the preceding paragraph.

(Article 4 of the Regulations for Enforcement of the Telecommunications Business Law (MIC ordinance))

1. Procedures for registration

Upon registration, the following documents submitted:

1) Application form (Form 1)

Matters to be described are as follows:

- i) Name and address of the applicant and, in the cases where the applicant is a juridical person, name of the representative
- ii) Service areas
- iii) Outline of telecommunications facilities

2) Documents to be attached

- i) A document indicating that the applicant does not fall under the reasons for disqualification of registration (Form 2)
- ii) Network diagrams (Form 3)
- iii) Documents concerning telecommunications services to be provided (Form 4)
- iv) Outline of businesses conducted by the applicant other than the telecommunications business
- v) Where the applicant is an existing juridical person:
 - A certified copy of the articles of association or of the act of endowment and of the register
 - A list of officers and their curricula vitae

- vi) Where the applicant is a person who intends to establish a juridical person:
 - A certified copy of the articles of association or of the act of endowment
 - A list of promoters, partners or founders, and their curricula vitae, and documents certifying their names, addresses and dates of birth
- vii) Where the applicant is an association other than juridical persons listed in vi):
 - A certified copy of the association articles, rules, etc. describing the purpose, organization, operations, etc. of said association
 - A list of officers and their curricula vitae, and documents certifying their names, addresses and dates of birth
- viii) Where the applicant is an individual:
 - A document certifying the person's name, address and date of birth
 - A curriculum vitae

2. Examination/Registration

The Minister shall, except cases where refusing a registration in accordance with each item of Article 12 of the Telecommunications Business Law toward an application for registration of telecommunications business, register the following matters on the telecommunications carriers registration book:

- Name and address of the applicant and, in the cases where the applicant is a juridical person, name of the representative
- Service areas
- Outline of telecommunications facilities
- Date and registration number

1) Reasons for disqualification

Where a person who falls under any of the following items, the Minister shall refuse the registration of said person:

- i) Any person who has been sentenced to a fine or severer penalty in accordance with the provisions of the Telecommunications Business Law, the Wire Telecommunications Law or the Radio Law and a period of two years has not yet elapsed since the day on which the person's sentence or suspended sentence was served out
- ii) Any person whose registration was revoked if a period of two years has not yet elapsed since the day of revocation
- iii) Any juridical person or association which has as an officer anyone who falls under any of the preceding i) or ii)
- iv) Any person where it is deemed that the launch of a telecommunications business of said person is inappropriate for the sound development of telecommunications

The Minister shall, where the registration has been refused in accordance with the provisions of the preceding items, notify the person concerned to that effect in writing with reasons attached thereto.

2) Standard processing period

The standard processing period is the standard length of time it takes for an application submitted to a government office to be processed. An application for registration for a telecommunications business will, in principle, take about 15 days.

II-2. Notification of telecommunications business

Telecommunications Business Law
(Notification of Telecommunications Business)
Article 16.

(1) Any person (except a person who has to obtain registration under Article 9) who intends to operate a telecommunications business shall, as specified in the applicable MIC ordinance, submit a notification to that effect to the Minister with documents that describe the following matters:

(Article 9 of the Regulations for Enforcement of the Telecommunications Business Law (MIC ordinance))

Upon submitting a notification intending to operate a telecommunications business to the Minister, the applicant shall submit the following documents (Regional Bureaus of Telecommunications, the Okinawa Office of Posts and Telecommunications (hereinafter referred to as "Regional Bureaus of Telecommunications, etc.") accepts such notifications):

1) Notification (Form 8)

Matters to be described are as follows:

- i) Name and address of the applicant and, in the cases where the applicant is a juridical person, name of the

- representative
- ii) Service areas
- iii) Outline of telecommunications facilities (limited to the cases where the person installs telecommunications facilities for telecommunications business)
- 2) Documents to be attached
 - i) Network diagrams (Form 3)
 - ii) Documents concerning telecommunications services to be provided (Form 4)
 - iii) Where the applicant is an existing juridical person, a certified copy of the articles of association or of the act of endowment and of the register
 - iv) Where the applicant is a person who intends to establish a juridical person:
 - A certified copy of the articles of association or of the act of endowment
 - A list of promoters, partners or founders, and documents certifying their names, addresses and dates of birth
 - v) Where the applicant is an association other than juridical persons listed in iv):
 - A certified copy of the association articles, rules, etc. describing the purpose, organization, operations, etc. of said association
 - A list of officers and documents certifying their names, addresses and dates of birth
 - vi) Where the applicant is an individual, a document certifying the person's name, address and date of birth

II-3. Approval of telecommunications business

Telecommunications Business Law

(Approval of Business)

Article 117.

- (1) A telecommunications carrier operating telecommunications business of providing telecommunications services by installing telecommunications circuit facilities or a person who intends to operate said telecommunications business may, when intending to be applied the provisions of the following Section, by submitting an application, obtain approval for all or part of the operations of telecommunications business from the Minister by filing an application form.
- (2) Any person who intends to obtain approval shall, as specified in the applicable MIC ordinance, submit an application describing the following matters to the Minister.
 - i) Name and address and, in the cases where the applicant is a juridical person, name of the representative
 - ii) Service areas of the telecommunications business pertaining to the application
 - iii) Outline of telecommunications facilities for the use of telecommunications business pertaining to the application
- (3) Documents which include the business plan specified in the applicable MIC ordinance shall be attached to the application.

(Following Section: the Telecommunications Business Law Chapter III, Section 2; Articles 40-9 and 40-10 of the Regulations for Enforcement of the Telecommunications Business Law (MIC ordinance))

1. Procedures for approval

A telecommunications carrier shall, upon conducting a telecommunications business, when intending to obtain approval for all or part of the operations of telecommunications business from the Minister, file the following documents:

- 1) Application form (when an existing telecommunications carrier submits a registration of changes or notification of changes, and at the same time, submits an application for approval for all or part of the operations of telecommunications business to the Minister, the telecommunications carrier shall use Form 38-5 or 38-9; in other cases, use Form 38-4 or 38-8.)

Matters to be described are as follows:

- i) Name and address and, in the cases where the applicant is a juridical person, name of the representative
- ii) Service areas of the telecommunications business pertaining to the application
- iii) Outline of telecommunications facilities for the use of telecommunications business pertaining to the application
- 2) Documents to be attached
 - i) Business plan (Form 38-6 or 38-10)
 - ii) Revenue and expenditure account estimates for five business years covering a business year including a day within five years calculating from the day of the launch of the business (Form 38-7 or 38-11)
 - iii) Documents indicating the ground of the planned day of the launch of the business

- iv) Documents concerning main engineers (in cases where main engineers are chief telecommunications engineers, those describing names, and types and numbers of chief telecommunications engineer's licenses. In other cases, *curricula vitae*)
- v) Where the applicant is an existing juridical person:
 - A list of officers and their *curricula vitae*
 - A balance sheet and a profit and loss settlement of the last business year
- vi) Where the applicant is a person who intends to establish a juridical person:
 - A list of promoters, partners or founders, and their *curricula vitae*
 - Documents describing the stock subscriptions or the status of and prospects for investment
- vii) Where the applicant is an association other than juridical persons listed in vi):
 - *Curricula vitae* of officers (except cases where the association has already been registered or submitted an application for registration)
 - Documents describing the status of assets of the association
- viii) Where the applicant is an individual:
 - A *curriculum vitae* (except cases where the association has already been registered or submitted an application for registration)
 - A statement of assets
- ix) Where the applicant is a local public entity, a copy of the assembly proceedings pertaining to engagement in a telecommunications business
- x) A document indicating that the applicant does not fall under the reasons for disqualification of approval (Form 2; however, except cases where the applicant has already been registered or submitted an application for registration)
- xi) When permission or other disposition of the competent government authority is required concerning the installation of telecommunications facilities, a copy of said permit, etc. (a copy of the application in cases where the application has been made for permission, etc.) or a document describing the status of said procedures.
- xii) Documents, including figures illustrating the configuration of telecommunications facilities and interconnection with telecommunications facilities of other telecommunications carriers and users, which confirm that there are no communications between telecommunications facilities for the use of telecommunications business pertaining to the application for approval and telecommunications facilities for the use of telecommunications business not pertaining to the application for approval, when directly interconnecting those telecommunications facilities or interconnecting those telecommunications facilities via telecommunications facilities of other telecommunications carriers (limited to cases of an application for partial approval of telecommunications business)

2. Examination

The Minister shall, by examining an application for approval of all or part of telecommunications business in accordance with each item of Article 119 of the Telecommunications Business Law, when it is deemed that the application for approval is met, grant approval of all or part of telecommunications business. Examination standards of each item are as follows:

1) Examination standards

- i) The applicant shall have an adequate financial basis and a technical capability to properly perform a telecommunications business pertaining to its application.
- ii) The plan of the telecommunications business pertaining to its application shall be reliable and rational.
- iii) The applicant shall have a registration necessary for operating a telecommunications business pertaining to its application or a registration of changes, or said applicant has submitted a notification.

2) Standard processing period

The standard processing period is the standard length of time it takes for an application submitted to a government office to be processed. An application for approval for a telecommunications business will take about one month.

3) Reasons for disqualification

Where a person who falls under any of the following items, the Minister shall not grant approval for said person:

- i) Any person who has been sentenced to a fine or severer penalty in accordance with the provisions of the Telecommunications Business Law, the Wire Telecommunications Law or the Radio Law and a period of two years has not yet elapsed since the day on which the person's sentence or suspended sentence was served out
- ii) Any person whose approval was revoked if a period of two years has not yet elapsed since the day of revocation

- iii) Any juridical person or association which has as an officer anyone who falls under any of the preceding i) or ii)

3. Obligation to commence business

Any person who has obtained an approval for a telecommunications business in accordance with 2. shall commence the telecommunications business within the designated period. If, however, it is determined that there is due reason to do so, in accordance with Form 38-12, this period may be extended.

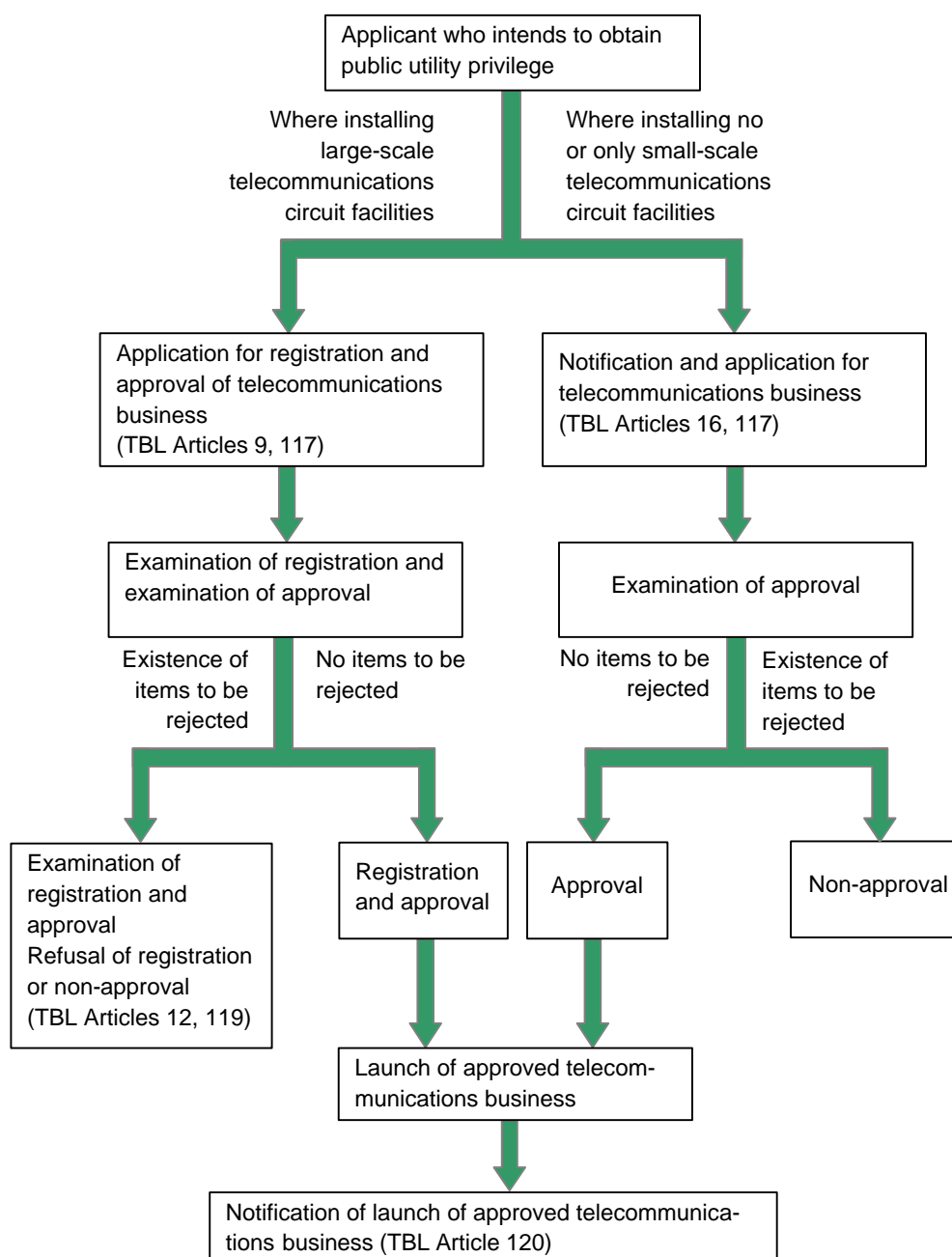
When the person has commenced its business, it shall submit without delay a notification to that effect to the Minister. (Form 38-13)

II-4. Relations between Registration/ Notification and Approval

Under the Telecommunications Business Law before the amendment, a telecommunications carrier being granted permission of Type I telecommunications business was automatically recognized as having rights-of-way, so-called public utility privileges, to use land, etc. for laying line facilities. However, along with abolition of the permission system for entry, a telecommunications business may be commenced through simplified procedures. Thus, an approval system was introduced anew so that a telecommunications carrier can, when intending to exercise a public utility privilege, separately from the procedures for entering a telecommunications business (registration or notification), obtain an approval for all or part of a telecommunications business from the Minister.

Upon application for registration or submission of notification, an application for approval may, at the same time, be filed (refer to **Fig. 2**). With respect to a telecommunications business already registered or notified, an application for ex-post facto approval may be submitted for the telecommunications business.

Fig. 2 Procedures for registration/notification and approval (in cases of simultaneous application)



III. Radio Station License, etc.

Radio Law

Article 4.

Any person who wishes to establish a radio station shall obtain a license from the Minister.

(Omitted)

1. Procedures for obtaining a radio station license, etc.

Any person who wishes to establish a radio station shall obtain a radio station license from the Minister.

Where a radio station is to be established for the purpose of operating a telecommunications business, the licensee concerned shall be a telecommunications carrier.

Establishment of a radio station means to install radio equipment and to have it operated by persons who are capable of emitting radio waves, thereby constituting a radio station. An application for a radio station license shall include the following documents:

- i) A radio station license application form
- ii) Documents attached thereto describing the following matters:
 - Documents describing radio station matters and construction types

In addition, exceptional licensing for specified radio stations (Blanket License) has been established, and in applying for a license of specified radio stations, submission of the following documents is required:

 - i) A specified radio station license application form
 - ii) Documents attached thereto describing the following matters:
 - Specified radio station matters and construction designs

On the other hand, for a radio station using radio equipment whose antenna power is small such as a PHS terminal or a cordless telephone, no radio station license is required provided that a technical regulations conformity certification is obtained, and a registration system of a radio station prescribed in the applicable MIC ordinance such as a 5 GHz-band radio access system has been established. Said radio station can be established by obtaining registration without receiving a construction-completion test, etc., and in applying for registration of said radio station, submission of the following documents is required.

- i) A radio station registration application form
- ii) Documents attached thereto
 - A document describing the purpose of establishment and other matters prescribed in the applicable MIC ordinance (category of a radio station, valid term of registration, etc.)

When a radio station for which registration must be obtained is established in two or more places within a specified area, and if the radio stations have the same frequency and standards, the radio stations can be registered comprehensively (blanket registration system).

2. Examination

1) Pre-permit (provisional license)

The Minister, in addition to examination pertaining to the reasons for disqualification, shall confirm that:

- i) Ensure the construction design conforms to the technical regulations as specified in the Radio Law.
- ii) Ascertain the assignment of a radio frequency is deemed possible.
- iii) The application meets the essential standards for establishment of radio stations as stipulated in the applicable MIC ordinance.

A pre-permit (provisional license) will be issued after the Minister has confirmed the above.

In cases where a new radio station for the use of telecommunications business that a new telecommunications carrier wishes to establish, when the radio station is deemed to be important and special for radio regulation, a pre-permit (provisional license) may be issued upon receipt of a favorable reply to the Minister's inquiry from the Radio Regulatory Council.

In addition, any application for radio station listed in Article 6 paragraph (7) of the Radio Law (except those specified in the applicable MIC ordinance), which uses frequencies for which the Minister issues a public notice, shall be examined in accordance with the examination standards specified in another public notice of the Minister after the public comment procedures based upon the "Public Comment Procedure concerning the Development or Abolition of Regulations (Cabinet Decision of March 23, 1999)." After the examination in line with the applicable

laws and regulations, when the application is deemed to meet the requirements under the examination standards abovementioned, the Minister shall issue a provisional license.

2) Standard processing period

The standard processing periods vary with the type of the radio stations, for example, the licensing procedure takes a month and a half for a base station and one month for a land mobile station, and the registration procedure takes about half a month.

3) Reasons for disqualification

In principle, no license shall be granted to any person who has foreign nationality. However, the following radio stations are waived from disqualification:

- i) Experimental radio stations, specified ship radio stations, specified aircraft radio stations, amateur radio stations;
- ii) Fixed radio stations for the diplomatic use of foreign embassies or organizations (based on the principle of diplomatic reciprocity);
- iii) Land mobile radio stations, portable radio stations and base radio stations communicating with those radio stations; and
- iv) Radio stations established for the purpose of conducting telecommunications service.

A license nevertheless may not be granted to any person or body who has been punished for a crime against the Radio Law or the Broadcast Law, or any person whose radio station license was revoked, if a period of two years has not yet elapsed since the day the sentence was served out or the day of revocation.

4) Inspection after provisional licensing

A full license will be provided for those with provisional licenses upon passing inspection of radio equipment and operators after completion of the radio station.

However, for inspections of radio equipment, etc., where a document of inspection results written by a registered inspector (including a registered foreign inspector) registered by the Minister are submitted, the Minister may use a system that partially curtails the inspection process (Registered Inspector System), which has become available for use.

Note: Regional Bureaus of Telecommunications and the Okinawa Office of Posts and Telecommunications (hereinafter referred to as "Regional Bureaus of Telecommunications, etc.") are registering registered inspectors and recording/maintaining the list of registered inspectors for making them public. For further information, please contact Regional Bureaus of Telecommunications, etc.
Also, the list of registered inspectors based on the Registration Book of Registered Inspectors can be retrieved and accessed at:
<http://www.tele.soumu.go.jp/j/proc/check/look.htm>

[Regional Bureaus of Telecommunications, etc. for access to the Registration Book of Registered Inspectors]

1. In cases where a registered inspector is registered under a blanket registration through its headquarters: a Regional Bureau of Telecommunications, etc. of competent jurisdiction located in a region where said headquarters locates.
2. In cases where each branch/office of a registered inspector is registered: a Regional Bureau of Telecommunications, etc. of competent jurisdiction located in a region where said each branch/office locates.
3. In case of a registered foreign inspector (an inspector carrying out inspection of radio facilities, etc. in a foreign country): Kanto Regional Bureau of Telecommunications

[Prefectures under jurisdiction of each Regional Bureau of Telecommunications, etc.]

- Hokkaido (Hokkaido Regional Bureau of Telecommunications)
- Aomori, Iwate, Miyagi, Akita, Yamagata and Fukushima (Tohoku Regional Bureau of Telecommunications)
- Ibaraki, Tochigi, Gunma, Saitama, Chiba, Tokyo, Kanagawa and Yamanashi (Kanto Regional Bureau of Telecommunications)
- Niigata and Nagano (Shin-etsu Regional Bureau of Telecommunications)
- Toyama, Ishikawa and Fukui (Hokuriku Regional Bureau of Telecommunications)
- Gifu, Shizuoka, Aichi and Mie (Tokai Regional Bureau of Telecommunications)
- Shiga, Kyoto, Osaka, Hyogo, Nara and Wakayama (Kinki Regional Bureau of Telecommunications)
- Tottori, Shimane, Okayama, Hiroshima and Yamaguchi (Chugoku Regional Bureau of Telecommunications)
- Tokushima, Kagawa, Ehime and Kochi (Shikoku Regional Bureau of Telecommunications)
- Fukuoka, Saga, Nagasaki, Kumamoto, Oita, Miyazaki and Kagoshima (Kyushu Regional Bureau of Telecommunications)
- Okinawa (Okinawa Office of Posts and Telecommunications)

5) Simplified licensing procedures, etc.

With respect to radio equipment, such as cellular telephones, that use base stations having antenna power of a specified value or less, provided that a Technical Regulations Conformity Certification has been granted from a registered certification agency as meeting the technical regulations, a license may be obtained through a simplified licensing procedure that bypasses the need for a pre-permit (provisional licensing) and the inspection thereafter.

6) Registration

Any applicant can obtain registration except when registration is refused.

Registration may be refused in the following cases:

- i) The installation site, etc. of the radio equipment is outside a specified area.
- ii) There is a false or insufficient statement in the application form, etc.
- iii) There is a risk that proper use of radio waves will be impaired.

7) Other required procedures

- i) Procedures required to meet the Radio Regulations (RR) of the International Telecommunication Union (ITU)

When constructing and operating a satellite communications network, international coordination and notification procedures in accordance with the RR is necessary.

Upon application for licensing of artificial satellite and earth stations, coordination status with existing or planned satellite communications networks of relating administrations is to be confirmed.

When the territory of other administrations lie within the coordination area of an earth station, the coordination with such administrations is also needed.

- ii) Qualification of radio operator

As a rule, operation of radio equipment at radio stations shall be handled by a chief radio operator or a person under the supervision of a radio operator in full charge.

- a) Procedures for obtaining radio operator license

Passing the state examination or completing a training course, then applying for a license and receiving the license.

- b) Forms needed in applying for radio operator license

- Application form
- Certificate indicating name and date of birth
- Medical certificate (note)
- Photograph, etc.

Note: Limited to a person with visual or hearing disabilities, etc. and cases where deemed to be especially necessary

3. Certification of Conformity with Technical Regulations for Specified Radio Equipment

1) Outline

- i) This is the system for certifying that "Specified Radio Equipment (SRE)" such as cellular phones and cordless telephones conforms to technical regulations prescribed in the Radio Law. (SRE is used for small-scale radio stations and specified in the MIC ordinance.)
- ii) With respect to SRE with a mark specified in the applicable MIC ordinance, there are major benefits for licensees that simplified licensing procedures are applied or no license is required. (Refer to <2. 5) Simplified licensing procedure, etc.>.)

2) Procedures for "Certification of Conformity with Technical Regulations," etc.

- i) "Certification of Conformity with Technical Regulations" and "Certification of Construction Type"

Manufacturers, etc. may, by obtaining a certification on each SRE or each construction design (type) of SRE through examination by a registered certification body, affix the mark specified in the applicable MIC ordinance to the SRE.

- ii) Self-Confirmation of Technical Regulations Conformity of Special Specified Radio Equipment

With respect to special specified radio equipment (of specified radio equipment, that specified in the applicable MIC ordinance as the one which rarely causes interference or other disturbance that severely jam the operation of other radio stations), manufacturers, etc. may, by verifying the Technical Regulations Conformity of Special Specified Radio Equipment each type themselves and by submitting a notification to the Minister, affix the mark specified in the applicable MIC ordinance to the special specified radio equipment.

3) Registration certification bodies (as of September 2006)

- All the businesses of RL Article 38-2 paragraph (1)

Telecom Engineering Center (TELEC)

Tel.: +81-3-3799-9033

URL: [http:// www.telec.or.jp/](http://www.telec.or.jp/)

DSP Research, Inc.
Tel.: +81-6-6369-0688
<http://www.dspr.co.jp/>

Tuv Rheinland Japan Ltd.
Tel.: 045-914-0239
<http://www.jpn.tuv.com/>

- Business of RL Article 38-2 paragraph (1) item (i)

Chemitox, Inc.
Tel.: +81-3-3727-7111
<http://www.chemitox-emc.co.jp/>

RF Technologies Ltd.
Tel.: 045-534-0645
<http://www.rft.jp>

UL Apex Co., Ltd.
Tel.: 0596-24-8116
<http://www.ulapex.jp>

COSMOS CORPORATION Co., Ltd.
Tel.: 0596-63-0707
<http://www.safetyweb.com>

SGS Japan Inc.
Tel.: 045-330-1103
<http://www.jp.sgs.com>

- Business of RL Article 38-2 paragraph (1) item (iii)

The Japan Amateur Radio Development Association
Tel.: 03-3910-7241 <http://www.jard.or.jp>

4) Exceptions in line with the mutual recognition between Japan and the European Community and the Republic of Singapore in relation to conformity assessment of specified equipment

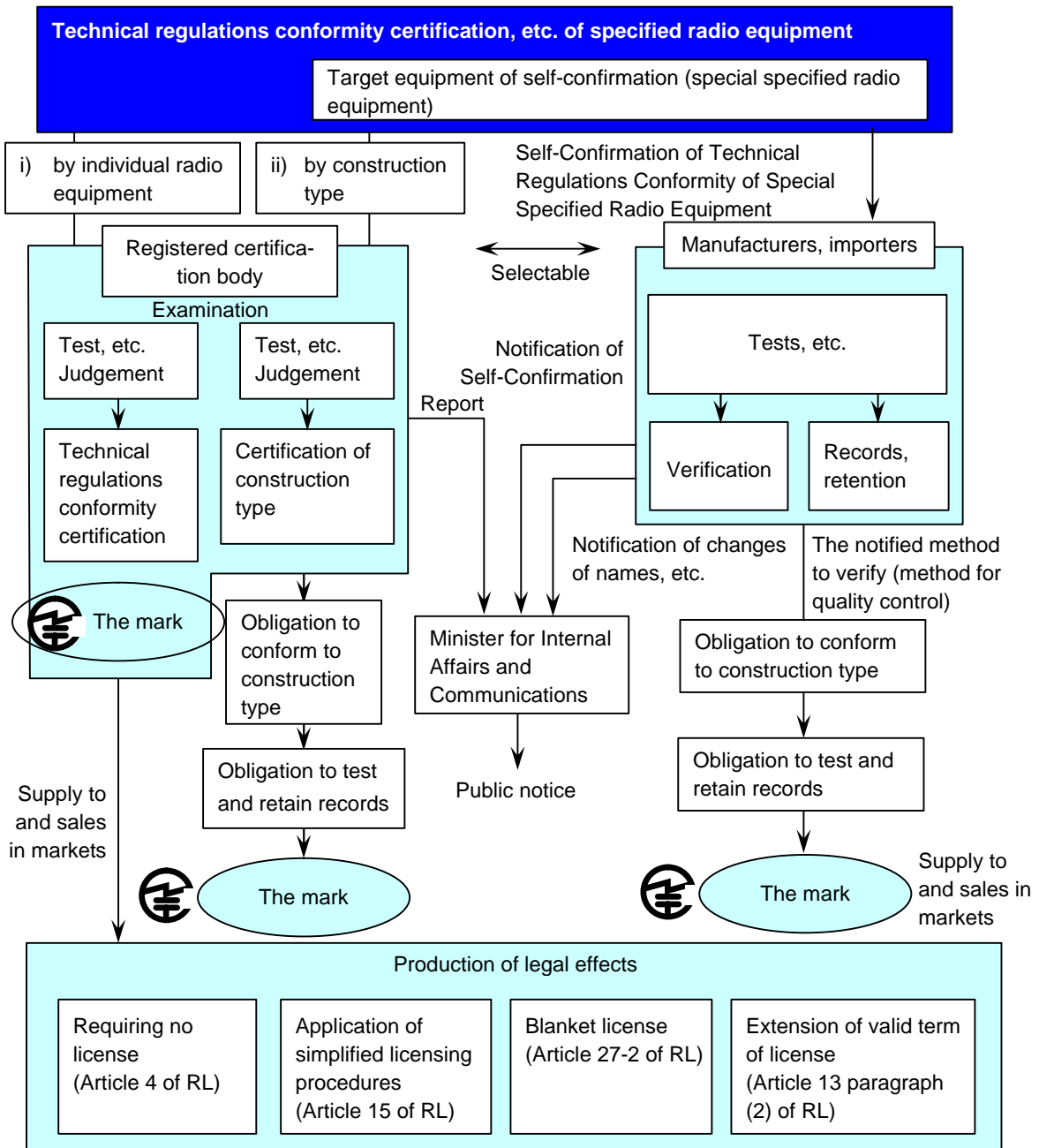
In line with the enforcement of the "Agreement on Mutual Recognition between Japan and the European Community" (hereinafter referred to as the "Japan-EU Agreement") on January 1, 2002, the "Law for Implementation of the Mutual Recognition between Japan and the European Community in Relation to Conformity Assessment of Specified Equipment" was enforced.

