

Radio Law

(Law No. 131 of May 2, 1950)

As amended last by: Law No. 48 of June 15, 2001

(Unofficial Translation)

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The Ministry of Public Management, Home Affairs, Posts and Telecommunications,
Japan

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Chapter I. General Provisions

(Purpose)

Article 1.

The purpose of this Law is to promote public welfare by ensuring the equitable and efficient utilization of radio waves.

(Definitions)

Article 2.

With respect to interpreting this Law and orders issued thereunder, the following definitions shall be taken:

- i) "Radio waves" means electromagnetic waves of frequencies up to 3,000,000MHz.
- ii) "Radiotelegraphy" means communications equipment devoted to transmitting or receiving codes by radio waves.
- iii) "Radiotelephony" means communications equipment devoted to transmitting or receiving voices and other sounds by radio waves.
- iv) "Radio equipment" means radiotelegraphy, radiotelephony or any other electric equipment used for transmission and/or reception of radio waves.
- v) "Radio station" means a unit of radio equipment with the person (s) to operate radio equipment. However, this shall not include those used solely for receiving purposes #.
- vi) "Radio operator" means a person who operates radio equipment or supervises such operation, and holds a license granted by the Minister of Public Management, Home Affairs, Posts and Telecommunications.

The Regulations for Enforcement of the Radio Law, Article 5.

(Conventions Related to Radio Waves)

Article 3.

If any Convention provides otherwise for radio waves, the provisions shall prevail.

Chapter II. Licenses for Radio Stations

(Establishment of Radio Stations)

Article 4.

Any person who wishes to establish a radio station shall obtain a license from the Minister of Public Management, Home Affairs, Posts and Telecommunications. This shall not apply to:

- i) Radio stations operating with extremely low power of emission as specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications #.
- ii) Citizen radio stations (meaning those which operate in the frequency band of 26.9 to 27.2 MHz with antenna power of 0.5 watts or less and is specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications #, and which exclusively use radio equipment issued with technical regulations conformity certification of Article 38-2 paragraph (1).
- iii) Radio stations with antenna power of 0.01 watts or less as specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications, which automatically transmit the call signs or call names designated under the provision 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 ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommu-

nications, and which exclusively use radio equipment with the Certification of Conformity with Technical Standards under Article 38-2 paragraph (1).

The Regulations for Enforcement of the Radio Law, Article 6.

(Designation, Etc. of Call Signs or Call Names)

Article 4-2.

When an application is submitted by a person who seeks the designation of a call sign or a call name of a radio station with regard to the radio equipment used for the radio station referred to in item iii) of the preceding article, the Minister of Public Management, Home Affairs, Posts and Telecommunications shall designate such a call sign or a call name in accordance with the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications #.

The Regulations for Enforcement of the Radio Law, Article 6.

(Disqualification)

Article 5.

(1) No radio station license shall be granted to:

- 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, if a period of two years has not elapsed since the day of the revocation.
 - 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.
- (4) With respect to radio stations (except those for the purpose of telecommunications service, the radio stations of relay-broadcasting for preventing reception disturbance and the radio stations of artificial satellites (hereinafter referred to as “artificial satellite stations”) which broadcast their programming directly in accordance with entrustment by other persons) which transmit radio communications aimed at direct reception by the general public (hereinafter referred to as “broadcast”), irrespective of the provisions of paragraph (1) and the preceding paragraph, no radio station license is granted to any of the following persons:
- i) Any person referred to in the paragraph (1) items i) through iii), or in each item of the preceding paragraph.
 - ii) A juridical person or organization, of which any person referred to in paragraph (1) items i) through iii) is an officer executing the business, or in which any person (s) referred to in paragraph (1) items i) through iii) holds one fifth or more of the aggregate of voting rights.
 - iii) A juridical person or organization, whose officer falls under any item in the preceding paragraph.
- (5) Relay broadcasting for preventing reception disturbance provided in the preceding paragraph means a television broadcasting with a receiving disturbance zone to a great extent (meaning the television broadcasting referred to in Article 2 item ii-5) of the Broadcast Law; hereinafter the same shall apply.) or which receives a multiplex broadcasting multiplexed on the radio waves of the television broadcasting (meaning the multiplex broadcasting referred to in item ii-6) of the same article; hereinafter the same shall apply.) and retransmits all the broadcast programming thereof intact and simultaneously for the reception in the disturbance zone, except the broadcasting originated by a person who has been granted a license for a radio station which transmits the television broadcasting and the multiplex broadcasting multiplexed on the radio waves of the television broadcasting related to the disturbance.

(Application for a License)

Article 6.

- (1) Any person who wishes to obtain a radio station license shall file with the Ministry of Public Management, Home Affairs, Posts and Telecommunications an application together with a document describing the following items:
- i) Purpose
 - ii) Reason for a necessity 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 satellite stations; hereinafter the same shall apply.), radio stations on board aircraft (except that which conducts radio communications solely via satellite stations, the same shall apply in paragraph (4)) and aircraft earth stations (meaning radio stations established on board

- aircraft and of conducting radio communications solely via 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 Article 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 (1), the proviso of Article 73 paragraph (1), Article 73 paragraph (5) and Article 102-18 paragraph (1)).
 - viii) Expected commencement date of operation.
- (2) Any person who wishes to obtain a radio station license for broadcast purpose (except the ones for the purpose of conducting telecommunications service. In paragraph (7) item iv), the following article paragraph (2) item ii) and item iv), paragraph (3), Article 14 paragraph (3) and Article 17 paragraph (1), the same shall apply.) shall, irrespective of the provisions of the preceding paragraph, submit an application to the Minister of Public Management, Home Affairs, Posts and Telecommunications along with a document, on which the following particulars are entered:
- i) Particulars referred to in the preceding paragraph items i), ii), and iv) through viii).
 - ii) Disbursing methods of expenses for constructing the radio equipment and for operating the radio station.
 - iii) Business plan, and estimated revenue and expenditure.
 - iv) Broadcast subjects.
 - v) Service area.
- (3) Any person who wishes to obtain a license for a ship station (meaning radio stations on board ships other than those whose equipment is only an emergency position indicating radio beacon or radar; hereinafter the same shall apply) shall enter the following particulars in the document of paragraph (1), in addition to the particulars referred to in the same paragraph;
- i) The following particulars related to the ship:
 - a) Owner
 - b) Purpose
 - c) Gross tonnage
 - d) Navigation areas
 - e) Principal mooring port
 - f) Identification code signal
 - g) Passenger capacity in case of a passenger ship
 - h) Whether engaged on international voyage
 - j) Whether exempted from installing radiotelegraphy or radiotelephony in accordance with the provisions of the proviso of Article 4 paragraph (1) of the Law for Safety of Vessels
 - ii) Measures to be taken in case of a ship which shall take measures in accordance with the provisions of Article 35
- (4) Any person who wishes to obtain a license for an aircraft station (meaning radio stations on board aircraft other than those equipment is only radar; hereinafter the same shall apply) shall enter the following particulars in the document of paragraph (1), in addition to the particulars referred to in the same paragraph:
- i) Owner
 - ii) Purpose
 - iii) Type
 - iv) Aviation area
 - v) Usual ground location

- vi) Registered mark
 - vii) Whether it is required to be equipped with radio equipment in accordance with the provisions of Article 60 of the Civil Aeronautics Law.
- (5) Any person who wishes to obtain a license for an aircraft earth station (except those used for the purpose of conducting telecommunications service) shall enter the particulars related to the aircraft of item i) through vi) of the preceding paragraph, in addition to the particulars referred to in the same paragraph.
- (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 ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications) which falls under any of the following items, and which uses frequency of which the Minister of Public Management, Home Affairs, Posts and Telecommunications issues a public notice, shall be filed within the period specified in the public notice of the Minister of Public Management, Home Affairs, Posts and Telecommunications
- 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 provision 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 of Public Management, Home Affairs, Posts and Telecommunications shall examine whether it satisfies all of the following items:
- i) The conformity of the construction design to the technical regulations specified in Chapter III.
 - ii) The feasibility of frequencies 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 ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications #.
- # The Ordinance for the Essential Standards for Establishing Radio Stations Other than Broadcast Stations
- (2) When receiving an application of paragraph (2) of the preceding article, without delay, the Minister of Public Management, Home Affairs, Posts and Telecommunications shall examine whether it satisfies the following items:
- i) The conformity of the construction design to the technical regulations specified in Chapter III.
 - ii) The feasibility of frequencies assignment based on the Plan for the Available Frequencies

Allocated to Broadcasting (meaning a plan which specifies available frequencies able to be used for broadcasting stations and other particulars necessary for the use of the frequencies; hereinafter the same shall apply.) established by the Minister of Public Management, Home Affairs, Posts and Telecommunications.

- iii) Enough financial basis to maintain the service.
- iv) In addition to particulars referred to in the preceding three items, the conformity to the essential standards for establishment of broadcasting radio stations specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications #.

The Ordinances for the Essential Standards for Establishing Broadcasting Stations.

- (3) The Plan for the Available Frequencies Allocated to Broadcasting shall be established with due consideration to prevention of interference and other particulars necessary for ensuring the equitable and efficient utilization of radio waves, in order to contribute to the target number of the broadcasting systems of Article 2-2 paragraph (2) item iii) as specified in the Basic Plan for Broadcast Dissemination under the Article 2-2 paragraph (1) of the Broadcast Law (referred to as “the target number of the broadcasting systems” in the following paragraph), within the limits of assignable frequencies listed under the “Frequency Allocation Plan” as specified in the provision of Article 26 paragraph (1) related to radio stations to broadcast (referred to as “the frequencies assignable for broadcasting” in the following paragraph).
- (4) When deemed necessary due to the change in the target number of the broadcasting systems, the frequencies assignable for broadcasting, and the prevention of interference and other particulars necessary for ensuring the equitable and efficient utilization of radio waves provided in the preceding paragraph, the Minister of Public Management, Home Affairs, Posts and Telecommunications may modify the Plan for the Available Frequencies Allocated to Broadcasting.
- (5) When establishing or modifying the Plan for the Available Frequencies Allocated to Broadcasting, the Minister of Public Management, Home Affairs, Posts and Telecommunications shall issue a public notice without delay.
- (6) When deemed necessary in examining an application, the Minister of Public Management, Home Affairs, Posts and Telecommunications 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 satisfies each item of paragraph (1) or each item of paragraph (2) of the same article, the Minister of Public Management, Home Affairs, Posts and Telecommunications 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 ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications # (hereinafter referred to as “identification signal”)
 - iv) Antenna power
 - v) Permitted operations hours

The Regulations for Enforcement of the Radio Law, Article 6-4.
- (2) When determining appropriate upon receipt of an application submitted by a person who has obtained the pre-permit, the Minister of Public Management, Home Affairs, Posts and Telecommunications may extend the completion date of item i) of the preceding paragraph.

*(Changes in Construction Design, Etc.)***Article 9.**

- (1) When intending to make changes in the construction design, a person who has obtained a pre-permit of the preceding article shall obtain the prior permission of the Minister of Public Management, Home Affairs, Posts and Telecommunications. However, this shall not apply to the minor changes specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications #.
The Regulations for Enforcement of the Radio Law, Article 10.
- (2) A person who has made changes in the construction design related to the changes of the proviso of the preceding paragraph, shall submit a notification without delay to the Minister of Public Management, Home Affairs, Posts and Telecommunications.
- (3) Any change of paragraph (1) shall not be related to modifications to the frequencies, type of radio waves and antenna power, and shall comply with the technical regulations of Article 7 paragraph (1) item i) or paragraph (2) item i).
- (4) A person who has obtained a pre-permit of the preceding article may, with the permission of the Minister of Public Management, Home Affairs, Posts and Telecommunications, make changes in person with whom radio communications is conducted, communications subjects, broadcast subjects, service area, and location of the radio equipment.

*(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 of Public Management, Home Affairs, Posts and Telecommunications and have 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), 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 article submits to the Minister of Public Management, Home Affairs, Posts and Telecommunications documents on which the results of an inspection on the radio equipment, etc., conducted by the person attested under Article 24-2 paragraph (1) or Article 24-9 paragraph (1) in accordance with the provisions of the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications are entered.

*(Rejection of Licensing)***Article 11.**

The Minister of Public Management, Home Affairs, Posts and Telecommunications shall reject to grant a radio station license when a notification in accordance with the provisions of the preceding article is not submitted within two weeks after expiration of a completion date of Article 8 paragraph (1) item i) (the completion date, when a completion date has been extended in accordance with the provisions of paragraph (2) of the same article.).

*(Licensing)***Article 12.**

The Minister of Public Management, Home Affairs, Posts and Telecommunications 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 satisfies 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, Article 39-3, 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 ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications # within five years from the date of a license granted. However, renewal may be allowed.
The Regulations for Enforcement of the Radio Law, Article 7 through Article 9.
- (2) The valid term of licenses shall be ten years, irrespective of the provisions of the main clause of the preceding paragraph, for radio stations which use frequencies from 903 MHz to 905 MHz with an antenna power of five watts or less and use exclusively the radio equipment which has obtained technical regulation conformity certification of Article 38-2 paragraph (1).
- (3) The valid term of licenses shall be indefinite, irrespective of the provisions of paragraph (1), for ship stations on board ships of Article 4 of the Law for Safety of Vessels (including the case which shall apply, mutatis mutandis, to the provisions of cabinet order under the provisions of Article 29-7 of the same Law; hereinafter the same shall apply.) (hereinafter referred to as “compulsory ship stations”) and for aircraft stations on board aircraft which shall be equipped with radio equipment in accordance with the provisions of Article 60 of the Civil Aeronautics Law (hereinafter referred to as “compulsory aircraft stations”).

(Validity of License for Multiplex Broadcasting Radio Stations)

Article 13-2.

When the license for a radio station conducting FM broadcasting (meaning the FM broadcasting under Article 2 item ii-4) of the Broadcast Law) or television broadcasting becomes invalid, the license for a radio station conducting multiplex broadcasting with the radio waves of the broadcasting automatically becomes invalid.

(Licenses)

Article 14.

- (1) When granting a license, the Minister of Public Management, Home Affairs, Posts and Telecommunications 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) On a license of a radio station for broadcasting, the following particulars shall be entered, irrespective of the provisions of the preceding paragraph:
 - i) Particulars referred to in the preceding paragraph items i) through iv), and vi) through xi)
 - ii) Broadcast subjects

iii) Service area

*(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 ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications, to renewing a license in accordance with the proviso in Article 13 paragraph (1) and to a license for a radio station solely with radio equipment which has obtained technical regulations conformity certification of Article 38-2 paragraph (1), or to a license for other radio stations specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications #.

The Ordinance for Procedures to Be Observed in Licensing Radio Stations, Articles 15 through 20.

*(Notification on Commencement or Suspension of Operation)***Article 16.**

(1) The licensee shall, when obtaining a license, notify without delay the Minister of Public Management, Home Affairs, Posts and Telecommunications of the commencement date of operation of the radio station. However, this shall not apply to the radio stations specified by the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications #.

The Regulations for Enforcement of the Radio Law, Article 10-2.

(2) When suspending for a period of one month or longer the operation of the radio station on which a licensee has notified in accordance with the provisions of the preceding paragraph, the licensee shall notify the Minister of Public Management, Home Affairs, Posts and Telecommunications of the suspension period. The same shall apply to the change of the suspension period.

*(Permission for Changes, Etc.)***Article 16-2.**

When intending to be entrusted with the business of telecommunications from a Type I telecommunications carrier provided in Article 12 paragraph (1) of the Telecommunications Business Law a licensee may change the purpose of the radio station with the permission of the Minister of Public Management, Home Affairs, Posts and Telecommunications.

Article 17.

(1) When changing the person with whom radio communications is conducted, communications subjects, or location of the radio equipment, or intending to carrying out construction work for changing the radio equipment, a licensee shall obtain the prior permission of the Minister of Public Management, Home Affairs, Posts and Telecommunications. The same shall apply when a licensee of a radio station for broadcasting intends to change broadcasting subjects or broadcasting service areas.

(2) The provisions of the proviso of Article 9 paragraph (1), paragraphs (2) and (3) of the same article shall apply, mutatis mutandis, to the case where the construction work is carried out to change the radio equipment in accordance with the provisions of the preceding paragraph.

*(Inspection after Modification)***Article 18.**

(1) A licensee who has obtained, in accordance with the provisions of the preceding article paragraph (1), permission for changing the location of the radio equipment or for construction work to change the radio equipment shall not operate that radio equipment, unless after the Minister of Public Management, Home Affairs, Posts and Telecommunications conducts an inspection thereof and determines that the results of the change or construction work satisfy the

particulars of the permission of the same paragraph. However, this shall not apply to the case specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications #.

The Regulations for Enforcement of the Radio Law, Article 10-3.

(2) A part of the inspection of the preceding paragraph may be omitted, where a person applying for the inspection of the same paragraph submits to the Minister of Public Management, Home Affairs, Posts and Telecommunications documents on which the results of an inspection on the radio equipment, etc., conducted by the person attested under Article 24-2 paragraph (1) or Article 24-9 paragraph (1) in accordance with the provisions of the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications are entered.

(Changes of Frequencies, Etc. upon Application)

Article 19.

Where a licensee or a person who has obtained a pre-permit of Article 8 applies for a change in the designation as identification signal, type of radio waves, frequencies, antenna power, or permitted operations hours, the Minister of Public Management, Home Affairs, Posts and Telecommunications may change the designation, when determining that such change is particularly necessary for the elimination of interference, etc.

(Succession of a License)

Article 20.

- (1) When a licensee is involved in inheritance, the inheritor shall succeed the status of the licensee.
- (2) When a juridical person as a licensee (except the licensees of radio stations under paragraphs (5) and (6), the same shall apply through this and the following paragraphs.) merges or divides (limited to the case where entire business using radio stations is succeeded), a juridical person continuing to exist after the merger or a juridical person to be newly established by the merger, or a juridical person which succeeds whole of said business by division may succeed the status of the licensee with permission of the Minister of Public Management, Home Affairs, Posts and Telecommunications.
- (3) When a licensee transfers all business operations that the radio station is used for, the transferee may, with the permission of the Minister of Public Management, Home Affairs, Posts and Telecommunications, succeed the status of licensee.
- (4) The provisions of Articles 5 and 7 shall apply, mutatis mutandis, to permission under the preceding two paragraphs.
- (5) When a person who operates a ship equipped with a ship station or a ship equipped solely with an emergency position-indication radio beacon device or radar is changed due to the transfer of ownership of the ship or other reasons, the person who operates the ship after the change shall succeed the status of the licensee.
- (6) The provisions of the preceding paragraph shall apply, mutatis mutandis, to aircraft equipped with an aircraft station or an aircraft earth station (except that whose purpose is other than conducting telecommunications service), or to aircraft equipped solely with radar.
- (7) A person who succeeds the status of a licensee in accordance with the provisions of paragraph (1) and the preceding two paragraphs shall, without delay, notify the Minister of Public Management, Home Affairs, Posts and Telecommunications of the fact along with documents which verify it.
- (8) The provisions of the preceding seven paragraphs shall apply, mutatis mutandis, to a person who has obtained a pre-permit of Article 8.

(Correction to a License)

Article 21.

When a change occurs in particulars entered on a license, the licensee shall submit the license to

the Minister of Public Management, Home Affairs, Posts and Telecommunications and obtain the correction.

(Abolition of a Radio Station)

Article 22.

When abolishing a radio station, the licensee shall notify the Minister of Public Management, Home Affairs, Posts and Telecommunications of it.

Article 23.

When a licensee abolishes a radio station, its license shall lose the validity.

(Return of a License)

Article 24.

When a license becomes invalid, the person who holds the license shall return it within one month.

(Attestation of a Private Inspector's Qualification)

Article 24-2.

- (1) A person who performs the business of conducting inspection of radio equipment, etc. may apply to the Minister of Public Management, Home Affairs, Posts and Telecommunications for each category specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications and may obtain an attestation that the business satisfies the following items:
 - i) The qualification to inspect the radio equipment, etc. shall satisfy the technical regulations specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications.
 - ii) The inspection of radio equipment, etc. shall be conducted by using the measuring instruments or other equipment specified by the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications, which have been calibrated by the independent administrative institution, Communications Research Laboratory (hereinafter referred to as "Research Laboratory") or designated calibration agency under Article 102-18 paragraph (1), or in accordance with the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications, within the time limit specified by the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications.
 - iii) The method for executing the necessary operation to conduct the inspection of radio equipment, etc. appropriately shall be defined.
- (2) The necessary particulars related to the attestation of the preceding paragraph is specified by the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications.

(Attestation Certificate)

Article 24-3.

- (1) When the Minister of Public Management, Home Affairs, Posts and Telecommunications makes attestation in accordance with the preceding article paragraph (1), the Minister shall issue an attestation certificate.
- (2) A person who obtained the attestation of the preceding article paragraph (1) (hereinafter referred to as "attested private inspector") shall display the certificate at a conspicuous place in the office.

(Revocation of Attestation)

Article 24-4.

The Minister of Public Management, Home Affairs, Posts and Telecommunications may revoke attestation, when the attested private inspector falls under any of the following items:

- i) When the attested private inspector fails to satisfy any of the items of Article 24-2 paragraph (1)
- ii) When the attestation under the paragraph (1) of Article 24-2 has been obtained through illegal means.

(Succession)

Article 24-5.

- (1) When the attested private inspector transfers the entire business related to the attestation, or the attested private inspector is involved in inheritance, merger or division (limited to the case where entire business concerning the attestation is succeeded), the transferee of the entire business or the inheritor thereof, or the surviving juridical person after the merger, the juridical person to be newly established by the merger or a juridical person to succeed entire business pertaining to the attestation by division may succeed the status of the attested private inspector.
- (2) A person who succeeds the status of the attested private inspector in accordance with the provision of the preceding paragraph shall, without delay, notify the Minister of Public Management, Home Affairs, Posts and Telecommunications of the fact along with documents which verify it.

(Notification of Abolition)

Article 24-6.

- (1) When abolishing the business related to the attestation, the attested private inspector shall, without delay, notify the Minister of Public Management, Home Affairs, Posts and Telecommunications of the fact.
- (2) When the notification of the provisions of the preceding paragraph has been submitted, the attestation shall lose its validity.

(Return of Attestation Certificate)

Article 24-7.

When an attestation becomes invalid, the person who was an attested private inspector shall return the attestation certificate within one month.

(Reports and the On-the-Spot Inspection)

Article 24-8.

- (1) When determining it necessary to enforce this Law, the Minister of Public Management, Home Affairs, Posts and Telecommunications may order the attested private inspector to report on the status quo of the operations related to the attestation, or the ministerial staffs to enter the office of attested private inspector and inspect the status quo of service, equipment, account books, documents and other articles related to the attestation.
- (2) Any ministerial staff who conducts the on-the-spot inspection in accordance with the provisions of the preceding paragraph shall carry an identification card and upon request shall show it to the person concerned.
- (3) The power of the on-the-spot inspection under the provisions of paragraph (1), shall not be construed as legitimate for the purpose of criminal investigation.

(Attestation of Private Foreign Inspector's Qualification)

Article 24-9.

- (1) Any person who performs business of conducting inspections of radio equipment, etc. in foreign

- countries may apply to the Minister of Public Management, Home Affairs, Posts and Telecommunications for each category specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications of Article 24-2 paragraph (1), and may obtain an attestation that the business satisfies each item of the same paragraph.
- (2) The provisions of Article 24-3 paragraph (1) shall apply, *mutatis mutandis*, to the attestation of the preceding paragraph and the provisions of paragraph (2) of the same article and Article 24-5 through the preceding article shall apply, *mutatis mutandis*, to those who obtained the attestation (hereinafter referred to as “attested private foreign inspector”) of the preceding article.
 - (3) When the attested private foreign inspector falls under any of the following items, the Minister of Public Management, Home Affairs, Posts and Telecommunications may revoke that attestation:
 - i) When unable to satisfy any one of the requirements of each item of Article 24-2 paragraph (1).
 - ii) When the attestation of the paragraph (1) has been obtained through illegal means.
 - iii) When a notification has not been made in accordance with the provision of Article 24-5 paragraph (2) which shall apply, *mutatis mutandis*, to the preceding paragraph.
 - iv) When a report is not submitted or a false report is submitted, where the Minister of Public Management, Home Affairs, Posts and Telecommunications forces the attested private foreign inspector to report in accordance with the preceding article paragraph (1), which shall apply, *mutatis mutandis*, to the preceding paragraph.
 - v) When the attested private foreign inspector refuses, hinders with, or evades the inspection, where the Ministry of Public Management, Home Affairs, Posts and Telecommunications orders the ministerial staff to inspect the office in accordance with the provisions of the preceding article paragraph (1), which shall apply, *mutatis mutandis*, to the preceding paragraph.
 - (4) In addition to the provisions provided in the preceding three paragraphs, the necessary particulars related to attestation and revocation of paragraph (1) is specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications.

(Public Notice of Radio Stations)

Article 25.

Whenever granting licenses, except radio stations specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications #, the Minister of Public Management, Home Affairs, Posts and Telecommunications shall issue a public notice of particulars specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications ## for the licensed radio stations.

The Regulations for Enforcement of the Radio Law, Article 11-2.

The Regulations for Enforcement of the Radio Law, Article 11.

(Publicity of Frequencies)

Article 26.

- (1) The Minister of Public Management, Home Affairs, Posts and Telecommunications shall prepare and offer for public perusal a list of available frequencies (hereinafter referred to as “Frequency Allocation Plan”) and a list indicating the status quo of frequencies available for convenience of license application, etc. The Minister shall issue a public notice of the Frequency Allocation Plan.
- (2) In the Frequency Allocation Plan, the following items (as regards frequencies concerning radio stations for broadcasting (except those for the purpose of conducting telecommunications service), particulars under item i)) shall be entered for each available frequency, in order to

clarify the range of radio stations eligible to be allocated.

- i) Mode of radio communications conducted by radio station
- ii) Purpose of radio station
- iii) Requirements for using frequency
- iv) Whether the frequency is designated in accordance with the provision in Article 27-13 paragraph (4)

(Special Case of a License for a Radio Station on Board a Ship or an Aircraft Acquired in Foreign Countries)

Article 27.

- (1) The Minister of Public Management, Home Affairs, Posts and Telecommunications may grant a license, not in accordance with the provisions of Articles 6 through 14, to a radio station on board a ship or on board an aircraft which is established on board a ship or an aircraft which has been acquired in a foreign country.
- (2) The license of the provisions of the preceding paragraph shall lose its validity when the ship or aircraft arrives at its destination in Japan.

(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 ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications and use only the radio equipment with technical regulations conformity certification of Article 38-2 paragraph (1), 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 ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications).

(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 of Public Management, Home Affairs, Posts and Telecommunications 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 ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecom-

munications 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 of Public Management, Home Affairs, Posts and Telecommunications shall examine whether it satisfies 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 ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications.

(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 satisfies each item of the same article, the Minister of Public Management, Home Affairs, Posts and Telecommunications 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 of Public Management, Home Affairs, Posts and Telecommunications 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 ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications within five years from the day the blanket license granted. However, renewal may be allowed.

(Commencement of Operation of the Specified Radio Station)

Article 27-6.

- (1) The Minister of Public Management, Home Affairs, Posts and Telecommunications may postpone the deadline of the preceding article paragraph (1) item iv), when appropriate where applied by a blanket licensee.
- (2) When commencing the operation of more than one specified radio station, the blanket licensees, without delay, shall notify the Minister of Public Management, Home Affairs, Posts and Telecommunications. However, this shall not apply to the case specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications.

(Prohibition to Establish Specified Radio Stations Exceeding the Designated Number of Radio Stations)

Article 27-7.

A blanket licensee shall not establish specified radio stations exceeding the designated number of radio stations entered on the license.

(Permission for Changes, Etc.)

Article 27-8.

When changing the person with whom radio communications is conducted, or intending to conduct radio communications using the radio equipment based on a construction design different from the one submitted in accordance with the provisions of Article 27-3 paragraph (1), a blanket licensee shall obtain the prior permission of the Minister of Public Management, Home Affairs, Posts and Telecommunications.

(Changes in Frequencies, Number of Designated Radio Stations, Etc. upon Application)

Article 27-9.

Where a blanket licensee applies for a change in the type of radio waves, frequencies, antenna power and the number of designated radio stations, the Minister of Public Management, Home Affairs, Posts and Telecommunications may change the designation, determining that such changes are particularly necessary to ensure the efficient use of the radio waves and for the elimination of interference, etc.

(Abolition of Specified Radio Station)

Article 27-10.

- (1) When abolishing all the specified radio stations covered by the blanket license, a blanket licensee shall notify the Minister of Public Management, Home Affairs, Posts and Telecommunications of it.
- (2) When a blanket licensee abolishes all the specified radio stations covered by the blanket license, the license shall lose its validity.

(Exceptional Application, Etc. Related to the Specified Radio Station and Blanket Licensee)

Article 27-11.

- (1) The specified radio station, whose license of the provisions of Article 27-5 paragraph(1) has been obtained, shall be exempted from the application of the provisions of Articles 15 and 25 and that blanket licensee shall be exempted from the application of the provisions of Article 16, 17, 19, 22 and 23.
- (2) With regard to the application of Article 20 paragraph (4) related to the succession of the status of the blanket licensee, “Article 7” in the same paragraph shall be read as “Article 27-4.”

(Establishment Guidelines for Specified Base Station)

Article 27-12.

- (1) The Minister of Public Management, Home Affairs, Posts and Telecommunications may, for fixed radio stations established on land that must be established in a large number by one person in order to secure radio communications of mobile radio stations (limited to service areas which cover the entire area of one or more prefecture (s)) established on land for the purpose of conducting telecommunications business in their service area for said telecommunications business, and where the Minister deems to be necessary in promoting their smooth establishment to secure equitable and efficient use of radio waves (hereinafter referred to as “specified base station”), specify guidelines concerning the establishment of specified base stations (hereinafter referred to as “Establishment Guidelines for the specified base stations”).
- (2) Establishment Guidelines for the specified base stations shall specify following items:

- i) Particulars concerning the coverage of specified base stations which are the subject of the guideline
 - ii) Particulars concerning the frequencies allocated to said specified base stations among the available frequencies shown in the Frequency Allocation Plan and the use of the frequencies
 - iii) Particulars concerning the locations and the schedule for commencement of operation of the specified base stations
 - iv) Particulars concerning the introduction of technology to secure efficient use of radio waves concerning radio equipment of said specified base stations
 - v) Particulars concerning the promotion of smooth establishment of said specified base stations and other necessary particulars
- (3) The Minister of Public Management, Home Affairs, Posts and Telecommunications shall, when establishing or amending establishment guidelines for the specified base stations, without delay issue a public notice on the fact.

(Attestation of Establishment Plan for Specified Base Stations)

Article 27-13.

- (1) Any person who wishes to establish specified base stations may form a plan concerning the establishment of the specified base stations (hereinafter referred to as “establishment plan for the specified base stations”) for each communications system (meaning the whole of specified base stations established by one person to communicate with same parties; the same shall apply to the following paragraph item iv) and paragraph (4) item iii)), may submit the plan to the Minister of Public Management, Home Affairs, Posts and Telecommunications, and be granted the attestation that said establishment plan is appropriate.
- (2) Establishment plan for specified base stations shall contain the following items:
 - i) Reason for making it necessary to establish the specified base stations
 - ii) Service area for the mobile radio stations with whom the specified base stations communicate
 - iii) Range of desirable frequency range
 - iv) Total number of the specified base stations in the communications system, locations of radio equipment of each specified base station, and expected commencement date of operations
 - v) Technology for securing efficient use of radio waves which is planned to be used for radio equipment of the specified base stations
 - vi) Other particulars specified in the applicable ministerial ordinance from the Ministry of Public Management, Home Affairs, Posts and Telecommunications
- (3) The application for the attestation under paragraph (1) shall be filed within the period not shorter than one month as fixed in the public notice of the Minister of Public Management, Home Affairs, Posts and Telecommunications.
- (4) Upon reception of the application under paragraph (1), where the application satisfies any of the following items, the Minister shall assign frequency and grant attestation under the same paragraph.
 - i) The establishment plan is adequate in the light of the establishment guidelines
 - ii) The establishment plan is deemed to be assuredly implemented
 - iii) For all the specified base stations included in the communications system concerning the establishment plan, the frequencies are available
- (5) Notwithstanding the provisions of the preceding paragraph, the Minister of Public Management, Home Affairs, Posts and Telecommunications shall not grant attestation under paragraph (1) to any person who falls under any items under Article 5 paragraph (3).
- (6) The valid terms of the attestation under paragraph (1) shall be specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications not exceeding five years from the day of attestation.
- (7) When granting attestation under paragraph (1), the Minister of Public Management, Home

Affairs, Posts and Telecommunications shall issue a public notice of the date of attestation, valid terms of attestation, designated frequencies in accordance with the provisions under paragraph (4), and other particulars specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications.

(Changes, Etc. of Establishment Plan)

Article 27-14.

- (1) When changing the attested establishment plan under paragraph (1) of the preceding article (except the items under paragraph (2) item iii) of the same article), the person who was granted the attestation shall obtain attestation from the Minister of Public Management, Home Affairs, Posts and Telecommunications.
- (2) The provisions under paragraph (4) of the preceding article shall apply, mutatis mutandis, to the attestation under the preceding paragraph. In this case, “the Minister shall assign frequency and grant attestation” in paragraph (4) of the same article shall be read as “the Minister shall grant attestation.”
- (3) Where the person who establishes specified base stations of the establishment plan which is granted attestation under paragraph (1) of the preceding article (when attested the change of the establishment plan, the changed plan, hereinafter referred to as “attested plan”) (the person shall be hereinafter referred to as “attested establisher”) files with the Minister an application for the change of the designated frequency, when deemed that it is necessary for eliminating interference and other particulars, the Minister may change the designation.
- (4) Where the attested establisher applies for the extension of the valid terms of the attestation, when deemed necessary, the Minister may extend the terms not exceeding six years from the day of attestation under paragraph (1) of the preceding article.
- (5) When granting attestation under paragraph (1) (limited to attestation concerning changes specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications under paragraph (7) of the preceding article), when changing the designation of frequencies in accordance with paragraph (3), or when extending the valid term of attestation, the Minister shall issue a public notice on the fact.

(Revocation, Etc. of Attestation)

Article 27-15.

- (1) When an attested establisher falls under any of the following items, the Minister of Public Management, Home Affairs, Posts and Telecommunications may revoke the attestation:
 - i) When the Minister determines that the attested establisher does not establish the specified base stations concerning the attested plan according to said attested plan without due reasons
 - ii) When the attested establisher is granted attestation under Article 27-13 paragraph (1) or paragraph (1) of the preceding article, or having the Minister changed designation in accordance with the provision of paragraph (3) of the preceding article, through illegal means
 - iii) When the attested establisher falls under Article 5 paragraph (3) item i)
- (2) Upon revocation of attestation in accordance with the provisions of the preceding paragraph (except item iii)), the Minister of Public Management, Home Affairs, Posts and Telecommunications may revoke the attestation under Article 27-13 paragraph (1) concerning other establishment plans of the revoked attested establisher, or revoke the license of the radio stations.
- (3) Upon revocation in accordance with the preceding two paragraphs, the Minister shall send to the attested establisher a notification with statement of reasons.

*(Application Mutatis Mutandis of the Provisions Concerning Merger, Etc.)***Article 27-16.**

The Provisions of Article 20 paragraphs (1) through (4) and paragraphs (7) shall apply, mutatis mutandis, to the attested establisher. In this case, “paragraph (5) and Article 7” in the paragraph (4) of the same Article shall be read as “Article 27-13 paragraphs (4) and (5)”; “paragraph (1) and the preceding two paragraphs” in paragraph (7) of the same Article shall be read as “paragraph (1) that applies, mutatis mutandis, to Article 27-16.”

*(Special Cases of License Application Period of Specified Base Stations Pertaining to Attested Plan)***Article 27-17.**

With regard to the application for license of specified base stations which an attested establisher establishes pertaining to an attested plan, the provisions of Article 6 paragraph (7) shall not apply.

Chapter III. Radio Equipment

*(Quality of Radio Waves)***Article 28.**

The quality of radio waves from transmitting equipment, the tolerance and bandwidth of frequencies and intensity of harmonics, etc., shall satisfy requirements specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications #.

The Ordinance for Regulating Radio Equipment, Articles 5 through 7.

*(Requirements for Receiving Equipment)***Article 29.**

Receiving equipment shall not disturb the function of other radio equipment by its incidentally produced radiation or its high frequency current in excess of the limits specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications #.

The Ordinance for Regulating Radio Equipment, Article 24.

*(Safety Installation)***Article 30.**

In order to avoid harm to human bodies or damage to other objects, the radio equipment shall be installed with safety devices specified in the provisions of the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications #.

The Regulations for Enforcement of the Radio Law, Articles 22 through 27.

*(Installation of a Frequency Measuring Instrument)***Article 31.**

Any transmitting equipment specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications # shall be installed with a frequency measuring instrument with a workable error of one half or less of the tolerance for the emitting frequencies.

The Regulations for Enforcement of the Radio Law, Article 11-3.

*(Installation of Meters and Spare Components)***Article 32.**

Radio equipment of a ship station shall be installed with meters and spare components required for operating equipment which is specified in the applicable ministerial ordinance of the Ministry of

Public Management, Home Affairs, Posts and Telecommunications #.

The Regulations for Enforcement of the Radio Law, Articles 30 through 31.

(Apparatus for Radio Equipment of Compulsory Ship Stations)

Article 33.

Radio equipment of a compulsory ship station shall be installed with, according to categories of ships and navigating areas specified by the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications, apparatus for transmitting equipment and receiving equipment, apparatus for emergency position-indicating radio beacon equipment, apparatus for receiving information on safe navigation and other apparatus specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications #.

The Regulations for Enforcement of the Radio Law, Article 28

(Requirements for Radio Equipment of Compulsory Ship Stations, Etc.)

Article 34.

Radio equipment of a compulsory ship station and a ship earth station specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications which is established on a ship with a compulsory ship station (hereinafter referred to as “compulsory ship station, etc.”) shall be installed at a place which satisfies the requirement of the following items. However, this shall not apply to the radio equipment specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications.

- i) A place where the function of the radio equipment is not interfered with by mechanical, electrical and other causes.
- ii) A place on the ship as high as is practically possible to ensure its safety.
- iii) A place where the function of the radio equipment is not affected by water, temperature and other environmental conditions.

Article 35.

Radio equipment of a compulsory ship station, etc. shall take one or two following measures with respect to the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications. However this shall not apply to the radio equipment specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications.

- i) Installation of spare equipment
- ii) Regular inspection of the ship in port and installation of necessary meters and spare components for maintenance in a mooring port
- iii) Installation of necessary meters and spare components for maintenance when in navigation

(Requirements for Compulsory Aircraft Stations)

Article 36.

Transmitting equipment of compulsory aircraft stations shall have an effective coverage specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications #.

The Regulations for Enforcement of the Radio Law, Article 31-3.

(Requirements for Artificial Satellite Stations)

Article 36-2.

- (1) Radio equipment of artificial satellite stations shall be capable of ceasing emissions immediately by remote control.
- (2) The radio equipment of artificial satellite stations shall be capable of being remotely controlled

to change their location. However, this shall not apply to the artificial satellite stations specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications #.

The Regulations for Enforcement of the Radio Law, Article 32-5.

(Approval of Apparatus for Radio Equipment)

Article 37.

The following radio equipment shall not be installed unless having passed the approval for the type conducted by the Minister of Public Management, Home Affairs, Posts and Telecommunications. However, this shall not apply to installation of apparatus which has passed a type approval equivalent to the one conducted by the Minister or that specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications #:

- i) Frequency measuring instruments to be installed in accordance with the provisions of Article 31.
- ii) Radar to be installed on ships in accordance with the order based on the provisions of Article 2 of the Law for Safety of Vessels (including the cabinet order based on Article 29-7 of the same law to which the provisions of the same article 2 shall apply, mutatis mutandis).
- iii) Apparatus for life-saving radio equipment installed on ships which is specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications ##.
- iv) Radio equipment to be installed in accordance with the provisions of Article 33 (except radio equipment referred to in the preceding item).
- v) Apparatus for radio equipment of a ship earth station referred to in the main clause of Article 34.
- vi) Apparatus for radio equipment installed on aircraft which is specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications ###.
- vii) Radio direction-finding apparatus which is specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications ####.

The Regulations for Enforcement of the Radio Law, Article 11-5.

The Regulations for Enforcement of the Radio Law, Article 11-4 paragraph (1).

The Regulations for Enforcement of the Radio Law, Article 11-4 paragraphs (2) and (3).

The Regulations for Enforcement of the Radio Law, Article 11-4 paragraph (4).

(Other Technical Regulations)

Article 38.

Radio equipment (except that which is used exclusively for broadcasting receiving purpose) shall satisfy the technical regulations specified in the ordinances of the Ministry of Public Management, Home Affairs, Posts and Telecommunications # in addition to those specified in this Chapter.

The Ordinance for Regulating Radio Equipment; The Ordinance Providing the Regulation System on Transmission for Broadcast Using Microwaves; The Ordinance Providing the Regulation System on Transmission for Television Broadcast; The Ordinance Providing the Regulation System on Transmission for Television Sound Multiplex Broadcast; and The Ordinance Providing the Regulation System on Transmission for Television Character Multiplex Broadcast.

Chapter III-2. Technical Regulations Conformity Certification of Specified Radio Equipment

(Technical Regulations Conformity Certification)

Article 38-2.

(1) With respect to radio equipment to be used for small-scale radio stations as specified by the

applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications # (hereinafter referred to as “specified radio equipment”), the Minister of Public Management, Home Affairs, Posts and Telecommunications shall attest, or may designate a person (hereinafter referred to as “designated certification agency”) to attest, that the equipment satisfies the technical regulations specified in the Chapter III (hereinafter referred to as “technical regulations conformity certification”).