In line with the enforcement of the "Japan-Singapore Economic Agreement for a New Age Partnership" including the mutual recognition (hereinafter referred to as the "Japan-Singapore Agreement") on November 30, 2002, in order to provide for necessary measures for the mutual recognition with Singapore, the "Law to Amend Part of the Agreement on Mutual Recognition between Japan and the European Community" was enforced. (The name of the law after the amendment is the "Law for Implementation of the Mutual Recognition between Japan and the European Community and the Republic of Singapore in Relation to Conformity Assessment of Specified Equipment (Law No. 111 of 2001)"; hereinafter referred to as the "Law" in this 4.)

Under Article 33 of the Law, exceptions under the Radio Law are stipulated that specified radio equipment:

- i) certified as complying with the technical regulations by a conformity assessment body (registered foreign conformity assessment body) registered in accordance with the Japan-EU Agreement and the Japan-Singapore Agreement.;
- ii) based on a construction type certified by a registered foreign conformity assessment body as complying with the technical regulations with the mark as stipulated in the applicable MIC ordinance shall be regarded as specified radio equipment.

Procedural flows for "Registered Certification Bodies" and "Self-Confirmation of Technical Regulations Conformity of Special Specified Radio Equipment" under the Radio Law



IV. Tariffs Concerning Universal Telecommunications Services

IV-1. Notification of Establishment or Amendment of Tariffs Concerning Universal Telecommunications Services

Telecommunications Business Law
(Tariffs for Universal Telecommunications Services)

Article 19.

- (1) A telecommunications carrier providing universal telecommunications services shall establish tariffs concerning terms and conditions including charges relating to the carrier's universal telecommunications services (except matters pertaining to technical requirements to be authorized in accordance with the provisions of Article 52 paragraph (1) or Article 70 paragraph (1) item i), and matters specified in the applicable MIC ordinance) and shall submit said tariffs to the Minister prior to application thereof, as specified in the applicable MIC ordinance. The same shall also apply when such tariffs are to be amended.
- (2) The Minister may, if it is deemed that the tariffs notified in accordance with the provisions of the preceding paragraph fall under any of the following items, order said telecommunications carrier providing universal telecommunications services to change said tariffs within a reasonable time period:
 - i) If calculating methods of charges are not stipulated properly and clearly.
 - ii) If the tariffs related to the responsibilities to be assumed by a telecommunications carrier and its users, and allocation methods of costs related to installation and other works of telecommunications facilities are not properly and clearly stipulated.
 - iii) If the tariffs unreasonably restrict utilization conditions of the telecommunications circuit facilities.
 - iv) If the tariffs include the provisions that unfairly discriminate against specified persons.
 - v) If due consideration is not paid to the matters relating to essential communications.
 - vi) If the tariffs impair the users' benefit because lead to illicit competition with other telecommunications carriers, or the tariffs are extremely improper in light of socioeconomic conditions.

(Articles 15 and 16 of the Regulations for Enforcement of the Telecommunications Business Law (MIC ordinance))

- 1) A telecommunications carrier providing universal telecommunications services shall, where intending to establish or change tariffs concerning terms and conditions including charges relating to the carrier's universal telecommunications services, submit said tariffs to the Minister seven days prior to date of implementation thereof.
- 2) Where intending to establish or change said tariffs, the telecommunications carrier shall submit the notification in accordance with Form 13 stipulated in the Regulations for Enforcement of the Telecommunications Business Law, describing the date of implementation. Upon submission of the notification, draft tariffs or the comparison of tariffs before and after the change shall be attached thereto. In addition, the attached tariffs shall clearly describe the following matters specified in Article 16 item i) of the Regulations for Enforcement of the Telecommunications Business Law.
 - i) Names and contents of telecommunications services;
 - ii) Charges relating to telecommunications services (except the handling charges and other similar charges);
 - iii) Matters relating to responsibilities of the telecommunications carrier and its users;
 - iv) Methods for sharing costs for works including installation of telecommunications facilities;
 - v) When setting limitations on modes of use of telecommunications circuit facilities, matters relating thereto;
 - vi) Methods for handling of essential communications
 - vii) Technical matters necessary for smooth offering of telecommunications services;
 - viii) In addition to the preceding items, matters relating to terms and conditions for offering telecommuni-

- cations services of importance to the rights or duties of users; and
- ix) Service period where a valid service period is set forth
- 3) The notification shall be submitted to: Tariff Division, Telecommunications Bureau, MIC
- 4) The Minister may, if it is deemed that the tariffs notified in accordance with the provisions of the preceding paragraph fall under any of the following items, order said telecommunications carrier providing universal telecommunications services to change said tariffs within a reasonable time period:
- i) If calculating methods of charges are not stipulated properly and clearly.
 - ii) If the tariffs related to the responsibilities to be assumed by a telecommunications carrier and its users, and allocation methods of costs related to installation and other works of telecommunications facilities are not properly and clearly stipulated.
 - iii) If the tariffs unreasonably restrict utilization conditions of the telecommunications circuit facilities.
 - iv) If the tariffs include the provisions that unfairly discriminate against specified persons.
 - v) If due consideration is not paid to the matters relating to essential communications.
 - vi) If the tariffs impair the users' benefit because lead to illicit competition with other telecommunications carriers, or the tariffs are extremely improper in light of socioeconomic conditions.
- 5) In principle, a telecommunications carrier providing universal telecommunications services shall not provide universal telecommunications services unless based on tariffs notified.

IV-2. Posting, Etc. of Tariffs Concerning Universal Telecommunications Services

Telecommunications Business Law

(Posting, Etc. of Tariffs, Etc.)

Article 23.

- (1) Any telecommunications carrier providing universal telecommunications services, designated telecommunications services or specified telecommunications services shall, as specified in the applicable MIC ordinance, publish tariffs (including the technical requirements authorized in accordance with the provisions of Article 52 paragraph (1) or Article 70 paragraph (1) item i)) notified in accordance with the provisions of Article 19 paragraph (1) or Article 20 paragraph (1) (including the cases where the provisions that shall be read as the provisions in accordance with the provisions of paragraph (4) of the same article apply) or charges authorized in accordance with the provisions of Article 21 paragraph (2) as well as post thereof at its business offices and other workplaces in a manner in which such tariffs and charges can easily be seen by the general public.
- (2) The provisions of the preceding paragraph shall apply, mutatis mutandis, to the terms and conditions pertaining to the matters specified in the applicable MIC ordinance under Article 19 paragraph (1) or Article 20 paragraph (1).

(Article 22-2 of the Regulations for Enforcement of the Telecommunications Business Law (MIC ordinance))

Any telecommunications carrier providing universal telecommunications services shall publish tariffs concerning the universal telecommunications services and post thereof at its business offices and other workplaces (headquarters or branches registered with the commercial registration) and on the Internet in a manner in which such tariffs and charges can easily be seen by the general public.

V. Business Agreements, Etc. with Foreign Governments, Etc.

Telecommunications Business Law

(Authorization of Agreements, Etc. with Foreign Governments, Etc.)

Article 40. Any telecommunications carrier shall obtain authorization from the Minister before the telecommunications carrier enters into, amends or terminates an agreement or contract with a foreign government, or person or juridical person concerning telecommunications activities and includes important matters specified in the applicable MIC ordinance.

(Article 26 of the Regulations for Enforcement of the Telecommunications Business Law (MIC ordinance))

1. Procedure for Authorization of Business Agreement

A telecommunications carrier shall obtain authorization from the Minister before said carrier enters into, amends or terminates an agreement, etc. with a foreign government, etc. in relation to telecommunications services.

In filing an application for authorization of a business agreement, Form 20 and the following documents (when the original documents are written in a foreign language, those translated into Japanese are needed) are required:

- A copy of the agreement or contract
- A document describing the details of the method of implementing the agreement
- In cases of application for authorization of changes, a document comparing the agreements before and after the changes

2. Examination

Authorization by the Minister may be granted when the business agreement is recognized to be in conformity with the following examination standards:

1) Examination Standards

- i) Foreign governments, etc. are eligible as counterparts of said agreements, etc.
- ii) Where a service providers with whom the applicant concludes agreements, etc. is a telecommunications carrier headquartered in a country other than members of the World Trade Organization, the ratio of the amount of money to be paid and received or shared (hereinafter referred to as a "accounting rate") and the ratio of the communications traffic volume shared by the parties shall conform to the following items from a) through c) (hereinafter referred to as a "uniform accounting rate system"). However, in cases of relay circuits via a third country, the system c) shall not apply.
 - a) Accounting rates and the method to converge yen into any other currency of payment are the same as those under other agreements, etc. with another Japanese telecommunications carrier. However, provided that said other agreements, etc. are scheduled to be changed to the same conditions between carriers involved, this shall not apply.
 - b) Amounts of accounting rates to be shared are equal for the countries at both ends.
 - c) Between the countries at both ends, the "ratio of the communications traffic volume outgoing from the applicant to carriers with whom agreements, etc. are to be concluded to the total communications traffic volume incoming to said carrier" is comparable to the "ratio of the communications traffic volume outgoing from said carriers to the applicant to the total communications traffic volume outgoing from said carriers."
- iii) In concluding agreements, etc. with carriers headquartered in a country other than members of the World Trade Organization, a telecommunications carrier informs the other party of the uniform accounting rate system with whom agreements, etc. are to be concluded, for making the uniform accounting rate system a prerequisite of an agreement between the parties.
- iv) Matters concerning the scope of responsibilities to be assumed between the parties are properly and clearly stipulated.
- v) Agreements, etc. include no provisions that unfairly discriminate against one party compared with agreements, etc. the parties have concluded with other carriers.
- vi) Security and reliability of communications are ensured.
- vii) The parties faithfully perform their duties imposed upon them by international treaties, agreements, etc.

- viii) Agreements, etc. have no fear of hindering the promotion of public interest such as hindering fair competition within the telecommunications market.
- 2) Standard processing period
30 days

VI. Technical Conditions, Etc.

VI-1. Self-Confirmation of Compliance of Telecommunications Facilities by Telecommunications Carriers

Telecommunications Business Law
(Maintenance of Telecommunications Facilities)
Article 41.

- (1) Any telecommunications carrier installing telecommunications circuit facilities shall maintain its telecommunications facilities (except those specified in the applicable MIC ordinance as those having a minor influence on the users' benefit in the cases of damage or failure, etc. thereof) for use of its telecommunications business in compliance with the technical conditions specified in the applicable MIC ordinance.
- (2) Any telecommunications carrier providing universal telecommunications services shall maintain its telecommunications facilities (except telecommunications facilities stipulated in the preceding paragraph) for use of its telecommunications business for providing said universal telecommunications services in compliance with the technical conditions specified in the applicable MIC ordinance.
- (3) The technical conditions of the preceding two paragraphs shall be so specified as to ensure the following matters:
 - i) The provision of telecommunications service shall not be extremely hindered by damage or failure of telecommunications facilities.
 - ii) Quality of telecommunications services shall maintain an appropriate level.
 - iii) Secrecy of communications shall not be violated.
 - iv) Telecommunications facilities of users or other telecommunications carriers connected shall not be damaged or impaired, nor shall functions thereof be impaired.
 - v) The demarcation of responsibilities between the telecommunications facilities of a telecommunications carrier and those of others shall be clearly stipulated.

(Regulations for Telecommunications Facilities for Telecommunications Business (MIC ordinance))

Telecommunications Business Law
(Self-Confirmation of Compliance of Telecommunications Facilities by Telecommunications Carriers)
Article 42.

- (1) Any telecommunications carrier installing telecommunications circuit facilities shall, as specified in the applicable MIC ordinance, when intending to start operating telecommunications facilities stipulated in paragraph (1) of the preceding article, confirm itself that said telecommunications facilities (except those specified in the applicable MIC ordinance) are in compliance with the technical conditions specified in the applicable MIC ordinance under the same paragraph.
- (2) The provisions of the preceding paragraph shall apply, mutatis mutandis, to the cases where a telecommunications carrier installing telecommunications circuit facilities intends to change matters of Article 10 paragraph (1) item iii) or Article 16 paragraph (1) item iii). In this case, "said telecommunications facilities" in the preceding paragraph shall be read as "telecommunications facilities stipulated in paragraph (1) of the preceding paragraph after said change".
- (3) Any telecommunications carrier installing telecommunications circuit facilities shall, in the cases where the telecommunications carrier has confirmed compliance in accordance with the provisions of paragraph (1) (including the cases where paragraph (1) shall apply, mutatis mutandis, in the preceding paragraph), as specified in the applicable MIC ordinance, before it starts operating telecommunications facilities stipulated in the same paragraph, submit a notification of the results of self-compliance confirmation to the Minister.
- (4) The provisions of the preceding three paragraphs shall apply, mutatis mutandis, to the case where a telecommunications carrier providing universal telecommunications services intends to start operating telecommunications facilities stipulated in paragraph (2) of the preceding article. In this case, "paragraph (1) of the preceding article" in paragraph (2) shall be read as "paragraph (2) of the preceding article".

(Articles 27-4 and 27-5 of the Regulations for Enforcement of the Telecommunications Business Law (MIC ordinance))

Any telecommunications carrier installing telecommunications circuit facilities and any telecommunications carrier providing universal telecommunications services shall confirm itself that telecommunications facilities for use of their telecommunications business are in compliance with the technical conditions, before they start operating said telecommunications facilities, and shall submit a notification to that effect to the Minister.

Upon submission of notification, documents (connection block diagrams, manuals, etc.) specified in each item of Article 27-5 of the Regulations for Enforcement of the Telecommunications Business Law shall be attached to an application of Form 20-2.

VI-2. Administrative Rules for Telecommunications Facilities for Telecommunications Business

Telecommunications Business Law
(Administrative Rules)

Article 44.

(1) Any telecommunications carrier shall, as specified in the applicable MIC ordinance, establish administrative rules governing telecommunications facilities for telecommunications business stipulated in Article 41 paragraphs (1) or (2) (hereinafter referred to as "telecommunications facilities for telecommunications business"), in order to ensure the reliable and stable provision of telecommunications services, and submit a notification of the administrative rules to the Minister prior to the commencement of its telecommunications business.

(2) (Omitted)

(Articles 28 and 29 of the Regulations for Enforcement of the Telecommunications Business Law (MIC ordinance))

1) Procedures for submission of administrative rules

Any telecommunications carrier shall, prior to the commencement of its telecommunications business, establish the "administrative rules governing telecommunications facilities for telecommunications business (hereinafter referred to as the "administrative rules")" in accordance with Article 44 of the Telecommunications Business Law and submit a notification of the administrative rules to the Minister (via the Regional Bureaus of Telecommunications (or the Okinawa Office of Posts and Telecommunications)).

Directors-General of the Regional Bureaus of Telecommunications, etc. shall, when deemed that there is no problem with entries of said notification of the administrative rules, accept them.

i) Necessary documentation

The following documentation as stipulated in Article 28 of the Regulations for Enforcement of the Telecommunications Business Law:

- Notification of administrative rules (Form 21)
- Administrative rules

ii) Entries of administrative rules

- Matters concerning the duties and organization of the persons who manage the activities for construction, maintenance, or operation of commercial telecommunications facilities
- When a Chief Telecommunications Engineer cannot conduct duties due to a disease, accident, and other reasons, matters concerning the person who carries out duties for the chief
- Matters concerning education to the persons engaged in construction, maintenance, or operation of telecommunications facilities for telecommunications business
- Matters concerning the patrol, checking, and inspection as related to the construction, maintenance, and operation of telecommunications facilities for telecommunications business
- Matters concerning the operation of telecommunications facilities for telecommunications business
- Matters concerning concealment of communications as associated with construction, maintenance, and operation of telecommunications facilities for telecommunications business
- Matters concerning reporting, recording, and countermeasures to be taken in the event of an accident in relation to the construction, maintenance, and operation of telecommunications facilities for telecommunications business
- Matters concerning the measures to be taken in case of a disaster and other emergency situations
- Other matters required to ensure steady and stable provision of telecommunications services in relation

to construction, maintenance, and operation of telecommunications facilities for telecommunications business

VI-3. Appointment and Dismissal of Chief Telecommunications Engineers

Telecommunications Business Law
(Chief Telecommunications Engineer)

Article 45.

- (1) Any telecommunications carrier shall, as specified in the applicable MIC ordinance, appoint chief telecommunications engineers selected from persons who have chief telecommunications engineer's licenses, and place them in charge of the supervision of matters related to the installation, maintenance and operation of telecommunications facilities for the telecommunications business. Provided, however, that the telecommunications facilities for the telecommunications business are small scale ones or otherwise specified in the applicable MIC ordinance, this shall not apply.
- (2) Any telecommunications carrier shall, when it has appointed chief telecommunications engineers in accordance with the provisions of the preceding paragraph, submit without delay a notification to that effect to the Minister. The same shall apply to the case of the dismissal of any of its chief telecommunications engineers.

(Articles 3, 3-2 and 4 of the Regulations for Chief Telecommunications Engineer (MIC ordinance))

When a telecommunications carrier installing telecommunications facilities for telecommunications business has appointed chief telecommunications engineers in accordance with paragraph (1) of Article 45 in the Telecommunications Business Law, it shall submit a notification for appointment or dismissal of chief telecommunications engineers to the Minister (via Directors-General of the Regional Bureaus of Telecommunications (or the Okinawa Office of Posts and Telecommunications)) in accordance with paragraph (2) of the same article.

Directors-General of the Regional Bureaus of Telecommunications, etc. shall, when deemed that there is no problem with entries of said notification for appointment or dismissal of chief telecommunications engineers, accept it.

i) Necessary documentation

Documents stipulated in Article 4 of the Regulations for Chief Telecommunications Engineer

- Form of Notification for Appointment or Dismissal of Chief Telecommunications Engineer (in cases falling under iii), report on posting)

ii) Appointment of Chief Telecommunications Engineer

Based on Article 3 of the Regulations for Chief Telecommunications Engineer, the chief telecommunications engineer selected from persons who work at the site on a full-time basis and have chief telecommunications engineer's licenses is to be appointed at each working site according to the following table.

Work site	Qualifications
1. Site where telecommunications facilities (except line facilities and other facilities accessory to such facilities) are directly managed	Person who has a Chief Transmission and Switching Engineer's License
2. Site where line facilities and other facilities accessory to such facilities are directly managed	Person who has a Chief Line Engineer's License

iii) Cases where requiring appointment of no Chief Telecommunications Engineer

Where meeting the following requirements, it is allowed that a telecommunications carrier even installing telecommunications facilities for telecommunications business does not need to appoint a chief telecommunications engineer.

- a) The area of installed telecommunications facilities for telecommunications business is within an area of one city, town or village (in cases of a special ward and a designated city, within one ward).
 - b) The number of users within said area is 29,999 or less.
 - c) A person who is deemed to have a given period of work experience or a capacity equivalent to the given period of work experience or higher is posted.
- (e.g., A person, etc. who has graduated from a university, junior college or college of technology with a degree in telecommunications engineering and has the work experience of a given period in the work of operation,

etc. of telecommunications facilities for telecommunications business)

However, the chief telecommunications engineer appointed at one site can serve concurrently as the chief telecommunications engineer to be appointed at other sites, if the site conforms to each of the following items in accordance with the MIC Notice No. 231 of 1985, "On the Appointment of Chief Telecommunications Engineers." Furthermore, there is no requirement as to the nationality of the chief telecommunications engineer.

- a) If necessary the chief telecommunications engineer or the concurrent chief telecommunications engineer can reach the site from the working place where the engineer is at work in short order.
- b) In case of failure of the telecommunications facilities directly supervised at the site, emergency measures must be taken immediately such as switching to a backup system.
- c) If necessary the concurrent chief telecommunications engineer, etc. can be informed easily on the matters related to the installation, maintenance and operation of telecommunications facilities at the site.
- d) The result of patrol, inspection and testing at the site must be reported to the concurrent chief telecommunications engineer, etc.
- e) In addition, the concurrent chief telecommunications engineer, etc. can exercise its functions of the supervision at the site without any difficulties.

VI-4. Technical Requirements for Connection of Terminal Facilities

Telecommunications Business Law
(Technical Conditions for Connection of Terminal Facilities)
Article 52.

- (1) When a telecommunications carrier receives a request from a user for the connection of his or her terminal facilities (meaning telecommunications facilities which are to be connected to one end of telecommunications circuit facilities and part of which is to be installed on the same premises [including the areas regarded as the same premises] or in the same building where any other part thereof is also to be installed. Hereinafter the same shall apply.) with its telecommunications circuit facilities (except those specified in the applicable MIC ordinance as those having a minor influence on the users' benefit in the cases of damage or failure, etc. The same shall apply in Article 69 and Article 70.), the telecommunications carrier shall not refuse the request, except in the cases specified in the applicable MIC ordinance, including the cases where the connection does not comply with the technical conditions (including technical requirements established, subject to the authorization of the Minister, by said telecommunications carrier or other telecommunications carriers whose telecommunications facilities are connected to said telecommunications carrier specified in the applicable MIC ordinance. The same shall apply in the following paragraph and Article 69.) specified in the applicable MIC ordinance.
- (2) The technical conditions of the preceding paragraph shall be so provided as to ensure the following matters:
 - i) The telecommunications circuit facilities shall not be damaged, nor shall functions thereof be impaired.
 - ii) Any nuisance shall not be caused to other users of the telecommunications circuit facilities.
 - iii) The demarcation of responsibilities between the telecommunications circuit facilities established by a telecommunications carrier and terminal facilities connected to them by a user shall be clearly stipulated.

(Ordinance Concerning Terminal Facilities, Etc. (MIC ordinance))
(Articles 30-2, 31, 31-2 of the Regulations for Enforcement of the Telecommunications Business Law (MIC ordinance))

Telecommunications Business Law
(Connection of Customer-Owned and Maintained Telecommunications Facilities)
Article 70.

- (1) When a telecommunications carrier has received a request from any person other than a telecommunications carrier installing telecommunications circuit facilities for the connection of their telecommunications facilities (limited to those other than terminal facilities, hereinafter referred to as "customer-owned and maintained telecommunications facilities") to the carrier's telecommunications circuit facilities, the telecommunications carrier shall not refuse the request except the cases listed in the following items:
 - i) When the connection of the customer-owned and maintained telecommunications facilities does not comply with the technical conditions stipulated in the applicable MIC ordinance

(including technical requirements established, subject to the authorization of the Minister, by said telecommunications carrier or other telecommunications carriers specified in the applicable MIC ordinance whose telecommunications facilities are connected to said telecommunications carrier)

(Ordinance Concerning Terminal Facilities, Etc. (MIC ordinance))

1. Procedures for obtaining authorization for technical requirements

Although in principle it is the government that decides the technical conditions, if such technical conditions cannot be established primarily by the government, a telecommunications carrier may be granted authorization from the Minister to set forth their own technical requirements. When deciding upon a technical requirement, any of the following is being met.

- i) In cases where trends in technological development and international standardization would accelerate changes in technical requirements
- ii) In cases where frequent expansion or addition of service contents by a telecommunications carrier is expected
- iii) In cases where since a market is small, which is not expected to rapidly gain users in the coming years
- iv) In cases of a service which is not provided by two or more telecommunications carriers

Upon application for authorization of technical requirements, an application of Form 23 to which the draft of technical requirements is attached shall, in accordance with Article 30 of the Regulations for Enforcement of the Telecommunications Business Law, be submitted.

2. Examination

The Minister shall authorize an application for technical requirements, when meeting the matters of Article 52 paragraph (2) of the Telecommunications Business Law.