- (2) Designation of a designated certification agency shall be made, upon application from a person who wishes to conduct technical regulations conformity certification, according to categories specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications ##.
- (3) When having designated a designated certification agency, the Minister of Public Management, Home Affairs, Posts and Telecommunications shall no longer conduct technical regulations conformity certification of the category related to the aforementioned designation.
- (4) Where an application is submitted from a person requesting technical regulations conformity certification, either the Minister of Public Management, Home Affairs, Posts and Telecommunications or the designated certification agency shall examine the specified radio equipment in accordance with the provisions of the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications ###, and grant technical regulations conformity certification, when determining that the equipment satisfies the technical regulations specified in Chapter III.
- (5) A part of the examination of the preceding paragraph may be omitted, when the application of the same paragraph is accompanied with documents on which the results of an inspection related to the attestation conducted by a person who has attested qualification in accordance with Article 24-2 paragraph (1) or Article 24-9 paragraph (1) in accordance with the provisions of the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications for the specified radio equipment
- (6) Where granting technical regulations conformity certification, the Minister of Public Management, Home Affairs, Posts and Telecommunications or the designated certification agency shall attach a label to the specified radio equipment to grant technical regulations conformity certification in accordance with the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications ####.
- (7) No person within Japan shall attach, except where under the provisions of the preceding paragraph (including the case which shall apply, mutatis mutandis, to Article 38-17 paragraph (5)) or the provisions of Article 38-16 paragraph (5) (including the case which shall apply, mutatis mutandis, to Article 38-17 paragraph (8)) label or any other misleading label to any radio equipment.
- (8) Any person who has carried out construction work for changing specified radio equipment to which the label was attached under the provision of paragraph (6) (including the case which shall apply, mutatis mutandis, to Article 38-17 paragraph (5)) or the provisions of Article 38-16 paragraph (5) (including the case which shall apply, mutatis mutandis, to Article 38-17 paragraph (8)) shall remove the label by the method specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications.
- (9) When establishing the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications of paragraph (1), or modifying or abolishing it, the Minister of Public Management, Home Affairs, Posts and Telecommunications shall hear opinions of the Minister of Economy, Trade and Industry.
- (10) When establishing the ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications under paragraph (4), or modifying or abolishing it, the Minister of Public Management, Home Affairs, Posts and Telecommunications shall consult with the Minister of Economy, Trade and Industry.

The Ordinance Concerning Technical Regulations Conformity Certification of Specified Radio Equipment, Article 2.

The Ordinance Concerning Technical Regulations Conformity Certification of Specified Radio Equipment, Article 8.

The Ordinance Concerning Technical Regulations Conformity Certification of Specified Radio Equipment, Article 4 paragraph (1).

The Ordinance Concerning Technical Regulations Conformity Certification of Specified Radio Equipment, Article 6.

(Requirements for Designation of a Designated Certification Agency)

Article 38-3.

- (1) The Minister of Public Management, Home Affairs, Posts and Telecommunications shall not designate any person as a designated certification agency unless determining that the application under paragraph (2) of the preceding article satisfies all of the following items:
 - i) The plan for executing technical regulations conformity certification service regarding staff, facilities, execution methods of the work of technical regulations conformity certification and other particulars, shall satisfy the proper and assured execution of the technical regulations conformity certification service.
 - ii) The applicant shall have an adequate financial basis to properly and assuredly execute the plan related to execution of the technical regulations conformity certification service of the preceding item.
 - iii) When the applicant is a juridical person, officers and the composition of staff members thereof, according to types of juridical person, specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, and Posts and Telecommunications, shall have no influence on fair execution of technical regulations conformity certification service.
 - iv) Except stipulated in the preceding item, those satisfying a standard stipulated by the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, and Posts and Telecommunications as having no influence on fairness of technical regulations conformity certification service.
 - v) The designation shall not harm the proper and assured execution of the technical regulations conformity certification service related to the category of the application.
- (2) When an applicant of paragraph (2) of the preceding article falls under any of the following items, the Minister of Public Management, Home Affairs, Posts and Telecommunications shall not designate the applicant as a designated certified agency:
 - i) Any person who has been sentenced for a crime provided for under this Law, if a period of two years has not elapsed since the day when the sentence was served out or the stay of execution was granted.
 - ii) Any person whose designation was revoked in accordance with the provisions of Article 38-14 paragraph (1) or (2), if a period of two years has not elapsed since the day of revocation.
 - iii) When the applicant is a juridical person, any of whose officers falls under any of the preceding two items.

(Renewal of Designation)

Article 38-3-2.

- (1) Designation of a designated certification agency shall, if the agency does not renew within every five to ten years specified in the applicable cabinet order, lose validity by passage of the period.
- (2) The provisions of Article 38-2 paragraph (2) and the preceding article shall apply, mutatis mutandis, to the renewal of designation under the preceding paragraph.

(Public Notice of Designation, Etc.)

Article 38-4.

- (1) The Minister of Public Management, Home Affairs, Posts and Telecommunications shall, when

designating a designated certification agency, issue a public notice of the name and address of the designated certification agency, category of the designation, address of the office where the technical regulations conformity certification service is conducted, and the commencement day of technical regulations conformity certification.

- (2) A designated certification agency shall, when changing its name or address, or address of the office where the technical regulations conformity certification service is conducted, notify the Minister of Public Management, Home Affairs, Posts and Telecommunications of this at latest two weeks prior to the day of the change.
- (3) The Minister of Public Management, Home Affairs, Posts and Telecommunications shall, when receiving a notification in accordance with the provisions of the preceding paragraph, issue the public notice to the fact.

(Obligation, Etc. Related to Technical Regulations Conformity Certificate)

Article 38-5.

- (1) A designated certification agency shall, when requested to grant technical regulations conformity certification, conduct without delay examinations for technical regulations conformity certification unless there is a due reason not to do so.
- (2) A designated certification agency shall, when granting technical regulations conformity certification, use measuring equipment, etc. specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications # and order a person who has the qualifications (hereinafter referred to as “certification examiner”) specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications ## to conduct the examinations.

The Ordinance Concerning Technical Regulations Conformity Certification of Specified Radio Equipment, Article 11.

The Ordinance Concerning Technical Regulations Conformity Certification of Specified Radio Equipment, Article 12.

(Appointment and Discharge of Officers, Etc.)

Article 38-6.

- (1) When appointing or discharging its officer or certification examiner, a designated certification agency shall notify without delay the Minister of Public Management, Home Affairs, Posts and Telecommunications.
- (2) When a certification examiner of a designated certification agency has contravened this Law, the orders based on this Law or administrative dispositions thereof or the operational rules of Article 38-8 paragraph (1), the Minister of Public Management, Home Affairs, Posts and Telecommunications may order the designated certification agency to discharge the officer or certification examiner.

(Obligation, Etc. to Preserve Secrecy)

Article 38-7.

- (1) Any officer (where a designated certification agency which is not a juridical person, those who have obtained designation of a designated certification agency. The same shall apply to the following paragraph and Article 110-2, and Article 113-2.) or staff (including certification examiner) of a designated certification agency, or any person who was in such a position, shall not divulge any secret known with respect to technical regulations conformity certification service.
- (2) Any officer or staff (including certification examiner) of a designated certification agency who is engaged in technical regulations conformity certification service shall be deemed to be a person engaged in public service in accordance with laws and ordinances with respect to the application of the Criminal Code (Law No. 45 of 1907) and other penal provisions.

*(Operational Rules)***Article 38-8.**

(1) A designated certification agency shall establish its operational rules related to the execution of the technical regulations conformity certification service specified in the ordinances of the Ministry of Public Management, Home Affairs, Posts and Telecommunications # and shall obtain authorization from the Minister of Public Management, Home Affairs, Posts and Telecommunications. The same shall apply when such rules are to be revised.

The Ordinance for State Examinations for Radio Operators Qualifications and Radio Operator Licenses, Articles 20-7 and 20-8 and the Ordinance concerning technical regulations conformity certification of Specified Radio Equipment, Article 15.

(2) When determining that the operational rules authorized in accordance with the preceding paragraph have become inappropriate for the proper and assured execution of the technical regulations conformity certification service, the Minister of Public Management, Home Affairs, Posts and Telecommunications may order the designated certification agency to revise the rules.

*(Business Plan, Etc.)***Article 38-9.**

(1) A designated certification agency shall formulate its business plan and its revenues and expenses budget for each business year, and shall submit them to the Minister of Public Management, Home Affairs, Posts and Telecommunications prior to the commencement of that business year (for the business year during which the designated certification agency is designated, without delay after the designation). The same shall apply to the case where they are to be revised.

(2) A designated certification agency shall formulate its annual report and report on the final accounts for each business year, and shall submit them to the Minister of Public Management, Home Affairs, Posts and Telecommunications within three months after the end of that business year.

*(Installation, Etc. of Account Book)***Article 38-10.**

A designated certification agency shall, in accordance with the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications #, install and preserve an account book, on which particulars related to the technical regulations conformity certification service and specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications #, are entered.

The Ordinance for State Examinations for Radio Operators' Qualifications and Radio Operator Licenses, Article 20-10 and the Ordinance concerning technical regulations conformity certification of Specified Radio Equipment, Article 18.

*(Supervisory Orders)***Article 38-11.**

When determining that it is necessary to enforce this Law, the Minister of Public Management, Home Affairs, Posts and Telecommunications may grant a designated certification agency orders necessary for the supervision with respect to the technical regulations conformity certification service.

*(Reports and On-the-Spot Inspection)***Article 38-12.**

(1) When determining that it is necessary to enforce this Law, the Minister of Public Management, Home Affairs, Posts and Telecommunications may order the designated certification agency to report on the status quo of the technical regulations conformity certification service, or order the ministerial staff to enter the office of the designated certification agency to inspect the state of the service, equipment, account books, documents and other articles.

- (2) Any ministerial staff who conducts the on-the-spot inspection in accordance with the provisions of the preceding paragraph shall carry an identification card and upon request shall show it to the person concerned.
- (3) The power of the on-the-spot inspection under of the provisions of paragraph (1) shall not be construed as legitimate for the purpose of criminal investigation.

(Suspension and Discontinuation of Service)

Article 38-13.

- (1) A designated certification agency shall not suspend or discontinue a part or the whole of its technical regulations conformity certification service unless obtaining the permission of the Minister of Public Management, Home Affairs, Posts and Telecommunications.
- (2) When granting the permission of the preceding paragraph, the Minister of Public Management, Home Affairs, Posts and Telecommunications shall issue a public notice on the fact.

(Revocation, Etc. of Designation)

Article 38-14.

- (1) When a designated certification agency has come to fall under any of the items (except item ii) of Article 38-3 paragraph (2), the Minister of Public Management, Home Affairs, Posts and Telecommunications shall, revoke its designation.
- (2) Where a designated certification agency falls under any of the following items, the Minister of Public Management, Home Affairs, Posts and Telecommunications may revoke its designation or suspend a part or the whole of its technical regulations conformity certification service for a specified period:
 - i) When contravening the provisions of this Chapter.
 - ii) When determined not to satisfy any of respective items (except item v)) of Article 38-3 paragraph (1).
 - iii) When contravening an order in accordance with the provisions of Article 38-6 paragraph (2), Article 38-8 paragraph (2) or Article 38-11.
 - iv) When conducting technical regulations conformity certification service not based on the operational rules authorized in accordance with the provisions of Article 38-8 paragraph (1).
 - v) When obtaining the designation through illegal means.
- (3) When revoking the designation in accordance with the provisions of paragraph (1) or the preceding paragraph, or ordering to suspend a part or the whole of technical regulations conformity certification service in accordance with the provisions of the preceding paragraph, the Minister of Public Management, Home Affairs, Posts and Telecommunications shall issue a public notice to the fact.

(Execution of Technical Regulations Conformity Certification Service by the Minister of Public Management, Home Affairs, Posts and Telecommunications)

Article 38-15.

- (1) When a designated certification agency has suspended a part or all of technical regulations conformity certification service in accordance with the provisions of Article 38-13 paragraph (1), or the Minister of Public Management, Home Affairs, Posts and Telecommunications has ordered a designated certification agency to suspend a part or all of technical regulations conformity certification service in accordance with the provisions of paragraph (2) of the preceding article, or the Minister determines necessary where a designated certification agency has fallen into difficulties in executing a part or all of technical regulations conformity certification service due to a natural disaster or any other reason, the Minister shall execute by himself/herself a part or all of technical regulations conformity certification service, regardless of the provisions of Article 38-2 paragraph (3).

- (2) When executing technical regulations conformity certification service in accordance with the provisions of the preceding paragraph or discontinuing to execute technical regulations conformity certification service in accordance with the provisions of the same paragraph, the Minister of Public Management, Home Affairs, Posts and Telecommunications shall issues a public notice.
- (3) Where the Minister of Public Management, Home Affairs, Posts and Telecommunications has determined to execute technical regulations conformity certification service in accordance with the provisions of paragraph (1), and the Minister has permitted a designated certification agency to discontinue technical regulations conformity certification service in accordance with the provisions of Article 38-13 paragraph (1), or the Minister has revoked the designation in accordance with the provisions of paragraph (1) or (2) of the preceding article, the succession of technical regulations conformity certification service and other necessary particulars are specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications.

(Attestation of the Type Related to Specified Radio Equipment)

Article 38-16.

- (1) The Minister of Public Management, Home Affairs, Posts and Telecommunications or a designated certification agency, upon application, shall attest that the type of specified radio equipment (including the method to verify that the specified radio equipment satisfies relevant type; the same shall apply in paragraph (5) and paragraph (6) of the following article.) satisfies the technical regulations specified in the preceding Chapter.
- (2) Any person in foreign countries who deals with specified radio equipment which will be used in Japan (hereinafter referred to as “foreign dealer”) can apply for the attestation of the preceding paragraph.
- (3) The Minister of Public Management, Home Affairs, Posts and Telecommunications or a designated certification agency shall, upon receipt of an application of paragraph (1), conduct an examination in accordance with the provisions of the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications, and shall attest in accordance with the same paragraph only when determining that the type satisfies the technical regulations specified in the preceding Chapter and that any and all specified radio equipment based on the type is ensured to conform with relevant type.
- (4) A part of the examination of the preceding paragraph may be omitted when the application of paragraph (1) is accompanied with documents on which the results of an inspection related to the attestation conducted in accordance with the provisions of the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications by a person attested under Article 24-2 paragraph (1) or Article 24-9 paragraph (1) to inspect specified radio equipment based on type related to the application are entered.
- (5) Any specified radio equipment based on the type related to the attestation of paragraph (1) and bearing the label specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications attached by a person who obtained aforementioned attestation shall be treated as one that has obtained technical regulation conformity certification.
- (6) When determining necessary for the enforcement of this Law, the Minister of Public Management, Home Affairs, Posts and Telecommunications may order those who have obtained attestation of paragraph (1) to report on the specified radio equipment, or the ministerial staff to enter the offices and inspect their specified radio equipment and other articles.
- (7) The Minister of Public Management, Home Affairs, Posts and Telecommunications may revoke an attestation when determining that the type related to the attestation of paragraph (1) does not satisfy the technical regulation specified in the preceding Chapter or when any specified radio equipment based on the aforementioned type is not ensured to be in conformity with the

aforementioned type.

- (8) In addition to the provisions of the preceding paragraph, the Minister of Public Management, Home Affairs, Posts and Telecommunications may revoke attestation when the foreign dealer who has obtained the attestation of paragraph (1) under any of the following items:
- i) When a report is not submitted or a false report is submitted where the Minister of Public Management, Home Affairs, Posts and Telecommunications forces the aforementioned foreign dealer to report in accordance with the provisions of paragraph (6).
 - ii) When the foreign inspector refuses, hinders with, or evades the inspection, where the Minister of Public Management, Home Affairs, Posts and Telecommunications forces the ministerial staff to inspect the office of aforementioned foreign dealer in accordance with the provisions of paragraph (6).
- (9) Where a designated certification agency conducts the attestation service of paragraph (1), when the provisions of Article 38-2 paragraph (3), Article 38-5, Article 38-7, Article 38-8, Article 38-10, Article 38-11, Article 38-12 paragraph (1), Article 38-13 paragraph (1), Article 38-14 paragraph (2) and (3), and Article 38-15 apply, “technical regulations conformity certification” in Article 38-2 paragraph (3) shall be read as “technical regulations conformity certification and the attestation of Article 38-16 paragraph (1)”; “technical regulations conformity certification” in Article 38-5 and Article 38-10 shall be read as “technical regulations conformity certification or the attestation of Article 38-16 paragraph (1)”; “technical regulations conformity certification service” in Article 38-7, Article 38-8, Article 38-11, Article 38-12, Article 38-13 paragraph (1) and Article 38-14 paragraph (2) and (3) shall be read as “technical regulations conformity certification service and the attestation service of Article 38-16 paragraph (1)”; “technical regulations conformity certification service” in Article 38-15 shall be read as “technical regulations conformity certification service and the attestation service in paragraph (1) of the following article.”
- (10) The provisions of paragraph (2) and (3) of Article 38-12 shall apply, mutatis mutandis, to the on-the-spot inspection of the provisions of paragraph (6).

(Recognized Certification Body)

Article 38-17.

- (1) When receiving an application of any person who conducts inspection and testing of radio equipment in foreign countries based on a radio inspection system under foreign statute which is similar to the technical regulations conformity certification system, and who wishes to conduct certification that specified radio equipment dealt with by foreign dealers to be used in Japanese territory satisfies the technical regulations specified in the preceding Chapter, the Minister of Public Management, Home Affairs, Posts and Telecommunications may certify it according to categories specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications referred to in Article 38-2 paragraph (2).
- (2) The specified radio equipment which has obtained certification of the preceding paragraph by the person certified under the provisions of the same paragraph (hereinafter referred to as “recognized certification body”) shall be regarded as specified radio equipment which has obtained technical regulations conformity certification.
- (3) The recognized certification body shall report without delay to the Minister of Public Management, Home Affairs, Posts and Telecommunications when suspending or abolishing a part or all of the certification service of paragraph (1).
- (4) The Minister of Public Management, Home Affairs, Posts and Telecommunications shall issue a public notice upon receipt of the report in accordance with the preceding paragraph.
- (5) The provisions of Article 38-2 paragraph (4) through (6) shall apply, mutatis mutandis, to the certification of paragraph (1) by a recognized certification body; the provisions of Article 38-3 (except paragraph (1) item v)) and Article 38-4 paragraph (1) shall apply, mutatis mutandis, to the certification by the Minister of Public Management, Home Affairs, Posts and Telecom-

munications in accordance with paragraph (1); the provisions of paragraph (2) and (3) of the same article, Article 38-5, Article 38-8 and Article 38-10 through Article 38-12 apply, mutatis mutandis, to a recognized certification body. In this case, “The Minister of Public Management, Home Affairs, Posts and Telecommunications or the designated certification agency” in Article 38-2 paragraph (4) and (6) shall be read as “recognized certification body”; “paragraph (2) of the preceding article” in Article 38-3 shall be read as “Article 38-17 paragraph (1)”; “Article 38-14 paragraph (1) or (2)” shall be read as “Article 38-18 paragraph (1) or (2)”; “designated certification agency” in the same article and Article 38-4 paragraph (1) shall be read as “recognized certification body”; “technical regulations conformity certification” in Article 38-3 paragraph (1), Article 38-4 paragraph (1) and (2), Article 38-5, Article 38-8, Article 38-10, Article 38-11, and Article 38-12 paragraph (1) shall be read as “certification of Article 38-17 paragraph (1)”; “a person who has the qualification (hereinafter referred to as “certification examiner”)” in Article 38-5 paragraph (2) shall be read as “a person who has the qualification”; “order” in Article 38-8 paragraph (2) shall be read as “request”; “orders necessary for the supervision” in Article 38-11 shall be read as “necessary request”.

- (6) A recognized certification body may attest, upon receipt of an application of a foreign dealer, that the type of the specified radio equipment which will be used in Japan satisfies technical regulations specified in the preceding Chapter.
- (7) Where a recognized certification body conducts the attestation service of the preceding paragraph, when paragraph (3) and paragraph (5) apply, “certification service” in paragraph (3) shall be read as “certification service and the attestation service of paragraph (6)”; “Article 38-4 paragraphs (1) and (2)” in paragraph (5) shall be read as “technical regulations conformity certification” in Article 38-4 paragraphs (1) and (2) shall be read as “the certification of Article 38-17 paragraph (1)”; “Article 38-8, Article 38-10, Article 38-11, and Article 38-12 paragraph (1)” shall be read as “Article 38-10”; “the certification of” shall be read as “the certification or the attestation of paragraph (6) of the same article”; “Article 38-8 paragraph (2)” shall be read as “technical regulations conformity certification” in Article 38-8, Article 38-11, and Article 38-12 paragraph (1) shall be read as “the certification service of Article 38-17 paragraph (1) and the attestation of Article paragraph (6) of the same article,” and Article 38-8 paragraph (2)”.
- (8) The provisions of paragraph (3) through paragraph (5) of the preceding article shall apply, mutatis mutandis, to the attestation of paragraph (6) by the recognized certification body; the provisions of paragraph (6) of the same article shall apply, mutatis mutandis, to the acceptance of the report and on-the-spot inspection by the Minister of Public Management, Home Affairs, Posts and Telecommunications which is related to the specified radio equipment in accordance with the certification of paragraph (6); The provisions of paragraph (7) and (8) of the same article shall apply, mutatis mutandis, to the revocation of certification of paragraph (6) by the Minister of Public Management, Home Affairs, Posts and Telecommunications. In this case, “The Minister of Public Management, Home Affairs, Posts and Telecommunications or the designated certification agency shall, upon receipt of an application of paragraph (1)” in paragraph (3) of the same article shall be read as “The recognized certification body shall, upon receipt of an application of paragraph (6) of the following article”; “the application of paragraph (1)” in paragraph (4) of the same article shall be read as “the application of paragraph (6) of the following article”.

(Revocation of Certification)

Article 38-18.

- (1) The Minister of Public Management, Home Affairs, Posts and Telecommunications shall revoke a certification when the recognized certification body has lost the status in its own country, which is provided in paragraph (1) of the preceding article, or when it falls under the provisions of Article 38-3 paragraph (2) item i) or item iii) which apply, mutatis mutandis, to paragraph (5) of Article 38-17.

- (2) The Minister of Public Management, Home Affairs, Posts and Telecommunications may revoke the certification when the recognized certification body falls under any of the following items:
- i) When contravening the provisions of paragraph (3) of the preceding article, or the provisions of Article 38-4 paragraph (2), Article 38-5, Article 38-8 paragraph (1) or Article 38-10, which shall apply, mutatis mutandis, to paragraph (5) of Article 38-17.
 - ii) When determined not to satisfy any of each item of Article 38-3 paragraph (1) (except item v)), which applies, mutatis mutandis, to paragraph (5) of the preceding article.
 - iii) When conducting service not based on the operational rules authorized by the provision of Article 38-8 paragraph (1) which shall apply, mutatis mutandis, to paragraph (5) of the preceding article.
 - iv) When not responding to the order under the provisions of Article 38-8 paragraph (2) or Article 38-11, which shall apply, mutatis mutandis, to paragraph (5) of the preceding article.
 - v) When obtaining the certification through illegal means.
 - vi) When a report is not submitted or a false report is submitted, where the Minister of Public Management, Home Affairs, Posts and Telecommunications forces the recognized certification body to report in accordance with the provisions of Article 38-12 paragraph (1) which shall apply, mutatis mutandis, to paragraph (5) of the preceding article.
 - vii) When the recognized certification body refuses, hinders with, or evades the inspection, where the Minister of Public Management, Home Affairs, Posts and Telecommunications orders the ministerial staff to inspect the office of the recognized certification body in accordance with the provisions of Article 38-12 paragraph (1) which applies, mutatis mutandis, to paragraph (5) of the preceding article.
- (3) The Minister of Public Management, Home Affairs, Posts and Telecommunications shall, when revoking the certification in accordance with the provisions of the preceding two paragraphs, issue a public notice on the fact.

Chapter IV. Radio Operators

(Operation of Radio Equipment)

Article 39.

- (1) No other person than the radio operator who is allowed to engage in the operation of radio equipment in accordance with the provisions of Article 40 (meaning radio operators who hold the ship radio operator attestation of Article 48-2 paragraph (1), with respect to the operation of radio equipment of a compulsory ship station, etc. which is specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications; the same shall apply in this article) may operate radio equipment (except easy-to-operate radio equipment specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications) unless the person is under the control of anyone who is appointed as a supervisor (hereinafter referred to as “radio operator in full charge”) to operate radio equipment of a radio station (except amateur radio station; the same shall apply in this article) and has notified the appointment in accordance with the provisions of paragraph (4). However, this shall not apply to the case where a ship or aircraft is unable to supplement any radio operator due to being in navigation, or which is specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications.
- (2) The operation of radio telegraphy by transmitting and receiving Morse code signals and the operation of radio equipment specified in the ordinance of the Minister of Public Management, Home Affairs, Posts and Telecommunications shall be conducted by a radio operator in accordance with the provisions of Article 40, irrespective of the main clause of the preceding paragraph.

- (3) The radio operator in charge shall be a radio operator who is capable of supervising the operation of radio equipment in accordance with the provisions of Article 40, with no reference to particulars specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications.
- (4) A licensee of a radio station shall notify without delay the Minister of Public Management, Home Affairs, Posts and Telecommunications when the licensee appoints a radio operator in charge. The same shall apply to the case where the licensee discharges a radio operator in charge.
- (5) A radio operator in charge for whom an appointment has been notified of in accordance with the provisions of the preceding paragraph shall perform with integrity the duties specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications, with respect to supervising the operation of radio equipment.
- (6) Anyone who is engaged in operating radio equipment under the supervision of a radio operator in charge, for whom an appointment has been notified of in accordance with the provisions of paragraph (4) shall observe any instruction of the radio operator in charge which is granted considering its necessity for performing the duties of the preceding paragraph.
- (7) A licensee of radio station (except that specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications) shall order a radio operator in charge, for whom an appointment has been notified of in accordance with the provisions of paragraph (4) to take a training course, every certain period specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications, which the Minister of Public Management, Home Affairs, Posts and Telecommunications organizes for supervision of operation of the radio equipment.

(Designated Training Agency)

Article 39-2.

- (1) The Minister of Public Management, Home Affairs, Posts and Telecommunications may designate a person (hereinafter referred to as “designated training agency”) to hold the training courses of paragraph (7) of the preceding article (hereinafter referred to simply as “training courses”).
- (2) The designation of a person as a designated training agency shall be made upon an application by the person who wishes to hold the training courses, according to categories specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications.
- (3) When appointing a designated training agency, the Minister of Public Management, Home Affairs, Posts and Telecommunications shall not organize the training courses related to the category, for which the designation was made.
- (4) The Minister of Public Management, Home Affairs, Posts and Telecommunications shall not designate a designated training agency unless the Minister recognizes application of paragraph (2) satisfies all of the following items:
 - i) Plans to execute training business on staff, equipment, methods for executing training business and other issues are adequate for proper and sure execution of training business.
 - ii) The applicant has sufficient financial base for proper and sure execution of plans to execute training business of the preceding item.
 - iii) In the case where the applicant is conducting business other than training business, there is no fear that the business does not have unfair influence on the training.
 - iv) There is no fear that the designation impairs proper and sure execution of training business of category concerning the application.
- (5) The Minister of Public Management, Home Affairs, Posts and Telecommunications shall not designate a designated training agency for those who filed application of paragraph (2) falls under any of the following items:
 - i) Any person other than a juridical person established under the provisions of Article 34 of

- the Civil Code (Law No. 89 of 1896)
- ii) Any person who has been sentenced to a penalty in accordance with this Law, if a period of two years has not yet elapsed since the day on which the sentence was fulfilled or exempted from the execution.
 - iii) Any person whose designation was revoked in accordance with the provision of Article 38-14 paragraph (1) or paragraph (2), which are applied, mutatis mutandis, to the following item, if a period of two years has not yet elapsed since the day on which the revocation was made.
 - iv) Any person, any of whose officers fall under item ii)
- (6) The provisions of Article 38-4, Article 38-7 paragraph (2) and Articles 38-8 through 38-15 shall apply, mutatis mutandis, to the designated training agency. In this case, “technical regulations conformity certification” in Article 38-4 paragraphs (1) and (2), Article 38-7 paragraph (2), Articles 38-8, 38-10 and 38-11, Article 38-12 paragraph (1), Article 38-13 paragraph (1), Article 38-14 paragraphs (2) and (3), and Article 38-15 shall be read as “training course”; “staff (including certification examiners)” in Article 38-7 paragraph (2) shall be read as “staff”; “Article 38-3 paragraph (2) each item (item ii)” in Article 38-14 paragraph (1) shall be read as “Article 39-2 paragraph (5) each item (item iii)”; “this Chapter” in Article 38-14 paragraph (2) item i) shall be read as “this Chapter which applies to the provisions of Article 39-2 paragraph (6)”; “Article 38-3 paragraph (1) each item (item v)” in Article 38-14 paragraph (2) item ii) shall be read as “Article 39-2 paragraph (4) each item (item iv)”; “Article 38-6 paragraph (2), Article 38-8 paragraph (2)” in Article 38-14 paragraph (3) item iii) shall be read as “Article 38-8 paragraph (2),” and; “Article 38-2 paragraph (3)” in Article 38-15 paragraph (1) shall be read as “Article 39-2 paragraph (3).”

(Operation of Radio Equipment in Amateur Radio Stations)

Article 39-3.

The operation of radio equipment in amateur radio stations shall be conducted by a radio operator in accordance with the provisions of the following article. However, this shall not apply to the case where the operation of radio equipment of an amateur radio station is conducted in accordance with the provisions of the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications by anyone who holds a qualification, in a foreign country, which is specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications as equivalent qualification to those qualifications specified under the same article paragraph (1) item v), and which is specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications.

(Qualifications of Radio Operators)

Article 40.

The qualifications of radio operators shall be those referred to in the following items corresponding to categories in the following items.

- i) Qualifications of Radio Operators for General Service:
 - a) First-Class Radio Operator for General Service
 - b) Second-Class Radio Operator for General Service
 - c) Third-Class Radio Operator for General Service
- ii) Qualifications of Radio Operators for Maritime Service:
 - a) Maritime First-Class Radio Operator
 - b) Maritime Second-Class Radio Operator
 - c) Maritime Third-Class Radio Operator
 - d) Maritime Fourth-Class Radio Operator
 - e) Maritime Special Radio Operators specified in the applicable cabinet order

- iii) Qualifications of Radio Operators for Aeronautical Service:
 - a) Aeronautical Radio Operator
 - b) Aeronautical Special Radio Operators specified in the applicable cabinet order
 - iv) Qualifications of Technical Radio Operators for On-the-Ground Service:
 - a) First-Class Technical Radio Operator for On-the-Ground Service
 - b) Second-Class Technical Radio Operator for On-the-Ground Service
 - c) On-the-Ground Special Radio Operators specified in the applicable cabinet order
 - v) Qualifications of Radio Operators for Amateur Service
 - a) Amateur First-Class Radio Operator
 - b) Amateur Second-Class Radio Operator
 - c) Amateur Third-Class Radio Operator
 - d) Amateur Fourth-Class Radio Operator
- (2) The act of a radio operator with the qualifications referred to in items i) through iv) of the preceding paragraph, or the scope of conducting supervision of operation of radio equipment by the radio operator, or the scope of operation of radio equipment by a radio operator with the qualification referred to in item v) of the same paragraph, are specified in the cabinet order according to the qualifications.

(Licensing)

Article 41.

- (1) Any person who wishes to be a radio operator shall obtain a license from the Minister of Public Management, Home Affairs, Posts and Telecommunications.
- (2) A license of radio operator shall be granted to a person who falls under any of the following items (in the case where a person falls under items ii) through iv), except those who are prohibited to take an examination for the period specified in the latter part of the provisions of Article 48 paragraph (1) and yet are within the periods):
- i) One who has passed the state examinations for radio operator which are executed according to the qualifications of paragraph (1) of the preceding article.
 - ii) One who has completed the training course of radio operators with the qualifications (that which is only specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications) of the paragraph (1) of the preceding article, which is attested by the Minister of Public Management, Home Affairs, Posts and Telecommunications that it satisfies the regulations specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications.
 - iii) One who has graduated from school as having mastered subjects related to radio communications specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications, corresponding to the categories of schools referred to in the following items based on the School Education Law (Law No. 26 of 1947), with respect to the qualification (that which only specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications) of the paragraph (1) of the preceding article:
 - a) A university or college (except a junior college)
 - b) A junior college or technical college
 - c) A senior high school or a junior high school
 - iv) Any person who holds qualifications of the paragraph (1) of the preceding article, career in service and other requirements which are specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications, as possessing knowledge and ability equivalent to, or more than, those specified in the preceding three items, according to the qualifications of paragraph (1) of the preceding article (that which specified in the applicable ministerial ordinance of the Ministry of Public

Management, Home Affairs, Posts and Telecommunications).

(Cases Not to Grant Licenses)

Article 42.

The Minister of Public Management, Home Affairs, Posts and Telecommunications may not grant a radio operator license to a person who falls under any of the following items:

- i) A person who has been sentenced to a fine or severer penalty for a crime of Chapter IX, if a period of two years has not elapsed since the day when the sentence was served out or the stay of execution was expired.
- ii) A person whose radio operator license has been revoked in accordance with the provisions of Article 79 paragraph (1) or item iii), if a period of two years has not elapsed since the day of the revocation.
- iii) A person who is not suitable for a radio operator due to any serious physical or mental deficiency.

(Original Register of Radio Operators)

Article 43.

The Minister of Public Management, Home Affairs, Posts and Telecommunications shall maintain the original register of radio operators and enter therein particulars related to licenses.

(State Examinations for Radio Operators)

Article 44.

State examinations for radio operator shall be executed with regard to knowledge and technical proficiency necessary for the operation of radio equipment.

Article 45.

The Minister of Public Management, Home Affairs, Posts and Telecommunications shall execute state examinations for radio operators at least once a year for each qualification category of Article 40.

(Designation of Examination Executing Agencies)

Article 46.

- (1) The Minister of Public Management, Home Affairs, Posts and Telecommunications may designate a person (hereinafter referred to as “designated examinations executing agency”) and order the person to conduct all or a part of operations related to the execution of state examinations for radio operators (hereinafter referred to as “examination service”).
- (2) The designation of a person to a designated examinations executing agency shall be made upon an application by a person who wishes to conduct the examination service, to only one agency according to each category specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications.
- (3) When designating a designated examination executing agency, the Minister of Public Management, Home Affairs, Posts and Telecommunications shall not conduct the examination service related to the category, for which the designation was made.
- (4) The Minister of Public Management, Home Affairs, Posts and Telecommunications shall not designate a designated examination executing agency for those who filed application of the paragraph (2) fall under any of the following items:
 - i) Any person other than a juridical person established based on the provisions of Article 34 of the Civil Code (Law No. 89 of 1896)
 - ii) Any person who has been sentenced to a penalty in accordance with this Law, if a period of two years has not yet elapsed since the day on which the sentence was fulfilled or exempted from execution.

- iii) Any person whose designation was revoked in accordance with the provisions of Article 38-14 paragraphs (1) or (2) which apply in Article 47-4, if a period of two years has not yet elapsed since the day on which the revocation was made.
- iv) Any person, any of whose officers fall under any of following items:
 - a) Any person who falls under item ii)
 - b) Any person who were dismissed by an order based on the provision of Article 47-2 paragraph (3), if a period of two years has not yet elapsed since the day of the dismissal.

(Execution of Examination Business)

Article 47.

In conducting the examination service, the designated examinations executing agency shall order a person who satisfies the requirements specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications (hereinafter referred to as “examination executor”) to conduct service to determine examinees’ knowledge and ability required for radio operators.

(Selection and Dismissal of Officers, Etc)

Article 47-2.

- (1) Selection and dismissal of officers of a designated examination executing agency shall not be valid without receiving approval of the Minister of Public Management, Home Affairs, Posts and Telecommunications.
- (2) A designated examination executing agency shall, upon selection or dismissal of examination executors, notify the fact to the Minister of Public Management, Home Affairs, Posts and Telecommunications.
- (3) In the case where officers or executors of a designated examination executing agency violate this Law, orders based on this Law or administrative dispositions based thereon, or operational rules under Article 38-8 paragraph (1), which applies, mutatis mutandis, to Article 47-4, the Minister of Public Management, Home Affairs, Posts and Telecommunications may order the designated examination executing agency to dismiss those officers or executors.

(Business Plan, Etc.)

Article 47-3.

A designated examination executing agency shall, in each business year, compile a business plan and a revenues and expenditures budget, and obtain approval of the Minister of Public Management, Home Affairs, Posts and Telecommunications before the start of said business year (in a business year which the day of the designation belongs to, after the designation without delay). The same shall apply to the case when the designated examination executing agency changes a business plan or a revenues and expenditures budget.

(Provisions Applicable Correspondingly)

Article 47-4

The provisions of Article 38-4, Article 38-7, Article 38-8, Article 38-9 paragraph (2), Articles 38-10 through 38-15 and Article 39-2 paragraph (4) (except item iv)) shall apply, mutatis mutandis, to the designated examination executing agency. In this case, “technical regulations conformity certification service” in Article 38-4 paragraphs (1) and (2), Articles 38-7, 38-8, 38-11, Article 38-12 paragraph (1), Article 38-13 paragraph (1), Article 38-14 paragraphs (2) and (3), and Article 38-15, and “technical regulations conformity certification” in Article 38-10, and “training business” in Article 39-2 paragraph (4) shall be read as “examination service of Article 46 paragraph (1)”; “certification examiner” in Article 38-7 shall be read as “examination executor of Article 47”; “Any officer (where a designated certification agency which is not a juridical person, those who have obtained designation of designated certification agency. The same shall apply to the following

paragraph and Article 110-2, and Article 113-2.)” in Article 38-7 paragraph (1) shall be read as “officers”; “Article 38-3 paragraph (2) each item (item ii)” in Article 38-14 paragraph (1) shall be read as “Article 46 paragraph (4) each item (item iii)”; “this Chapter” in Article 38-14 paragraph (2) item i) shall be read as “this Chapter which shall apply, mutatis mutandis, to the provisions of Articles 47 through 47-3 or Article 47-4”; “Article 38-3 paragraph (1) each item (item v)” in Article 38-14 paragraph (2) item ii) shall be read as “Article 39-2 paragraph (4) each item (item iv)”; “Article 38-6 paragraph (2), Article 38-8 paragraph (2) or Article 38-11” in Article 38-14 paragraph (2) item iii) shall be read as “Article 38-8 paragraph (2), Article 38-11 or Article 47-2 paragraph (3)”; “Article 38-2 paragraph (3)” in Article 38-15 paragraph (1) shall be read as “Article 46 paragraph (3)”; “paragraph (2)” in Article 39-2 paragraph (4) shall be read as “Article 46 paragraph (2)” and “training” in Article 39-2 paragraph (3) shall be read as “examination service of Article 46 paragraph (1)”.

(Suspension of Taking Examinations, Etc.)

Article 48.

- (1) When an illegal act is committed with respect to the state examinations for radio operators, the Minister of Public Management, Home Affairs, Posts and Telecommunications may suspend an examinee related to the illegal act from taking the examinations or may regard these examinations as void. In this case, the Minister may prohibit the examinee from taking further examinations for a specified period.
- (2) The designated examinations executing agency may execute the authority of the Minister of Public Management, Home Affairs, Posts and Telecommunications provided in the former part of the preceding paragraphs with respect to executing the examination service.

(Ship Station Radio Operator Attestation)

Article 48-2.

- (1) Anyone who wishes to operate or conduct supervision of radio equipment in compulsory ship stations, etc. which is specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications of the main clause of Article 39 paragraph (1), may receive a ship station radio operator attestation, upon an application to the Minister of Public Management, Home Affairs, Posts and Telecommunications.
- (2) The Minister of Public Management, Home Affairs, Posts and Telecommunications shall designate ship station radio operator attestation when anyone who applies for ship station radio operator attestation holds an appropriate qualification of radio operator specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications and falls under any of the following items:
 - i) When the applicant has completed the training course for operation, or supervision of operation, of radio equipment in compulsory ship stations, etc., which the Minister of Public Management, Home Affairs, Posts and Telecommunications organizes for applicants.
 - ii) The applicant has completed a training course which has been attested by the Minister of Public Management, Home Affairs, Posts and Telecommunications and has contents equivalent to those of the training course of the preceding item, if a period of five years has not elapsed since the day of completion.
- (3) The provisions of Article 42 (except item iii)) shall apply, mutatis mutandis, to the ship station radio operator attestation. In this case, “Article 79 paragraph (1) item i)” in item ii) of the same article shall be read as “Article 79 paragraph (1) item i) which shall apply, mutatis mutandis, in Article 79 paragraph (2)”.

(Losing Validity of Ship Station Radio Operator Attestation)

Article 48-3.

The ship station radio operator attestation shall lose its validity when anyone who has obtained

the ship station radio operator attestation falls under any of the following items after the date of receiving it.

- i) When a person is not engaged in operation or supervision of the operation of radio equipment in compulsory ship stations, etc. which is specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications of the main clause of Article 39 paragraph (1), or in radio stations specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications during a period of five years starting on the completion day of the training course for compulsory ship station, etc. and does not complete either the training course which the Minister of Public Management, Home Affairs, Posts and Telecommunications organizes for operation, or supervision of operation, of radio equipment in ship stations for people having ship station radio operator attestation, or the training course which the Minister attests that it has contents equivalent during that period.
- ii) A person who has not been engaged in the operation of the preceding item during an uninterrupted period of five years and has not completed any of the training courses of the preceding item during that period.
- iii) A person who no longer holds the qualifications of radio operator of paragraph (2) of the preceding article.
- iv) A person whose ship station radio operator attestation has been suspended for a period of more than five years in accordance with the provisions of Article 79-2 paragraph (1).

(Commission to the Ordinances of the Ministry of Public Management, Home Affairs, Posts and Telecommunications)

Article 49.