1) Standard processing period

Two months

VII. Application for Designation of Telecommunications Numbers of Telecommunications Carrier

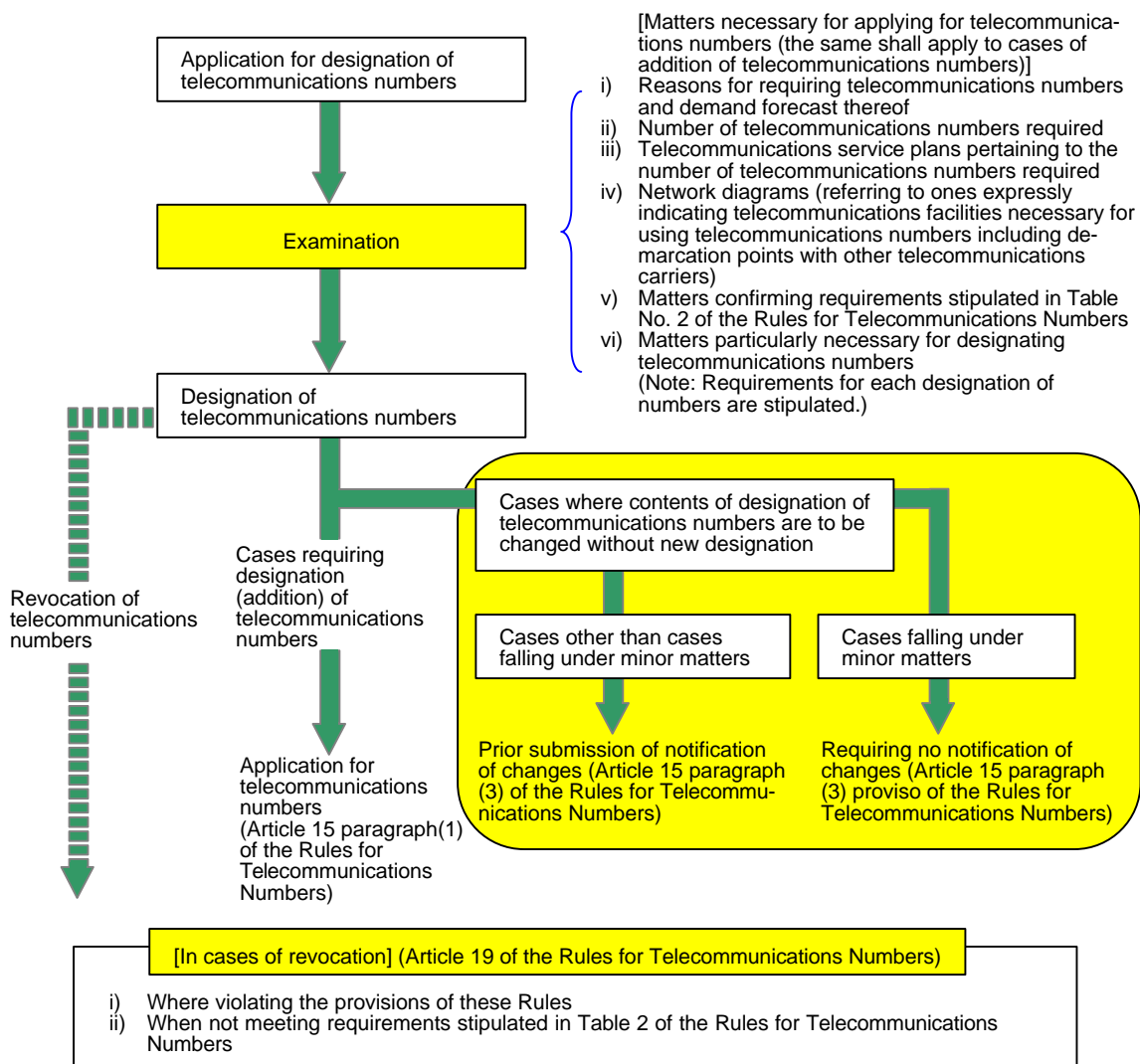
(Related MIC ordinance: Article 15 of the Rules for Telecommunications Numbers (MIC ordinance No. 82 of 1997))

1. Procedures for obtaining designation of telecommunications numbers

Any telecommunications carrier who intends to obtain the designation of telecommunications numbers shall submit the following documents to the Minister.

Procedures for telecommunications numbers

	Application pertaining to new designation	Application pertaining to additional designation
Submitted to:	MIC (Numbering Plan Office)	Regional Bureau of Telecommunications



- 1) Application form (Form 1 of the Rules for Telecommunications Numbers) describing the following items:
 - i) Postal code and address of the main office;
 - ii) Name (in the case of a juridical person, name of the person and the name of the representative); and
 - iii) Dates of registration or notification, and the registered number or the notification number of the telecommunications carrier
- 2) Documents to be attached
 - i) Reasons for requiring telecommunications numbers
 - ii) Number of telecommunications numbers required and demand forecast which is the ground thereof
 - iii) Telecommunications service plans pertaining to the number of telecommunications numbers required
 - iv) Method of managing telecommunications numbers
 - v) Network diagrams (referring to ones expressly indicating telecommunications facilities necessary for using telecommunications numbers including demarcation points with other telecommunications carriers)
 - vi) Matters confirming requirements stipulated in Table 2 of the Rules for Telecommunications Numbers
 - vii) Matters particularly necessary for designating telecommunications numbers

2. Examination

Upon the reception of an application for designation of telecommunications numbers from a telecommunications carrier, when it is recognized that the numbers required to offer a telecommunications service are available in light of the Telecommunications Numbering Plan, the Minister shall designate the required number of telecommunications numbers to meet the demands for the planned telecommunications service and issue the certificate of telecommunications numbers.

- 1) Standard processing period
Two months

VIII. Compliance with the Consumer Protection

While telecommunications services have become indispensable for daily lives of people and socioeconomic activities, general customers are facing difficulties in appropriately selecting services which are necessary for them because of advancement of information and communications technology (ICT), diversification of service contents and service menus. Thus, when users conclude contracts for telecommunications services with telecommunications carriers, telecommunications carriers, etc. need to explain the terms and conditions for providing the services, process complaints, etc. at their own responsibility so that the users can use the services with a sense of security.

MIC published the "Guidelines for Consumer Protection Rules in the Telecommunications Business Law" in March 2004. For details, please refer to the following sites at:

(Reference)

http://www.soumu.go.jp/s-news/2004/pdf/040305_6_b1.pdf

1. Prior notice to users pertaining to suspension or discontinuation of business

Telecommunications Business Law

(Suspension and Discontinuation of Business Activities, and Dissolution of Juridical Person)

Article 18.

(1) and (2) (Omitted)

(3) When a telecommunications carrier intends to suspend or discontinue part or all of the operations of its telecommunications business, as specified in the applicable MIC ordinance, the telecommunications carrier shall inform fully to that effect to users (meaning persons concluding contracts with a telecommunications carrier to receive telecommunications services. Hereinafter the same shall apply.) of said telecommunications business to be suspended and discontinued. Provided, however, that in the cases where suspension or discontinuation of a telecommunications business specified in the applicable MIC ordinance as those having a comparatively small influence on the users' benefit, this shall not apply.

(Article 13 of the Regulations for Enforcement of the Telecommunications Business Law (MIC ordinance))

When a telecommunications carrier intends to suspend or discontinue part or all of the operations of its telecommunications business, the telecommunications carrier shall inform fully to that effect to its users prior to implementation thereof. The prior notice of information shall be made by sure methods (e.g., delivery of written documents, transmission of e-mails, etc.) for enabling users to recognize the suspension or discontinuation of business operations, by setting a reasonable time period (about one month) prior to implementation thereof.

2. Explanation of terms and conditions

Telecommunications Business Law

(Accountability on Terms and Conditions)

Article 26. Telecommunications carriers and persons who perform conclusion of contracts as business of intermediary, commission or procurator concerning the provision of telecommunications services from other telecommunications carriers (hereinafter referred to as "telecommunications carrier, etc.") shall, when intending to perform conclusion of contracts, contracts as business of intermediary, commission or procurator concerning the provision of telecommunications services that are specified as telecommunications services pertaining to people's daily lives in the applicable MIC ordinance, with persons who intend to receive telecommunications services (except persons who are telecommunications carriers), explain outlines of terms and conditions including charges concerning said telecommunications services to the persons, as specified in the applicable MIC ordinance.

(Article 22-2-2 of the Regulations for Enforcement of the Telecommunications Business Law (MIC ordinance))

Any telecommunications carrier or agent shall, before conclusion of a contract of services for general consumers, explain service contents (matters to be explained) to users. Basically, the telecommunications carrier (or agent) shall deliver potential users documents containing matters to be explained, subsequently verbal explanation shall

be made. With consent from users, similar methods may be allowed.

- 1) Types of services for general consumers, for which matters are to be explained, are as follows:
 - i) Telephone and ISDN
 - ii) Cellular telephone and Internet access services on cellular phone
 - iii) PHS and Internet access services on PHS
 - iv) Internet access service
 - v) DSL service
 - vi) FTTH service
 - vii) Cable TV Internet access service
 - viii) Public wireless LAN access service
 - ix) FWA service
 - x) IP telephony service
 - 2) All of the following matters shall be explained:
 - i) Name of the telecommunications carrier
 - ii) In cases of a carrier's agent on a contract basis, its name, the fact that the company concerned is a carrier's agent on a contract basis, and others
 - iii) Contact points for the telecommunications carrier (as for telephone numbers, the business hours for the telephone should be included.)
 - iv) In cases of a carrier's agent on a contract basis, contact points for the agent (as for telephone numbers, the business hours for the telephone should be included.)
 - v) Contents of telecommunications services (their names, types and, if there are restrictions on usage, the facts)
 - vi) Charges to be applied to its users
 - vii) In addition to charges in vi), where other charges excluded in charges for the service are applied, details thereon
 - viii) In addition to charges in vi) and vii), when a free-of-charge or discount offer is applied, its period, and other terms and conditions
 - ix) Where there are the provisions for changes or cancellation of contracts upon requests from users, details thereon
(including:
 - (a) Limits on grace periods for changes and cancellation of contract, the facts
 - (b) Clauses on early withdrawal penalty on changes and cancellation, the facts
 - (c) Payment of return costs, etc. for rental modem upon changes and cancellation, details thereon)
 - 3) The telecommunications carrier (or agent) shall, in principle, deliver to potential users documents containing matters to be explained, with verbal explanation to be subsequently offered. With consent from users, the following methods may be allowed:
 - i) Send e-mail
 - ii) Display matters to be explained as posted on a website
 - iii) Display matters to be explained as posted on a website for mobile terminals
 - iv) Deliver a storage media such an electromagnetic media as CD-ROM
 - v) Send DM, etc. containing matters to be explained
 - vi) Telephone call (it is compulsory that, after explanation via telephone call, written documents be sent without delay.)
3. Appropriate processing of complaints, etc.

Telecommunications Business Law
(Procedure for Processing Complaints, Etc.)
Article 27.

Any telecommunications carrier shall, properly and promptly, process complaints and inquiries from users (including persons who intend to receive telecommunications services and except persons who are telecommunications carriers. The same shall apply to Article 29 paragraph (2)) concerning operations methods of said telecommunications carrier pertaining to telecommunications services specified in the applicable MIC ordinance under the preceding article or telecommunications services provided by said telecommunications carrier specified in the applicable MIC ordinance under the same article.

Any telecommunications carrier shall, properly and promptly, process complaints and inquiries from users concerning telecommunications services or operations methods. Whether "appropriately and promptly process(ed)"

or not shall be judged (by said telecommunications carrier) on a case-by-case basis for each individual case. At least the following cases are not "appropriately and promptly process(ed)":

- i) Where there is no contact point for accepting complaints and inquiries
- ii) Even if there are contact points for accepting complaints and inquiries, when the contact points are actually not accessible from consumers

Others

IX. Contact Points

Ministry of Internal Affairs and Communications (MIC)

1-2, Kasumigaseki 2-chome, Chiyoda-ku, Tokyo
100-8926 Japan

- [International Policy Division of International Affairs Department, Telecommunications Bureau](#)
Division in charge of international policies at MIC
Tel.: +81-3-5253-5920 Fax: +81-3-5253-5924

- [Telecommunications Business Department, Telecommunications Bureau:](#)
Department in charge of telecommunications businesses in general

[Registration/approval for telecommunications business]

Telecommunications Policy Division
Tel.: +81-3-5253-5835 Fax: +81-3-5253-5838

[Notification for telecommunications business]

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Numbering Plan Office
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[Consumer protection rules]

Telecommunications Consumer Policy Division
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- [Radio Department, Telecommunications Bureau:](#)
Department in charge of wireless communications in general

[Frequency assignment, radio operator]

Radio Policy Division
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Fixed Communications Division
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[Land mobile communications]

Land Mobile Communications Division
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[Aeronautical communications and maritime communications, satellite communications]

Mobile Satellite Communications Division
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[Certification of conformity with technical regulations]

Electromagnetic Environment Division
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[Regional Bureaus of Telecommunications:](#)

These bureaus are regional branches of MIC and act as the liaison between regional communities.

- [Hokkaido Regional Bureau of Telecommunications](#)
Tel.: +81-11-709-2311 Fax: +81-11-709-2481

- [Tohoku Regional Bureau of Telecommunications](#)
General Affairs Division
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- [Kanto Regional Bureau of Telecommunications](#)
General Affairs Division
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- [Shin-etsu Regional Bureau of Telecommunications](#)
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- [Hokuriku Regional Bureau of Telecommunications](#)
General Affairs Division
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- [Tokai Regional Bureau of Telecommunications](#)
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- [Kinki Regional Bureau of Telecommunications](#)
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- [Chugoku Regional Bureau of Telecommunications](#)
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- [Shikoku Regional Bureau of Telecommunications](#)
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- [Kyushu Regional Bureau of Telecommunications](#)
General Affairs Division
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- [Okinawa Office of Posts and Telecommunications](#)
Administration Division
Tel.: +81-98-865-2301 Fax: +81-98-865-2311

X. Reference Materials

- Telecommunications Business Law (Excerpts) 31
- Regulations for Enforcement of the Telecommunications Business Law (Excerpts)..... 38
- Examination Standards Regarding the Telecommunications Business Law (Excerpts) .. 73
- Designation Standards for Telecommunications Numbers (Excerpts) 76
- Regulations for Chief Telecommunications Engineer (Excerpts) 77
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- Radio Law (Excerpts) 81
- Regulations for Procedure for Obtaining a Radio Station License (Excerpts)..... 89

• Telecommunications Business Law (Law No. 86 of December 25, 1984) (Excerpts)

(Purpose)

Article 1.

The purpose of this Law, considering the public nature of telecommunications business, is, by ensuring the proper and reasonable operations of such business as well as promoting fair competition thereof, to secure the consistent provision of telecommunications service, to protect the users' benefit, and thereby to ensure both the sound development of telecommunications and the convenience of people, and to promote the public welfare.

(Registration of Telecommunications Business)

Article 9.

Any person who intends to operate telecommunications business shall obtain registration from the Minister. Provided, however, that the scale of telecommunications circuit facilities (meaning telecommunications circuit facilities connecting transmitting points with receiving points, switching facilities installed as inseparable units therefrom, and other facilities accessory to such facilities; hereinafter the same shall apply.) as installed by the person and the scope of areas where said telecommunications circuit facilities are installed do not exceed the standards specified in the applicable MIC ordinance, this shall not apply.

Article 10.

- (1) Any person who intends to obtain the registration stipulated in the preceding article shall, as specified in the applicable MIC ordinance, submit an application describing the following matters to the Minister:
 - i) Name and address of the applicant and, in the cases where the applicant is a juridical person, name of the representative
 - ii) Service areas
 - iii) Outline of telecommunications facilities
- (2) A written covenant stating that the applicant does not fall under any item of item i) through item iii), paragraph (1), Article 12, and other documents specified in the applicable MIC ordinance shall be attached to the application referred to in the preceding paragraph.

(Implementation of Registration)

Article 11.

- (1) When an application for the registration under Article 9 is submitted, the Minister shall register the following matters on the telecommunications carriers registration book, except where the Minister shall refuse the registration in accordance with the provisions of paragraph (1) of the following article:
 - i) Matters specified in each item of paragraph (1) of the preceding article
 - ii) Date and registration number
- (2) The Minister shall, when registered in accordance with the provisions of the preceding paragraph, send without delay to the applicant a notification to that effect.

(Refusal of Registration)

Article 12.

- (1) Where a person who has submitted an application of Article 10 paragraph (1) falls under any of the following items, or where said application or any document attached thereto includes any false entries on any important matter or fails to describe any important information, the Minister shall refuse the registration:
 - i) Any person who has been sentenced to a fine or severer penalty in accordance with the provisions of this Law, the Wire Telecommunications Law (Law No. 96 of 1953) or the Radio Law (Law No. 131 of 1950) and a term of two years has not yet elapsed since the day on which the person's sentence or suspended sentence was served out
 - ii) Any person whose registration was revoked in accordance with the provisions of Article 14 paragraph (1) if a term of two years has not yet elapsed since the day of revocation
 - iii) Any juridical person or association which has as an officer anyone who falls under any of the preceding two items
 - iv) Any person where it is deemed that the launch of telecommunications service of said person is inappropriate for the sound development of telecommunications
- (2) The Minister shall, where registration has been refused in accordance with the provisions of the preceding paragraph, notify the person concerned to that effect in writing with reasons attached thereto.

(Notification of Telecommunications Business)

Article 16.

- (1) Any person (except a person who has to obtain registration under Article 9) who intends to operate a telecommunications business shall, as specified in the applicable MIC ordinance, submit a notification to that effect to the Minister with documents that describe the following matters:
 - i) Name and address of the applicant and, in the cases where the applicant is a juridical person, name of the representative
 - ii) Service areas
 - iii) Outline of telecommunications facilities (limited to the cases where the person installs telecommunications facilities for telecommunications business under Article 44 paragraph (1))
- (2) Any person who has submitted a notification in accordance with the preceding paragraph shall, when any of the matters specified in item i) of the same paragraph has been changed, submit without delay a notification to the Minister to that effect.
- (3) Any person who has submitted a notification in accordance with the paragraph (1) shall, before it changes any of the matters specified in item ii) or item iii) of the same paragraph, submit a notification to the Minister to that effect. This shall not apply, however, to such minor changes specified in the applicable MIC ordinance.

(Suspension and Discontinuation of Business Activities, and Dissolution of Juridical Person)

Article 18.

- (1) When a telecommunications carrier has suspended or discontinued part or all of the operations of its telecommunications business, said telecommunications carrier shall submit without delay a notification to the Minister to that effect.
- (2) When a juridical person who is a telecommunications carrier has been dissolved due to reasons other than merger, the liquidator in charge (or the trustee in bankruptcy in the case of dissolution due to bankruptcy) shall submit without delay a notification to the Minister to that effect.
- (3) When a telecommunications carrier intends to suspend or discontinue part or all of the operations of its telecommunications business, as specified in the applicable MIC ordinance, the telecommunications carrier shall inform fully to that effect to users (meaning persons concluding contracts with a telecommunications carrier to receive telecommunications services. Hereinafter the same shall apply.) of said telecommunications business to be suspended and discontinued. Provided, however, that in the cases where suspension or discontinuation of a telecommunications business specified in the applicable MIC ordinance as those having a comparatively small influence on the users' benefit, this shall not apply.

(Tariffs for Universal Telecommunications Services)

Article 19.

- (1) A telecommunications carrier providing universal telecommunications services shall establish tariffs concerning terms and conditions including charges relating to the carrier's universal telecommunications services (except matters pertaining to technical requirements to be authorized in accordance with the provisions of Article 52 paragraph (1) or Article 70 paragraph (1) item i), and matters specified in the applicable MIC ordinance) and shall submit said tariffs to the Minister prior to application thereof, as specified in the applicable MIC ordinance. The same shall also apply when such tariffs are to be amended.
- (2) The Minister may, if it is deemed that the tariffs notified in accordance with the provisions of the preceding paragraph fall under any of the following items, order said telecommunications carrier providing universal

telecommunications services to change said tariffs within a reasonable time period:

- i) If calculating methods of charges are not stipulated properly and clearly.
 - ii) If the tariffs related to the responsibilities to be assumed by a telecommunications carrier and its users, and allocation methods of costs related to installation and other works of telecommunications facilities are not properly and clearly stipulated.
 - iii) If the tariffs unreasonably restrict utilization conditions of the telecommunications circuit facilities.
 - iv) If the tariffs include the provisions that unfairly discriminate against specified persons.
 - v) If due consideration is not paid to the matters relating to essential communications.
 - vi) If the tariffs impair the users' benefit because lead to illicit competition with other telecommunications carriers, or the tariffs are extremely improper in light of socioeconomic conditions.
- (3) With respect to terms and conditions including charges to be specified in tariffs in accordance with the provisions of paragraph (1), no telecommunications carrier providing universal telecommunications services shall provide said universal telecommunications services otherwise than pursuant to the tariffs notified in accordance with the provisions of the same paragraph. This shall not apply, however, where charges for said universal telecommunications services specified in the tariffs are reduced or exempted in accordance with the provisions of the following paragraph.
 - (4) A telecommunications carrier providing universal telecommunications services may, in accordance with the standards specified in the applicable MIC ordinance, reduce or exempt charges for said universal telecommunications services specified in the tariffs notified in accordance with the provisions of paragraph (1).

(Posting, Etc. of Tariffs, Etc.)

Article 23.

- (1) Any telecommunications carrier providing universal telecommunications services, designated telecommunications services or specified telecommunications services shall, as specified in the applicable MIC ordinance, publish tariffs (including the technical requirements authorized in accordance with the provisions of Article 52 paragraph (1) or Article 70 paragraph (1) item i)) notified in accordance with the provisions of Article 19 paragraph (1) or Article 20 paragraph (1) (including the cases where the provisions that shall be read as the provisions in accordance with the provisions of paragraph (4) of the same article apply) or charges authorized in accordance with the provisions of Article 21 paragraph (2) as well as post thereof at its business offices and other workplaces in a manner in which such tariffs and charges can easily be seen by the general public.
- (2) The provisions of the preceding paragraph shall apply, mutatis mutandis, to the terms and conditions pertaining to the matters specified in the applicable MIC ordinance under Article 19 paragraph (1) or Article 20 paragraph (1).

(Accountability on Terms and Conditions)

Article 26.

Telecommunications carriers and persons who perform conclusion of contracts as business of intermediary, commission or procurator concerning the provision of telecommunications services from other telecommunications carriers (hereinafter referred to as "telecommunications carrier, etc.") shall, when intending to perform conclusion of contracts, contracts as business of intermediary, commission or procurator concerning the provision of telecommunications services that are specified as telecommunications services pertaining to people's daily lives in the applicable MIC ordinance, with persons who intend to receive telecommunications services (except persons who are telecommunications carriers), explain outlines of terms and conditions including charges concerning said telecommunications services to the persons, as specified in the applicable MIC ordinance.

(Procedure for Processing Complaints, Etc.)

Article 27.

Any telecommunications carrier shall, properly and promptly, process complaints and inquiries from users (including persons who intend to receive telecommunications services and except persons who are telecommunications carriers. The same shall apply to Article 29 paragraph (2)) concerning operations methods of said telecommunications carrier pertaining to telecommunications services specified in the applicable MIC ordinance under the preceding article or telecommunications services provided by said telecommunications carrier specified in the applicable MIC ordinance under the same article.

(Order to Improve Business Activities)

Article 29.

- (1) The Minister may, if it is deemed that business activities of a telecommunications carrier fall under any of the following items, to the extent necessary to ensure the users' benefit or the public interest, order said telecommunications carrier to take actions to improve operations methods or other measures:
 - i) When there is hindrance in ensuring secrecy of communications with respect to the operations methods of

- the telecommunications carrier
- ii) When the telecommunications carrier unfairly discriminates against specified persons
 - iii) When the telecommunications carrier does not pay due consideration to the matters relating to essential communications
 - iv) When the users' benefit is impaired because of calculation methods for amounts of charges concerning telecommunications services (except universal telecommunications services or designated telecommunications services (limited to specified telecommunications services provided pursuant to terms and conditions including charges specified in security tariffs.)) provided by the telecommunications carrier are not proper and clear
 - v) When the users' benefit is impaired because terms and conditions including charges concerning telecommunications services provided by the telecommunications carrier lead to illicit competition with other telecommunications carriers, or are extremely improper in light of socioeconomic conditions
 - vi) When the users' benefit is impaired because terms and conditions (except charges. The same shall apply in the following item.) concerning telecommunications services provided by the telecommunications carrier do not properly and clearly specify matters concerning responsibilities to be assumed by the telecommunications carrier and its users, and allocation methods of costs related to installation and other works of telecommunications facilities
 - vii) When terms and conditions concerning telecommunications services provided by the telecommunications carrier unreasonably restrict utilization conditions of telecommunications circuit facilities
 - viii) When the telecommunications carrier fails to promptly make repairs or to take other actions necessary to remove the hindrance caused by an accident to the provision of telecommunications services
 - ix) When, in addition to the preceding items, the users' benefit is impaired as a result of inappropriate operations methods of the telecommunications carrier
 - x) When there is a risk of extreme impairment of the public interest because the telecommunications carrier fails to fulfill in good faith the obligations imposed by treaties or other international agreements with respect to the international telecommunications activities
 - xi) When there is a risk of extreme impairment of the public interest because proper operations of other telecommunications carriers are interfered with, due to the fact that the telecommunications carrier unfairly discriminates against a specified telecommunications carrier in interconnecting or sharing telecommunications facilities or in providing wholesale telecommunications services (meaning telecommunications services for use of telecommunications business of other telecommunications carriers. Hereinafter the same shall apply.), or to the fact that the telecommunications carrier conducts other unfair operations concerning such services
 - xii) When there is a risk of extreme impairment of the public interest because the telecommunications carrier's telecommunications business which provides telecommunications services without installing telecommunications circuit facilities for satisfying a demand pertaining to the telecommunications services makes it difficult for the telecommunications carrier to financially maintain its telecommunications circuit facilities pertaining to the same demand, which provides the telecommunications services by installing telecommunications circuit facilities which have been designed to satisfy said demand
- (2) When a telecommunications carrier violates the provisions of Article 26 or a telecommunications carrier violates the provisions of Article 27, the Minister may, to the extent necessary to ensure the users' benefit, order said telecommunications carrier to improve operations methods or take other actions.

(Authorization of Agreements, Etc. with Foreign Governments, Etc.)

Article 40.

Any telecommunications carrier shall obtain authorization from the Minister before the telecommunications carrier enters into, amends or terminates an agreement or contract with a foreign government, or person or juridical person concerning telecommunications activities and includes important matters specified in the applicable MIC ordinance.

(Maintenance of Telecommunications Facilities)

Article 41.

- (1) Any telecommunications carrier installing telecommunications circuit facilities shall maintain its telecommunications facilities (except those specified in the applicable MIC ordinance as those having a minor influence on the users' benefit in the cases of damage or failure, etc. thereof) for use of its telecommunications business in compliance with the technical conditions specified in the applicable MIC ordinance.
- (2) Any telecommunications carrier providing universal telecommunications services shall maintain its telecommunications facilities (except telecommunications facilities stipulated in the preceding paragraph) for use of its telecommunications business for providing said universal telecommunications services in compli-

ance with the technical conditions specified in the applicable MIC ordinance.

- (3) The technical conditions of the preceding two paragraphs shall be so specified as to ensure the following matters:
- i) The provision of telecommunications service shall not be extremely hindered by damage or failure of telecommunications facilities.
 - ii) Quality of telecommunications services shall maintain an appropriate level.
 - iii) Secrecy of communications shall not be violated.
 - iv) Telecommunications facilities of users or other telecommunications carriers connected shall not be damaged or impaired, nor shall functions thereof be impaired.
 - v) The demarcation of responsibilities between the telecommunications facilities of a telecommunications carrier and those of others shall be clearly stipulated.

(Self-Confirmation of Compliance of Telecommunications Facilities by Telecommunications Carriers)

Article 42.

- (1) Any telecommunications carrier installing telecommunications circuit facilities shall, as specified in the applicable MIC ordinance, when intending to start operating telecommunications facilities stipulated in paragraph (1) of the preceding article, confirm itself that said telecommunications facilities (except those specified in the applicable MIC ordinance) are in compliance with the technical conditions specified in the applicable MIC ordinance under the same paragraph.
- (2) The provisions of the preceding paragraph shall apply, mutatis mutandis, to the cases where a telecommunications carrier installing telecommunications circuit facilities intends to change matters of Article 10 paragraph (1) item iii) or Article 16 paragraph (1) item iii). In this case, "said telecommunications facilities" in the preceding paragraph shall be read as "telecommunications facilities stipulated in paragraph (1) of the preceding paragraph after said change".
- (3) Any telecommunications carrier installing telecommunications circuit facilities shall, in the cases where the telecommunications carrier has confirmed compliance in accordance with the provisions of paragraph (1) (including the cases where paragraph (1) shall apply, mutatis mutandis, in the preceding paragraph), as specified in the applicable MIC ordinance, before it starts operating telecommunications facilities stipulated in the same paragraph, submit a notification of the results of self-compliance confirmation to the Minister.
- (4) The provisions of the preceding three paragraphs shall apply, mutatis mutandis, to the case where a telecommunications carrier providing universal telecommunications services intends to start operating telecommunications facilities stipulated in paragraph (2) of the preceding article. In this case, "paragraph (1) of the preceding article" in paragraph (2) shall be read as "paragraph (2) of the preceding article".

(Administrative Rules)

Article 44.

- (1) Any telecommunications carrier shall, as specified in the applicable MIC ordinance, establish administrative rules governing telecommunications facilities for telecommunications business stipulated in Article 41 paragraphs (1) or (2) (hereinafter referred to as "telecommunications facilities for telecommunications business"), in order to ensure the reliable and stable provision of telecommunications services, and submit a notification of the administrative rules to the Minister prior to the commencement of its telecommunications business.
- (2) When a telecommunications carrier has amended its administrative rules, it shall submit without delay a notification of the amended matters to the Minister.

(Chief Telecommunications Engineer)

Article 45.

- (1) Any telecommunications carrier shall, as specified in the applicable MIC ordinance, appoint chief telecommunications engineers selected from persons who have chief telecommunications engineer's licenses, and place them in charge of the supervision of matters related to the installation, maintenance and operation of telecommunications facilities for the telecommunications business. Provided, however, that the telecommunications facilities for the telecommunications business are small scale ones or otherwise specified in the applicable MIC ordinance, this shall not apply.
- (2) Any telecommunications carrier shall, when it has appointed chief telecommunications engineers in accordance with the provisions of the preceding paragraph, submit without delay a notification to that effect to the Minister. The same shall apply to the case of the dismissal of any of its chief telecommunications engineers.

(Technical Conditions for Connection of Terminal Facilities)

Article 52.

- (1) When a telecommunications carrier receives a request from a user for the connection of his or her terminal

facilities (meaning telecommunications facilities which are to be connected to one end of telecommunications circuit facilities and part of which is to be installed on the same premises [including the areas regarded as the same premises] or in the same building where any other part thereof is also to be installed. Hereinafter the same shall apply.) with its telecommunications circuit facilities (except those specified in the applicable MIC ordinance as those having a minor influence on the users' benefit in the cases of damage or failure, etc. The same shall apply in Article 69 and Article 70.), the telecommunications carrier shall not refuse the request, except in the cases specified in the applicable MIC ordinance, including the cases where the connection does not comply with the technical conditions (including technical requirements established, subject to the authorization of the Minister, by said telecommunications carrier or other telecommunications carriers whose telecommunications facilities are connected to said telecommunications carrier specified in the applicable MIC ordinance. The same shall apply in the following paragraph and Article 69.) specified in the applicable MIC ordinance.

- (2) The technical conditions of the preceding paragraph shall be so provided as to ensure the following matters:
- i) The telecommunications circuit facilities shall not be damaged, nor shall functions thereof be impaired.
 - ii) Any nuisance shall not be caused to other users of the telecommunications circuit facilities.
 - iii) The demarcation of responsibilities between the telecommunications circuit facilities established by a telecommunications carrier and terminal facilities connected to them by a user shall be clearly stipulated.

(Connection of Customer-Owned and Maintained Telecommunications Facilities)

Article 70.

- (1) When a telecommunications carrier has received a request from any person other than a telecommunications carrier installing telecommunications circuit facilities for the connection of their telecommunications facilities (limited to those other than terminal facilities, hereinafter referred to as "customer-owned and maintained telecommunications facilities") to the carrier's telecommunications circuit facilities, the telecommunications carrier shall not refuse the request except the cases listed in the following items:
- i) When the connection of the customer-owned and maintained telecommunications facilities does not comply with the technical conditions stipulated in the applicable MIC ordinance (including technical requirements established, subject to the authorization of the Minister, by said telecommunications carrier or other telecommunications carriers specified in the applicable MIC ordinance whose telecommunications facilities are connected to said telecommunications carrier)
 - ii) When said telecommunications carrier has obtained an approval from the Minister that the connection of the customer-owned and maintained telecommunications facilities would make it difficult for said telecommunications carrier to financially maintain its telecommunications circuit facilities
- (2) The provisions of Article 52 paragraph (2) shall apply, mutatis mutandis, to the technical conditions of item i) of the preceding paragraph, and the provisions of the preceding article shall apply, mutatis mutandis, to the inspection of the connection of the customer-owned and maintained telecommunications facilities pertaining to the request of the preceding paragraph. In these cases, "the technical conditions under Article 52 paragraph (1) " in paragraphs (1) and (2) of the preceding article shall be read as "the technical conditions of Article 70 paragraph (1) item i) (including the technical requirements of the same item)".

(Approval of Business)

Article 117.

- (1) A telecommunications carrier operating telecommunications business of providing telecommunications services by installing telecommunications circuit facilities or a person who intends to operate said telecommunications business may, when intending to be applied the provisions of the following Section, by submitting an application, obtain approval for all or part of the operations of telecommunications business from the Minister by filing an application form.
- (2) Any person who intends to obtain approval shall, as specified in the applicable MIC ordinance, submit an application describing the following matters to the Minister.
- i) Name and address and, in the cases where the applicant is a juridical person, name of the representative
 - ii) Service areas of the telecommunications business pertaining to the application
 - iii) Outline of telecommunications facilities for the use of telecommunications business pertaining to the application
- (3) Documents which include the business plan specified in the applicable MIC ordinance shall be attached to the application.

(Reasons for Disqualification)

Article 118.

- (1) Any person who falls under any of the following items may not obtain approval of paragraph (1) of the

preceding article:

- i) Any person who has been sentenced to a fine or severer penalty in accordance with the provisions of this Law, the Wire Telecommunications Law or the Radio Law and a term of two years has not yet elapsed since the day on which the sentence suspended sentence served out was served out or suspended
- ii) Any person whose approval became invalid by falling under Article 125 item i) and a term of two years has not yet elapsed since the day of invalidation, or any person whose approval was revoked in accordance with the provisions of Article 126 paragraph (1) and a term of two years has not yet elapsed since the day of revocation
- iii) Any juridical person or association, any of whose officers falls under any of the preceding two items

(Approval Standards)

Article 119.

The Minister shall not grant approval under Article 117 paragraph (1), unless it is deemed that an application for approval of the same paragraph meets any of the following items:

- i) The applicant shall have an adequate financial basis and a technical capability to properly perform a telecommunications business pertaining to its application.
- ii) The plan of the telecommunications business pertaining to its application shall be reliable and rational.
- iii) The applicant shall have a registration of Article 9 necessary for operating a telecommunications business pertaining to its application or a registration of changes of Article 13 paragraph (1), or said applicant has notified Article 16 paragraph (1) or paragraph (3).

(Obligation to Commence Business)

Article 120.

- (1) Any person who has obtained approval of Article 117 paragraph (1) (hereinafter referred to as an "approved telecommunications carrier") shall commence the telecommunications business pertaining to its approval (hereinafter referred to as an "approved telecommunications business") within the term prescribed by the Minister.
- (2) The Minister may, when the Minister deems it especially necessary, prescribe the term of the preceding paragraph for each part of classified service areas of Article 117 paragraph (2) item ii).
- (3) The Minister may, at the application of an approved telecommunications carrier, extend the term of paragraph (1), when the Minister deems that there is due reason to do so.
- (4) When an approved telecommunications carrier has commenced its approved telecommunications business (in the case of the term having been prescribed for each classified service area in accordance with the provisions of paragraph (2), the approved telecommunications business pertaining to the classification), it shall submit without delay a notification to that effect to the Minister.

- **Regulations for Enforcement of the Telecommunications Business Law (MPT Ordinance No. 25 of 1985) (Excerpts)**

(Telecommunications Business Not Requiring Registration)

Article 3.

- (1) The standards specified in Article 9 of the Law shall be that the telecommunications circuit facilities to be installed fall under any of the following items:
 - i) Areas installed terminal system transmission line facilities (referring to terminal facilities or transmission line facilities connected to customer-owned and maintained telecommunications facilities; hereinafter the same shall apply.) do not extend across the boundary of an area (in cases of designated cities (simply referred to as a "designated city" in the following paragraph) under Article 252-19 paragraph (1) of the Local Autonomy Law (Law No. 67 of 1947), an area of the ward concerned) of one city, town or village (including a special ward).
 - ii) Routes of installed trunk system transmission line facilities (referring to transmission line facilities other than terminal system transmission line facilities; hereinafter the same shall apply.) do not extend across the boundary of an area of one prefecture.
- (2) When the transmission line facilities installed by a telecommunications carrier who made notification in Article 16 of the Law has ceased to comply with the standards specified in the preceding paragraph as a result of the change in the boundary of an area of a prefecture, city, town or village (including a special ward), or designated city, the telecommunications carrier may, following the provisions then in force, continue its telecommunications business without registration in Article 9 of the Law within six months from the day of the change. In cases where the carrier filed an application for registration in the article within the period and the period has elapsed, this shall apply to the application until its registration is given or denied.

(Application for Business Registration)

Article 4.

- (1) The application referred to in Article 10 paragraph (1) of the Law shall be in accordance with Form 1.
- (2) A written covenant in Article 10 paragraph (2) of the Law stating that the applicant does not fall under any item of item i) through item iii), paragraph (1), Article 12 shall be in accordance with Form 2.
- (3) Documents specified in the applicable MIC ordinance as referred to in Article 10 paragraph (2) of the Law shall be as follows:
 - i) A network diagram in accordance with Form 3
 - ii) Documents concerning telecommunications services in accordance with Form 4
 - iii) An outline of businesses conducted by the applicant other than the telecommunications business
 - iv) The following documents when the applicant is an existing juridical person:
 - a) A certified copy of the articles of incorporation or of the act of endowment and of the register
 - b) A list of officers and their curricula vitae
 - v) The following documents when the applicant intends to establish a juridical person:
 - a) A certified copy of the articles of incorporation or of the act of endowment
 - b) A list of promoters, partners or founders, their respective curriculum vitae, and documents certifying their names, addresses and dates of birth
 - vi) The following documents when the applicant is an association other than juridical persons listed in the preceding items:
 - a) An official copy of the articles of association, rules, etc. describing the purpose, organization, operations, etc. of said association
 - b) A list of officers and their respective curriculum vitae, and documents certifying the names, addresses and dates of birth
 - vii) The following documents when the applicant is an individual:
 - a) A document certifying the person's name, address and date of birth
 - b) A curriculum vitae

(Notification of Telecommunications Business)

Article 9.

- (1) Any person who intends to submit a notification of the telecommunications business in accordance with the

provisions of Article 16 paragraph (1) of the Law shall submit a notification in accordance with Form 8, with the following documents listed in each item attached thereto:

- i) A network diagram in accordance with Form 3
- ii) Documents concerning telecommunications services in accordance with Form 4
- iii) A certified copy of the articles of incorporation or of the act of endowment and of the register when the person who submits the notification is an existing juridical person:
- iv) The following documents when the person who submits the notification intends to establish a juridical person:
 - a) A certified copy of the articles of incorporation or of the act of endowment
 - b) A list of promoters, partners or founders, their curriculum vitae, and documents certifying their names, addresses and dates of birth
 - v) The following documents when the person who submits the notification is an association other than juridical persons listed in the preceding items:
 - a) An official copy of the articles of association, rules, etc. describing the purpose, organization, operations, etc. of said association
 - b) A list of officers and their respective curriculum vitae, and documents certifying the names, addresses and dates of birth
 - vi) A document certifying the person's name, address and date of birth when the applicant is an individual.
- (2) Any person who intends to submit a notification in accordance with the provisions of Article 16 paragraph (2) of the Law shall submit a notification in accordance with Form 6, with documents attached thereto certifying that the change has implemented.
- (3) Any person who intends to submit a notification in accordance with the provisions of Article 16 paragraph (3) shall submit a notification in accordance with Form 9, with a network diagram of Form 3 (this shall apply only when there is a change in the entries) attached thereto.
- (4) Notwithstanding the provisions of the preceding paragraph, when an approved telecommunications carrier submits a notification in accordance with the provisions of Article 16 paragraph (3) of the Law, shall submit the documents as specified in the following items which the notification falls under, with a network diagram of Form 3 (this shall apply only when there is a change in the entries) attached thereto.
 - i) When said approved telecommunications carrier is a fully approved telecommunications carrier and intends to obtain approval of the change pertaining to said notification in Article 122 paragraph (1) of the Law or intends to submit a notification in accordance with the provisions of paragraph (2) of the same article of the Law, the application/notification of Form 9-2 and the documents referred to in Article 40-14 paragraph (1) item i) sub-items a) and b), or the notification of Form 9-3 and the copy of the certificate of being fully approved
 - ii) When said approved telecommunications carrier is a partially approved telecommunications carrier and intends to obtain approval of the change pertaining to said notification in Article 122 paragraph (1) of the Law or intends to submit a notification in accordance with the provisions of paragraph (2) of the same article of the Law, the application/notification of Form 9-4 and the documents referred to in Article 40-14 paragraph (1) item ii) sub-items a) and b), or the notification of Form 9-5, documents referred to in sub-items c) and d) of the same item, and a copy of the certificate of being partially approved
 - iii) A notification of Form 9-6 when, with respect to the change pertaining to said notification, the telecommunications carrier intends to obtain approval of the change in Article 122 paragraph (1) or intends to discontinue its own approved telecommunications business by not submitting a notification in accordance with the provisions of paragraph (2) of the same article
 - iv) The notification of Form 9-7 and documents referred to in Article 40-14 paragraph (1) item ii) sub-items c) and d), when, with respect to the change pertaining to said notification, the telecommunications carrier intends to obtain approval of the change in Article 122 paragraph (1) of the Law or intends not to discontinue its own approved telecommunications business without submitting a notification in accordance with the provisions of paragraph (2) of the same article
- (5) When an approved telecommunications carrier submits the documents as referred to in item iii) of the preceding paragraph, it shall return the certificate of full or partial approval to the Minister, together with said documents.
- (6) When a fully approved telecommunications carrier submits the documents as referred to in item iv) of paragraph (4), it shall return its certificate of full approval to the Minister, together with said documents.
- (7) When there was a return in accordance with the provisions of the preceding paragraph, the Minister shall issue a certificate of partial approval to said fully approved telecommunications carrier.

(Reporting to Users on Suspension and Discontinuation of Business Activities)

Article 13.

- (1) When reporting on suspension and discontinuation of business activities in accordance with the provisions of Article 18 paragraph (3) of the Law, any telecommunications carrier shall inform the known users in an appropriate manner that the telecommunications business is to be suspended or discontinued, by either of the methods in the following items, within a reasonable period of time prior to the implementation thereof.
 - i) Visit
 - ii) Telephone call
 - iii) Sending written documents by mail, items of correspondence, telegram and other means
 - iv) E-mail
 - v) A method for users to browse information as stored in a file as retained in the computer via telecommunications circuits, whereby the information as supplied for browse is displayed when the user is provided with telecommunications services pertaining to the telecommunications business to be suspended or discontinued
- (2) The suspension or discontinuation of telecommunications business as specified in the applicable MIC ordinance in accordance with the proviso of Article 18 paragraph (3) of the Law shall be as follows:
 - i) Suspension or discontinuation of telecommunications business providing a telecommunications service which requires conclusion of a contract on the provision of the telecommunication service every time the user requests the provision of the telecommunications service
 - ii) In the cases of discontinuation of a telecommunications business accompanying the transfer of a telecommunications business or the merger, or divestiture or inheritance of telecommunications carriers, such discontinuation pertaining to said telecommunications service that the successor comes to continue to run as a result of said transfer or merger, or divestiture or inheritance
 - iii) In addition, suspension or discontinuation of a telecommunications business of which an influence on the users' benefit is considered to be comparatively small as it is clear viewed from the mode of usage that the purpose of communications is limited

(Notification of Tariffs Concerning Universal Telecommunications Services)

Article 15.

Any person who intends to submit a notification in accordance with the provisions of Article 19 paragraph (1) of the Law shall submit a notification of Form 13 by attaching thereto a document describing tariffs (in the case of notification of changes, the comparison of the tariffs before and after the changes) by no later than seven days prior to the day of implementation.

(Terms and Conditions Not Requiring Notification of Tariffs Concerning Universal telecommunications Services)

Article 16.

Matters as specified in the applicable MIC ordinance under Article 19 paragraph (1) of the Law shall exclude the matters listed in the following items:

- i) Names and contents of telecommunications services;
- ii) Charges relating to telecommunications services (except the handling charges and other similar charges);
- iii) Matters relating to responsibilities of the telecommunications carrier and its users;
- iv) Methods for sharing costs for works including installation of telecommunications facilities;
- v) When setting limitations on modes of use of telecommunications circuit facilities, matters relating thereto;
- vi) Methods for handling of essential communications
- vii) Technical matters necessary for smooth offering of telecommunications services;
- viii) In addition to the preceding items, matters relating to terms and conditions for offering telecommunications services of importance to the rights or duties of users; and
- ix) Service period where a valid service period is specified

(Publication of Tariffs, Etc.)

Article 22-2.

The publication of tariffs and charges in accordance with the provisions of Article 23 paragraph (1) of the Law shall be posted at business offices and other workplaces (limited to the main office or branch offices as registered in the commercial register; hereinafter the same shall apply) and shall also be posted on the Internet.

(Accountability on Terms and Conditions)

Article 22-2-2.

- (1) The telecommunications services as specified in the applicable MIC ordinance under Article 26 of the Law shall be the ones listed in the following items (except the services (except those as having a significant influence on the general consumer benefit) pertaining to the provision of additional functions, services of which

main users are thought to be judicial persons and other associations, and other services as those having a minor influence on general consumers' benefit).

- i) Telephony (limited to voice transmission services offered through the use of analog telephone facilities) and ISDN services;
 - ii) Mobile telephones and internet access services via mobile telephones and mobile telephone terminals (referring to terminal system transmission line facilities in which one end to be connected to the telecommunications facilities of users is wireless facilities (limited to ones of which the one end is connected to the mobile phone terminal installing a browser) and a telecommunications service enabling access to the Internet by using said browser);
 - iii) PHS and internet access service via PHS terminals (referring to terminal system transmission line facilities in which one end to be connected to the telecommunications facilities of users is wireless facilities (limited to ones of which the one end is connected to the PHS terminal installing a browser) and a telecommunications service enabling access to the Internet by using said browser);
 - iv) A service enabling access to the Internet (except the services listed in the preceding two items);
 - v) A service intermediating communications up to the point of interconnection to the Internet by connecting the digital subscriber line access multiplexers (DSLAMs) to terminal system transmission line facilities for analog signal transmission;
 - vi) A service intermediating communications up to the point of interconnection to the Internet by using terminal system transmission line facilities for optical signal transmission (including those for which VDSL and other telecommunications facilities are used in condominiums, etc.) in all its routes;
 - vii) A service (except the service listed in the preceding item) intermediating communications up to the point of interconnection to the Internet by using telecommunications facilities using the same lines connected to cable television broadcasting facilities (referring to "cable television broadcasting facilities" and "receiving facilities connected to the cable television broadcasting facilities," stipulated in Article 2 paragraph (2) of the Cable Television Broadcast Law (Law No. 114 of 1972); hereinafter the same shall apply.);
 - viii) A service intermediating communications up to the point of interconnection to the Internet by using terminal system transmission line facilities of which one end to be connected to the telecommunications facilities of users is wireless facilities (limited to ones of which the one end is connected to mobile terminal facilities (except mobile telephones terminals and PHS terminals));
 - ix) A service intermediating communications up to the point of interconnection to the Internet by using terminal system transmission line facilities (in the cases where part of the facilities is radio facilities, it shall be limited to the ones of which one end to be connected to the telecommunications facilities of users (including telecommunications facilities to be installed by a telecommunications carrier within a condominium, etc.) all or part of which are wireless facilities (limited to the ones pertaining to fixed radio stations. Hereinafter the same shall apply in this item.); and
 - x) A telephony service provided through voice transmission using Internet protocols at terminal system transmission line facilities
- (2) An explanation stipulated in Article 26 of the Law shall be made by delivering written documents (including catalogs, pamphlets, etc. The same shall apply in item vi.) clearly explaining the matters listed in the following items (hereinafter referred to as "matters to be explained" in this item). However, provided that persons who intend to receive telecommunications services consent to explaining them in any of the following methods instead of written documents, such methods may be used.
- i) A method of sending an electronic mail that allows the persons who intend to receive telecommunications services to output said electronic mail record to produce written documents;
 - ii) A method for the persons who intend to receive telecommunications services to browse the matters to be explained as stored in a file as retained in the computer via telecommunications circuits, whereby said persons can produce written documents by outputting the record in the file;
 - iii) In the cases where the persons cannot produce written documents as stored in a file by outputting a record in the file, a method for the persons who intend to receive telecommunications services to browse the matters to be explained as stored in a file as retained in the computer (hereinafter referred to as "applicant's file") via telecommunications circuits, whereby delivering the documents describing the matters to be explained to the persons without delay after explanation, or whereby the matters to be explained as stored in the applicant's file cannot be deleted or altered for three months from the time when being stored in the applicant's file
 - iv) A method of delivering a record of the matters to be explained to an electromagnetic disk, CD-ROM and other electromagnetic storage media;
 - v) A method of showing the matters to be explained on direct mail and other similar advertisement;
 - vi) A method of informing the matters to be explained over the telephone (limited to the cases where the

- written documents describing the matters to be explained without delay after explanation is delivered to the persons)
- (3) The explanation on terms and conditions including the charges applied to the telecommunications services stipulated in Article 26 of the Law shall be made at least for the matters listed in the following items by the time of conclusion of contracts as business of intermediary, commission or procuration concerning the provision of telecommunications services:
- i) Name of a telecommunications carrier providing telecommunications services (except the cases where the telecommunications carrier concludes an agreement on interconnection or sharing to provide telecommunications services with another telecommunications carrier and where the processing of complaints and inquiries specified in Article 27 of the Law, and collection, etc. of charges for the provision of telecommunications services is to be entrusted to said other telecommunications carrier. The same shall apply in item iii)).
 - ii) In the cases where persons who perform conclusion of contracts as business of intermediary, commission or procuration (hereinafter referred to as "agent, etc.") concerning the provision of telecommunications services (hereinafter referred to as "sales contract agent, etc.") conclude contracts concerning the provision of said telecommunications services as an agent, etc., the information to that effect and the name of said sales contract agent, etc.
 - iii) Contact points including telephone numbers and electronic mail addresses for the telecommunications carrier who provides telecommunications services, and in the cases of telephone contact points, business hours accepting claims and inquiries
 - iv) In the cases of sales contract agent, etc., contact points including telephone numbers and electronic mail addresses of said sales contract agent, etc., and, in the cases of telephone contact points, business hours accepting claims and inquiries (except the cases where the telecommunications carrier providing telecommunications services are to process claims and inquiries on the operations methods of said sales contract agent, etc.)
 - v) Descriptions of telecommunications services to be provided (including the names; types and quality of telecommunications services in accordance with the classification of paragraph (1); places where they can be provided; where restrictions are imposed on the use of said telecommunications services including emergency report and others)
 - vi) Charges applied to the person concerning the provision of telecommunications services (however, in the cases where the telecommunications carrier sets forth a number of classifications for call rates by distance, by telecommunications carrier for interconnection, by destination, and by other classification, a description of main call rate classifications that are expected to be used by general consumers, instead of a description of all call rates)
 - vii) When there expenses not included in the rates listed in the preceding item under which the person who intends to receive telecommunications services is normally required to bear, the description thereof
 - viii) When all or part of the expenses, including charges, listed in the preceding two items are discounted or free-of-charge during a fixed period, conditions including the period for said discount or free-of-charge
 - ix) When there are clauses, including the matters listed in the following sub-items, for the conditions for change or cancellation of contracts as expressed from the person who receives telecommunications services, the description thereof
 - a) When there is a limitation for the grace period in which the contract can be changed or cancelled, the description thereof;
 - b) When there is a clause for the payment of a withdrawal penalty accompanying the change or cancellation of the contract, the description thereof; and
 - c) When, in the cases of a change or cancellation of the contract, the person who receives telecommunications services needs to pay the costs incurred for returning or collecting terminal equipment that has been lent from the telecommunications carrier for the provision of telecommunications services, the description thereof
- (4) The provisions of the preceding three items shall not apply to the conclusion or agent, etc. of a pertinent contract to be concluded in accordance with the provisions of the tariffs to the effect that when a contract has been concluded with other telecommunications carriers for the provision of telecommunications services, it would mean that said contract was also concluded for the telecommunications services it provides; and contracts for the provision of telecommunications services that is to be concluded every time a pay telephone or other telecommunications service is received.
- (5) The provisions of Article 26 of the Law shall only apply for the cases listed in the following items, for any change in terms and conditions among concluded contracts concerning the provision of telecommunications services, and an explanation in that particular case shall be made for the matters specified in said each item.

- i) Of all cases of changing terms and conditions for telecommunications services stipulated in each item of paragraph (1) upon the request from the person who receives telecommunications services (limited to the matters listed in each item of paragraph (3)), cases where terms and conditions after the change concerning the provision of telecommunications services are stipulated in the same item before the change: Matters intended to be changed among the matters listed in each item of paragraph (3)
 - ii) Of all changes in terms and conditions upon request from the person who receives telecommunications services, changes for which a contract for the provision of telecommunications services stipulated in each item of paragraph (1) is to be concluded anew: Matters listed in each item of paragraph (3)
 - iii) Of all cases of changing terms and conditions for telecommunications services stipulated in each item of paragraph (1) (limited to the matters listed in each item of paragraph (3)), cases where the terms and conditions come to be disadvantageous to the person who receives telecommunications services, including the increase in rates concerning the provision of said telecommunications services: Matters to be changed among the matters listed in each item of paragraph (3)
- (6) With respect to an explanation stipulated in Article 26 of the Law, in the cases where the telecommunications carrier provides telecommunications services by concluding an agreement with other telecommunications carriers for interconnection or sharing of telecommunications facilities, and when terms and conditions, including charges, concerning telecommunications services to be provided by said telecommunications carrier (limited to the matters listed in each item of paragraph (3). Hereinafter simply referred to as "terms and conditions" in this item) is explained by said other telecommunications carriers to persons who intend to receive the telecommunications services, said explanation shall suffice when said other telecommunications carriers explain said terms and conditions.

(Application for Authorization of Agreement, Etc. with Foreign Government, Etc.)

Article 26.