In addition to particulars provided in Articles 39 and 41 through the preceding article, particulars related to subjects of training courses and other particulars related to holding training courses, procedural particulars related to applications for a license, issue, reissue, and return, of licenses, and other particulars related to radio operators license, and particulars related to recognition of Article 41 paragraph (2) item ii), particulars related to examination subjects, procedures for examinations, and other detailed particulars for executing state examinations for radio operator, applications for ship station radio operator attestation and issue, reissue, and return, of certificates of ship station radio operator attestation, training courses which the Minister of Public Management, Home Affairs, Posts and Telecommunications organizes in accordance with the provisions of Article 48-2 paragraph (2) item i), and item i) of the preceding article, and attestation of Article 48-2 paragraph (2) item ii), and item i) of the preceding article, and other particulars related to executing ship station radio operator attestation shall be specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications.

(Station of a Distress Traffic Operator in Charge, Etc.)

Article 50.

- (1) Compulsory ship stations on board passenger ships or ships of 300 gross tons or more engaged on international voyages shall station distress traffic operator in charge (meaning a person who manages the particulars related to communications on board referred to in Article 52 item i) through item iii)), who is the radio operators specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications and who holds a ship station radio operator attestation.
- (2) In addition to the requirements provided in the preceding paragraph, when determining necessary, the Minister of Public Management, Home Affairs, Posts and Telecommunications may specify, in accordance with the provisions of the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications #, the number of radio operators by qualification categories (including qualifications of radio operators in

charge and the ship station radio operator attestation) to be stationed at radio stations.

The Regulations for Enforcement of the Radio Law, Article 36.

(Notification on Appointment and Discharge)

Article 51.

The provisions of Article 39 paragraph (4) shall apply, mutatis mutandis, to appointment and discharge of radio operators other than radio operators in charge.

Chapter V. Operations

Section 1. General

(Prohibition of Utilizing Radio Stations beyond Their Purposes, Etc.)

Article 52.

No radio station shall be operated beyond the scope of purposes, persons with whom to communicate or communications subjects (or broadcasting particulars for broadcasting radio stations (except those for the purpose of conducting telecommunications service)) which are entered on the license. However, this shall not apply to the following communications:

- i) Distress traffic (meaning radio communications conducted by the methods preceded by the distress signal or specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications, at the time when a ship or an aircraft is threatened by grave and imminent danger; hereinafter the same shall apply.)
- ii) Urgency traffic (meaning radio communications conducted by the methods preceded by the urgent signal or specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications, at the time when a ship or an aircraft is expected to run into grave and imminent danger, or at the time of urgency; hereinafter the same shall apply.)
- iii) Safety traffic (meaning radio communications conducted by the methods preceded by the safety signal or specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications, for the purpose of prevention of serious danger to the navigation of a ship or an aircraft; hereinafter the same shall apply.)
- iv) Emergency traffic (meaning radio communications conducted for saving lives, relieving from disaster, securing transportation telecommunications or maintaining public order, when impossible or extremely difficult to rely upon wired communications, where earthquake, typhoon, flood, tidal wave, snow damage, conflagration, riot or any other emergency occurred or anticipated to occur; hereinafter the same shall apply.)
- v) Receiving broadcast.
- vi) Other communications specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications #.

The Regulations for Enforcement of the Radio Law, Article 37.

Article 53.

Where operating a radio station, the location of its radio equipment, identification signal, type of radio waves, and frequencies shall observe terms of the license. However, this shall not apply to distress traffic.

Article 54.

For operating a radio station, its antenna power shall satisfy each of the following items. However, this shall not apply to distress traffic:

- i) The range of antenna power is within terms of the license.
- ii) The antenna power is as small as possible for conducting communications.

Article 55.

A radio station shall not be operated beyond the permitted operations hours entered on the license. However, this shall not apply to the case where conducting communications referred to in each item of Article 52 or which is specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications.

*(Prevention of Radio Interference, Etc.)***Article 56.**

(1) A radio station shall be operated in such a way not to cause interference or any other disturbances harmful to the operation of other radio stations, or receiving equipment used for the radio astronomy service (meaning a service to receive astronomy radio waves emitted in the outer space), or other receiving equipment (except that of radio stations) which is specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications # and designated by the Minister of Public Management, Home Affairs, Posts and Telecommunications. However, this shall not apply to the communications referred to in Article 52 items i) through iv).

The Regulations for Enforcement of the Radio Law, Article 50-2.

(2) The designation provided in the preceding paragraph shall be made upon application by a person who installs the receiving equipment related to that designation.

(3) When making a designation in accordance with the provisions of paragraph (1), the Minister of Public Management, Home Affairs, Posts and Telecommunications shall issue a public notice of particulars, which are specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications #, of the receiving equipment related to the aforementioned designation.

The Regulations for Enforcement of the Radio Law, Article 50-6.

(4) In addition to the particulars provided in the preceding two paragraphs, application procedures for the designation, designation standards, revocation of the designation and other particulars necessary for designation provided in paragraph (1) shall be specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications #.

The Regulations for Enforcement of the Radio Law, Articles 50-3 through Article 50-9.

*(Use of Dummy Antenna Circuits)***Article 57.**

Where falling under the following items, a radio station shall use dummy antennae circuit to the practicable extent:

- i) When testing or adjusting radio equipment.
- ii) When operating an experimental radio station.

*(Communications of Experimental Radio Stations, Etc.)***Article 58.**

Neither experimental radio stations nor amateur radio stations shall use cryptographs in their communications.

*(Protection of Secrecy)***Article 59.**

Unless specified by law, no one shall intercept, divulge, or take advantage of the existence or contents of radio communications which is conducted for any particular person (except communications of Article 4 paragraph (1) or Article 90 paragraph (2) of the Telecommunications Business Law; the same shall apply to Article 109).

*(Provision of a Timepiece and Service Documents)***Article 60.**

A radio station shall install an accurate timepiece, a radio inspection book, a radio service log and other documents which are specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications #. However, all or a part of this installation may be omitted for radio stations which are specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications ##.

The Regulations for Enforcement of the Radio Law, Article 38 paragraph (1).

The Regulations for Enforcement of the Radio Law, Article 38-2 and 38-3.

*(Methods of Communications, Etc.)***Article 61.**

Calling, answering and other communications methods, collation of timepieces, adjustment of radio equipment on lifeboats and direction-finding apparatus, and other particulars necessary for maintaining the functions of radio equipment are specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications. #

The Ordinance for Regulating the Operation of Radio Stations.

Section 2. Operation of Coast Stations, Etc.

*(Operation of Ship Stations)***Article 62.**

- (1) The operation of a ship station is only allowed when at sea. However, this shall not apply to the case where only operating receiving equipment, or conducting communications referred to in each item of Article 52, or which is specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications. #

The Ordinance for Regulating the Operation of Radio Stations, Article 40.
- (2) When a coast station (meaning a radio station established on land to communicate with ship stations; hereinafter the same shall apply.) receives any disturbance to its operation from a ship station, the coast station may request the ship station causing such disturbance to take measures necessary for eliminating it.
- (3) When a ship station receives, where conducting communications with a coast station, instructions related to communications order or time, or type of radio waves, or frequencies from the coast station, the ship station shall observe those instructions.

*(Operation of Coast Stations, Etc.)***Article 63.**

Coast stations and coast earth stations (meaning radio stations which are established on land for the purposes of telecommunications service and communicates with ship earth stations via relay of satellite stations; hereinafter the same shall apply.) shall operate all the time. However, this shall not apply to the coast stations and the coast earth stations specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications.

Article 64.

(Deleted)

*(Watchkeeping Obligation)***Article 65.**

The radio stations referred to in the left column of the following table and specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications shall keep watch on the frequencies referred to in the right column, consecutively for those referred to in paragraphs i) and ii) in the table, during hours specified in the applicable

ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications for those referred to in paragraph iii), and during obligated operations hours (meaning the hours during which radio stations are obliged to operate; hereinafter the same shall apply.) for those referred to in item iv). However, this shall not apply to where specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications.

Radio Station	Frequency
i) Ship station and coast station equipped with digital selective-calling system	Frequency specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications
ii) Ship earth station and coast earth station	Frequency specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications
iii) Ship station	156.65MHz, 156.8MHz and frequency specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications
vi) Coast station	Frequency specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications

(Distress Traffic)

Article 66.

- (1) Any coast station, coast earth station, ship station and ship earth station (to be referred to as “coast station, etc.” in the following article and Article 68), when receiving distress traffic, shall reply thereto immediately, with absolute priority over all other radio communications, and take the best measures for communications related to the rescue such as informing the radio station at the most convenient position to help save the ship or aircraft in distress, in accordance with the provisions of the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications.
- (2) All radio stations, when receiving distress traffic or radio communications conducted by the methods specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications of Article 52 item i), shall immediately stop emission of radio waves which could interfere with the distress traffic.

(Urgency Traffic)

Article 67.

- (1) Any coast station, etc. shall deal with urgency traffic with the second highest priority next to distress traffic.
- (2) Any coast station, etc., when receiving urgency signals or radio communications conducted by the methods specified by the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications of Article 52 item ii), shall receive the urgency traffic consecutively until determining that those communications have no relation to itself (at least for three minutes in the case which is specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications), unless when conducting distress traffic.

(Safety Traffic)

Article 68.

- (1) Any coast station, etc. shall deal with safety traffic expeditiously and assuredly.

- (2) Any coast station, etc., when receiving safety signals or the radio communications conducted by the methods specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications of Article 52 item iii), shall receive the safety traffic until determining that those communications have no relation to itself.

(Communications to Tune up Ship Station Equipment)

Article 69.

Any coast or ship station requested from a ship station to communicate for tuning up radio equipment shall accept such a request to the practicable extent.

Article 70.

(Deleted)

Section 3. Operation of Aeronautical Stations, Etc.

(Operation of Aircraft Stations)

Article 70-2.

- (1) The operation of aircraft radio station is only allowed during its flight or preparations before take-off. However, this shall not apply to the case where using only receiving equipment, or conducting communications referred to in each item of Article 52, or which is specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications. #
The Ordinance for Regulating the Operation of Radio Stations, Article 142.
- (2) When an aeronautical station (meaning a radio station established on land to communicate with aircraft stations; hereinafter the same shall apply.) or a coast station receives any disturbance to its operation from an aircraft station, the aeronautical station or the coast station may request the aircraft station causing such disturbance to take measures necessary for eliminating it.
- (3) Whenever an aircraft station receives, when conducting communications with an aeronautical station, instructions related to communications order or time, or type of radio waves, or frequencies from the aeronautical station, the aircraft station shall observe those instructions.

(Obligated Operations Hours)

Article 70-3.

- (1) Compulsory aircraft stations and compulsory aircraft earth stations shall operate during the hours which are specified by the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications. #
- (2) Aeronautical stations and aeronautical earth stations (meaning radio stations which are established on land and communicate with aircraft earth stations via relay of satellite stations; the same shall apply to the following article.) shall operate all the time. However, this shall not apply to the case where specified by the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications. ##
The Ordinance for Regulating the Operation of Radio Stations, Article 143.
The Ordinance for Regulating the Operation of Radio Stations, Article 144.

(Watchkeeping Obligation)

Article 70-4.

Aeronautical stations, aeronautical earth stations, aircraft stations and aircraft earth stations (to be referred to as “aeronautical station, etc.” in Article 70-6 paragraph (2)) shall keep watch during obligated operations hours on the frequencies which are specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications. # However, this shall not apply to the case where specified in the applicable ministerial ordinance of

the Ministry of Public Management, Home Affairs, Posts and Telecommunications. ##

The Ordinance for Regulating the Operation of Radio Stations, Article 146.

The Ordinance for Regulating the Operation of Radio Stations, Article 147.

(Communications Report of Aircraft Stations)

Article 70-5.

When in the air, an aircraft station shall report by methods specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications # to an aeronautical station specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications. #

The Ordinance for Regulating the Operation of Radio Stations, Article 149.

(Provisions Applicable Correspondingly)

Article 70-6.

- (1) The provisions of Article 69 (Communications to Tune up Ship Station Equipment) shall apply, mutatis mutandis, to the operation of aeronautical and aircraft stations.
- (2) The provisions of Article 66 (Distress Traffic) and Article 67 (Urgency Traffic) shall apply, mutatis mutandis, to the operation of aeronautical stations, etc.

Chapter VI. Supervision

(Changes of Frequencies, Etc.)

Article 71.

- (1) When deemed necessary for the purpose of regulating radio waves or securing public welfare, the Minister of Public Management, Home Affairs, Posts and Telecommunications may order to change frequency of a radio station or designated antenna power, or to transfer the location of radio equipment of an artificial satellite station, only within the scope of disturbing the fulfillment of the purposes of the radio station.
- (2) The Government shall compensate the licensee for the loss resulting from ordering change, in accordance with the provisions of the preceding paragraph, in the frequency or designate antenna power or in the location of radio equipment of the artificial satellite station.
- (3) The loss to be compensated under the preceding paragraph shall be the loss, which normally results from the measures taken in accordance with the same paragraph.
- (4) Any person who is dissatisfied with the amount of compensation of paragraph (2) may bring in an action in an ordinary court to demand the increase of the compensation amount within three months from the day of obtaining the notification on the compensation amount.
- (5) The Government shall be a defendant for a suit filed under the preceding paragraph.
- (6) When taking measures related to the order, the licensee who received an order to change the location of radio equipment of the artificial satellite station shall notify without delay the Minister of Public Management, Home Affairs, Posts and Telecommunications of it.

(Specific Frequency Change Support Service)

Article 71-2.

- (1) The Minister of Public Management, Home Affairs, Posts and Telecommunications may, where the Minister changes the Frequency Allocation Plan or the Plan for the Available Frequencies Allocated to Broadcasting (hereinafter in this article and the following article referred to as “Frequency Allocation Plan, etc.”) that fall under the following items, when the Minister deems it necessary for ensuring adequate use of radio waves, toward licensee or other establishers of radio equipment who will conduct construction work for changing radio equipment concerning change of frequency or antenna power provided in item iii), compensate said construction costs and other necessary support (hereinafter referred to as “specific frequency change support

service”) within the extent of available budget.

- i) The Minister provides time limits of frequency use not exceeding ten years counting from the day of public notice of change of the Frequency Allocation Plan, etc. as conditions concerning the use of specific classification of radio stations (meaning “classification of radio stations” stipulated in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications in line with technical requirements stipulated in the Chapter III concerning modes of radio communications, purposes of radio stations and radio facilities. The same shall apply in this article.) and assigns assignable frequencies (hereinafter referred to as “frequencies to be assigned to a new classification” in this article) in said classification of radio stations (hereinafter referred to as “old classification of assignment” in this article) to a classification of radio stations other than the old classification of assignment.
- ii) In the case where there are classifications of radio stations having the same radio communications mode and the same purpose of radio stations (hereinafter referred to as “classification of the same purpose” in this item) as the old classification of assignment in classifications of radio stations, in which frequencies to be assigned to a new classification can be assigned, other than old classifications of assignment (referred to as “new classification of assignment” in the following item), the ratio of frequencies, that can be assigned to a classification of the same purpose, in the frequencies to be assigned to a new classification is equal to or less than three fourths.
- iii) Toward applications for radio station licenses (hereinafter in this item referred to as “specified newly opened radio station”) in a new classification of assignment concerning the Minister’s public notice of radio stations accompanying the Minister’s public notice of change of the Frequency Allocation Plan, etc., frequencies to be assigned to a new classification shall be enabled to be assigned within five years counting from the day of public notice of said change of said Frequency Allocation Plan, etc. In this case, frequencies or antenna power of opened radio stations shall be enabled to be changed beforehand (limited to the extent that the change does not hinder the purpose of opened stations; in the case of the change of frequencies, limited to the extent that the change is within the range of frequencies to be assigned to a new classification), in order for those radio stations in an old classification of assignment, which actually assigned frequencies to be assigned to a new classification upon the public notice of said change of said Frequency Allocation Plan, etc. (hereinafter in this item and Article 71-4 paragraph (2) referred to as “opened radio station”), not to hinder specified newly opened radio stations from operating thereof such as interference.

(Designated Frequency Change Support Agency)

Article 71-3.

- (1) The Minister of Public Management, Home Affairs, Posts and Telecommunications may have a person who is designated by the Minister conduct specific frequency change support service.
- (2) The designation of a person to a designated frequency change support agency shall be made upon an application by a person who wishes to conduct the specific frequency change support service, to only one agency according to each change of the Frequency Allocation Plan, etc. accompanying specific frequency change support service.
- (3) When designating a designated frequency change support agency, the Minister of Public Management, Home Affairs, Posts and Telecommunications shall not conduct the specific frequency change support service related to said designation.
- (4) Standards concerning payments of compensations related to specific frequency change support service a designated specific frequency change support agency conducts in accordance with paragraph (1) shall be provided under the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications.

- (5) A designated specific frequency change support agency may, in accordance with the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications, when approved by the Minister of Public Management, Home Affairs, Posts and Telecommunications, commission other parties to conduct part of specific frequency change support service (except decision of giving compensations).
- (6) A designated specific frequency change support agency may, when deemed necessary in relation with specific frequency change support service, require a person who is decided to be given compensations to make reports relating to necessary particulars.
- (7) A designated specific frequency change support agency shall, in every business year, make a business report, balance sheet, financial statement and list of property, submit them to the Minister of Public Management, Home Affairs, Posts and Telecommunications, within three months after the end of said business year, and obtain approval from the Minister.
- (8) Where a designated specific frequency change support agency conducts services other than specific frequency change support service, the designated specific frequency change support agency shall separate the account concerning said services from the account concerning the specific frequency change support service.
- (9) The Minister of Public Management, Home Affairs, Posts and Telecommunications may, within the extent of available budget, provide a designated specific frequency change support agency with full amount or any part of money necessary for conducting specific frequency change support service.
- (10) In addition to particulars provided for in this article, particulars necessary for financial affairs and the account of a designated specific frequency change support agency shall be stipulated under the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications.
- (11) The provisions of Articles 38-4, 38-7, 38-8, Articles 38-10 through 38-15, Article 39-2 paragraph (4) (except item iv)), Article 46 paragraph (4), Article 47-2 items i) and iii), and Article 47-3 shall be applied, mutatis mutandis, to the designated specific frequency change support agency. In this case, “category of the designation, address of the office where the technical regulations conformity certification service is conducted, and the commencement day of technical regulations conformity certification” in Article 38-4 paragraph (1) shall be read as “address of the office where the specific frequency change support service is conducted, and the commencement day of the specific frequency change support service”; “the technical regulations conformity certification service” in Article 38-4 paragraph (2), Articles 38-7, 38-8, 38-11, Article 38-12 paragraph (1), Article 38-13 paragraph (1), Article 38-14 paragraphs (2) and (3), and Article 38-15, “technical regulations conformity certification” in Article 38-10, and “training business” in Article 39-2 paragraph (4) shall be read as “specific frequency change support service”; “staff (including certification examiner)” in Article 38-7 shall be read as “staff”; “officer (where a designated certification agency which is not a juridical person, those who have obtained designation of designated certification agency. The same shall apply to the following paragraph and Article 110-2, and Article 113-2.)” in Article 38-7 paragraph (1) shall be read as “officer”; “any of the items (except item ii)) of Article 38-3 paragraph (2)” in Article 38-14 paragraphs (1) shall be read as “any of the items (except item iii)) of Article 46-4 paragraph (4)”; “this Chapter” in Article 38-14 paragraphs (2) item i) shall be read as “this Chapter, which shall apply, mutatis mutandis, to the provisions of Article 47-3 or Article 71-3 paragraph (5), (7) or (8), or Article 71-3 paragraph (11)”; “any of respective items (except item v)) of Article 38-3 paragraph (1)” in Article 38-14 paragraphs (2) item ii) shall be read as “respective items (except item iv)) of Article 39-2 paragraph (2)”; “Article 38-6 paragraph (2)” in Article 38-14 paragraphs (2) item iii) shall be read as “Article 47-2 paragraph (3)”; “Article 38-2 paragraph (3)” in Article 38-15 paragraph (1) shall be read as “Article 71-3 paragraph (3)”; “application of paragraph (2)” in Article 39-2 paragraph (4) and Article 46 paragraph (4) shall be read as “application of Article 71-3 paragraph (2)”; “the training” in Article 39-2 paragraph (4) item iii) shall be read as

“specific frequency change support service”; “Article 47-4” in Article 46 paragraph (4) item iii shall be read as “Article 71-3 paragraph (11)”; “officers or executors” in Article 47-2 paragraph (3) shall be read as “officers”; “Article 47-4” in Article 47-2 paragraph (3) shall be read as “Article 71-3 paragraph (11)”.

(Obligation, Etc. of Licensees who Are Decided to Be Given Compensations)

Article 71-4.

- (1) A licensee who are decided to be given compensations pertaining to specific frequency change support service shall, without delay, apply for change of designation of frequency or antenna power.
- (2) The provisions of the preceding two articles shall not hinder the Minister of Public Management, Home Affairs, Posts and Telecommunications from changing of designation of frequency or antenna power of opened radio stations based on the provision of Article 71 paragraph (1).

(Cessation of Emission of Radio Waves)

Article 72.

- (1) Where determining that the quality of radio waves emitted by a radio station does not satisfy the requirements specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications # of Article 28, the Minister of Public Management, Home Affairs, Posts and Telecommunications may order the radio station to cease temporarily emission of the radio waves.
- (2) When receiving a notification from the radio station which has received an order of the preceding paragraph that its radio waves come to satisfy the requirements specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications # of Article 28, the Minister of Public Management, Home Affairs, Posts and Telecommunications shall order the radio station to experimentally emit radio waves.
- (3) Where the radio waves emitted in accordance with the provisions of the preceding paragraph satisfy the requirements specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications # of Article 28, the Minister shall immediately remove the cessation order of paragraph (1).

The Ordinance for Regulating Radio Equipment, Articles 5 through 7.

(Inspection)

Article 73.

- (1) The Minister of Public Management, Home Affairs, Posts and Telecommunications shall dispatch the ministerial staffs to radio stations (except those specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications) and order them to inspect the radio equipment, etc. on the day notified in advance at regular intervals specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications. However, with respect to radio stations for which the Minister determines it unnecessary to inspect particulars other than radio equipment related to quality of emitted radio waves or antenna power, the quality of emitted radio waves or antenna power of the radio stations shall be inspected by instructing them to emit radio waves.
- (2) The inspection of the preceding paragraph may, irrespective of the provisions of the same paragraph, be delayed or omitted where inspection of radio stations is deemed unnecessary at the time specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications of the same paragraph or where the radio stations are installed on board ships or aircraft on a voyage between foreign countries.
- (3) A part of the inspection of paragraph (1) may be omitted, irrespective of the provisions of paragraph (1), when a licensee of the radio station submits the documents on which the results

of an inspection on the radio equipment, etc., conducted by a person attested under the provision of Article 24-2 paragraph (1) or Article 24-9 paragraph (1) in accordance with the provisions of the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications are entered.

- (4) When ordering to cease emission of radio waves of paragraph (1) of the preceding article, or receiving a notification of paragraph (2) of the same article, or being notified of the fact that a ship or aircraft with a radio station is leaving, or determining particularly necessary for the enforcement of this Law, the Minister of Public Management, Home Affairs, Posts and Telecommunications may dispatch the ministerial staffs to those radio stations to inspect the radio equipment, etc.
- (5) When determining it necessary to only inspect particulars of the radio equipment related to the quality of radio waves or antenna power, where a ship or aircraft installed with a radio station is leaving for a foreign country or inspection is particularly necessary for the enforcement of this Law, the Minister of Public Management, Home Affairs, Posts and Telecommunications may conduct the inspection of the quality of radio waves or antenna power by instructing the radio station to emit radio waves.
- (6) The provisions of Article 38-12 paragraphs (2) and (3) shall apply, *mutatis mutandis*, to the inspection under the main clause of paragraph (1) or the provisions of paragraph (4).

(Radio Communications in Case of Emergencies)

Article 74.

- (1) Where earthquakes, typhoons, floods, tidal waves, snow damage, conflagration, disturbance or any other emergency situations occur or threaten to occur, the Minister of Public Management, Home Affairs, Posts and Telecommunications may order any radio station to conduct radio communications necessary for the saving of lives, relief from disasters, securing of transportation and telecommunications or maintenance of public order.
- (2) When the Minister of Public Management, Home Affairs, Posts and Telecommunications orders a radio station to conduct radio communications in accordance with the provisions of the preceding paragraph, the Government shall compensate the radio station for the actual expense needed for the radio communications.

(Development of Telecommunications Systems in Case of Emergencies)

Article 74-2.

- (1) The Minister of Public Management, Home Affairs, Posts and Telecommunications shall develop emergency telecommunications plans, conduct telecommunications training, and take other necessary measures, in order to maintain and improve systems necessary for securing good communications specified in paragraph (1) of the preceding article.
- (2) The Minister of Public Management, Home Affairs, Posts and Telecommunications may request the cooperation of licensees, when taking measures provided in the preceding paragraph.

(Revocation of a Radio Station License, Etc.)

Article 75.

The Minister of Public Management, Home Affairs, Posts and Telecommunications shall revoke the license, when a licensee is no longer qualified to hold a radio station license in accordance with Article 5 paragraph (1), (2) or (4).

Article 76.

- (1) When a licensee contravened the provisions of this Law or the Broadcast Law, or any orders or administrative dispositions thereunder, the Minister of Public Management, Home Affairs, Posts and Telecommunications may order the licensee to cease the operation of the radio station for a specified period not exceeding three months, or impose a limitation to the permitted

- operations hours, frequencies, or antenna power for a specified period.
- (2) The Minister of Public Management, Home Affairs, Posts and Telecommunications may revoke a license, when a licensee (except a blanket licensee) falls under any of the following items:
- i) When ceasing the operation of the radio station for a period of six months or longer consecutively without due reasons
 - ii) When obtaining the radio station license, or receiving the permission of Article 17, or changing the designated particulars in accordance with the provisions of Article 19, through illegal means
 - iii) When failing to observe any order or limitation of the provisions of the preceding paragraph
 - iv) When falling under Article 5 paragraph (3) item i)
- (3) The Minister of Public Management, Home Affairs, Posts and Telecommunications may revoke a blanket license when a blanket licensee falls under any of the following items:
- i) When failing to commence the operation of specified radio station by the deadline of the Article 27-5 paragraph (1) item iv) (or the deadline as postponed in accordance with the provisions of Article 27-6 paragraph (1))
 - ii) When ceasing the operation of all the specified radio stations under the blanket license for a period of six months or longer consecutively without due reasons.
 - iii) When obtaining the blanket license, or receiving the permission of Article 27-8, or changing the designated particulars in accordance with the provisions of the Article 27-9, through illegal means.
 - iv) When failing to observe any order or limitation of the provisions of paragraph (1).
 - v) When falling under the provisions of Article 5 paragraph (3) item i).
- (4) When revoking a license in accordance with the provisions of the paragraph (2) (except item iv)) and the preceding paragraph (except item v)), the Minister of Public Management, Home Affairs, Posts and Telecommunications may revoke other license granted to the licensee, or the attestation of the establishment plan under Article 13 paragraph (1).

Article 76-2.

The Minister of Public Management, Home Affairs, Posts and Telecommunications may reduce the number of designated radio stations when sufficient reasons are found to determine that the maximum number of specified radio stations operated simultaneously during the validity of the blanket license is most likely to fall far below the number of designated radio stations under the blanket license. In this case, the Minister shall change the designation of frequency of the blanket license.

Article 77.

The Minister of Public Management, Home Affairs, Posts and Telecommunications shall, when administrative dispositions have been taken in accordance with the provisions of the preceding three Articles, send to the licensee a notification with the statement of reasons entered thereon.

(Dismantling of Antennas)

Article 78.

When a radio station license becomes invalid, the person who has been the licensee of that radio station shall dismantle the antenna system without delay.

(Revocation of Radio Operator Licenses, Etc.)

Article 79.

- (1) The Minister of Public Management, Home Affairs, Posts and Telecommunications may revoke a radio operator license, or order a radio operator to cease to be engaged in such service for a specified period not exceeding three months, when the radio operator falls under any of the following items:

- i) When contravening the provisions of this Law or any orders or administrative dispositions thereunder
 - ii) When obtaining the radio operator license through illegal means
 - iii) Where falling under Article 42 item iii)
- (2) The provision of the preceding paragraph (except item iii)) shall apply, mutatis mutandis, to a ship station radio operator attestation. In this case, “radio operator license” in that paragraph shall be read as “ship station radio operator attestation.”
 - (3) The provisions of Article 77 shall apply, mutatis mutandis, to revocation and suspension in accordance with the provision of paragraph (1) (including the case which applies, mutatis mutandis, in the preceding paragraph).

(Suspension of Ship Station Radio Operator Attestation)

Article 79-2.

- (1) When a person who has been required to submit a document in accordance with the provisions of Article 81-2 paragraph (2) fails to submit, the Minister of Public Management, Home Affairs, Posts and Telecommunications may suspend the validity of the ship station radio operator attestation.
- (2) Where the Minister of Public Management, Home Affairs, Posts and Telecommunications receives the document of the preceding paragraph after the validity of a ship station radio operator attestation has been suspended in accordance with the preceding paragraph, the suspension shall be cancelled without delay.
- (3) The provisions of Article 77 shall apply, mutatis mutandis, to suspension under the provisions of paragraph (1).

(Report, Etc.)

Article 80.

Any licensee of a radio station shall report to the Minister of Public Management, Home Affairs, Posts and Telecommunications by the procedures specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications # in any of the following:

The Ordinance for Executing the Radio Law, Article 42.

- i) When conducting distress, urgency, safety or emergency traffic
- ii) When recognizing any other radio station operating in contravention of the provisions of this Law or any orders thereunder
- iii) When restricted to operate a radio station in a foreign country, beyond the public notice issued in advance by the Ministry of Public Management, Home Affairs, Posts and Telecommunications

Article 81.

When the Minister of Public Management, Home Affairs, Posts and Telecommunications determines necessary for the purpose of maintaining the order of radio communications or ensuring the proper operation of radio stations, a licensee may be requested to report on the radio station.

Article 81-2.

- (1) Where determining necessary for the enforcement of this Law, the Minister of Public Management, Home Affairs, Posts and Telecommunications may request a person who holds a ship station radio operator attestation to report on the ship station radio operator attestation.
- (2) When suspecting that a person holding a ship station radio operator attestation falls under Article 48-3 item i) or ii), the Minister of Public Management, Home Affairs, Posts and Telecommunications may request, in accordance with the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications #, the person to submit

documents specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications # to determine the validity of the ship station radio operator attestation.

The Regulations for Enforcement of the Radio Law, Article 43-5.

(Supervision over Radio Stations Requiring No Licenses and Receiving Equipment)

Article 82.

- (1) When emissions from radio equipment of radio stations for which licenses of the proviso of Article 4 are not required (hereinafter referred to as “radio stations requiring no license”), or spurious emission or radio frequency currents from receiving equipment causes successive and serious interference to the function of other radio equipment, the Minister of Public Management, Home Affairs, Posts and Telecommunications may order the person who holds or occupies the equipment to take necessary measures to eliminate the interference.
- (2) When determining necessary in particular, after issuing an order to take measures referred to in the preceding paragraph for radio equipment of any radio station requiring no license or for receiving equipment other than receiving equipment for broadcast receiving purposes, the Minister of Public Management, Home Affairs, Posts and Telecommunications may dispatch the ministerial staffs to the place where the equipment is located and order them to inspect the equipment.
- (3) The provisions of Article 38-12 paragraphs (2) and (3) shall apply, mutatis mutandis, to inspection specified in the preceding paragraph.

Chapter VII. Protests and Lawsuits

(Way of Protesting)

Article 83.

Any person who protests against an administrative disposition taken by the Minister of Public Management, Home Affairs, Posts and Telecommunications under the provisions of this Law or any orders thereunder shall submit a statement of objection in the original and the copy thereof.

(Application Exception of Restrictions on Protesting)

Article 84.

The provision of Article 27 paragraph (2) of the Administrative Procedures Law (Law No. 88 of 1993) shall not apply to administrative dispositions by the Minister of Public Management, Home Affairs, Posts and Telecommunications under the provisions of this Law and the order thereunder after going through the hearings specified in the Administrative Procedures Law.

(Reference to the Radio Regulatory Council)

Article 85.

Where a protest is made in accordance with the provisions of Article 83, the Minister of Public Management, Home Affairs, Posts and Telecommunications shall, unless rejecting it, refer it without delay to the Radio Regulatory Council.

(Commencement of Hearings)

Article 86.

The Radio Regulatory Council shall, within thirty days from the day of receiving the protest, hold a hearing on the matter referred to the Council in accordance with the provisions of the preceding article.

Article 87.

The hearing shall be presided over by a hearing examiner whom the Radio Regulatory Council

nominates by specifying a matter to deal with. However, this shall not apply to the case where the Council nominates one of its members to preside over the hearing when the matter is particularly important.

Article 88.

- (1) The hearing shall commence with the delivery of a hearing commencement notice to the protestant in the name of the hearing examiner (or the member of the Radio Regulatory Council, in case of the proviso of the preceding article; hereinafter the same shall apply), indicating the purpose, date and place of the hearing, and requesting the appearance of the protestant.
- (2) When a hearing commencement notice has been sent out, the Minister of Public Management, Home Affairs, Posts and Telecommunications shall issue a public notice related to the purport of the matter and the date and place of the hearing, and notify interested parties whose names and whereabouts are known.

(Participants)

Article 89.

- (1) The interested parties may, with permission of the hearing examiner, participate in the proceedings of the hearing as participants.
- (2) The examiner may, when determining necessary, request the interested parties to participate in the proceedings of the hearing as participants.

(Proxy and Designated Officers)

Article 90.

- (1) The interested parties may appoint lawyers and other appropriate persons as their proxies.
- (2) The Minister of Public Management, Home Affairs, Posts and Telecommunications may appoint the ministerial staffs (hereinafter referred to as “appointed officer”) to participate in the proceedings of the hearing.
- (3) Any proxy of paragraph (1) may fully act on behalf of the protestant, participants, or appointed officers, for the hearing.

(Expression of Opinions)

Article 91.

- (1) The protestant, participants or appointed officers may attend the hearing and express the opinions.
- (2) Where in the preceding paragraph, the protestant and participants may, with permission of the hearing examiner, attend the hearing accompanied by their assistants.
- (3) The hearing examiner may, where determining necessary for the hearing, request the protestant, participants, or appointed officers, to state the opinions.

(Submission of Evidences, Etc.)

Article 92.

The protestant, participants or appointed officers may submit documentary or real evidence at the hearing. However, when the hearing examiner specifies a reasonable term for submission of documentary or real evidence, such evidence shall be submitted within that specified term.

(Request of Statement and Analysis from Witness)

Article 92-2.

The hearing examiner may force, upon request of the protestant, participants or appointed officers, or ex officio, any person deemed to be appropriate to attend the hearing as a witness, and state the known fact, and make an analysis. In this case, the protestant, participants and appointed officers may also request the witness to state.

(Request of Submission of Article)

Article 92-3.

The hearing examiner may, upon request of the protestant, participants or appointed officers, or ex officio, request a possessor of any relevant document or other article to submit it and may retain it.

(Investigation)

Article 92-4.

- (1) The hearing examiner may conduct a necessary on-the-spot investigation, upon request of the protestant, participants or appointed officers, or ex officio.
- (2) Where conducting an on-the-spot investigation upon request of the protestant, participants or appointed officers, the hearing examiner shall notify in advance the person requesting the investigation of the date and place of investigation to give an opportunity to attend the investigation.

(Scrutiny of the Protestant or Participants)

Article 92-5.

The hearing examiner may, upon request of the protestant, participants or appointed officers, or ex officio, scrutinize the protestant or any of participants. In this case, the provisions of the latter part of Article 92-2 shall apply, mutatis mutandis.

(Protocol and Written Opinion)

Article 93.

- (1) The hearing examiner shall make a protocol related to the hearing.
- (2) The hearing examiner shall prepare a written opinion based on the protocol of the preceding paragraph, and submit the written opinion along with the protocol to the Radio Regulatory Council.
- (3) The Radio Regulatory Council shall offer the copies of the protocol of the paragraph (1) and of the written opinions of the preceding paragraph for public perusal.

(Return of Evidence, Etc.)

Article 93-2.

The examiner shall, when submitting the written opinion under paragraph (2) of the preceding article, return without delay the documentary or real evidence which has been submitted in accordance with the provisions of Article 92 and the documents or other material which have been submitted in response to the request under Article 92-3, to the person who has submitted them.

(Limitation of Complaining)

Article 93-3.

No one may submit a complaint in accordance with the Administrative Complaint Examination Law (Law No. 160 of 1962) against the administrative disposition which the hearing examiner has made in the proceedings of the hearing.

(Draft Decision)

Article 93-4.

The Radio Regulatory Council shall prepare a draft decision on the matter based on the protocol and written opinion of Article 93.

(Suspension for the Execution of Administrative Disposition)

Article 93-5.

Where a complaint is submitted in accordance with the provisions of Article 34 paragraph (2) of

the Administrative Complaint Examination Law (Law No. 160 of 1962) which shall apply, mutatis mutandis, to Article 48 of the same Law, with respect to disposition related to the matter referred to the Radio Regulatory Council in accordance with the provisions of Article 85, the Minister of Public Management, Home Affairs, Posts and Telecommunications shall consider opinions of the Radio Regulatory Council.

(Decision)

Article 94.

- (1) When a draft decision of Article 93-4 is prepared, the Minister of Public Management, Home Affairs, Posts and Telecommunications shall make, based on the draft decision, a final decision to the protest, within seven days from the day on which the draft decision was prepared.
- (2) The fact authorized by the Radio Regulatory Council through the proceedings of a hearing shall be entered on the written decision.
- (3) When making a decision, the Minister of Public Management, Home Affairs, Posts and Telecommunications shall observe the provision of Article 42 of the Administrative Complaint Examination Law, which shall apply, mutatis mutandis, to Article 48 of said Law, and send to each of the participants of Article 89 a copy of the decision.

(Traveling and Other Expenses for Witness)

Article 95.

A witness requested to attend a hearing in accordance with the provisions of Article 92-2 receives the amounts of traveling expenses, daily allowances and lodging charges specified in the cabinet order #.

The Cabinet Order of Fixing the Amounts of Traveling and Other Expenses under the Radio Law.

(Commission to the Ministerial Ordinances of the Ministry of Public Management, Home Affairs, Posts and Telecommunications)

Article 96.

In addition to the provisions in this Chapter, other procedure for hearings shall be specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications #.

The Ordinance Specifying the Hearing Procedures of the Radio Regulatory Council.

(Action of Litigation)

Article 96-2.

Any person who is dissatisfied with an administrative disposition by the Minister of Public Management, Home Affairs, Posts and Telecommunications in accordance with the provisions of this Law or orders thereunder, may bring in an action for reversing the decision made on complaint against the administrative proposition.

(Exclusive Jurisdiction)

Article 97.

Action (except actions against decisions to reject complaints) of the preceding article shall fall under the exclusive jurisdiction of the Tokyo High Court.

(Submission of Records)

Article 98.

Where an action has been brought in under the preceding article, the court shall request without delay the Minister of Public Management, Home Affairs, Posts and Telecommunications to submit records related to the case.

(Binding Force of Fact Recognition)

Article 99.

- (1) With respect to the litigation of Article 97, the fact which the Radio Regulatory Council has lawfully authorized shall be binding on the court when any substantial evidence enough to prove that the fact exists.
- (2) The evaluation of substantial evidence provided in the preceding paragraph shall be left to the discretion of the court.

Chapter VII-2. The Radio Regulatory Council

(Establishment)

Article 99-2.

The Radio Regulatory Council shall be established in the Ministry of Public Management, Home Affairs, Posts and Telecommunications for the purpose of equitable and efficient administrative regulation of radio waves, broadcasting (including entrustment of broadcasting; the same shall apply in, Article 102-2 paragraph (1) item ii) and Article 108-2 paragraph (1)) and broadcasting using telecommunications service provided in Article 2 paragraph (1) of the Broadcast Using Telecommunications Service Law (Law No. xxx of 2001) in order to deal with the items which are attributed to the authority of the council in accordance with the provisions of this Law, the Broadcast Law and the Broadcast Using Telecommunications Service Law and in order to examine and adopt resolutions on complaints submitted against administrative dispositions made by the Minister under the Cable Television Broadcast Law (Law No. 114 of 1972) or the Law to Regulate the Operation of Cable Sound Broadcasting Service (Law No. 135 of 1951).

(Organization)

Article 99-2-2.

- (1) The Radio Regulatory Council shall be composed of five members.
- (2) The Radio Regulatory Council shall set up the post of the chairperson, who is elected from these members by means of their mutual votes.
- (3) The chairperson of the Radio Regulatory Council shall preside over the operation of the Council.
- (4) The Radio Regulatory Council shall nominate a vice-chairperson from the members, who shall act on behalf of the chairperson where the chairperson is incapable of fulfilling the duties.

(Appointment of the Members)

Article 99-3.

- (1) The members of the Radio Regulatory Council shall be appointed by the Minister of Public Management, Home Affairs, Posts and Telecommunications with the consent of both the Houses of Representatives and of Councillors from persons capable of making fair judgment from a standpoint of public welfare with rich experience and knowledge.
- (2) Where a member of the Radio Regulatory Council has served out the full term or where the necessity has arisen to fill up a vacancy of the members, the Minister of Public Management, Home Affairs, Posts and Telecommunications may, irrespective of the provisions of the preceding paragraph, appoint a person to a member without the consent of both the Houses of Representatives and of Councillors when impossible due to the Diet being in the closed term or due to the House of Representatives dissolved, to obtain the consent of both the Houses of Representatives and of Councillors for the appointment of the member. In this case, in the first Parliament session after the appointment the Minister shall gain the consent of both the Houses of Representatives and of Councillors.
- (3) Any person who falls under any of the following items shall not become a member of the Radio Regulatory Council:

- i) Any person who has been sentenced to imprisonment without labor or severer penalty.
- ii) Any person who has lost the position of a government worker due to disciplinary discharge, if a period of two years has not elapsed since the day of discharge.
- iii) Any person who is a broadcaster, a broadcaster using telecommunications service provided in Article 2 paragraph (3) of the Broadcast Using Telecommunications Service Law, a Type I telecommunications carrier specified in Article 12 paragraph (1) of the Telecommunications Business Law, a manufacturer or a dealer of radio equipment, or an officer of a juridical person, when the person is a juridical person (meaning a person, whatever the title may be, who has official competence or managing power equal to or above that of the officer, the same shall apply in this article), or a holder of a tenth or more of the voting rights in the juridical person (including any person who falls under the above categories within a year prior to the day of the appointment).
- iv) Any person who is an officer in any of the entities referred to in the preceding item (including any person who fell under any of the above persons within a year prior to the day of the appointment).