Any telecommunications carrier who intends to obtain authorization under Article 40 of the Law shall submit an application of Form 20, with the following documents attached thereto:

- i) A copy of the agreement or contract
- ii) A document describing the details of the method of implementing the agreement
- iii) In the case of application for authorization of changes, a document comparing the agreements, etc. before and after the changes

(Self-Confirmation of Compliance of Telecommunications Facilities for Telecommunications Business by Telecommunications Carriers)

Article 27-3.

When intending to confirm compliance in accordance with the provisions of Article 42 paragraph (1) of the Law (including the cases where paragraph (1) shall apply, *mutatis mutandis*, in paragraphs (2) and (4) of the same article. In the following article referred to as "Self-Confirmation of Compliance of Telecommunications Facilities for Telecommunications Business by Telecommunications Carriers"), when it is deemed that the telecommunications facilities for telecommunications business are not in compliance with the technical standards specified in Article 41 paragraph (1) or (2) of the Law by verifying the compliance, the self-confirmation of compliance of telecommunications facilities for telecommunications business by telecommunications carriers shall be made by taking necessary measures for the compliance, including installation of required equipment.

(Facilities Not Requiring Self-Confirmation of Compliance of Telecommunications Facilities for Telecommunications Business by Telecommunications Carriers)

Article 27-4.

Telecommunications facilities specified in the applicable MIC ordinance under Article 42 paragraph (1) (including the cases where paragraph (1) shall apply, *mutatis mutandis*, in paragraphs (2) and (4) of the same article) of the Law shall fall under the cases listed in the following items:

- i) Cases where, with the purpose of using one's own telecommunications business, one's own telecommunications facilities that have been already made the self-compliance of telecommunications facilities for telecommunications business by telecommunications carriers have been installed using methods that have applied to said self-compliance of telecommunications facilities for telecommunications business by said telecommunications carriers (except the following cases):
 - a) With respect to the analog telephone facilities and ISDN facilities stipulated in Article 26 of the Regulations for Telecommunications Facilities for Telecommunications Business, cases of deteriorating quality of speech or quality of interconnection
 - b) With the Internet Protocol (IP) telephone facilities, cases of deteriorating quality of interconnection or overall qualities

- ii) Cases where types of telecommunications services to be provided by telecommunications carriers are changed without changing their own telecommunications facilities that have already made self-compliance of telecommunications facilities for telecommunications business by said telecommunications carriers (except the following cases):
 - a) Cases where facilities that had not fallen under analog telephone facilities, ISDN facilities or IP telephone facilities stipulated in Article 26 of the Regulations for Telecommunications Facilities for Telecommunications Business in the past come to fall under either of these telecommunications facilities for telecommunications business as a result of the change;
 - b) In addition to the cases listed in a), cases where facilities had not fall under analog telephone facilities (except the analog telephone facilities referred to a)) or mobile telephone facilities in the past come to fall under either of these telecommunications facilities for telecommunications business as a result of the change
- iii) Cases where a telecommunications carrier installs terminal equipment (except the ones that are not deemed to have no mark in accordance with the provisions of Article 55 paragraph (1) of the Law (including cases where Article 55 paragraph (1) of the Law shall apply, mutatis mutandis, in Article 61 of the Law, Article 68 of the Law, and Article 104 paragraphs (4) and (7) of the Law)) that is affixed the mark in accordance with the provisions of Article 53 paragraph (2) of the Law (including cases where Article 53 paragraph (2) of the Law shall apply, mutatis mutandis, in Article 104 paragraph (4) of the Law), Article 58 of the Law (including cases where Article 58 of the Law shall apply, mutatis mutandis, in Article 104 paragraph (7) of the Law) or Article 65 of the Law, and also interconnects them to telecommunications circuit facilities for use of its own business

(Notification of Self-Confirmation of Compliance of Telecommunications Facilities for Telecommunications Business by Telecommunications Carriers)

Article 27-5.

- (1) Any person who intends to submit a notification of commencement of business in accordance with the provisions of Article 42 paragraph (3) of the Law (including the cases where Article 42 paragraph (3) of the Law shall apply, mutatis mutandis, in paragraph (4) of the same article) shall submit a notification of Form 20-2, by attaching thereto documents stipulated in the following items with respect to telecommunications facilities for telecommunications business listed in said items:
 - i) Analog telephone facilities or ISDN facilities stipulated in Article 26 of the Regulations for Telecommunications Facilities for Telecommunications Business
 - a) Facilities and connection block diagrams of switching facilities, transmission line facilities and ancillary facilities;
 - b) An explanation concerning the installation, etc. of backup facilities for switching, transmission line and ancillary facilities;
 - c) An explanation concerning the methods of detecting and reporting failures, etc. in switching, transmission line and ancillary facilities;
 - d) An explanation concerning protection measures for restricting functions of programs received from users of telecommunications facilities or telecommunications facilities of other telecommunications carriers;
 - e) An explanation concerning the methods of detecting and dealing with abnormal traffic congestion in switching facilities;
 - f) An explanation concerning the anti-seismic measures of switching, transmission line and ancillary facilities;
 - g) An explanation of measures to counter power failures;
 - h) An explanation of measures to counter inductive interferences in line facilities;
 - i) An explanation of the automatic fire alarm and fire extinguishing equipment provided in the telecommunications equipment room, etc. where telecommunications facilities are installed;
 - j) An explanation concerning the installation of outside plant facilities;
 - k) An explanation concerning measures to prevent damage caused by natural disasters and to prevent unauthorized entry in buildings, etc. where telecommunications facilities are installed;
 - l) An explanation concerning protection measures for confidentiality of communications;
 - m) An explanation concerning measures to protect information stored in telecommunications facilities regarding users' communications;
 - n) An explanation concerning the installation of security equipment between telecommunications facilities and users or the telecommunications facilities for telecommunications business of other telecommunications carriers;
 - o) An explanation concerning the demarcation point between telecommunications facilities and users or

- other telecommunications carriers;
- p) An explanation concerning the method of confirming the normal condition of telecommunications facilities at the demarcation point mentioned in sub-item o);
- q) A document and test results for the connection conditions of terminal equipment or customer-owned and maintained telecommunications facilities (hereafter referred to as "terminal facilities, etc.") for voice transmission facilities;
- r) The calculation results corresponding to the speech quality and an explanation concerning the calculations;
- s) The design values corresponding to the interconnection quality and an explanation concerning the ground on which they are based;
- t) A list of the principal testing equipment provided at the site of business where telecommunications facilities are installed, maintained and operated;
- u) A list of the principal emergency equipment for recovery provided at the site of business where telecommunications facilities are installed, maintained and operated; and
- v) Other materials needed to supplement the documents listed in sub-items a) through u)
- ii) IP telephony facilities
 - a) Documents listed in the preceding item (except the documents listed in sub-items r) and v) of said item)
 - b) The standard values corresponding to the overall quality and an explanation concerning the measurement method;
 - c) An explanation corresponding to the measures to ensure stable quality;
 - d) Other materials needed to supplement the documents listed in sub-items a) through c)
- iii) Analog telephone facilities (except telecommunications facilities stipulated in Article 41 paragraph (2) of the Law and analog telephone facilities stipulated in paragraph (1)) or mobile telephone facilities stipulated in Article 3 paragraph (2) item iv) of the Regulations for Telecommunications Facilities for Telecommunications Business
 - a) A document listed in item i) (except the documents listed in sub-items r) and v) of the same item);
 - b) Other materials needed to supplement the documents listed in sub-item a)
- iv) Of all the telecommunications facilities in Article 41 paragraph (1) of the Law, the telecommunications facilities other than the telecommunications facilities for telecommunications business listed in the preceding three items
 - a) A document listed in item i) (except the documents listed in sub-items b), g), h), k), r), and v) of the same item);
 - b) An explanation of the automatic fire alarm and fire extinguishing equipment provided in the telecommunications equipment room where telecommunications facilities are installed
 - c) Other materials needed to supplement the documents listed in sub-items a) and b).
- v) Telecommunications circuit facilities using the same line facilities as the line facilities of cable television broadcasting facilities (limited to wire telecommunications facilities stipulated in Article 2 paragraph (2) of the Wire Telecommunications Law (Law No. 96 of 1973) except line facilities leased from other telecommunications carriers; hereinafter the same shall apply.)
 - a) An explanation concerning the demarcation point between "telecommunications facilities for telecommunications service" and "cable television broadcasting facilities except line facilities";
 - b) An explanation of testing methods of confirming the normal condition of telecommunications facilities for telecommunications services at the demarcation point mentioned in sub-item a);
 - c) An explanation concerning the degree of demarcation between the point of interconnection to terminal facilities, etc. and the subscriber terminal for the cable television broadcasting facilities (referring to a "subscriber terminal" in Article 2 paragraph (5) of the Regulations for Enforcement of the Cable Television Broadcast Law (MPT Ordinance No. 40 of 1972); and
 - d) An explanation concerning measures taken to prevent content of communications from being decoded at the point of interconnection to receiving facilities of cable television broadcasting
- vi) Telecommunications facilities stipulated in Article 41 paragraph (2) of the Law
 - a) Documents listed in item i) (except the documents listed in sub-items a), b), c), f), q), and v));
 - b) Facilities and connection block diagrams of switching, transmission line and ancillary facilities;
 - c) An explanation concerning the installation, etc. of backup facilities for switching, transmission line and ancillary facilities;
 - d) An explanation concerning the methods of detecting and reporting failures, etc. in switching, transmission line and ancillary facilities;
 - e) An explanation concerning the status of anti-seismic measures in switching, transmission line and ancillary facilities; and

- f) Other materials to supplement the documents listed in sub-items a) through e)
- (2) Any person who has submitted a notification in the preceding item shall, where any of the entries specified in the notification in the same item or documents in the same item has been changed (except the cases where there was a change as specified in Article paragraph (2) of the Law (including the cases where Article paragraph (2) of the Law shall apply, mutatis mutandis, in paragraph (4) of the same article)), submit without delay a notification of Form 20-3 to that effect to the Minister.

(Administrative Rules)

Article 28.

- (1) Any telecommunications carrier who intends to submit notification in accordance with the provisions of Article 44 paragraph (1) of the Law shall submit the notification of Form 21 by attaching thereto a copy of Administrative Rules.
- (2) Any telecommunications carrier who intends to submit notification in accordance with the provisions of Article 44 paragraph (2) of the Law shall submit the notification of Form 22.

Article 29.

The Administrative Rules stipulated in Article 44 paragraph (1) of the Law shall specify the matters listed in the following items:

- i) Matters concerning the duties and organization of the persons who manage the activities for construction, maintenance, or operations of telecommunications facilities for telecommunications business;
- ii) When a Chief Telecommunications Engineer (a person posted in accordance with the provisions of Article 3-2 paragraph (1) of the Regulations for Chief Telecommunications Engineer (MPT Ordinance of No. 27 of 1985) where a chief of telecommunications engineer is not appointed in accordance with the provisions of Article 45 paragraph (1) proviso of the Law) cannot conduct duties due to a disease, accident and other reasons, matters concerning substitute personnel who carries out duties for the chief;
- iii) Matters concerning education to the persons engaged in construction, maintenance or operation of telecommunications facilities for telecommunications business;
- iv) Matters concerning the patrol, inspection and testing in relation to construction, maintenance and operation of telecommunications facilities for telecommunications business;
- v) Matters concerning operation of telecommunications facilities for telecommunications business;
- vi) Matters concerning ensuring of confidentiality of communications in relation to construction, maintenance and operation of telecommunications facilities for telecommunications business;
- vii) Matters concerning information security measures in relation to construction, maintenance and operation of telecommunications facilities for telecommunications business;
- viii) Matters concerning reporting, recording and countermeasures to be taken in the event of an accident in relation to construction, maintenance and operation of telecommunications facilities for telecommunications business;
- ix) Matters concerning measures to be taken in the cases of emergencies including a disaster; and
- x) Other matters required for ensuring the steady and stable provision of telecommunications services in relation to construction, maintenance and operation of telecommunications facilities for telecommunications business

(Authorization of Technical Conditions)

Article 30.

Any person who intends to establish technical conditions subject to the authorization from the Minister, in accordance with the provisions of Article 52 paragraph (1) and Article 70 paragraph (1) item i) of the Law shall submit an application of Form 23, with the draft technical conditions attached thereto.

(Cases Where User's Request for Connection of Terminal Equipment Can Be Refused)

Article 31.

The cases specified in the applicable MIC ordinance under Article 52 paragraph (1) of the Law shall be the cases where a telecommunications carrier has received a request from a user for the connection of terminal equipment using radio waves (except those specified separately by the applicable MIC notice) and other terminal equipment, including pay telephones, of which connection by the user is extremely inappropriate.

(Application for Full Approval of Telecommunications Business)

Article 40-9.

- (1) A person who intends to obtain full approval (hereinafter referred to as "full approval" in this article and in Article 40-11 paragraph (1)) of telecommunications business in accordance with the provisions of Article 117 paragraph (1) of the Law shall submit the documents specified in the following items according to the re-

spective cases listed in said items:

- i) With respect to service areas pertaining to the telecommunications business (including the service areas pertaining to the interconnection of telecommunications facilities with users (except telecommunications carriers) and service areas pertaining to the interconnection of telecommunications facilities to other telecommunications carrier. The same shall apply in the following item and in paragraph (1) items i) and ii) of the following article.), in the cases where the person has already submitted an application for registration in Article 9 of the Law, or had already obtained registration in said article, or submitted an application for registration of the change in Article 13 paragraph (1) of the Law, or had obtained registration for change in said article, or in the cases where the person has submitted a notification in Article 16 paragraph (1) or paragraph (3) of the Law; An application of Form 38-4
 - ii) With respect to service areas pertaining to the telecommunications business, in the cases where the person has submitted an application for registration of change in Article 13 paragraph (1) of the Law or has not submitted a notification in Article 16 of the Law; An application of Form 38-5 or a notification/application form
- (2) A business plan in Article 117 paragraph (3) of the Law pertaining to the application for full approval shall be in accordance with Form 38-6.
- (3) The documents in the applicable MIC ordinance in Article 117 paragraph (3) of the Law pertaining to the application for full approval shall be as follows:
- i) An estimate of business revenue and expenditure in accordance with Form 38-7 for each business year to the day five years hence from the day of planned commencement of business
 - ii) A document describing the ground for the date of planned commencement of business
 - iii) The documents concerning the principal engineers listed in the following sub-items:
 - a) In the cases where the persons have been delivered a chief telecommunications engineer's license, a document stating each person's name and the type of qualification and license number of said license; and
 - b) In the cases where not falling under sub-item a), a curriculum vitae of each person
 - iv) The following documents where the applicant is an existing juridical person:
 - a) A list of officers and their curricula vitae; and
 - b) A balance sheet and a profit and loss settlement of the last business year
 - v) The following documents where the applicant is a person who intends to establish a juridical person:
 - a) A list of promoters, partners or founders, and their curricula vitae; and
 - b) Documents describing the stock subscriptions or the status of and prospects for investment
 - vi) The following documents where the applicant is an association other than juridical persons listed in the preceding item:
 - a) Curricula vitae of officers in the cases other than the cases where the applicant was registered in Article 9 of the Law or submitted an application for registration in the same article; and
 - b) Documents describing the status of assets of the association
 - vii) The following documents where the applicant is an individual:
 - a) A curriculum vitae in the cases other than the cases where the applicant was registered in Article 9 of the Law or submitted an application for registration in the same article; and
 - b) A statement of assets.
 - viii) Where the applicant is a local public entity, a copy of the assembly proceedings pertaining to engagement in a telecommunications business
 - ix) In the cases other than the cases where the applicant was registered in Article 9 of the Law or submitted an application for registration in the same article; a written covenant stating that the applicant does not fall under any item of item i) through item iii) of Article 118 of the Law
 - x) When permission or other disposition of the competent government authority is required concerning the installation of telecommunications facilities, a copy of said permit, etc. (a copy of the application in the cases where the application has been made for permission, etc.) or a document describing the status of said procedures

(Application for Partial Approval of Telecommunications Business)

Article 40-10.

- (1) Any person who intends to obtain partial approval (hereinafter referred to as "partial approval" in this article and in paragraph (2) of the following article) of telecommunications business in accordance with the provisions of Article 117 paragraph (1) of the Law shall submit the documents specified in the following items according to the respective cases listed in said items:
- i) With respect to service areas pertaining to the telecommunications business, in the cases where the person has already submitted an application for registration in Article 9 of the Law, or had already obtained reg-

- istration in said article, or submitted an application for registration of the change in Article 13 paragraph (1) of the Law, or had obtained registration for change in said article, or in the cases where the person has submitted a notification in Article 16 paragraph (1) or paragraph (3) of the Law; An application of Form 38-8
- ii) With respect to service areas pertaining to the telecommunications business, in the cases where the person has submitted an application for registration of change in Article 13 paragraph (1) of the Law or has not submitted a notification in Article 16 paragraph (3) of the Law; An application of Form 38-9 or a notification/application form
- (2) A business plan in Article 117 paragraph (3) of the Law pertaining to the application for partial approval shall be in accordance with Form 38-10.
- (3) The documents in the applicable MIC ordinance in Article 117 paragraph (3) of the Law pertaining to the application for partial approval shall be as follows:
- i) An estimate of business revenue and expenditure in accordance with Form 38-11 for each business year to the day five years hence from the day of planned commencement of business
 - ii) The documents listed in items ii) through x) of paragraph (3) of the preceding article
 - iii) Documents, including figures illustrating the configuration of telecommunications facilities and interconnection with telecommunications facilities of other telecommunications carriers and users, which confirm that there are no communications between telecommunications facilities for the use of telecommunications business pertaining to the application for approval and telecommunications facilities for the use of telecommunications business not pertaining to the application for approval, when directly interconnecting those telecommunications facilities or interconnecting those telecommunications facilities via telecommunications facilities of other telecommunications carriers

(Extension of Designated Period for Commencement of Business)

Article 40-12.

Any application for extension of the designated period for commencement of business in accordance with the provisions of Article 120 paragraph (3) of the Law (including the cases where Article 120 paragraph (3) of the Law shall apply, *mutatis mutandis*, in Article 122 paragraph (4) of the Law) shall be made by submitting an application of Form 38-12.

(Notification of Commencement of Business)

Article 40-13.

Any person who intends to file a notification of commencement of business stipulated in Article 120 paragraph (4) of the Law (including the cases where Article 120 paragraph (4) of the Law shall apply, *mutatis mutandis*, in Article 122 paragraph (4) of the Law) shall submit a notification of Form 38-13.

Form 1**(related to Article 4 paragraph (1))**

Application for Registration of Telecommunications Business

Date

H. E. The Minister for Internal Affairs and Communications;

Postal code

(Kana phonetic transcription)

Address

(Kana phonetic transcription)

Name (When written in own handwriting, the person may dispense with the need to affix the personal seal; in the cases of a juridical person, the legal name and name of the representative, when the representative writes this application in own handwriting, the need to affix the corporate seal may dispense with.)

[Seal]

Point of contact (Enter telephone numbers, etc. to be reached; where there are divisions, etc. in charge, enter names, etc. of said divisions, etc.)

Wishing to obtain registration for telecommunications business, I hereby apply as follows in accordance with the provisions of Article 9 of the Telecommunications Business Law.

1. Service area

- Notes:
1. Matters in (1) shall be entered.
 2. Where obtaining approval in Article 117 paragraph (1) of the Law, in addition to (1), matters in (2) and (3) shall be entered.
 3. Where providing specified mobile communications services, in addition to (1), matters of (2) pertaining to specified mobile communications services (however, where those matters become the same as those matters in (2) entered in accordance with Note 2, there is no need to enter them.) shall be entered.
 4. Where providing universal telecommunications services or specified telecommunications services, and specifying particular service areas for those telecommunications services, in addition to (1), matters on said telecommunications services in (2) and (3) (however, where those matters become the same as those matters in (2) and (3) entered in accordance with Note 2, there is no need to enter them.) shall be entered.

(1) Area available for providing services

- Notes:
1. Areas (so-called "service areas") where users are enabled to receive telecommunications services under a condition of generally accepted usage shall be entered.
 2. Names of prefectures as a unit shall be entered. Where service areas cover the entire country, "the entire country" shall be entered.
 3. In addition, where providing international telecommunications services (limited to the cases of providing telecommunications facilities for the use of communications of others in communicating between Japan and foreign points), names of destination countries or names of economies as quasi-countries shall be entered.

(2) Service area pertaining to connection of telecommunications facilities with users (except telecommunications carriers)

Note: In the cases where the service area covers one part of a city, town or village, the section name, etc. shall be entered; in the cases where the service area covers an entire prefecture, city, town or village, the name of said prefecture, city, town or village shall be entered; in the cases where the service area covers the entire country, "the entire country" shall be entered.

(3) Service area pertaining to interconnection of telecommunications facilities with other telecommunications carriers

Name of telecommunications carriers	Point of interconnection

- Notes:
1. One name of one telecommunications carrier per line shall be entered.
 2. Where the service area covers the entire country in (2), there is no need to enter matters in (3). Where the service area covers an entire prefecture in (2), there is no need to enter matters in (3).

2. Outline of telecommunications facilities**(1) Matters pertaining to terminal system transmission line facilities**

Area	Type

(2) Matters pertaining to trunk system transmission line facilities

Segment		Type
Originating point	Terminating point	

- Notes:
1. The definitions of "terminal system transmission line facilities" and "trunk system transmission line facilities" shall be as specified in Article 3 paragraph (1) items i) and ii).
 2. The area of installation of terminal system transmission line facilities shall be entered in a unit of a prefecture, city, town or village (in the cases of a special ward, or ward in a designated city under Article 252-19 paragraph (1) of the Local Autonomy Law; said ward). In the cases where the area of installation covers an entire prefecture, city, town or village, the name of said prefecture, city, town or village shall be entered. In the cases where the area of installation covers the entire country, the entire country shall be entered.
 3. The area of installation of terminal system transmission line facilities using an artificial satellite station, the name of the satellite station shall be entered in addition to the area, for instance, "the entire country (Satellite [NAME])."
 4. The segment of installation of trunk system transmission line facilities shall be entered as the locations of the originating and terminating points (in the cases of international circuits, names of foreign countries and names of states or cities shall be entered in the column of "Terminating point"; in the cases of trunk system transmission line facilities using an artificial satellite station, the name of the satellite shall be entered in the column of "Terminating point").
 5. With respect to the type of transmission line facilities, in the cases where said facilities are wire telecommunications facilities, the type, such as "balanced pair cable," "coaxial cable" or "optical fiber cable," etc., shall be entered; and in the case of wireless facilities, the frequency band scheduled to be used shall be entered.
 6. Where obtaining approval under Article 117 paragraph (1) of the Law (limited to the cases where obtaining partial approval of telecommunications business), matters shall be entered in accordance with the Note of Form 38-8-2 (2), and matters of 2 (2) of the same form shall also be entered.

3. Planned date of commencement of business

Note: Where planned dates of commencement of business are different by service area, those dates shall be entered by said service area.

Note: The application form shall be JIS A4-sized paper.

Form 2

(related to Article 4 paragraph (2), Article 10 paragraph (4), Article 11 paragraph (5) item vii), Article 40-9 paragraph (3) item ix), Article 40-18 paragraph (1) item iv), Article 40-18 paragraph (2) item vi) and Article 40-18 paragraph (3) item x))

Oath

Date

H. E. The Minister for Internal Affairs and Communications;

Postal code

(Kana phonetic transcription)

Address

(Kana phonetic transcription)

Name (When written in own handwriting, the person may dispense with the need to affix the personal seal; in the cases of a juridical person, the legal name and name of the representative, when the representative writes this application in own handwriting, the need to affix the corporate seal may dispense with.)

[Seal]

Point of contact (Enter telephone numbers, etc. to be reached; where there are divisions, etc. in charge, enter names, etc. of said divisions, etc.)

I hereby swear that the applicant (the reporting telecommunications carrier) (the successor of telecommunications business) for registration (approval) (authorization) (the legal name of juridical person) does not fall under any of the provisions of Article 12 paragraph (1) items i), ii) and iii) (and) (Article 118 paragraph (1) items i), ii) and iii)).

Note: The application form shall be JIS A4-sized paper.

Form 3

(related to Article 4 paragraph (3) item i), Article 5 paragraphs (1) and (2), Article 8 paragraphs (1) and (2), Article 9 paragraph (1) item i), Article 9 paragraphs (3) and (4), Article 11 paragraph (5) item ii), Article 12 paragraphs (4) and (5), Article 60-2 item i))

Network configuration

- Notes:
1. The outline of network configuration shall be described for illustrating the communications flow from users to other users or networks of other telecommunications carriers on an easy-to-understand manner by indicating telecommunications circuits which connects switching centers, concentration centers and others.
 2. Where there are points of interconnection with other telecommunications carriers, segments (routes) consisting of networks by receiving telecommunications services from other telecommunications carriers, procured facilities, etc. from other persons through the indefeasible right of user (IRU), the outline of those configuration shall be illustrated on an easy-to-understand manner and the names of said other persons and telecommunications carriers shall be also entered.
 3. Where there are many switching centers, concentration centers, etc., there is no need to enter all of them. However, the total number by prefecture shall be entered.
 4. When the network configuration cannot be illustrated on one page, the network configuration shall be illustrated on two or more pages by adequate classification, such as network layers, areas and others, so as to grasp the entire configuration.
 5. Other referable matters including names of networks shall be entered.
 6. The application form shall be JIS A4-sized paper.

Form 4

(related to Article 4 paragraph (3) item ii), Article 9 paragraph (1) item ii), Article 10 paragraph (2), Article 60-2 item ii))

Types of telecommunications services to be provided

Types of telecommunications services		Telecomm services to be provided
1	Subscriber telephone	
2	ISDN service (except long-distance telephone (or that of inter-exchange carriers) or pay telephone and international ISDN service)	
3	Long-distance telephone (except international telephone, etc.)	
4	International telephone, etc.	International telephone
		International ISDN service
5	Pay telephone	
6	Mobile telephone	
7	PHS	
8	IP telephony	Ones using telecommunications numbers stipulated in Article 9 item i) or Article 10 item ii) for providing said IP telephony service
		Ones other than those using telecommunications numbers stipulated in Article 9 item i) or Article 10 item ii) for providing said IP telephony service
9	Internet access service (except ones being Internet access service through the use of mobile telephone/PHS terminals)	
10	FTTH access service	Ones other than those using telecommunications facilities including VDSL facilities in condominium, etc.
		Ones using telecommunications facilities including VDSL facilities in condominium, etc.
11	DSL access service	
12	FWA access service	
13	Cable TV access service	
14	Internet access service through the use of mobile telephone/PHS terminals	
15	Mobile telephone/PHS packet communications access service	
16	Frame relay service	
17	ATM switching service	
18	Public wireless LAN access service	
19	IP-VPN service	
20	Wide-area Ethernet service	
21	Leased circuit service	Ones being domestic telecommunications service
		Ones being international telecommunications service
22	Value-added services using telecommunications services listed in the preceding 1 through 21	
23	Internet-related services (except IP telephony)	
24	Telegram	Cases where carrying out operations of acceptance and delivery
		Cases where not carrying out operations of acceptance and delivery
25	Telecommunications services other than telecommunications services listed in the preceding 1 through 24	

- Notes:
1. With respect to types of telecommunications services, the right column(s) shall be checked (V). However, where providing only a simple resale service, the word "Simple resale" shall be entered in the right column, and for the case of only a wholesale telecommunications service, the word "Wholesale" shall be entered.
 2. Where providing only "Internet-related services (except IP telephony)," only "Telecommunications services other than telecommunications services listed in the preceding 1 through 24" or only these two services, concrete service names, including "Electronic mail service," "Hosting service" and "IX service," shall be entered for reference.
 3. A "frame-relay service" refers to a data transmission service that transmits and exchanges packets through a frame-relay system. An "ATM switching service" refers to a data transmission service that transmits and exchanges packets through an ATM system.
 4. In addition to those defined in Note 3, definitions of types of telecommunications services shall be defined in Article 1 paragraph (2) of the Rules for Reporting on Telecommunications Business (MPT Ordinance No. 46 of 1988).
 5. With respect to the telegram business, it shall be noted that the provisions of Article 5 of the Supplementary Provisions and the provisions of the Telecommunications Business Law before amendment by the "Law to Amend the Telecommunications Business Law and the Law Concerning Nippon Telegraph and Telephone Corporation, Etc." (Law No. 125 of 2003).
 6. The application form shall be JIS A4-sized paper.

Form 8**(related to Article 9 paragraph (1), Article 60-2)**

Notification of Telecommunications Business

Date

H. E. The Minister for Internal Affairs and Communications;

Postal code

(Kana phonetic transcription)

Address

(Kana phonetic transcription)

Name (When written in own handwriting, the person may dispense with the need to affix the personal seal; in the cases of a juridical person, the legal name and name of the representative, when the representative writes this application in own handwriting, the need to affix the corporate seal may dispense with.)

[Seal]

Point of contact (Enter telephone numbers, etc. to be reached; where there are divisions, etc. in charge, enter names, etc. of said divisions, etc.)

In starting a telecommunications business, I hereby notify as follows in accordance with the provisions of Article 16 paragraph (1) (Article 165 paragraph (1)) of the Telecommunications Business Law.

1. Service area

- Notes:
- Matters in (1) shall be entered.
 - Where obtaining approval in Article 117 paragraph (1) of the Law, in addition to (1), matters in (2) and (3) shall be entered.
 - Where providing specified mobile communications services, in addition to (1), matters of (2) pertaining to specified mobile communications services (however, where those matters become the same as those matters in (2) entered in accordance with Note 2, there is no need to enter them.) shall be entered.
 - Where providing universal telecommunications services or specified telecommunications services, and specifying particular service areas for those telecommunications services, in addition to (1), matters on said telecommunications services in (2) and (3) (however, where those matters become the same as those matters in (2) and (3) entered in accordance with Note 2, there is no need to enter them.) shall be entered.

(1) Area available for providing services

- Notes:
- Areas (so-called "service areas") where users are enabled to receive telecommunications services under a condition of generally accepted usage shall be entered.
 - Names of prefectures as a unit shall be entered. Where service areas cover the entire country, please enter "the entire country."
 - In addition, where providing international telecommunications services (limited to the cases of providing telecommunications facilities for communications between Japan and foreign points for the use of communications of others), names of destination countries or names of economies as quasi-countries shall be entered.

(2) Service area pertaining to connection of telecommunications facilities with users (except telecommunications carriers)

Note: In the cases where the service area covers one part of a city, town or village, the section name, etc. shall be entered; in the cases where the service area covers an entire prefecture, city, town or village, the name of said prefecture, city, town or village shall be entered; in the cases where the service area covers the entire country, "the entire country" shall be entered.

(3) Service area pertaining to interconnection of telecommunications facilities with other telecommunications carriers

Name of telecommunications carriers	Point of interconnection

- Notes:
- One name of one telecommunications carrier per line shall be entered.
 - Where the service area covers the entire country in (2), there is no need to enter matters in (3). Where the service area covers an entire prefecture in (2), there is no need to enter matters in (3).

2. Outline of telecommunications facilities (limited to cases of installing telecommunications facilities for telecommunications business)**(1) Matters pertaining to terminal system transmission line facilities in Article 44 paragraph (1))**

Area	Type

(2) Matters pertaining to trunk system transmission line facilities

Segment		Type
Originating point	Terminating point	

- Notes:
1. The definitions of "terminal system transmission line facilities" and "trunk system transmission line facilities" shall be as specified in Article 3 paragraph (1) items i) and ii).
 2. The area of installation of terminal system transmission line facilities shall be entered in a unit of a prefecture, city, town or village (in the cases of a special ward, or ward in a designated city under Article 252-19 paragraph (1) of the Local Autonomy Law; said ward).
 3. The segment of installation of trunk system transmission line facilities shall be entered as the locations of the originating and terminating points.
 4. With respect to the type of transmission line facilities, in the cases where said facilities are wire telecommunications facilities, the type, such as "balanced pair cable," "coaxial cable" or "optical fiber cable," etc., shall be entered; and in the case of wireless facilities, the frequency band scheduled to be used shall be entered.
 5. Where obtaining approval under Article 117 paragraph (1) of the Law (limited to the cases where obtaining partial approval of telecommunications business), matters shall be entered in accordance with the Note of Form 38-8-2 (1), and matters of 2 (2) of the same form shall also be entered.

3. Planned date of commencement of business

Note: Where planned dates of commencement of business are different by service area, those dates shall be entered by said service area.

Note: The application form shall be JIS A4-sized paper.

Form 20**(related to Article 26)**

Application for Authorization of Conclusion (Amendment or Discontinuation) of Business Agreement, Etc.

Date

H. E. The Minister for Internal Affairs and Communications;

Postal code

(Kana phonetic transcription)

Address

(Kana phonetic transcription)

Name (When written in own handwriting, the person may dispense with the need to affix the personal seal; in the cases of a juridical person, the legal name and name of the representative, when the representative writes this application in own handwriting, the need to affix the corporate seal may dispense with.)

[Seal]

Date of registration or notification and registration or notification number

Point of contact (Enter telephone numbers, etc. to be reached; where there are divisions, etc. in charge, enter names, etc. of said divisions, etc.)

Wishing to obtain authorization, I hereby apply for conclusion (amendment or termination) of an agreement, etc. with a foreign government, etc. as follows, in accordance with the provisions of Article 40 of the Telecommunications Business Law.

Name and address of the other party of the agreement or contract (in the cases of a juridical person, its legal name and the name of its representative)	
Type of telecommunications services	
Names of destination countries or names of economies as quasi-countries	
Details of the agreement or contract to be concluded, amended or terminated	
Planned valid term of the agreement or contract	
In the cases of application for authorization of amendment or termination, reasons for the amendment or termination	

Notes: 1. In the right column of "Type of telecommunications services," either "Telephone" or "ISDN service" shall be entered.
2. The application form shall be JIS A4-sized paper.

Form 20-2

(related to Article 27-5 paragraph (1))

Notification of Self-Confirmation of Compliance of Telecommunications Facilities

Date

H. E. The Minister for Internal Affairs and Communications;

Postal code

(Kana phonetic transcription)

Address

(Kana phonetic transcription)

Name (When written in own handwriting, the person may dispense with the need to affix the personal seal; in the cases of a juridical person, the legal name and name of the representative, when the representative writes this application in own handwriting, the need to affix the corporate seal may dispense with.)

[Seal]

Date of registration or notification and registration or notification number

Point of contact (Enter telephone numbers, etc. to be reached; where there are divisions, etc. in charge, enter names, etc. of said divisions, etc.)

Since I have confirmed that in accordance with the provisions of Article 42 paragraph (1) (paragraph (2)) of the Telecommunications Business Law (Article 42 paragraph (1) (paragraph (2)) of the Law applied, mutatis mutandis, in Article 42 paragraph (4) of the Law), telecommunications facilities for telecommunications business are in compliance with the technical conditions specified in the applicable MIC ordinance under Article 41 paragraph (1) (paragraph (2)) of the Law, I hereby notify to that effect as follows in accordance with Article 42 paragraph (3) of the Law.

The telecommunications facilities for telecommunications business for which Self-Confirmation of Compliance of Telecommunications Facilities have been made

--

- Notes:
1. Referring to types of telecommunications services specified in Form 4, specific types of telecommunications facilities shall be entered, such as "Telecommunications facilities for the use of telecommunications business providing [NAME of service], etc.
 2. The application form shall be JIS A4-sized paper.

Form 21

(related to Article 28 paragraph (1))

Notification of Administrative Rules

Date

H. E. The Minister for Internal Affairs and Communications;

Postal code

(Kana phonetic transcription)

Address

(Kana phonetic transcription)

Name (When written in own handwriting, the person may dispense with the need to affix the personal seal; in the cases of a juridical person, the legal name and name of the representative, when the representative writes this application in own handwriting, the need to affix the corporate seal may dispense with.)

[Seal]

Date of registration or notification and registration or notification number

Point of contact (Enter telephone numbers, etc. to be reached; where there are divisions, etc. in charge, enter names, etc. of said divisions, etc.)

In accordance with the provisions of Article 44 paragraph (1) of the Telecommunications Business Law, since I have established the Administrative Rules, I hereby notify to that effect as per the paper attached hereto.

Note: The application form shall be JIS A4-sized paper.

Form 23

(related to Article 30)

Application for Authorization of Establishment (Change) of Technical Requirements

Date

H. E. The Minister for Internal Affairs and Communications;

Postal code

(Kana phonetic transcription)

Address

(Kana phonetic transcription)

Name (When written in own handwriting, the person may dispense with the need to affix the personal seal; in the cases of a juridical person, the legal name and name of the representative, when the representative writes this application in own handwriting, the need to affix the corporate seal may dispense with.)

[Seal]

Date of registration or notification and registration or notification number

Point of contact (Enter telephone numbers, etc. to be reached; where there are divisions, etc. in charge, enter names, etc. of said divisions, etc.)

In accordance with the provisions of Article 52 paragraph (1) of the Telecommunications Business Law (Article 70 paragraph (1) item i)), I hereby apply for authorization of establishment (change) of technical requirements as per the draft technical requirements attached hereto (as follows).

Reasons for change	
Date of change	

- Notes:
1. Where "other telecommunications carriers" stipulated in Article 30-2 paragraph (1) or (2) submits this application, a document certifying that said "other telecommunications carriers" have obtained an agreement shall be attached hereto.
 2. Other documents for reference to technical requirements shall be attached hereto.
 3. The application form shall be JIS A4-sized paper.

Form 38-4

(related to Article 40-9 paragraph (1) item i)

Application for Approval of All of Telecommunications Business

Date

H. E. The Minister for Internal Affairs and Communications;

Postal code

(Kana phonetic transcription)

Address

(Kana phonetic transcription)

Name (When written in own handwriting, the person may dispense with the need to affix the personal seal; in the cases of a juridical person, the legal name and name of the representative, when the representative writes this application in own handwriting, the need to affix the corporate seal may dispense with.)

[Seal]

Date of registration or notification and registration or notification number

Point of contact (Enter telephone numbers, etc. to be reached; where there are divisions, etc. in charge, enter names, etc. of said divisions, etc.)

In accordance with Article 117 paragraph (1) of the Telecommunications Business Law, wishing to obtain approval for all of telecommunications business, I hereby apply as follows.

1. Service area

Note: Entries shall be, for instance, "The same as service areas pertaining to (Application for) Registration of Article 9 of the Law (and (Application for) Registration of Change of Article 13 of the Law)," "The same as service areas pertaining to Notification of Article 16 paragraph (1) of the Law (and paragraph (3) of the same article of the Law),"etc.

2. Outline of telecommunications facilities

Note: Entries shall be, for instance, "The same as the outline of telecommunications facilities pertaining to (Application for) Registration of Article 9 of the Law (and (Application for) Registration of Change of Article 13 of the Law)," "The same as the outline of telecommunications facilities pertaining to Notification of Article 16 paragraph (1) of the Law (and paragraph (3) of the same article of the Law),"etc.

Note: The application form shall be JIS A4-sized paper.

Form 38-5

(related to Article 40-9 paragraph (1) item ii)

Notification for Registration of Change of Telecommunications Business and Application for All of Telecommunications Business

Date

H. E. The Minister for Internal Affairs and Communications;

Postal code

(Kana phonetic transcription)

Address

(Kana phonetic transcription)

Name (When written in own handwriting, the person may dispense with the need to affix the personal seal; in the cases of a juridical person, the legal name and name of the representative, when the representative writes this application in own handwriting, the need to affix the corporate seal may dispense with.)

[Seal]

Date of registration or notification and registration or notification number

Point of contact (Enter telephone numbers, etc. to be reached; where there are divisions, etc. in charge, enter names, etc. of said divisions, etc.)

In accordance with the provisions of Article 13 paragraph (1) of the Telecommunications Business Law, wishing to obtain registration of change of matters in Article 10 paragraph (1) item ii) of the Law (In accordance with the provisions of Article 16 paragraph (3) of the Telecommunications Business Law, wishing to change matters in Article 10 paragraph (1) item ii) of the Law, I hereby notify as follows), and in accordance with the provisions of Article 117 paragraph (1) of the Law, wishing to obtain approval for all of telecommunications business, I hereby apply as follows.

1. Service area

(1) Area available for providing services

Note: Entries shall be, for instance, "The same as the area available for providing services pertaining to (Application for) Registration of Article 9 of the Law (and (Application for) Registration of Change of Article 13 of the same article of the Law)," "The same as the area available for providing services pertaining to Notification of Article 16 paragraph (1) of the Law (and paragraph (3) of the same article of the Law)," etc.

(2) Service area pertaining to connection of telecommunications facilities with users (except telecommunications carriers)

Note: Entries shall follow the Note for 1 (2) of Form 1.

(3) Service area pertaining to interconnection of telecommunications facilities with other telecommunications carriers

Name of telecommunications carriers	
Point of interconnection	

Note: Entries shall follow the Note for 1 (3) of Form 1.

2. Outline of telecommunications facilities

Note: Entries shall be, for instance, "The same as the outline of telecommunications facilities pertaining to (Application for) Registration of Article 9 of the Law (and (Application for) Registration of Change of Article 13 of the Law)," etc.

Note: The application form shall be JIS A4-sized paper.

Form 38-6

(related to Article 40-9 paragraph (2))

Business Plan for Approved Telecommunications Business

1. Planned date of commencement of approved telecommunications business

Notes: 1. When commencing a telecommunications business anew, entries shall be, for instance, "The same as the planned date of commencement of telecommunications business pertaining to the application for registration of Article 9 of the Law (Registration of Article 16 of the Law)," etc.

2. When intending to obtain approval for an already commenced telecommunications business, entries shall be, for instance, "Already commenced Form 1 (related to Article 4 paragraph (1))"

2. Amounts of facilities funds and working capital necessary for commencement (operations) of approved telecommunications business, and method of procurement thereof and plan for repayment thereof

Form 38-7

(related to Article 40-9 paragraph (3) item i), Article 40- 14 paragraph (1) item i) sub-item a) (ii), Article 40-18 paragraph (2) item iii) and paragraph (3) item iv))

Estimate of Business Revenue and Expenditure

Item		Beginning date - ending date	Remarks
Revenues	Telecommunications service revenues	1,000 yen	
	(Type of) revenue		
	Other revenues		
	Total		
Expenditure	Telecommunications business expenditure		
	Labor cost		
	Expense		
	Rents		
	Repairs		
	Others		
	Depreciation		
	Usage fees for telecommunications facilities		
	Taxes and public charges		
	Others		
(Type of) business expenditure			
Other expenditures			
Corporate income tax, resident's tax and business tax			
Total			
Net profit			

- Notes: 1. With respect to businesses other than the telecommunications business, "(Type of) operating revenues and (type of) operating expenditures," etc. shall be entered.
2. As for the column of "Remarks," a basis for calculation and other referable matters shall be entered.

Form 38-8**(related to Article 40-10 paragraph (1) item i), Article 40-14 paragraph (1) item ii) d)**

Application for Approval of Part of Telecommunications Business

Date

H. E. The Minister for Internal Affairs and Communications;

Partial Approval

Postal code

(Kana phonetic transcription)

Address

(Kana phonetic transcription)

Name (When written in own handwriting, the person may dispense with the need to affix the personal seal; in the cases of a juridical person, the legal name and name of the representative, when the representative writes this application in own handwriting, the need to affix the corporate seal may dispense with.)

[Seal]

Date of registration or notification and registration or notification number

(Where applying for registration, the date of said application) Point of contact (Enter telephone numbers, etc. to be reached; where there are divisions, etc. in charge, enter names, etc. of said divisions, etc.)

In accordance with the provisions of Article 117 paragraph (1) of the Telecommunications Business Law, wishing to obtain approval for part of telecommunications business, I hereby apply as follows.

Note: With respect to the following matters, a comparative table, etc. shall be submitted for expressly indicating the differences between matters pertaining to the application for approval and other matters.

1. Service area**(1) Area available for providing services**

Note: Entries shall follow the Note of 1 (1) of Form 1.

(2) Service area pertaining to connection of telecommunications facilities with users (except telecommunications carriers)

Note: Entries shall follow the Note of 1 (2) of Form 1.

(3) Service area pertaining to interconnection of telecommunications facilities with other telecommunications carriers

Name of telecommunications carriers	
Point of interconnection	

Note: Entries shall follow the Note of 1 (3) of Form 1.

2. Outline of telecommunications facilities**(1) Matters pertaining to terminal system transmission line facilities**

Area	Type

(2) Matters pertaining to trunk system transmission line facilities

Segment			Type
Originating point	Routed via	Terminating point	

- Notes: 1. The definitions of "terminal system transmission line facilities" and "trunk system transmission line facilities" shall be as specified in Article 3 paragraph (1) items i) and ii).
 2. The area of installation of terminal system transmission line facilities shall be entered in a unit of a prefecture, city, town or village (in the cases of a special ward, or ward in a designated city under Article 252-19 paragraph (1) of the

Local Autonomy Law; said ward; the same shall apply in 4.). In the cases where the area of installation covers an entire prefecture, city, town or village, the name of said prefecture, city, town or village shall be entered. Where the area of installation covers the entire country, "the entire country" shall be entered.

3. The area of installation of terminal system transmission line facilities using an artificial satellite station, the name of the satellite station shall be entered in addition to the area, for instance, "the entire country (Satellite [NAME])."
4. Where installing the same type of terminal system transmission line facilities within the same prefecture, city, town or village for both the business pertaining to the application for approval and other telecommunications businesses, entries shall be distinguishable.
5. The segment of installation of trunk system transmission line facilities shall be entered as the locations of the originating and terminating points (names of prefectures, cities, towns or villages and names of working places; in the cases of international circuits, names of foreign countries and names of states or cities shall be entered in the column of "Terminating point"; in the cases of trunk system transmission line facilities using an artificial satellite station, the name of the satellite shall be entered in the column of "Terminating point."); and in the cases of domestic wire telecommunications facilities, names of all prefectures, cities, towns, villages, sections, etc. on the route from the originating point to the terminating point shall be entered.
6. With respect to the type of transmission line facilities, in the cases where said facilities are wire telecommunications facilities, the type, such as "balanced pair cable," "coaxial cable" or "optical fiber cable," etc., shall be entered; and in the case of wireless facilities, the frequency band scheduled to be used shall be entered.

(3) Location of installed switching facilities

Note: By location of installed switching facilities, names of all prefectures, cities, towns and villages and names of working places shall be entered.

Note: The application form shall be JIS A4-sized paper.

Form 38-9**(related to Article 40-10 paragraph (1) item ii))**Application for Registration of Change of Telecommunications Business (Notification for Change) and
Application for Approval of Part of Telecommunications Business

Date

H. E. The Minister for Internal Affairs and Communications;

Partial Approval

Postal code

(Kana phonetic transcription)

Address

(Kana phonetic transcription)

Name (When written in own handwriting, the person may dispense with the need to affix the personal seal; in the cases of a juridical person, the legal name and name of the representative, when the representative writes this application in own handwriting, the need to affix the corporate seal may dispense with.)

[Seal]

Date of registration or notification and registration or notification number

Point of contact (Enter telephone numbers, etc. to be reached; where there are divisions, etc. in charge, enter names, etc. of said divisions, etc.)

In accordance with the provisions of Article 13 paragraph (1) of the Telecommunications Business Law, wishing to obtain registration of change of matters in Article 10 paragraph (1) item ii) of the Law (In accordance with the provisions of Article 16 paragraph (3) of the Telecommunications Business Law, wishing to change matters in paragraph (1) item ii) of the same article of the Law, I hereby notify as follows), and in accordance with the provisions of Article 117 paragraph (1) of the Law, wishing to obtain approval for part of telecommunications business, I hereby apply as follows.

Note: With respect to the following matters, a comparative table, etc. shall be submitted for expressly indicating the differences between matters pertaining to the application for approval and other matters.

1. Service area**(1) Area available for providing services**

Note: Entries shall follow the Note of 1 (1) of Form 1.

(2) Service area pertaining to connection of telecommunications facilities

Note: Entries shall follow the Note of 1 (2) of Form 1.

(3) Service area pertaining to interconnection of telecommunications facilities with other telecommunications carriers

Name of telecommunications carriers	
Point of interconnection	

Note: Entries shall follow the Note of 1 (3) of Form 1.

2. Outline of telecommunications facilities**(1) Matters pertaining to terminal system transmission line facilities**

Area	Type

(2) Matters pertaining to trunk system transmission line facilities

Segment			Type
Originating point	Routed via	Terminating point	

- Notes:
1. The definitions of "terminal system transmission line facilities" and "trunk system transmission line facilities" shall be as specified in Article 3 paragraph (1) items i) and ii).
 2. The area of installation of terminal system transmission line facilities shall be entered in a unit of a prefecture, city, town or village (in the cases of a special ward, or ward in a designated city under Article 252-19 paragraph (1) of the Local Autonomy Law; said ward; the same shall apply in 4.). In the cases where the area of installation covers an entire prefecture, city, town or village, the name of said prefecture, city, town or village shall be entered. In the cases where the area of installation covers the entire country, the entire country shall be entered.
 3. The area of installation of terminal system transmission line facilities using an artificial satellite station, the name of the satellite station shall be entered in addition to the area, for instance, "the entire country (Satellite [NAME])."
 4. Where installing the same type of terminal system transmission line facilities within the same prefecture, city, town or village for both the business pertaining to the application for approval and other telecommunications businesses, entries shall be distinguishable.
 5. The segment of installation of trunk system transmission line facilities shall be entered as the locations of the originating and terminating points (names of prefectures, cities, towns or villages and names of working places; in the cases of international circuits, names of foreign countries and names of states or cities shall be entered in the column of "Terminating point"; in the cases of trunk system transmission line facilities using an artificial satellite station, the name of the satellite shall be entered in the column of "Terminating point."); and in the cases of domestic wire telecommunications facilities, names of all prefectures, cities, towns, villages, sections, etc. on the route from the originating point to the terminating point shall be entered.
 6. With respect to the type of transmission line facilities, in the cases where said facilities are wire telecommunications facilities, the type, such as "balanced pair cable," "coaxial cable" or "optical fiber cable," etc., shall be entered; and in the case of wireless facilities, the frequency band scheduled to be used shall be entered.

(3) Location of installed switching facilities

Note: By location of installed switching facilities, names of all prefectures, cities, towns and villages and names of working places shall be entered.

Note: The application form shall be JIS A4-sized paper.

Form 38-10

(related to Article 40-10 paragraph (2))

Business Plan for Approved Telecommunications Business

1. Planned date of commencement of approved telecommunications business

- Notes:
1. When intending to commence a telecommunications business anew, and where dates of commencement of approved telecommunications are different from each other by service area, entries shall be made by said service area.
 2. When intending to obtain approval for an already commenced telecommunications business, entries shall be, for instance, "Already commenced," etc.

2. Amounts of facilities funds and working capital necessary for commencement (operations) of approved telecommunications business, and method of procurement thereof and plan for repayment thereof

Form 38-11

(related to Article 40-10 paragraph (3) item i), Article 40-14 paragraph (1) item ii) sub-item a) (ii), Article 40-18 paragraph (2) item iv) and) paragraph (3) item v)

Estimate of Business Revenues and Expenditures

Item		Beginning date - ending date	Remarks
Revenues	Revenues for telecommunications business	1,000 yen	
	Revenues for approved telecommunications business		
	Revenues for non-approved telecommunications business		
	(Type of) revenue		
	Other revenues		
	Total		
Expenditures	Expenditures for telecommunications business		
	Expenditures for approved telecommunications business		
	Labor cost Expense Rents Repairs Others Depreciation Usage fees for telecommunications facilities Taxes and public charges Others		
	Expenditures for non-approved telecommunications business		
	Labor cost Expense Rents Repairs Others Depreciation Usage fees for telecommunications facilities Taxes and public charges Others		
	(Type of) business expenditure		
	Other expenditures		
	Corporate income tax, resident's tax and business tax		
	Total		
	Net profit		

- Notes: 1. With respect to businesses other than the telecommunications business, "(Type of) operating revenues and (type of) operating expenditures," etc. shall be entered.
2. With respect to businesses other than the telecommunications business, "(Type of) operating revenues and (type of) operating expenditures," etc. shall be entered.
3. As for the column of "Remarks," a basis for calculation and other referable matters shall be entered.

Form 38-12**(related to Article 40-12)**

Application for Extension of Designated Period for Commencement of Approved Telecommunications Business

Date

H. E. The Minister for Internal Affairs and Communications;

Postal code

(Kana phonetic transcription)

Address

(Kana phonetic transcription)

Name (When written in own handwriting, the person may dispense with the need to affix the personal seal; in the cases of a juridical person, the legal name and name of the representative, when the representative writes this application in own handwriting, the need to affix the corporate seal may dispense with.)

[Seal]

Date of registration or notification and registration or notification number

Point of contact (Enter telephone numbers, etc. to be reached; where there are divisions, etc. in charge, enter names, etc. of said divisions, etc.)

In accordance with the provision of Article 120 paragraph (3) of the Telecommunications Business Law (Article 120 paragraph (3) of the Law applied, mutatis mutandis, in Article 122 paragraph (4) of the Law), wishing to extend the designated period for commencement, I hereby apply.

Service area pertaining to extension	
Designated period	
Period to be extended	
Reasons for extension	

Note: The application form shall be JIS A4-sized paper.

Form 38-13

(related to Article 40-13)

Notification for Commencement of Approved Telecommunications Business

Date

H. E. The Minister for Internal Affairs and Communications;

Postal code

(Kana phonetic transcription)

Address

(Kana phonetic transcription)

Name (When written in own handwriting, the person may dispense with the need to affix the personal seal; in the cases of a juridical person, the legal name and name of the representative, when the representative writes this application in own handwriting, the need to affix the corporate seal may dispense with.)

[Seal]

Date of registration or notification and registration or notification number

Point of contact (Enter telephone numbers, etc. to be reached; where there are divisions, etc. in charge, enter names, etc. of said divisions, etc.)

Having commenced the approved telecommunications business as follows, in accordance with the provisions of Article 120 paragraph (4) of the Telecommunications Business Law (Article 120 paragraph (4) of the Law applied, mutatis mutandis, in Article 122 paragraph (4) of the Law), I hereby notify.