(Service Regulations)

Article 99-4.

The provisions of Articles 96, Articles 98 through 102 and Article 105 of the Government Workers Law (Law No. 120 of 1947) shall apply, mutatis mutandis, to the members of the Radio Regulatory Council.

(Term of Office)

Article 99-5.

- (1) The members term of office shall be three years. However, a member who has been appointed to fill up a vacancy shall hold the office for the remainder of the predecessor's term.
- (2) Any of the members may be reappointed.

(Retirement)

Article 99-6.

Any member of the Radio Regulatory Council shall naturally lose the membership when the appointment fails to gain the consent from both the Houses of Representatives and of Councillors in accordance with the provisions of the latter part of Article 99-3 paragraph (2).

(Discharge)

Article 99-7.

When any member of the Radio Regulatory Council falls under any of the items of Article 99-3 paragraph (3), the Minister of Public Management, Home Affairs, Posts and Telecommunications shall discharge the member.

Article 99-8.

When determining that a member is incapable of performing the official duties due to mental or physical deficiency or that a member has committed nonfeasance against the official duties or any other misconduct not befitting membership of the Council, the Minister of Public Management, Home Affairs, Posts and Telecommunications may discharge the member with the approval of both the Houses of Representatives and of Councillors.

(Restrictions of Employment Following Retirement)

Article 99-9.

Any person who has been a member of the Radio Regulatory Council shall not obtain any post referred to in Article 99-3 paragraph (3) items iii) and iv), if a period of one year has not yet elapsed

from the day of the retirement.

(Meeting and Procedures)

Article 99-10.

- (1) The Radio Regulatory Council shall not open a meeting and make a decision, unless three or more members, including the chairperson, attend the meeting.
- (2) The Council shall decide on a matter by a majority of the members present. When in a tie, the presiding chairperson shall decide on the matter.
- (3) In addition to the provisions of the preceding two paragraphs, the procedures of proceedings of the Council shall be specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications #.

The Ordinance Providing the Proceedings of the Radio Regulatory Council.

(Mandatory Inquiry)

Article 99-11.

- (1) The Minister of Public Management, Home Affairs, Posts and Telecommunications shall inquire of the Radio Regulatory Council in any of the following cases:
 - i) When the Minister establishes, modifies or abolishes any of the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications in accordance with Article 4 items i), ii) and iii) (Radio Station Requiring No License), Article 4-2 (Designation of Call Sign or Call Name), Article 6 paragraph (7) (Application Period of Radio Station License), Article 7 paragraph (1) item iii) and paragraph (2) item iv) (Essential Standards for Establishment of Radio Stations), Article 8 paragraph (1) item iii) (Identification Signal), the proviso of Article 9 paragraph (1) (Changes in Construction Designs Not Requiring Permission), Article 13 paragraph (1) (Valid Term of Radio Station Licenses), Article 15 (Simplified Licensing Procedures), Article 24-2 paragraph (1) (Attestation of Private Inspector's Qualification), Article 27-2 (Specified Radio Station), Article 27-4 item ii) (Essential Standards for the Establishment of Specified Radio Stations), Article 27-5 paragraph (3) (Valid Term of a Blanket License), Article 27-13 paragraph (6) (Valid Term of Establishment Plan Attestation), Article 28 (including Article 100 paragraph (5) to which the provisions of Article 15 shall apply, mutatis mutandis) (Quality of Radio Waves), Article 29 (Requirement for Receiving Equipment), Article 30 (including Article 100 paragraph (5) to which the provisions of Article 30 shall apply, mutatis mutandis) (Safety Installation), Article 31 (Installation of Frequency Measuring Devices), Article 32 (Installation of Meters and Spare Components), Article 33 (Apparatus for Radio Equipment for Compulsory Ship Stations), Article 35 (Requirements for Radio Equipment of Compulsory Ship Stations, Etc.), Article 36 (Requirements for Compulsory Aircraft Stations), Article 37 (Approval of Apparatus for Radio Equipment), Article 38 (including Article 100 paragraph (5) to which the provisions of Article 38 shall apply, mutatis mutandis) (Technical Regulations), Article 38-2 paragraph (1) (Specified Radio Equipment), Article 38-5 paragraph (2) (including Article 38-17 paragraph (5) and Article 102-18 paragraph (8) to which the provisions of Article 38-5 paragraph (2) shall apply, mutatis mutandis) (Obligation, Etc. to Execute the Technical Regulations Compliance Certification Service), Article 39 paragraphs (1), (2), (3), (5) and (7) (Operation of Radio Equipment), the proviso of Article 39-3 (Operation of Radio equipment in Amateur Radio Stations), Article 41 paragraph (2) items ii), iii) and iv) (Standards to Attestation Related to Training Courses for Radio Operators, Etc.), Article 47 (Execution of Examination Business), Article 48-3 item i) (Invalidation of a Ship Station Radio Operator Attestation), Article 49 (Particulars on State Examinations, Etc.), Article 50 (Station of a Distress Traffic Operators, Etc.), Article 52 items i), ii), iii) and vi) (Utilization beyond the Purpose), Article 55 (Operation beyond Permitted Operations

Hours), Article 61 (Radio Communications Methods, Etc.), Article 65 (Watchkeeping Obligation), Article 66 paragraph (1) (Distress Traffic), Article 67 paragraph (2) (Urgency Traffic), Article 70-4 (Watchkeeping Obligation), Article 70-5 (Communications Report of Aircraft Stations), Article 71-3 paragraph (4) (Standards Concerning Payments of Compensations), Article 73 paragraph (1) (Inspection), Article 100 paragraph (1) item ii) (Industrial Facilities Emitting HF Radio Waves), Article 102-13 paragraph (1) (Designation of Radio Equipment Using Specified Frequencies), Article 102-14 paragraph (1) (Notification in Sales of Designated Radio Equipment, Etc.), Article 102-14-2 (Use of Information Technology Instead of Paper Documentation) and Article 102-18 paragraph (1) (Measuring Instrument, Etc.).

- ii) When the Minister establishes or modifies the plan for the available frequencies allocated to broadcasting in accordance with the provisions of Article 7 paragraph (3) or paragraph (4), establishes or modifies the Frequency Allocation Plan under Article 26 paragraph (1) (except the part pertaining to paragraph (2) item iv) of the same article), or, establishes or amends establishment guidelines under Article 27-12 paragraph (1).
- iii) When the Minister revokes attestation of the establishment plan in accordance with the provision of Article 27-15 paragraph (1) or paragraph (2), or revokes a license of radio station in accordance with the same paragraph, or orders a designated certification agency, a designated examinations executing agency, or a designated calibration agency to discharge calibrators in accordance with the provisions of Article 38-6 paragraph (2) (including cases where Article 102-18 paragraph (8) shall apply, *mutatis mutandis*); or takes administrative dispositions for revoking a designation of a designated certification agency, a designated training agency, a designated examination executing agency, a designated frequency change support agency, the center or a designated calibration agency in accordance with the provisions of Article 38-14 paragraph (2) (including cases where Article 39-2 paragraph (6), Article 47-4, Article 71-3 paragraph (11), Article 102-17 paragraph (5) and Article 102-18 paragraph (8) shall apply, *mutatis mutandis*); or orders a designated examinations executing agency or a designated specific frequency change support agency to discharge officers, or a designated calibration agency to discharge examination executors; or takes administrative dispositions for revoking a radio station license in accordance with the provision of Article 76 paragraphs (2) through (4), or revoking the attestation of the establishment plan under the same paragraph, and for reducing the number of designated radio stations or effecting the change in the designated frequencies in accordance with the provisions of Article 76-2, or for revoking a radio operator license or ship station radio operator attestation in accordance with the provisions of Article 79 paragraph (1) (including cases where Article 79 paragraph (2) shall apply, *mutatis mutandis*).
- iv) 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 certification agency in accordance with the provisions of Article 38-2 paragraph (1); 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 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 specific 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 of Public Management, Home Affairs, Posts and Telecommunications may take administrative dispositions without referring to the Radio Regulatory Council to matters which the Council determines less important.

(Hearing)

Article 99-12.

- (1) Where a matter has been referred to in accordance with the provisions of paragraph (1) item i) or iii) of the preceding article, the Radio Regulatory Council shall hold a hearing.
- (2) In addition to the case in the preceding paragraph, the Radio Regulatory Council may hold a hearing whenever determining necessary where the Council is requested from the Minister of Public Management, Home Affairs, Posts and Telecommunications in accordance with the provisions of paragraph (1) item i) and item iv) of the preceding article.
- (3) The hearing of the preceding two paragraphs shall be commenced with a public notice granted in the name of the hearing examiner (or the member of the Council where in the proviso of Article 87, which shall apply, mutatis mutandis, to paragraph (6); hereinafter the same shall apply.) of the purport thereof, and date and place of the hearing. However, where the matter is involved in an administrative disposition made to a particular person, the hearing shall be held, when sending to the person a hearing commencement notification indicating the purport, and date and place thereof, as well as requesting the appearance.
- (4) Where in the proviso of the preceding paragraph, a public notice shall be issued indicating the purport thereof, and the date and place of the hearing.
- (5) At the hearing of paragraphs (1) and (2), (except particulars related to disadvantageous measures provided in Article 2 item iv) of the Administrative Procedures Law (referred to as simply “disadvantageous measures” in paragraphs (6) and (8)), any person interested in the particular matter may attend the hearing on the day of the hearing and express opinions, upon receipt of the permit of the hearing examiner.
- (6) The provisions of Article 87, Articles 90 through 93-3 and Article 96 shall apply, mutatis mutandis, to the hearing of paragraphs (1) and (2), and Article 89 and Article 18 of the Administrative Procedures Law shall apply, mutatis mutandis, to the hearing of paragraphs (1) and (2) related to the disadvantageous measures. In this case, “the protestant” in Article 90 paragraph (3) shall be read as “the persons who received a hearing commencement notification of the proviso of Article 99-12 paragraph (3) (where at the hearing concerning dispositions to order a designated certification agency to discharge its certification examiners or a designated calibration agency to discharge its calibrators with the provisions of Article 38-6 paragraph (2) (including the case where Article 102-18 paragraph (8) shall be applied, mutatis mutandis), or to order a designated examination executing agency to discharge its officers or examination executors, or a designated frequency change support agency to discharge its officers with the provisions of Article 47-2 paragraph (3) (including the case where Article 71-3 paragraph (11) shall be applied, mutatis mutandis), persons who have received a hearing commencement notification of the proviso of Article 99-12 paragraph (3) and said certification examiners, said calibrators, said officers or said examination executors. Such people are referred to as “the party” hereinafter through Article 92-5.”; “the protestant” in Article 91 through 92-5 shall be read as “the party”; “this Chapter” in Article 96 shall be read as “Article 99-12”; “the party” in Article 18 paragraph (1) of the Administrative Procedures Law shall be read as “the party of Article 90 paragraph (3) of the Radio Law which shall apply, mutatis mutandis, to Article 99-12 paragraph (6) of the same Law”; “the participants” shall be read as “the participants of Article 89 paragraph (1) or (2) of the same Law which shall apply, mutatis mutandis, to Article 99-12 paragraph (6)

of the same Law”; and “the hearing notification” shall be read as “sending to a person a hearing commencement notification provided in the proviso of Article 99-12 paragraph (3) of the same Law.”

- (7) The Radio Regulatory Council shall make reply notes to matters for which the Council has held a hearing in accordance with the provisions of paragraph (1) or (2) based upon the protocol and written opinions of Article 93, which shall apply, mutatis mutandis, to the preceding paragraph.
- (8) The provision of the Chapter III (except Articles 12 and 14) of the Administrative Procedures Law shall not apply to the administrative disposition related to the disadvantageous measures, made after going through the hearings of the provisions of paragraph (1) or (2).

(Recommendations)

Article 99-13.

- (1) The Radio Regulatory Council may grant necessary recommendations to the Minister of Public Management, Home Affairs, Posts and Telecommunications with respect to particulars referred to in Article 99-11.
- (2) Upon receipt of recommendations of the preceding paragraph, the Minister of Public Management, Home Affairs, Posts and Telecommunications shall make public its contents.

(Hearing Examiners)

Article 99-14.

- (1) The Radio Regulatory Council shall appoint no more than five hearing examiners.
- (2) The examiners shall preside over the hearings provided in the preceding Chapter (including Article 53-13 of the Broadcast Law, Article 28 of the Cable Television Broadcast Law, Article 9 of the Law to Regulate the Operation of the Cable Sound Broadcasting Service and Article 21 of the Broadcast Using Telecommunications Service Law to which the provision of the preceding Chapter shall apply, mutatis mutandis), or the procedures of the hearings provided in Article 99-12 of this Law, Article 53-11 of the Broadcast Law or Article 19 of the Broadcast Using Telecommunications Service Law.
- (3) The examiners shall be appointed by the Minister of Public Management, Home Affairs, Posts and Telecommunications with a decision made by the Radio Regulatory Council.

Chapter VIII. Miscellaneous Provisions

(Industrial Facilities Emitting Radio Waves)

Article 100.

- (1) Any person who wishes to install the following facilities shall obtain permission from the Minister of Public Management, Home Affairs, Posts and Telecommunications:
 - i) Telegraphy, telephony or other telecommunications facilities which apply radio frequency currents 10 kHz or above to the wired system (except power carrying cable facilities, two-bare-wire balanced type power carrying facilities or other communications facilities which are specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications #).

The Regulations for Enforcement of the Radio Law, Article 44 paragraph (1).
 - ii) Radio facilities and facilities other than those of the preceding items, which use radio frequency currents 10 kHz or above and are specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications #.

The Regulations for Enforcement of the Radio Law, Article 45.
- (2) Upon receipt of an application for permission under the preceding paragraph, the Minister of Public Management, Home Affairs, Posts and Telecommunications shall permit the construction in the application where determining that the application satisfies the technical regulations of Article 28, 30 or 38 which shall apply to paragraph (5) and the use of frequencies related to

the application causes no interference with other communications (including monitoring service at places specified in public notices made by the Minister of Public Management, Home Affairs, Posts and Telecommunications).

- (3) When a person who has obtained permission under paragraph (1) transfers the facilities to another person, or effects a succession, merger or division (limited to the case where said equipment is succeeded), the transferee who takes over such facilities, or the successor, the juridical person who is the surviving juridical person, the juridical person who is newly established after the merger or the juridical person who succeeds said equipment by division shall succeed the status of the person who has obtained permission of the same paragraph.
- (4) A person who succeeds in accordance with the provisions of the preceding paragraph the status of the person who has obtained permission under paragraph (1) shall without delay notify the Minister of Public Management, Home Affairs, Posts and Telecommunications with a document to prove that fact.
- (5) The provisions of Article 14 paragraph (1) and (2) (Licenses), Article 17 (Permission for Changes), Article 21 (Correction to a License), Articles 22 and 23 (Abolition of a Radio Station), Article 24 (Return of a License), Article 28 (Quality of Radio Waves), Article 30 (Safety Installation), Article 38 (Technical Regulations), Article 72 (Cessation of Emission of Radio Waves), Article 73 paragraphs (4) and (6) (Inspection), Articles 76 and 77 (Revocation of a Radio Station License, Etc.), and Article 81 (Report) shall apply, mutatis mutandis, to the facilities which has obtained permission in accordance with the provisions of paragraph (1).

(Protection of the Functions of Radio Equipment)

Article 101.

The provisions of Article 82 paragraph (1) shall apply, mutatis mutandis, to when the radio waves or high frequency currents emitted spuriously by any facilities other than radio equipment (except the equipment of the preceding article) cause successive and serious hindrances to the functions of radio equipment.

Article 102.

- (1) Any person who wishes to construct any buildings or structures which may cause disturbances in the electromagnetic field and are specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications # at a place within one kilometer from the site of radio direction finding equipment installed by the Minister of Public Management, Home Affairs, Posts and Telecommunications shall notify the Minister of such construction in advance.

The Regulations for Enforcement of the Radio Law, Article 51.

- (2) The Minister of Public Management, Home Affairs, Posts and Telecommunications shall issue a public notice of the sites of radio direction finding equipment of the preceding paragraph.

(Designation of Radio Propagation Blockage Prevented Areas)

Article 102-2.

- (1) When determining necessary for the purpose of preventing hindrances to the radio propagation related to radio communications to be executed on frequencies above 890 MHz or above between specific fixed points which falls under any of the following items (hereinafter referred to as “the important radio communications”) in the routes of the important radio communications, to secure such radio communications, the Minister of Public Management, Home Affairs, Posts and Telecommunications may designate within the area necessary the zones in one hundred meter width at the most on each side from the estimated center of the plane on the ground along the radio propagation route to a radio propagation blockage prevented area:
 - i) Radio communications by means of radio equipment in a radio station devoted to telecommunications service.

- ii) Radio communications by means of radio equipment in a radio station devoted to broadcast service.
 - iii) Radio communications by means of radio equipment devoted to service for the purpose of protecting lives or properties or of maintaining public peace and order.
 - iv) Radio communications by means of radio equipment devoted to meteorological service.
 - v) Radio communications by means of radio equipment devoted to electric power supply activities for the electricity business.
 - vi) Radio communications by means of radio equipment devoted to the operation of trains for the railway business.
- (2) The designation to a radio propagation blockage prevented area under the provisions of the preceding paragraph shall become valid with a public notice issued based on the cabinet order #. Where the designation, in this case, is involved in the radio propagation blockage prevented area for a route of the radio communications referred to in the same paragraph item i) (hereinafter referred to as “telecommunications activity blockage prevented area”), it shall be clearly expressed in the notice that the designation is involved in the telecommunications activity blockage prevented area.
- (3) The Minister of Public Management, Home Affairs, Posts and Telecommunications shall, in accordance with the provisions of the cabinet order #, provide the offices of the Ministry of Public Management, Home Affairs, Posts and Telecommunications and of pertinent local public entities with charts showing radio propagation blockage prevented areas for which a notice has been issued for public perusal under the preceding paragraph. In this case, the Minister shall indicate at an appropriate conspicuous space on those charts that the areas have been delineated as the telecommunications activity blockage prevented area.
- (4) The Minister of Public Management, Home Affairs, Posts and Telecommunications shall, where a radio propagation blockage prevented area of which a notice was issued under paragraph (2) has become extinct to maintain the designation of such an area under paragraph (1), remove the designation without delay.

The Cabinet Order Concerning Radio Propagation Blockage Prevented Area under the Radio Law.

(Notification of Construction of Tall Buildings and Structures within Radio Propagation Blockage Prevented Areas)

Article 102-3.

- (1) Any person who orders with a contract to execute or executes by himself/herself without a contract the construction work (hereinafter referred to simply as a “building owner”), which falls under any of the following items, within a radio propagation blockage prevented area of which a notification under the preceding article paragraph (2) (including where the work involves not only in one area but also in another area, hereinafter referred to as “specified construction”) shall notify in writing the Minister of Public Management, Home Affairs, Posts and Telecommunications, prior to initiating or getting the contractor (including the subcontractors; hereinafter the same shall apply.) to initiate the work for the specified construction, of the particulars of the structure, including the location, height, form, structural property, and major materials of its upper part (meaning the whole or a part of the structure higher than thirty-one meters above the ground surface; hereinafter the same shall apply.), and further when ordering with a contract the work for the specified construction, the name, address and other necessary items of the contractor of the work:
- i) The new construction of a building or structure taller than thirty-one meters above the ground surface (including one or more additional structure (s) to be erected on the top of a structure on the ground where its height exceeds thirty-one meters above the ground surface as a result of the erection; hereinafter referred to as “tall building, etc.”).
 - ii) The enlargement or transfer of a non-tall building, etc. which makes it a tall building, etc. as a result of such enlargement or transfer.