Date of commencement of business	
Service area	

- Notes:
1. In accordance with the provisions of Article 120 paragraph (2) of the Telecommunications Business Law (Article 120 paragraph (2) of the law applied, mutatis mutandis, in Article 122 paragraph (4) of the Law), service areas shall be entered only when periods have been designated separately.
 2. The application form shall be JIS A4-sized paper.

• Examination Standards Regarding the Telecommunications Business Law (MIC Instruction No. 75) (Excerpts)

Chapter I. General Provisions

(Purpose)

Article 1.

The purpose of this Instruction is to specify examination standards pertaining to registration, approval, authorization, designation, etc. under the provisions of the Telecommunications Business Law.

(Definition)

Article 2.

In this Instruction, the meaning of the terms listed in the following items shall be as defined in each of said items.

- i) The term "Law" means the Telecommunications Business Law (Law No. 86 of 1984).
- ii) The term "Enforcement Regulations" means the Regulations for Enforcement of the Telecommunications Business Law (MPT Ordinance No. 25 of 1985). Regulations
- iii) The term "Chief Telecommunications Engineer Regulations" means the Regulations for Chief Telecommunications Engineer (MPT Ordinance No. 27 of 1985)
- iv) The term "Telecommunications Numbers Regulations" means the Regulations for Telecommunications Numbers (MPT Ordinance No. 82 of 1997)

Chapter II. Registration for Telecommunications Business

(Intention)

Article 3.

Upon registration of a telecommunications business in accordance with the provisions of Article 9 of the Law, the registration shall be made as specified in this Chapter.

(Basic Policy for Registration)

Article 4.

In examination upon application for registration, this process will be carried out with the basic view that the examination shall contribute to the sound development of telecommunications for further promoting fair competition in the telecommunications market, etc.

(Examination Standards)

Article 5.

Registration shall be granted, with respect to the matters described in the application of Article 10 Paragraph (1) of the Law and in the attached documents of paragraph (2) of the same article, where it is deemed that the application conforms to each of the following items:

- i) In the cases where the applicant falls under any of the following sub-items or other cases, the commencement of the business has no risk of hindering fair competition in the telecommunications market.
 - a) A person who possesses virtually indispensable facilities, including utility poles, for other telecommunications carriers to deploy businesses
 - b) A person having a monopolistic status in (an)other field(s)
- ii) In addition to the conditions listed in the preceding items, in light of the purpose of the Law, the applicant's commencement of its telecommunications business does not hinder the users' benefit and the interests of Japanese nationals, and also is appropriate for the sound development of telecommunications.

Chapter IV. Approval of Telecommunications Business and Approval of Change

(Intention)

Article 7.

Upon granting approval of a telecommunications carrier in accordance with the provisions of Article 117 of the Law, or approval of change in accordance with the provisions of Article 122 of the Law, the approval shall be granted as specified in this Chapter.

(Examination Standards for Approval)

Article 8.

Approval shall be granted where it is deemed that an application for approval is in compliance with each of the following items:

- i) Related to Article 119 item i) of the Law
 - a) Where the fund raising plan for such telecommunications business by the applicant is drafted in a rational manner
 - b) Where the repayment plan for such telecommunications business by the applicant is drafted in a rational manner
 - c) Where appointment, etc. of necessary chief telecommunications engineers are supposed to be implemented in accordance with the provisions of Article 3 of the Regulations for Chief Telecommunications Engineer, by the commencement of telecommunications business
- ii) Related to Article 119 item ii) of the Law
 - a) Where the applicant's estimated revenues and expenditures are calculated in a proper and clear-cut manner, and whether these estimates are drafted in a rational manner.
 - b) Where the applicant's plan for installing telecommunications facilities is set in a rational manner, including the planned date of the commencement of business.
- iii) Related to Article 119 item iii) of the Law

The applicant shall have a registration of Article 9 necessary for operating a telecommunications business pertaining to its application or a registration of changes of Article 13 paragraph (1), or said applicant has notified Article 16 paragraph (1) or paragraph (3).

Chapter XI. Authorization of Agreements, Etc. with Foreign Governments, Etc. and Authorization of Change, Etc.

(Intention)

Article 18.

Upon granting authorization of an agreement, etc. concerning telecommunications activities with a foreign government, etc. in accordance with the provisions of Article 40 of the Law, the authorization shall be granted as specified in this Chapter.

(Examination Standards)

Article 19.

Authorization shall be granted where it is deemed that an application for approval is in compliance with each of the following items. However, in the cases where it is deemed that there are special circumstances concerning whether there is a risk of practices hindering fair competition in the telecommunications market, and the cases of a telecommunications service provided by a telecommunications carrier other than telecommunications carriers installing telecommunications circuit facilities, the provisions of items ii) and iii) may not apply to the examination. In the cases where it is deemed that there are special circumstances, the examination shall be made on the basis of the intentions of the provisions of items ii) and iii) according to said special circumstances.

- i) Foreign governments, etc. are eligible as counterparts of said agreements, etc.
- ii) Where a service provider with whom the applicant concludes agreements, etc. is a telecommunications carrier headquartered in a country other than members of the World Trade Organization, the ratio of the amount of money to be paid and received or shared (hereinafter referred to as a "accounting rate" in this Chapter) and the ratio of the communications traffic volume shared by the parties shall conform to the following sub-items from a) through c) (hereinafter referred to as a "uniform accounting rate system"). However, in cases of relay circuits via a third country, the system c) shall not apply.
 - a) Accounting rates and the method to converge yen into any other currency of payment are the same as those under other agreements, etc. with another Japanese telecommunications carrier. However, provided that said other agreements, etc. are scheduled to be changed to the same conditions between carriers involved, this shall not apply.
 - b) Amounts of accounting rates to be shared are equal for the countries at both ends.
 - c) Between the countries at both ends, the "ratio of the communications traffic volume outgoing from the applicant to carriers with whom agreements, etc. are to be concluded to the total communications traffic volume incoming to said carrier" is comparable to the "ratio of the communications traffic volume outgoing from said carriers to the applicant to the total communications traffic volume outgoing from said carriers."
- iii) In concluding agreements, etc. with carriers headquartered in a country other than members of the World Trade Organization, a telecommunications carrier informs the other party of the uniform accounting rate

- system with whom agreements, etc. are to be concluded, for making the uniform accounting rate system a prerequisite of an agreement between the parties.
- iv) Matters concerning the scope of responsibilities to be assumed between the parties are properly and clearly stipulated.
 - v) Agreements, etc. include no provisions that unfairly discriminate against one party compared with agreements, etc. the parties have concluded with other carriers.
 - vi) Security and reliability of communications are ensured.
 - vii) The parties faithfully perform their duties imposed upon them by international treaties, agreements, etc.
 - viii) Agreements, etc. have no fear of hindering the promotion of public interest such as hindering fair competition within the telecommunications market.

Chapter XII. Designation of Telecommunications Numbers

(Designation Standards for Telecommunications Numbers)

Article 20.

Upon the reception of an application of Article 15 of the Rules for Telecommunications Numbers, the Minister shall examine whether the application conforms to each of the following items, and when it is deemed to conform, designate telecommunications numbers.

- i) The number of telecommunications numbers calculated from the demands for the planned telecommunications service is rational in light of the Designation Standards for Telecommunications Numbers (Appendix 2).
- ii) The telecommunications numbers required to offer telecommunications services are adequate in light of the telecommunications service plan.

(Appendix 2)

• Designation Standards for Telecommunications Numbers

This Designation Standards shall apply to the designation of telecommunications numbers indicated in Article 16 of the Rules for Telecommunications Numbers. Demand forecasts and the required number of telecommunications numbers shall be calculated from the following calculation methods. However, this shall not apply to the cases where it is difficult to calculate them by these methods such as telecommunications carriers, etc. who submit applications for the first time.

1. Article 9 item i) of the Rules for Telecommunications Numbers (except those pertaining to paging service)

- (1) Demand forecast = (number of telecommunications numbers in use^[Note 1] + forecasts of increase in demands + number of telecommunications numbers cancelled and reserved) x fluctuation rate

Forecast in demand increase = (number increased in 12 most recent months of telecommunications numbers under in contracts with subscribers)/12 months x (number of months including the month of application until the end of the following business year)

Number of telecommunications numbers cancelled and reserved = (number of telecommunications numbers cancelled in the most recent 12 months)/12 months x 6 months

Fluctuation rate = 1.25

- (2) Number of newly required telecommunications numbers = (forecast demands - number of already designated telecommunications numbers x 10,000)/10,000

Note: Referring to the number of telecommunications numbers under contracts with subscribers through area codes/local exchange number (office codes) used at terminal system switching facilities in a number section ??

2. Other than 1 above

- (1) Demand forecast = (number of telecommunications numbers in use + forecasts of increase in demands)/usage rate

Forecasts of increase in demands = (increased number of telecommunications numbers under contracts with subscribers in 3 most recent months)/3 months [Note 1] x 13 months^[Note 1]

Usage rate^[Note 2] = 1

- (2) Number of newly required telecommunications numbers = (demand forecast - number of already designated telecommunications numbers x maximum assignable number of telecommunications numbers^[Note 3])/(maximum assignable number of telecommunications numbers^[Note 3])

Note 1: The calculation period (a period as a basis for calculating demand forecast) can be shortened so as to make the required number of telecommunications numbers minimal.

Note 2: The required number of telecommunications numbers shall be set as minimal by telecommunications numbers pertaining to the application.

Note 3: Referring to the maximum number of telecommunications numbers assignable to subscribers by one carrier prefix.

• Regulations for Chief Telecommunications Engineer (MPT Ordinance No. 27 of 1985) (Excerpts)

(Appointment, Etc. of Chief Telecommunications Engineer)

Article 3.

- (1) In accordance with the provisions of Article 45 paragraph (1) of the Telecommunications Business Law, a chief telecommunications engineer shall be selected from persons who work at each working site on a full-time basis listed in the left column of the following table and shall be appointed at each working site listed in the right column of the following **table**.

Working site	Qualifications
1. Site where telecommunications facilities (except line facilities and other facilities accessory to such facilities) are directly managed.	Person who has a Chief Transmission and Switching Engineer's License
2. Site where line facilities and other facilities accessory to such facilities are directly managed.	Person who has a Chief Line Engineer's License

- (2) Notwithstanding the preceding paragraph, in the cases where a Notice is issued separately, a chief telecommunications engineer may be appointed at one site directly supervising said working site or a chief telecommunications engineer posting at another site may serve concurrently as a chief telecommunications engineer to be appointed at said working site.

(Cases Where Chief Telecommunications Engineers Are Not Required to Be Appointed)

Article 3-2.

- (1) The cases specified in the applicable MIC ordinance under the proviso of paragraph (1) of Article 45 of the Law shall be, of the cases where areas installed telecommunications facilities for telecommunications business do not extend across the boundary of an area (in the cases of designated cities (simply referred to as a "designated city" in paragraph (3)) under Article 252-19 paragraph (1) of the Local Autonomy Law (Law No. 67 of 1947), an area of the ward concerned) of one city, town or village (including a special ward), the cases where the number of subscribers in said area is 29,999 or less, and the cases where a person who falls under any of the following items.
- i) A person who has graduated from a university (except junior colleges), under the School Education Law (Law No. 26 of 1947) or a university under the old Imperial Ordinance for University (Imperial Ordinance No. 388 of 1918), or an educational institution equivalent to or superior to such universities, with a degree in electrical engineering or telecommunications engineering, and has a two-year or longer experience in the work of construction, maintenance or operations of telecommunications facilities for telecommunications business
 - ii) A person who has graduated from a junior college or a college of technology under the School Education Law, or a university under the old Imperial Ordinance for Technical College (Imperial Ordinance No. 61 of 1903), or an educational institution equivalent to or superior to site such schools with a degree in electrical engineering or telecommunications engineering and has a four-year or longer experience in the work of construction, maintenance or operations of telecommunications facilities for telecommunications business
 - iii) A person who has graduated from a high school (upper secondary school) or junior high school (lower secondary school) under the School Education Law, or a secondary school under the old Imperial Ordinance for Secondary School ??? (Imperial Ordinance No. 36 of 1943), or an educational institution equivalent to or superior to such schools with a degree in electrical engineering or telecommunications engineering and has an eight-year or longer experience in the work of construction, maintenance or operations of telecommunications facilities for telecommunications business
 - iv) A person whom the Minister has deemed as a person who has a capability equivalent to or superior to such persons listed in any of the preceding items
- (2) Any telecommunications carrier meeting the requirements stipulated in the preceding paragraph shall, when it has appointed chief telecommunications engineers falling under any item of the preceding paragraph, report without delay to that effect to the Minister by attaching a copy of documents certifying that the persons

pertaining to said appointment have qualifications stipulated in any item of the same paragraph.

- (3) In the cases where an area of one city, town or village (including a special ward), or a ward of a designated city has been changed, with respect to telecommunications carriers who had been registered under Article 9 of the Law before said change or notified under Article 16 paragraph (1) of the Law, during a six-month period calculating from the day of said change, "an area (in the cases of designated cities (simply referred to as a "designated city" in paragraph (3)) under Article 252-19 paragraph (1) of the Local Autonomy Law (Law No. 67 of 1947), an area of the ward concerned) of one city, town or village (including a special ward)" in paragraph (1) shall be read as "an area (in the cases of designated cities (simply referred to as a "designated city" in paragraph (3)) under Article 252-19 paragraph (1) of the Local Autonomy Law (Law No. 67 of 1947), an area of the ward concerned) of one city, town or village (including a special ward) and an area (in the cases of designated cities, an area of the ward concerned) of one city, town or village (including a special ward)".

(Notification of Appointment, Etc.)

Article 4.

When a person who intends to submit a notification stipulated in Article 45 paragraph (2) of the Law, it shall submit a notification for appointment or dismissal of chief telecommunications engineers in accordance with Form of Table 1 to the Minister.

Form of Table 1

(related to Article 4)

Notification for Appointment or Dismissal of Chief Telecommunications Engineers

Date

H. E. The Minister for Internal Affairs and Communications;

Address

Name (When written in own handwriting, the person may dispense with the need to affix the personal seal; in the cases of a juridical person, the legal name and name of the representative, when the representative writes this application in own handwriting, the need to affix the corporate seal may dispense with.)

[Seal]

Having appointed or dismissed chief telecommunications engineers as follows, I hereby notify to that effect in accordance with the provisions of Article 45 paragraph (2) of the Telecommunications Law.

Names and addresses of working sites where chief telecommunications engineers have appointed or dismissed	
Appointed chief telecommunications engineers	Name and date of birth
	Address
	Type and license number of chief telecommunications engineer's license
	Where chief telecommunications engineers details of duties are involved in duties other than duties of chief telecommunications engineer
	Outline of telecommunications facilities pertaining to supervision of chief telecommunications engineer
	Date of appointment
Dismissed chief telecommunications engineers	Name and date of birth
	Address
	Type and license number of chief telecommunications engineer's license
	Date of dismissal

(JIS A4-sized paper)

Note: When descriptions of the notification are limited to appointment or dismissal, either column of "Appointed chief telecommunications engineers" or "Dismissed chief telecommunications engineers" shall be checked by diagonal lines.

- **Rules for Telecommunications Numbers
(MPT Ordinance No. 82 of November 17, 1997) (Excerpts)**

(Application for Designation of Telecommunications Numbers)

Article 15.

- (1) Any telecommunications carrier who intends to obtain the designation of telecommunications numbers shall submit to the Minister an application of Form 1.
- (2) Documents attached to the application of the preceding paragraph shall enter the following items:
 - i) Reasons for requiring telecommunications numbers
 - ii) Number of telecommunications numbers required and demand forecast for supporting thereof
 - iii) Telecommunications service plans pertaining to the number of telecommunications numbers required
 - iv) Methods to manage telecommunications numbers
 - v) Network configurations (referring to ones expressly indicating telecommunications facilities necessary for using telecommunications numbers including demarcation points with other telecommunications carriers)
 - vi) Matters confirming requirements stipulated in Table 2 (except the cases of intending to obtain designation of telecommunications numbers stipulated in Article 11)
 - vii) In addition to matters listed in the preceding items, matters particularly necessary for designating telecommunications numbers
- (3) When changing matters listed in each item of the preceding paragraph, the telecommunications carrier shall, prior to implementation thereof, submit a notification of Form 2. However, this shall not apply to the minor change stipulated in Table 3.

Form 1 Application for Designation of Telecommunications Numbers (related to Article 15 paragraph (1))

Application for Designation of Telecommunications Numbers

Date

H. E. The Minister for Internal Affairs and Communications;

Postal code

(Kana phonetic transcription)

Address

(Kana phonetic transcription)

Name (When written in own handwriting, the person may dispense with the need to affix the personal seal; in the cases of a juridical person, the legal name and name of the representative, when the representative writes this application in own handwriting, the need to affix the corporate seal may dispense with.)

[Seal]

Date of registration or notification and registration or notification number

Wishing to obtain designation of telecommunications numbers, I hereby apply in accordance with the provisions of Article 15 paragraph (1) of the Rules for Telecommunications Numbers

Note of Matters

- i) Reasons for requiring telecommunications numbers
- ii) Number of telecommunications numbers required and demand forecast for supporting thereof
- iii) Telecommunications service plans pertaining to the number of telecommunications numbers required
- iv) Methods to manage telecommunications numbers
- v) Network configurations
- vi) Matters confirming requirements stipulated in Table 2
- vii) In addition, matters particularly necessary for designating telecommunications numbers

- Notes:
1. When written in own handwriting, the person may dispense with the need to affix the personal seal; in the cases of a juridical person, the legal name and name of the representative, when the representative writes this application in own handwriting, the need to affix the corporate seal may dispense with.
 2. With respect to reasons for requiring telecommunications numbers, concrete reasons for requiring telecommunications numbers and clauses of the Rules for Telecommunications Numbers stipulating said telecommunications numbers shall be entered.
 3. With respect to number of telecommunications numbers required and demand forecast for supporting thereof, the number of telecommunications numbers (including demand forecast) and planned dates of using those numbers shall be entered.
 4. With respect to telecommunications service plans pertaining to the number of telecommunications numbers required, details on telecommunications services to be offered shall be entered.
 5. With respect to methods to manage telecommunications numbers, concrete methods concerning management of telecommunications numbers shall be entered.
 6. With respect to network configurations, communications routes related to telecommunications numbers, locations (including names of cities, towns and villages) of necessary telecommunications facilities stipulated in Article 15 paragraph (2) and demarcation points shall be entered.
 7. With respect to matters confirming requirements stipulated in Table 2, requirements stipulated in the same table shall be expressly entered.
 8. The application form shall be JIS A4-sized paper.

• Radio Law (Law No. 131 of May 2, 1950) (Excerpts)

Article 4.

Any person who wishes to establish a radio station shall obtain a license from the Minister. This shall not apply to:

- i) Radio stations operating with extremely low power of emission as specified in the applicable MIC ordinance.
- ii) Radio stations that operate in the frequency band of 26.9 to 27.2 MHz with antenna power of 0.5 watts or less and are specified in the applicable MIC ordinance, and which exclusively use radio equipment affixed with a mark pursuant to the provisions of Article 38-7 paragraph (1) (including Article 38-31 paragraph (4) to which the provisions of Article 38-7 paragraph (1) shall apply, mutatis mutandis), Article 38-26 (including Article 38-31 paragraph (6) to which the provisions of Article 38-26 shall apply, mutatis mutandis) or Article 38-35 (except one deemed having no mark pursuant to the provisions of Article 38-23 paragraph (1) (including Article 38-29, Article 38-31 paragraphs (4) and (6) and Article 38-38 to which the provisions of Article 38-23 paragraph (1) shall apply, mutatis mutandis); hereinafter referred to as “radio equipment with conformity mark”).
- iii) Radio stations with antenna power of 0.01 watts or less as specified in the applicable MIC ordinance, which automatically transmit the call signs or call names designated under the provisions of the following article, or which may operate without causing interference with or disturbance to the operation of other radio stations by being equipped with receiving functions and other functions specified by the applicable MIC ordinance, and which exclusively use Radio Equipment with Conformity Mark.
- iv) Radio stations which are established after obtaining the registration specified in Article 27-18 paragraph 1 (hereinafter referred to as “registered stations”)

(Disqualification)

Article 5.

- (1) No radio station license shall be granted to any person who falls under any of the items below.
 - i) A person not holding Japanese nationality
 - ii) A foreign government or its representative
 - iii) A foreign juridical person or organization
 - iv) A juridical person or organization which is represented by any person referred to in the preceding three items, or one third or more officers of which are such persons, or one third or more voting rights of which are made up of the aggregate of voting rights held by such persons
- (2) The provisions of the preceding paragraph shall not apply to the following radio stations:
 - i) Experimental radio stations (meaning radio stations used exclusively for experimentation aimed at scientific or technological development; hereinafter the same shall apply.)
 - ii) Amateur radio stations (meaning radio stations established for conducting radio communications as a hobby; hereinafter the same shall apply.)
 - iii) Radio stations on board ships (meaning radio stations established on board ships (except experimental radio stations and amateur radio stations; hereinafter the same shall apply.) whose purpose is other than conducting telecommunications service (meaning telecommunications service of item vi) of Article 2 of the Telecommunications Business Law (Law No. 86 of 1984); hereinafter the same shall apply), and which are established on board ships provided in Article 29-7 of the Law for Safety of Vessels (Law No. 11 of 1933)
 - iv) Radio stations on board aircraft (meaning radio stations established on board aircraft (except experimental radio stations and amateur radio stations; hereinafter the same shall apply.) whose purpose is other than conducting telecommunications service; hereinafter the same shall apply), and which are established on board aircraft to aviate between places within Japanese territory with permission of the proviso in Article 127 of the Civil Aeronautics Law (Law No. 231 of 1952)
 - v) Radio stations (exclusively used for radio communications service between specific fixed points) which are established for the purpose of official service, in an embassy, legation, or consulate and which are established by the government of a country or its representative that permits the Government of Japan or its representative to establish radio stations of a similar kind within the territory of that country
 - vi) Radio stations which are established on mobile objects including automobiles or for portable use, or fixed radio stations (except those with the purpose of conducting telecommunications service) established on land for the purpose of communicating with those mobile radio stations or receiving equipment for portable use.
 - vii) Radio stations established for the purpose of conducting telecommunications service

- viii) Radio stations established on land for the purpose of controlling position and attitude, etc. of an artificial satellite equipped with radio equipment of a radio station for the purpose of conducting telecommunications service
- (3) A radio station license may not be granted to any of the following persons:
- i) Any person who has been sentenced to a fine or severer penalty for a crime provided in this Law or the Broadcast Law (Law No. 132 of 1950), if a period of two years has not elapsed since the day the sentence was served out or the suspension of such sentence expired.
 - ii) Any person whose radio station license was revoked, under the provisions of Article 75 paragraph (1) or Article 76 paragraph (3) (except item iv)) or paragraph (4), if a period of two years
 - iii) Any person whose attestation was revoked, under the provisions of Article 27-15 paragraph (1) (except item iii)), if a period of two years has not elapsed since the day of the revocation.
 - iv) Any person whose registration of Article 27-18 paragraph (1) was revoked, under the provisions of Article 76 paragraph (5) (excluding item (iii)), if a period of two years has not elapsed since the day of the revocation.
- (4) and (5) (Omitted)

(Application for a License)

Article 6.

- (1) Any person who wishes to obtain a radio station license shall submit to the Minister an application together with a document describing the following items:
- i) Purpose
 - ii) Reason for the need to establish the radio station
 - iii) Person(s) with whom the radio communications is conducted and communications subjects
 - iv) Location of radio equipment (meaning, of mobile stations, for artificial satellites, the orbit or the position, and for those other than artificial satellite stations, radio stations on board ship, ship earth stations (meaning radio stations established on board ship for the purpose of telecommunications service and of conducting radio communications via artificial satellite stations; hereinafter the same shall apply.), radio stations on board aircraft (except that which conducts radio communications solely via artificial satellite stations, the same shall apply in paragraph (4)) and aircraft earth stations (meaning radio stations established onboard aircraft and of conducting radio communications solely via artificial satellite stations; hereinafter the same shall apply.), the operating area; hereinafter the same shall apply except in Article 18.).
 - v) Type of radio waves, desirable frequency range and antenna power.
 - vi) Desirable operation-permitted hours (meaning hours during which the operation is possible; hereinafter the same shall apply.).
 - vii) Construction design, and scheduled completion date of the construction of the radio equipment (including equipment installed in accordance with the provisions of Articles 30 and 32; the same shall apply to item ii) of the following paragraph, Article 10 paragraph (1), Article 12, Article 17, Article 18, Article 24-2 paragraph (4), the proviso of Article 73 paragraph (1), Article 73 paragraph (5) and Article 102-18 paragraph (1)).
 - viii) Expected commencement date of operation.
- (2) through (5) (Omitted)
- (6) Any person who wishes to obtain a license for an artificial satellite station shall enter scheduled launching time, term of normal operation, and area of position enabling its station to fulfill the mission in the document of paragraph (1) or (2), in addition to the particulars referred to in the same paragraphs.
- (7) Any application for radio station (except those specified in the applicable MIC ordinance) which falls under any of the following items, and which uses frequency of which the Minister issues a public notice, shall be submitted within the period specified in the public notice of the Minister
- i) A mobile radio station established on land for the purpose of conducting telecommunications service (limited to service areas which cover the entire area of one or more prefecture(s))
 - ii) A fixed radio station established on land for the purpose of conducting telecommunications service which communicates with the radio station under the preceding item
 - iii) An artificial satellite station established for the purpose of conducting telecommunication service
 - iv) A radio station for broadcasting
- (8) The period under the preceding paragraph shall be one month or longer by each frequency band, and the public notice of the period under the provisions of the same paragraph shall also include the zone area where the applicant for radio station license may install radio equipment of the radio station, or other particulars for convenience of license application.

(Examination of Applications)

Article 7.

- (1) When receiving an application of paragraph (1) of the preceding article, without delay, the Minister shall examine whether it conforms to all of the following items:
 - i) The conformity of the construction design to the technical regulations specified in Chapter III.
 - ii) The feasibility of frequency assignment.
 - iii) In addition to particulars referred to in the preceding two items, the conformity to the essential standards for establishment of radio stations (except the radio stations to broadcast (except radio stations for the purpose of conducting telecommunications service)) specified in the applicable MIC ordinance.
- (2) through (5) (Omitted)
- (6) When deemed necessary in examining an application, the Minister may request the applicant to appear in person or submit any additional information.

(Pre-Permit)

Article 8.

- (1) When determining, as a result of the examination under the provisions of the preceding article, that the application conforms to each item of paragraph (1) or each item of paragraph (2) of the same article, the Minister shall issue a pre-permit of the radio station to the applicant, designating the following particulars:
 - i) Completion date of the construction work
 - ii) Type of radio waves and frequency
 - iii) Call sign (including beacon sign), call name, and identification signal specified in the applicable MIC ordinance (hereinafter referred to as "identification signal")
 - iv) Antenna power
 - v) Permitted operations hours
- (2) When determining appropriate upon receipt of an application submitted by a person who has obtained the prepermit, the Minister may extend the completion date of item i) of the preceding paragraph.

(Inspection after Completion of Construction Work)

Article 10.

- (1) A person who has obtained a pre-permit of Article 8 shall, when the construction work has been completed, submit a notification to the Minister and obtain the inspection for the radio equipment, the qualifications of radio operators (including that which is related to requirements of radio operators in full charge provided in Article 39 paragraph (3), ship station radio operator attestation of Article 48-2 paragraph (1), distress traffic operators provided in Article 50 paragraph (1); the same shall apply to Articles 12), the necessary number of radio operators, timepiece and documents (hereinafter referred to as "radio equipment, etc.>").
- (2) A part of the inspection of the preceding paragraph may be omitted where a person who wishes to have the inspection of the same paragraph submits to the Minister documents on which the results of an inspection on the radio equipment, etc., conducted by the person registered under Article 24-2 paragraph (1) or Article 24-13 paragraph (1) in accordance with the provisions of the applicable MIC ordinance are entered.

(Licensing)

Article 12.

The Minister shall grant a license to the applicant without delay when determining, as a result of the inspection in accordance with the provisions of Article 10, that the radio equipment conforms to the construction design of Article 6 paragraph (1) item vii) or paragraph (2) item i) of the same article (the construction design when a construction design has been changed in accordance with the provisions of Article 9 paragraph (1)), and that the qualifications or the number of radio operators are not contrary to the provisions of Articles 39, or Article 39-13, Article 40 and Article 50, and that the timepiece or documents are not contrary to the provisions of Article 60.

(Valid Term of Licenses)

Article 13.

- (1) The valid term of licenses for radio stations shall be specified in the applicable MIC ordinance within five years calculated from the day of a license granted. However, renewal may be allowed.
- (2) and (3) (Omitted)

(Licenses)

Article 14.

- (1) When granting a license, the Minister shall issue a license.
- (2) The following particulars shall be entered on a license:
 - i) Date and reference number of the license

- ii) Name or appellation and address of licensee (meaning a person who has obtained a radio station license; hereinafter the same shall apply.)
 - iii) Category of the radio station
 - iv) Purpose of the radio station
 - v) Person with whom the radio communications is conducted and communications subjects
 - vi) Location of the radio equipment
 - vii) Valid term of the license
 - viii) Identification signal
 - ix) Type of radio waves and frequencies
 - x) Antenna power
 - xi) Permitted operation hours
- (3) (Omitted)

(Simplified Licensing Procedures)

Article 15.

Irrespective of the provisions of Articles 6 and Articles 8 through 12, the simplified procedures may apply, as specified in the applicable MIC ordinance, to renewing a license in accordance with the proviso in Article 13 paragraph (1) and to a license for a radio station which solely uses radio equipment with conformity mark, or to a license for other radio stations specified in the applicable MIC ordinance.

(Special Case of a License for the Specified Radio Station)

Article 27-2.

A person who wishes to operate more than two radio stations which are specified in the applicable MIC ordinance and use only the Radio Equipment with the Mark Indicating Conformity of radio stations emitting only the radio waves of frequencies automatically selected by receiving the radio waves from a radio station with which radio communications is conducted (hereinafter referred to as "specified radio station"), may apply for a blanket license for these specified radio stations in accordance with the provisions of the following article through Article 27-11, where such specified radio stations share the same purpose, same person with whom radio communications is conducted, same type of radio waves and frequency, and same regulations of radio equipment (solely those specified in the applicable MIC ordinance).

(Application for a License for the Specified Radio Station)

Article 27-3.

- (1) Any person who wishes to obtain the license of the preceding article shall submit an application to the Minister along with a document, on which the following particulars entered:
 - i) Purpose
 - ii) Reasons for the necessity to establish the radio stations
 - iii) Person (s) with whom the radio communications is conducted
 - iv) Type of radio waves, desirable frequency range and antenna power
 - v) Construction design of the radio equipment
 - vi) Maximum number of operational radio stations (meaning the maximum number of radio stations to be operated simultaneously during the term of validity of a license.)
 - vii) Expected commencement date of operation (meaning the earliest expected commencement date of operation of various specified radio stations)
- (2) Any person who wishes to obtain the license of the preceding paragraph, where conducting radio communications with a foreign artificial satellite station, shall enter on the document of the preceding paragraph such particulars as the orbit or position of the artificial satellite, the particulars related to the radio station to be established on land for the purpose of controlling the position and attitude, etc. of the artificial satellite and other particulars specified in the applicable MIC ordinance in addition to those particulars referred to in the same paragraph.

(Examination of Application)

Article 27-4.

When receiving an application of the preceding article paragraph (1) without delay, the Minister shall examine whether it conforms to the following items:

- i) The feasibility of frequencies assignment
- ii) In addition to the particulars referred to in the preceding items, the conformity to the essential standards for the establishment of the specified radio stations specified in the applicable MIC ordinance.

(Grant of Blanket License)

Article 27-5.

- (1) When determining, as a result of the examination under the provisions of the preceding article, that the application conforms to each item of the same article, the Minister shall issue a license to the applicant, designating the following particulars:
 - i) Type of radio waves and frequencies
 - ii) Antenna power
 - iii) Number of designated radio stations (meaning the maximum number of specified radio stations operating simultaneously; hereinafter the same shall apply.)
 - iv) Deadline for the commencement date of operation (meaning the earliest commencement date of operation of more than one specified radio stations)
- (2) When granting the license of the preceding paragraph (hereinafter referred to as "blanket license"), the Minister shall issue a license on which the following particulars and designated particulars in accordance with the same paragraph are entered:
 - i) Date and reference number of the blanket license
 - ii) Name or appellation and address of the blanket licensee (meaning a person who has obtained a blanket license; hereinafter the same shall apply.)
 - iii) Category of the specified radio station
 - iv) Purpose of the specified radio station
 - v) Person with whom the radio communications is conducted
 - vi) Valid term of a blanket license
- (3) The valid term of the blanket license shall be specified in the applicable MIC ordinance within five years from the day the blanket license granted. However, renewal may be allowed.

(Registration)

Article 27-18

- (1) Any person who wishes to establish a radio station having a function of securing, when radiating emissions, not radiating emissions for a specific time by receiving emissions of the same frequency as that of said emissions and a radio station which can be operated so as not to cause interference or any other disturbance which would impair the operation of other radio stations having radio equipment of the same standards (limited to those prescribed in the applicable MIC ordinance; this also applies hereafter) and which are prescribed in the applicable MIC ordinance and which use only radio equipment with an indication of compliance, within the area prescribed in the applicable MIC ordinance, shall obtain registration from the Minister of Internal Affairs and Communications.
- (2) Any person who wishes to obtain registration of the preceding paragraph shall submit an application stating the particulars described in the items below to the Minister of Internal Affairs and Communications in accordance with the provisions of the applicable MIC ordinance:
 - i) Name and address of the applicant, and if it is a juridical person, name of its representative
 - ii) Standards of radio equipment of a radio station which the person wishes to establish
 - iii) Installation site of radio equipment
 - iv) Frequency and antenna power
- (3) The application of the preceding paragraph shall be accompanied by a document describing the purpose of establishment and other matters prescribed in the applicable MIC ordinance.

(Implementation of Registration)

Article 27-19

When an application for registration under paragraph (1) of the preceding article is submitted, the Minister shall register the following matters on the integrated radio stations database prescribed in Article 103-2 paragraph (4) item (ii), except where the Minister refuses the registration in accordance with the provisions of the following article:

- i) Matter described in each item of paragraph (2) of the preceding article
- ii) Date of registration and registration number

(Refusal of Registration)

Article 27-20

- (1) When an application for registration under Article 27-18 paragraph (1) falls under any of the following items, the Minister shall refuse the registration:
 - i) When the installation site of the radio equipment pertaining to the application is outside the area prescribed in the applicable MIC ordinance of Article 27-18 paragraph (1)
 - ii) When there is any false statement concerning an important matter or lack of an important matter in the

application form or document attached thereto

- (2) When an application for registration under Article 27-18 paragraph 1 falls under any of the following items, the Minister may refuse the registration:
 - i) When the applicant falls under any of the items of Article 5 paragraph (3)
 - ii) When it is prohibited based on the provisions of Article 76-2-2 to establish a radio station pertaining to the registration which uses the same frequency as that of a radio station pertaining to the application or when the operation of a registered station is restricted
 - iii) When the establishment of a radio station pertaining to the application does not conform to a frequency assignment plan or when it is considered that proper use of emissions might be impaired, in addition to the cases of the two preceding items

(Valid Term of Registration)

Article 27-21

The valid term of registration under Article 27-18 paragraph 1 shall be specified in the applicable MIC ordinance within a period not exceeding 5 years calculated from the day of registration. However, renewal may be allowed.

(Registration Certificate)

Article 27-22

- (1) The Minister shall, when making registration under Article 27-18 paragraph (1), issue a registration certificate to the applicant.
- (2) The matter specified in each item of Article 27-19 shall be entered in the registration certificate of the preceding paragraph.

(Special Case of Registration)

Article 27-29

- (1) Any person who wishes to establish two or more radio stations for which the person shall obtain registration under Article 27-18 paragraph (1) within the area specified in the applicable MIC ordinance of the same paragraph may obtain registration of the same paragraph for these radio stations as a blanket target based on the provisions from this article through Article 27-34 if these radio stations have the same frequency and radio equipment with the same standards.
- (2) Any person who wishes to obtain registration under the provisions of the preceding paragraph shall submit an application form describing the items listed below to the Minister based on the provisions of the applicable MIC ordinance:
 - i) Name and address of the applicant, and if it is a juridical person, name of its representative
 - ii) Standards of radio equipment of a radio station which the person intends to establish
 - iii) Area where the person intends to install radio equipment (for a mobile radio station, a moving range)
 - iv) Frequency and antenna power
- (3) The application of the preceding paragraph shall be accompanied by a document describing the purpose of establishment and other matters prescribed in the applicable MIC ordinance.

(Notification of Establishment of Radio Stations)

Article 27-31

A blanket registrant shall, when establishing a radio station pertaining to the registration (except when the blanket registrant obtains re-registration and continues to establish said radio station), submit to the Minister the commencement date of operation of the radio station, the installation site of the radio equipment, and other matters specified in the applicable MIC ordinance for each of the radio stations within a period of 15 days prescribed in the applicable MIC ordinance.

(Exemption, etc. Concerning Blanket Registrants)

Article 27-34

- (1) The provisions of Article 27-23 and Article 27-26 paragraph (2) shall not apply to a blanket registrant.
- (2) Concerning the application of the provisions of Article 27-19, Article 27-20, Article 27-22 paragraph (2), Article 27-24, Article 27-27 and Article 27-28 concerning the registration based on the provisions of Article 27-29 paragraph (1), “paragraph (1) of the preceding article” in Article 27-19 shall be read as “based on the provisions of Article 27-29 paragraph (1); “the following article” shall be read as “the following article which is replaced and applied in Article 27-34 paragraph (2); “each item of paragraph (2) of the preceding article” shall be read as “each item of Article 27-29 paragraph (2)”; “registration of Article 27-18 paragraph (1)” in Article 27-20 shall be read as “registration based on the provisions of Article 27-29 paragraph (1)”; “installation site” in Article 27-29 paragraph (1) item (i) shall be read as “area where the person intends to install (for a mobile radio station, a moving range)”; “is” shall be read as “includes the area of”; “each item of Article 27-19” in

Article 27-22 paragraph (2) shall be read as “each item of Article 27-19 which is replaced and applied in Article 27-34 paragraph (2)”; “each item of Article 27-20 paragraph (2)” in Article 27-24 paragraph (1) shall be read as “each item of Article 27-20 paragraph (2) which is replaced and applied in Article 27-34 paragraph (2)”; “the preceding paragraph” in paragraph (2) of the same article shall be read as “the preceding paragraph which is replaced and applied in Article 27-34 paragraph (2); and “paragraph (2) of the preceding article” in Article 27-27 and “Article 27-26 paragraph (2)” in Article 27-28 shall be read as “Article 27-33.”

(Registration of Registered Certification Agencies)

Article 38-2.

- (1) With respect to radio equipment to be used for small-scale radio stations as specified by the applicable MIC ordinance (hereinafter referred to as "specified radio equipment"), a person who conducts the business of certifying such radio equipment's conformity with the technical regulations specified in the preceding Chapter (hereinafter referred to as "technical regulations conformity certification ") may obtain registration from the Minister according to the following categories of business (in the following paragraph, Article 38-5 paragraph (1), Article 38-10, Article 38-31 paragraph (1) and Table No. 3 attached hereto, referred to as " category of business ").
 - i) Business to conduct the technical regulations conformity certification service for specified radio equipment pertaining to a radio station as stipulated in Article 4 item ii) or iii)
 - ii) Business to conduct the technical regulations conformity certification service for specified radio equipment pertaining to a blanket license
 - iii) Business to conduct the technical regulations conformity certification service for other specified radio equipment than those specified in the preceding two items
- (2) through (4) (Omitted)

(Certification of Conformity with Technical Regulations, etc.)

Article 38-6

- (1) A registered certification agency shall, when requested by a person who wishes to obtain the certification of conformity with technical regulations pertaining to its registration, conduct examinations in accordance with the applicable MIC ordinance and grant technical regulations conformity certification only when the specified radio equipment pertaining to said request is deemed to conform to the technical regulations set forth in the preceding chapter.
- (2) A re-registered certification agency shall, upon granting technical regulations conformity certification regarding its registration, notify the Minister of the category of the specified radio equipment which received technical regulations conformity certification and other particulars specified in the applicable MIC ordinance.
- (3) (Omitted)
- (4) (Omitted)

(Certification of Construction Type of Specified Radio Equipment)

Article 38-24.

- (1) A registered certification agency, upon request from a person who conducts business of dealing in specified radio equipment, shall certify that the construction type of said specified radio equipment (including the method to verify each equipment conforms to said construction type) conforms to the technical regulations specified in the preceding Chapter (hereinafter referred to as "certification of construction type").
- (2) A registered certification agency shall, upon receipt of request for certification of construction type pertaining to its registration, conduct an examination in accordance with the provisions of the applicable MIC ordinance, and shall grant the certification of construction type only when deemed that the construction type conforms to the technical regulations specified in the preceding Chapter and that any and all specified radio equipment based on said construction type is ensured to conform to said construction type.
- (3) (Omitted)

(Self-Confirmation of Technical Regulations Conformity, Etc.)

Article 38-33.

- (1) A manufacturer or an importer of the radio equipment, which is stipulated in the applicable MIC ordinance, in consideration of the technical regulations, usage modes, etc. of radio equipment among specified radio equipment, as the one which rarely causes interference or other disturbance that severely jam the operation of other radio stations (hereinafter referred to as " special specified radio equipment "), may confirm by itself that the construction type (including the methods to verify each equipment conforms to the type) of the special specified radio equipment conforms to the technical regulations specified in the preceding Chapter.
- (2) A manufacturer or an importer shall conduct verification in accordance with the applicable MIC ordinance, and shall then conduct the confirmation under the provisions of the preceding paragraph (hereinafter re-

ferred to as “ self-confirmation of technical regulations conformity ” ; The same shall apply in the following paragraph.), only when it is deemed that the construction type of the special specified radio equipment conforms to the technical regulations specified in the preceding Chapter and that any and all specified radio equipment based on said construction type is ensured to conform to said construction type.

- (3) 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) Category 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
- (4) A person who notified under the provisions of the preceding paragraph (hereinafter referred to as “ notified supplier ”) shall prepare and maintain record books of the verification under paragraph (2) of this article, in accordance with the applicable MIC ordinance.
- (5) 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.
- (6) The Minister shall, when received a notification under paragraph (3) of this article, issue a public notice to that effect pursuant to the applicable MIC ordinance. The same shall apply when a notification was submitted under the preceding paragraph and there was any change in the matters included in the public notice.
- (7) The Minister shall, when establishing, modifying or abolishing such ministerial ordinance as specified in paragraph (1) of this article, consult with the Minister for Economy, Trade and Industry.

(Mandatory Inquiry)

Article 99-11.

- (1) The Minister shall inquire of the Radio Regulatory Council in any of the following cases:
- i) through iii) (Omitted)
 - vi) When the Minister grants a pre-permit of a radio station in accordance with the provisions of Article 8; or permits changes in construction designs in accordance with the provisions of Article 9 paragraph (1); or permits changes in broadcasting subjects in accordance with Article 9 paragraph (4) or the latter part of Article 17 paragraph (1); or grants a blanket license in accordance with the provisions of Article 27-5 paragraph (1); or grants establishment plan attestation in accordance with the provisions of Article 27-13 paragraph (1); or designates a designated training agency in accordance with Article 39-2 paragraph (1); or designates a designated examinations executing agency in accordance with Article 46 paragraph (1); or changes designated frequencies, etc. of radio stations or orders the frequency, etc. of the registered radio station and the transfer of the position of radio facilities of an artificial satellite radio station in accordance with the provisions of Article 71 paragraph (1); or designates a designated frequency change support agency with Article 71 paragraph (3); or designates a radio propagation blockage prevented area in accordance with the provisions of Article 102-2 paragraph (1); or designates the center in accordance with the provisions of Article 102-17 paragraph (1); or designates a designated calibration agency in accordance with the provisions of Article 102-18 paragraph (1).
- (2) Of the particulars referred to in the preceding paragraph, the Minister may take administrative dispositions without referring to the Radio Regulatory Council to matters which the Council determines to be less important.

- **Regulations for Procedure for Obtaining a Radio Station License
(Radio Regulatory Commission Rules No. 15 of 1950) (Excerpts)**

(Application Form)

Article 3.

Application forms stipulated in Article 6 of the Radio Law shall, according to the classification in the upper column of the following table, be as listed in the lower column of the same **table**:

Classification	Application forms
i) Personal radio and amateur stations	Table No. 1
ii) Other radio stations	Table No. 1-2

(Documents, Etc. to Be Attached)

Article 4.

- (1) Documents to be attached to the application of the preceding article in accordance with the provisions of Article 6 of the Law shall be a note of radio station matters and a document describing construction types; and matters other than matters pertaining to construction types of radio facilities shall be entered in the note of radio station matters and matters pertaining to construction types of radio facilities shall be entered in the document describing construction types.
- (2) Forms of the note of radio station matters and the document describing construction types shall be as listed in the following **table**.

Classification	Forms of the note of radio station matters and the document describing construction types	
	Form of the note of radio station matters	Form of the document describing construction types
i) Broadcasting station (except broadcasting satellite station and broadcasting test-satellite station)	1 of Table No. 2	1 of Table No. 2-2
ii) Emergency station, meteorological aid station, standard frequency station, station for special service, coast station, base station, portable base station, radio paging station, land mobile relay station, land station, mobile station, specified experimental station and experimental station	2 of Table No. 2	2 of Table No. 2-2
iii) Fixed station	2 of Table No. 2	3 of Table No. 2-2
iv) Aeronautical station, radio beacon station, radio navigation land station, radio location land station, radio location mobile station and radio determination station	2 of Table No. 2	4 of Table No. 2-2
v) Coast earth station, aeronautical earth station, portable base earth station, portable mobile earth station and earth station	2 of Table No. 2	5 of Table No. 2-2
vi) Ship station (except ship stations using radio telephony having antenna power of 5 watts or lower for which the Minister separately issues a Notice (hereinafter referred to as a "specified ship station"))	3 of Table No. 2	6 of Table No. 2-2
vii) Ship earth station	3 of Table No. 2	5 of Table No. 2-2
viii) Aircraft station	4 of Table No. 2	7 of Table No. 2-2
ix) Aircraft earth station	4 of Table No. 2	5 of Table No. 2-2
x) Broadcasting satellite station and broadcasting test-satellite station	5 of Table No. 2	8 of Table No. 2-2
xi) Artificial satellite station and space station	6 of Table No. 2	8 of Table No. 2-2
xii) Convenience radio station (except personal radio), premises radio station, land mobile station, portable station and on-board communication station	1 of Table No. 2-3	
xiii) Personal radio	2 of Table No. 2-3	
xiv) Specified ship station, automatic distress messaging station and radio navigation mobile station	3 of Table No. 2-3	
xv) Amateur station	4 of Table No. 2-3	

(Number, Etc. of Copies of Documents to Be Submitted)

Article 8.

- (1) Any person who intends to apply for radio station license listed in the upper column of the following table shall submit an application for license and documents attached thereto to the Minister or Directors-General of the Regional Bureaus of Telecommunications (including Director-General of the Okinawa Office of Posts and Telecommunications; hereinafter the same shall apply.), according to the classification in the upper column of the following table, by attaching the number of copies of documents listed in the lower column of the following table thereto. Provided, however, that the Minister or Directors-General of the Regional Bureaus of Telecommunications reduced the number of copies of documents or does not require the submission, this shall not apply.

Classification	Documents
i) Broadcasting station, standard frequency station, station for special service, fixed station, coast station, aeronautical station, radio paging station, land mobile relay station, land station, mobile station, radio beacon station, radio navigation land station, radio location land station, radio determination station, specified experimental station, experimental station, artificial satellite station, space station, coast earth station, aeronautical earth station, portable base earth station, ship earth station, aircraft earth station, earth station, amateur station (limited to amateur stations opened at a satellite and amateur stations for remotely control radio facilities of amateur stations opened at a satellite (hereinafter referred to as an "amateur station of satellite, etc.)) and meteorological aid station	Two copies each of the note of radio station matters and the document describing construction types
ii) Emergency station, simple radio station (except personal radio and radio stations using radio control oscillators (referring to oscillators for the use of radio control for model aircraft, model boat and the like; hereinafter the same shall apply.)), base station, portable base station, ship station, automatic distress informing station, aircraft station, on-board communications station, radio navigation mobile station, radio location mobile station and premises radio station	One copy each of the note of radio station matters and the document describing construction types

- (2) The Minister or Directors-General of the Regional Bureaus of Telecommunications shall, when having granted a pre-permit (provisional license) in accordance with the provisions of Article 8 paragraph (1) of the Law, certify that one copy of said copies in accordance with the provisions of the preceding paragraph is a copy of submitted documents and return the certified copy to the applicant. However, when the Minister or Directors-General of the Regional Bureaus of Telecommunications have granted a pre-permit for an application for a license which has been made through an electronic information processing organization prescribed in Article 3 paragraph (1) of the Law Concerning Use of Information Communications Technology in Administrative Procedures, etc. (Law No. 151 of 2002), the copy under the provisions of the preceding paragraph shall be construed to have been certified by the Minister or Directors-General of the Regional Bureaus of Telecommunications and to have been returned to the applicant.

(Notification of Granting Pre-permit)

Article 10.

When having granted a pre-permit (provisional license) in accordance with the provisions of Article 8 paragraph

(1) of the Law, the Minister or Directors-General of the Regional Bureaus of Telecommunications shall notify the applicant to that effect in writing.

(Notification of Completion of Construction Work)

Article 13.

A notification of completion of construction work in accordance with the provisions of Article 10 of the Law shall be submitted in writing to the Minister or Directors-General of the Regional Bureaus of Telecommunications.

(Simplified Licensing Procedures for Radio Station Using Radio Equipment with Conformity Mark)

Article 15-4.

- (1) The Minister or Directors-General of the Regional Bureaus of Telecommunications shall, where it is deemed that an application for license of radio stations using only radio equipment with conformity mark conforms to each item of Article 7 paragraph (1) of the Law after the examination of the application, designate a type of radio waves and frequency, call sign (including beacon sign; hereinafter the same shall apply.) or call name, antenna power and permitted operations hours, and grant a license for radio station.
- (2) The provisions of Article 8 paragraph (2) of the Law shall apply, mutatis mutandis, to the case of having granted license for radio station with respect to the application of the preceding paragraph.
- (3) Each procedure of a pre-permit stipulated in Article 8 of the Law, changes of construction types stipulated in Article 9 of the Law, an inspection after completion of construction work stipulated in Article 10 of the Law and rejection of licensing stipulated in Article 11 of the Law shall not apply to the license of paragraph (1).

(Unit of Application for Blanket License)

Article 20-4.

Any application for blanket license of specified radio stations shall be submitted by unit according to the same purpose of the specified radio stations, the same person with whom radio communications is conducted, the same type of radio waves and frequency, and the same standard of radio equipment stipulated in Article 15-3 of the Regulations for Enforcement of the Radio Law.

(Application Form, Etc. for Blanket License)

Article 20-5.

- (1) The application form of Article 27-3 paragraph (1) of the Law shall be in accordance with Table No. 1-3.
- (2) Documents to be attached to the application of the preceding paragraph in accordance with the provisions of Article 27-3 paragraph (1) of the Law shall be the note of radio station matters and the document describing construction types and the form shall be in accordance with Table No. 2-4.

(Examination and Blanket Licensing)

Article 20-9.

Any Directors-General of the Regional Bureaus of Telecommunications shall, where it is deemed that an application for renewal of license of specified radio stations conforms to each item of Article 27-4 of the Law after the examination of the application in accordance with the provisions of the same items of the same article, designate the following matters, and grant a license for radio station.

- i) Type of radio waves and frequency
- ii) Antenna power
- iii) Number of designated radio stations

(Application Form for Registration, etc.)

Article 25-10

- (1) The application form under Article 27-18 paragraph (2) of the Law shall be in accordance with Table No. 1-4.
- (2) The items prescribed in the applicable MIC ordinance of Article 27-18 paragraph (3) of the Law shall be as follows:
 - i) Category of a radio station
 - ii) Expected commencement date of operation
 - iii) Desired valid period of registration
 - iv) For a mobile radio station, a site where the radio station is installed on a permanent basis
 - v) Contents of the construction type of radio equipment
- (3) The forms of documents to be attached to an application under Article 27-18 paragraph (2) of the Law shall be in accordance with Table No. 2-5.

(Application Form for Blanket Registration, etc.)

Article 25-17

- (1) The application form under Article 27-29 paragraph (2) of the Law shall be in accordance with Table No. 1-4.

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- (2) The items prescribed in the applicable MIC ordinance of Article 27-29 paragraph (3) of the Law shall be as follows:
 - i) Category of a radio station
 - ii) Desired valid period of registration
 - iii) Expected commencement date of operation (meaning the earliest expected date out of the expected dates when the operation of respective registered stations is commenced)
 - iv) Estimated number of radio stations which are simultaneously established during the valid period of registration
 - (3) The forms of documents to be attached to an application form under Article 27-29 paragraph (2) of the Law shall be in accordance with Table No. 2-5.

(Notification of Establishment of Registered Stations, etc.)

Article 25-23

- (1) The items prescribed in the applicable MIC ordinance of Article 27-31 of the Law shall be as follows:
 - i) Commencement date of operation
 - ii) Installation site of radio equipment (for a mobile radio station, a moving range and a site where the radio station is installed on a permanent basis)
 - iii) Name and address of the registrant and if it is a juridical person, name of its representative
 - iv) Date when a registered station has been established
 - v) Date of registration
 - vi) Registration number
 - vii) Contents of the construction type of radio equipment
- (2) When two or more mobile radio stations pertaining to one blanket registration have been simultaneously established, the notification prescribed in Article 27-31 of the Law may be submitted using one notification form. In this case, the number of radio stations which have been established shall be described in the notification form.
- (3) The notification prescribed in Article 27-31 of the Law shall be submitted using the form specified in Table No. 5-11.
- (4) (Omitted)

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