- iii) The enlargement, transfer, remodeling, repair or alteration of tall building, etc. (such remodeling, repair or alteration shall be confined within the extent specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications).
- (2) When a building owner who has notified in accordance with the provisions of the preceding paragraph intends to make any change in the notified particulars, the building owner shall, as specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications #, further notify in writing the Minister of Public Management, Home Affairs, Posts and Telecommunications of such change.
- (3) When determining it difficult to decide, based solely on the entries in the documents submitted under the provisions of any of the preceding two paragraphs, whether the upper part of which a notification has been submitted constitutes a cause of hindrances in the radio propagation route over the radio propagation blockage prevented area of important radio communications (hereinafter referred to as “important radio communications hindrance cause”), the Minister of Public Management, Home Affairs, Posts and Telecommunications may request the building owner within the extent necessary for making such decision on the particulars to submit any additional necessary information.
- (4) When a radio propagation blockage prevented area is newly designated under the provisions of the preceding article paragraph (1), no provisions of paragraph (1) shall apply where the specified construction work has already been progressed (including the case where its preparation has proceeded up to such extent as provided in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications #) in that area (including the case where work involves not only in that area but also in another area).
- (5) A building owner who has been proceeding the specified construction work which falls under the preceding paragraph shall, as provided in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications #, notify without delay the Minister of Public Management, Home Affairs, Posts and Telecommunications of the projection for the specified construction work after designation to a radio propagation blockage prevented area.
- (6) The provisions of paragraphs (2) and (3) shall apply, mutatis mutandis, to the case where a building owner who has been proceeding the specified construction work which falls under paragraph (4) intends to make a change, at the time of designation to a radio propagation blockage prevented area in which the work is involved, in the projection for the work as to such particulars as specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications # (where a projection related to the notification under this paragraph was changed, the new projection.).

Article 102-4.

- (1) When determining that a building owner has initiated or has made a contractor initiate, without notifying when the building owner is required to do so under the provisions of the preceding article paragraph (1) or (2) (and the preceding article paragraph (6) and the following paragraph, to both of which the provisions of the preceding article paragraph (1) or (2) shall apply, mutatis mutandis), the specified construction work or the work related to any particulars which have been changed (except those specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications), the Minister of Public Management, Home Affairs, Posts and Telecommunications shall immediately order the building owner to notify in writing, within a specified term, of the items which are required to do so under the same article paragraph (1) or (2) (and the preceding article paragraph (6) and the following paragraph, to both of which the provisions of the preceding article paragraph (1) or (2) shall apply, mutatis mutandis). (2) The provisions of the preceding article paragraph (2) shall apply, mutatis mutandis, to a person who has observed the order under the provisions of the preceding

paragraph related to a notification required under the provisions of the preceding article paragraph (1).

- (3) The provisions of the preceding article paragraph (3) shall apply, *mutatis mutandis*, to a notification based on the order under the provisions of paragraph (1) or a notification submitted under the provisions of the preceding article paragraph (2).

(Notification of Possibility of Radio Propagation Blockage)

Article 102-5.

- (1) When a building owner has notified in accordance with the provisions of Article 102-3 paragraph (1) or (2) (including the preceding article paragraph (2), to which the provisions of Article 102-3 paragraph (1) or (2) shall apply, *mutatis mutandis*) or in observance of the order under the provisions of the preceding article paragraph (1), the Minister of Public Management, Home Affairs, Posts and Telecommunications shall inquire into what has been notified, and if the Minister of Public Management, Home Affairs, Posts and Telecommunications determines that the upper part of the building, etc. of which notification has been submitted (or the upper part of the building, etc. after changes if a notification has been submitted for making changes; hereinafter the same shall apply.) causes an important radio communications hindrance over a radio propagation blockage prevented area, the Minister of the Posts and Telecommunications shall grant a notice to the building owner to that effect with a document indicating the part causing important radio communications hindrance (hereinafter referred to as “hindrance causing part”) and the reason thereof, or if the Minister of Public Management, Home Affairs, Posts and Telecommunications determines that the upper part causes no important radio communications hindrance over the aforementioned area, the Minister of Public Management, Home Affairs, Posts and Telecommunications grant a notice to the building owner with a document showing the results of the inquiry.
- (2) The notice under the provisions of the preceding paragraph shall be granted within three weeks from the day on which the notification is received from the building owner (or the day on which a report is received if the report is required under the provisions of Article 102-3 paragraph (3) (including the same article paragraph (6) and the preceding article paragraph (3), to both of which the provisions of Article 102-3 paragraph (3) shall apply, *mutatis mutandis*)).
- (3) In the case of paragraph (1), when the Minister of Public Management, Home Affairs, Posts and Telecommunications has granted notice, in accordance with the provisions of the two preceding paragraphs, that the upper part of a building, etc. causes an important radio communications hindrance over the radio propagation blockage prevented area, the Minister of Public Management, Home Affairs, Posts and Telecommunications shall, immediately after such notice, notify in writing the licensee of the radio station conducting important radio communications over the radio propagation blockage prevented area of the name and address of the owner of the tall building, etc., its location and height, form, structural property and major materials of its upper part, its hindrance causing part, and other necessary information, and shall also notify in writing the contractor who fulfills the work of which a notification has been submitted by the building owner, if any, of the part of building causing hindrance and other necessary information.

(Restriction on Work of Upper Part to Cause Important Radio Communications Hindrance)

Article 102-6.

A building owner who has been notified under the provisions of the preceding article paragraphs (1) and (2) that the upper part related to the notification causes an important radio communications hindrance over the radio propagation blockage prevented area shall not initiate or make a contract or initiate the specified construction work related to the part causing hindrance for a period of two years (or three years in case of the radio propagation blockage prevented area for telecommunications service) from the day of being notified, unless the building owner falls under any of the following items:

- i) When a building owner has modified the plan of the specified construction work and has notified under the provisions of Article 102-3 paragraph (2) (including paragraph (6) of the same article and Article 102-4 paragraph (2), to both of which the provisions of Article 102-3 paragraph (2) shall apply, *mutatis mutandis*) of the modification, and has been notified under the provisions of paragraphs (1) and (2) of the preceding article that the upper part causes no important radio communications hindrance over the radio propagation blockage prevented area.
- ii) When a building owner has come to an agreement, in accordance with the provisions of paragraph (1) of the following article, with the licensee of a radio station fulfilling the important radio communications over the radio propagation blockage prevented area.
- iii) The case specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications #.
The Ordinance Concerning Prevention of Radio Propagation Blockage under the Radio Law, Article 10.

(Consultation for Preventing Hindrances to Important Radio Communications)

Article 102-7.

- (1) A building owner provided in the preceding article or a licensee of a radio station conducting important radio communications over a radio propagation blockage prevented area may request the other party to negotiate measures necessary for changing either the radio propagation route of the important radio communications or the projected work involved in the upper part, or for coordinating the ensurement of the important radio communications and the protection of the property rights of the tall building, etc.
- (2) The Minister of Public Management, Home Affairs, Posts and Telecommunications shall, when requested by any one or both of the parties, grant the good offices necessary for negotiation under the provisions of the preceding paragraph.

(Measures to Be Taken in Case of Contravention)

Article 102-8.

- (1) When determining necessary in the case where a building owner falls under any of the following items, the Minister of Public Management, Home Affairs, Posts and Telecommunications may order the building owner to discontinue or to make a contractor discontinue the work which the building owner has executed personally or has made the contractor execute, or to suspend execution or making the contractor execute the work for a specified reasonable period:
 - i) When a building owner who has failed to submit a notification under the provisions of Article 102-3 paragraph (1) or (2) (including the case of paragraph (6) of the same article and Article 102-4 paragraph (2), to which the provisions of Article 102-3 paragraph (1) or (2) shall apply, *mutatis mutandis*) has already initiated or has made a contractor initiate, or is believed to initiate or make a contractor initiate in the near future, the specified construction work involved in the upper part of a building, etc. (except the case where the building owner has notified based on the order under the provisions of Article 102-4 paragraph (1) and has been notified under the provisions of Article 102-5 paragraphs (1) and (2), in response to that notification.
 - ii) When a building owner who has failed to report within the specified period in spite of the request by the Minister of Public Management, Home Affairs, Posts and Telecommunications under the provisions of Article 102-3 paragraph (3) (including the case of paragraph (6) of the same article and Article 102-4 paragraph (3), to which the provisions of Article 102-3 paragraph (3) shall apply, *mutatis mutandis*) has already initiated or has made a contractor initiate, or is believed to initiate or make a contractor initiate in the near future, the specified construction work involved in the upper part of a building, etc.
- (2) Such specified reasonable periods of the preceding paragraph shall be specified, on the basis of

the period provided in Article 102-6 and taking into account an extent to which the upper part concerned causes an important radio communications hindrance over the radio propagation blockage prevented area, or an expected period to be taken generally to transfer, if such transfer is possible, the radio propagation route of the important radio communications concerned, or any other circumstances.

- (3) When the Minister of Public Management, Home Affairs, Posts and Telecommunications has ordered, in accordance with the provisions of paragraph (1), a building owner to suspend execution or making a contractor execute the work involved in the upper part concerned for a fixed period, the Minister of Public Management, Home Affairs, Posts and Telecommunications shall withdraw without delay that order, if an agreement is concluded within such a period between the building owner and the licensee of a radio station conducting important radio communications over the radio propagation blockage prevented area, or the situation comes under Article 102-6 item i) or iii), or the necessity of that order has become void.

(Demand for a Report)

Article 102-9.

When the Minister of Public Management, Home Affairs, Posts and Telecommunications determines necessary in particular for the purpose of enforcing the provisions of the preceding seven Articles, within the extent necessary, a building owner may be requested to report on the necessary information related to the plan or execution of the specified construction work.

(Cooperation of the Minister of Public Management, Home Affairs, Posts and Telecommunications and the Minister of Land, Infrastructure and Transport)

Article 102-10.

The Minister of Public Management, Home Affairs, Posts and Telecommunications and the Minister of Land, Infrastructure and Transport shall cooperate with each other to enforce the provisions of Articles 102-2 through 102-8.

(Recommendations, Etc. on Regulation Non-Compliance Equipment)

Article 102-11.

- (1) When determining, where a radio station causes interference or any other disturbance seriously harmful to the operation of other radio stations, that such disturbance is caused by radio equipment built or rebuilt on the basis of a design not satisfying the technical regulations specified in Chapter III, and such radio equipment built or rebuilt on the basis of the same design (hereinafter in this paragraph and the next article referred to as “regulation non-compliance equipment”) is so widely marketed that radio stations using such regulation non-compliance equipment are likely to cause serious adverse effects on the operation of other radio stations if no appropriate measures are taken, the Minister of Public Management, Home Affairs, Posts and Telecommunications may recommend the manufacturer or the seller of the regulation non-compliance equipment, to an extent necessary for maintaining the order of radio communications, to take necessary measures to correct the situation.
- (2) When any person who has been recommended under the provisions of the preceding paragraph fails to satisfy the recommendation, the Minister of Public Management, Home Affairs, Posts and Telecommunications may make it public.
- (3) The Minister of Public Management, Home Affairs, Posts and Telecommunications shall, before making recommendation referred to in the provisions of paragraph (1), obtain the consent of the Minister of Economy, Trade and Industry.

(Request for a Report)

Article 102-12.

The Minister of Public Management, Home Affairs, Posts and Telecommunications may request,

to an extent necessary for enforcing the provisions of the preceding article, the manufacturer or seller of regulation non-compliance equipment to submit a report on its activities.

(Designation of Radio Equipment Using Specified Frequencies)

Article 102-13.

- (1) When determining, where there are quite a number of radio stations established without a license against the provisions of Article 4 using radio waves within the specific frequency range (hereinafter referred to as “specified unlicensed radio stations”), radio equipment using radio waves within the specific frequency range (except radio equipment used for radio stations specified under each item of Article 4 and radio equipment that the Minister determines are not used for unlicensed radio stations) (hereinafter referred to as “specified frequency radio equipment”) is so widely marketed that it is not easy to decrease the number of specified unlicensed radio stations, the Minister may designate the specified frequency radio equipment as radio equipment which shall be prevented from being used for specified unlicensed radio stations in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications.
- (2) The Minister of Public Management, Home Affairs, Posts and Telecommunications shall, when determining that it is no longer necessary to maintain the designation under the preceding paragraph, remove the designation.
- (3) When establishing the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications referred to in paragraph (1), or modifying or abolishing it, the Minister of Public Management, Home Affairs, Posts and Telecommunications shall consult with the Minister of Economy, Trade and Industry.

(Notification in Sales of Designated Radio Equipment, Etc.)

Article 102-14.

- (1) When retailing specified frequency radio equipment designated under the provision of paragraph (1) of the preceding article (hereinafter referred to as “designated radio equipment”), any retailer of designated radio equipment (hereinafter referred to as “designated radio equipment retailer”) shall notify or indicate to the purchaser by the method specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications, prior to the conclusion of the sales contract, that any person who wishes to establish a radio station using designated radio equipment shall obtain a radio station license.
- (2) The designated radio equipment retailer, when concluding a sales contract for designated radio equipment, shall, without delay, hand the purchaser a document describing the following particulars by the method specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications:
 - i) The particulars which shall be notified or indicated under the provision of the preceding paragraph.
 - ii) The fact that any person who establishes a radio station using designated radio equipment without a license shall be sentenced to a penalty specified in this Law.
 - iii) The name and address of the office with which a person who wishes to establish a radio station using designated radio equipment shall submit an application for a license.

(Use of Information Technology Instead of Paper Documentation)

Article 102-14-2.

The designated radio equipment retailer may, in accordance with the applicable cabinet order, provide the purchaser, under consent, with information including particulars instead of a document describing those particulars specified under the preceding article paragraph (2), using the method utilizing databases or other information technology specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications. In this case,

it is deemed that said designated radio equipment retailer had handed the purchaser said document.

(Instruction)

Article 102-15.

- (1) When the Minister of Public Management, Home Affairs, Posts and Telecommunications determines, where a designated radio equipment retailer contravened the provision of the Article 102-14, that the contravention would result in incitement of establishment of specified unlicensed radio stations and prevention from maintaining the order of radio communications, the designated radio equipment retailer may be instructed to take necessary measures.
- (2) The Minister of Public Management, Home Affairs, Posts and Telecommunications shall, before giving the instruction referred to in the provisions of the preceding paragraph, obtain the consent of the Minister of International Trade and Industry.

(Report and Inspection)

Article 102-16.

- (1) The Minister of Public Management, Home Affairs, Posts and Telecommunications may, to the extent necessary for the enforcement of the provisions of the preceding article, order a designated radio equipment retailer to submit a report on its activities, or delegate any of ministerial staff to enter the business office of the designated radio equipment retailer to inspect designated radio equipment, account books, documents and other articles.
- (2) The provisions of Article 38-12 paragraphs (2) and (3) shall apply, mutatis mutandis, to the inspection under the provisions of the preceding paragraph.

(Center for Promotion of Efficient Use of Radio Spectrum)

Article 102-17.

- (1) When determining that a juridical person established under Article 34 of the Civil Code with the objective of contributing to efficient and proper use of radio wave is capable of properly and securely conducting the service specified in the following paragraph, the Minister of Public Management, Home Affairs, Posts and Telecommunications may, on application from such a juridical person, designate the person as a center for promoting efficient use of radio spectrum (hereinafter referred to as “the Center”).
- (2) The Center shall:
 - i) answer inquiries or give consultation on investigation of interference or other particulars necessary for establishing radio stations or changing designations of frequencies, etc.
 - ii) conduct collection and offer of information on particulars related to changing designations of frequencies of radio stations conducted to properly enforce treaties on radio waves, particulars related to equipment which greatly contribute to efficient use of radio waves or other particulars which contribute to efficient and proper use of radio waves.
 - iii) conduct studies and research on use of radio waves.
 - iv) conduct educational activities on effective and proper use of radio waves.
 - v) be engaged in activities incidental to those referred to in the preceding items.
- (3) Where an officer of the Center fails to satisfy this Law, or orders issued thereunder, or administrative dispositions made by on the strength of these Law and orders, or the procedural rules referred to in Article 38-8 paragraph (1) which shall apply, mutatis mutandis, to paragraph (6) thereof, the Minister of Public Management, Home Affairs, Posts and Telecommunications may recommend the Center to discharge such an officer.
- (4) The Minister of Public Management, Home Affairs, Posts and Telecommunications may provide the Center with information, or instructions and advice on radio stations, which are necessary for conducting the service referred to in item i) of paragraph (2).
- (5) The provisions of Article 38-4, Articles 38-7 through Article 38-9, Article 38-11, Article 38-12, Article 38-14 and Article 39-2 paragraph (5) (except item i)) shall apply, mutatis mutandis, to

the Center. In this case, “the category of the designation, address of office where the technical regulations compliance certification service are executed, and the commencement date of technical regulations compliance certification” in Article 38-4 paragraph (1) shall be read as “the location of the office to conduct the service specified under Article 102-17 paragraph (2), and the commencement date of service specified in the same paragraph”; “technical regulations compliance certification” in Article 38-4 paragraph (2), Article 38-11, and Article 38-14 paragraphs (2) (excluding item iv)) and (3) shall be read as “specified under Article 102-17 paragraph (2)”; “staff (including certification examiner)” in Article 38-7 shall be read as “staff”; “technical regulations compliance certification” in Article 38-7 shall be read as “specified under Article 102-17 paragraph (2) item i)”; “Any officer (where a designated certification agency which is not a juridical person, those who have obtained designation of a designated certification agency. The same shall apply to the following paragraph and Article 110-2, and Article 113-2.)” in Article 38-7 paragraph (1) shall be read as “Any officer”; “of the technical regulations compliance certification service” in Article 38-8 shall be read as “of the service specified under Article 102-17 paragraph (2) items i) and ii)”; “technical regulations compliance certification” in Article 38-12 paragraph (1) shall be read as “specified under Article 102-17 paragraph (2)”; “the state of the service” in Article 38-12 paragraph (1) shall be read as “the state of the service specified in the same paragraph”; “any of the items (except item ii)) of Article 38-3 paragraph (2)” in Article 38-14 paragraph (1) shall be read as “any of the items (except item v)) of Article 39-2 paragraph (5)”; “this Chapter” in Article 38-14 paragraph (2) item i) shall be read as “this Chapter which shall apply, mutatis mutandis, to Article 102-17 paragraph (5)”; “not to satisfy any of the items (except item v)) of Article 38-3 paragraph (1)” in Article 38-14 paragraph (2) item ii) shall be read as “incapable of conducting properly and securely the services specified in Article 102-17 paragraph (2)”; “Article 38-6 paragraph (2), Article 38-8 paragraph (2)” in Article 38-14 paragraph (2) item iii) shall be read as “Article 38-8 paragraph (2)”; and “technical regulations compliance certification service” in Article 38-14 paragraph (2) item iv) shall be read as “service specified under Article 102-17 paragraph (2) items i) or ii)”; “application of paragraph (2)” in Article 39-2 paragraph (5) shall be read as “application of Article 102-17 paragraph (1)”; and “the following item” in Article 39-2 paragraph (5) item iii) shall be read as “Article 102-17 paragraph (5)”.

(Calibration of Measuring Instruments, Etc.)

Article 102-18.

- (1) The Research Laboratory shall calibrate the measuring instrument and other instruments to be used for the examination of radio equipment and specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications (hereinafter referred to as “measuring instruments, etc.” in this article), or the Minister of Public Management, Home Affairs, Posts and Telecommunications may require a person (hereinafter referred to as “designated calibration agency”) to conduct calibration service.
- (2) The designation of designated calibration agency shall be made upon application of a person who conducts the calibration service of the preceding paragraph.
- (3) Upon completion of calibration under the preceding paragraph, the Research Laboratory or designated calibration agency shall attach an indication to the measuring instruments, etc. that the calibration service has been duly completed.
- (4) The measuring instruments, etc. other than those calibrated by the Research Laboratory or designated calibration agency are prevented from carrying the indication of the preceding paragraph or the one almost indistinguishable therefrom.
- (5) Officers (where a designated calibration agency which is not a juridical person, a person who is designated as a designated calibration agency. The same shall apply, mutatis mutandis, to Article 110-2 and Article 113-2.) and staff (including calibrators) of a designated calibration agency who conducts designation service are deemed to be staff engaged in public service by law, where

- penalties including the Criminal Code are applied.
- (6) When a designated calibration agency intends to suspend entire or part of its calibration service, or terminate its calibration service, in accordance with the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications, the designated calibration agency shall, in advance, notify the Minister of Public Management, Home Affairs, Posts and Telecommunications of the fact.
 - (7) The Minister of Public Management, Home Affairs, Posts and Telecommunications, when notification of the preceding item is filed, shall make a public notice of the fact.
 - (8) The provisions of Articles 38-3 through Article 38-4, Article 38-5 paragraph (2), Article 38-6, Article 38-8 through Article 38-12 and Article 38-14 shall apply, *mutatis mutandis*, to the designated calibration agency. In this case, “paragraph (2) of the preceding article” in Article 38-3 shall be read as “Article 102-18 paragraph (2)”; “the certification of conformity with the technical regulations” in Article 38-3 paragraph (1) (except item v)), Article 38-4 paragraph (2), Article 38-5 paragraph (2), Article 38-8, Article 38-10, Article 38-11, Article 38-12 paragraph (1) and Article 38-14 paragraphs (2) and (3) shall be read as “the calibration”; “the certification of conformity with the technical regulations in the category related to application” in Article 38-3 paragraph (1) item v) shall be read as “calibration”; “Article 38-2 paragraph (2)” in Article 38-3-2 paragraph (2) shall be read as “Article 102-18 paragraph (2)”; “the category of designation, address of the office where the certification of conformity with the technical regulations service are executed and the certification of conformity with the technical regulations” in Article 38-4 paragraph (1) shall be read as “address of the office providing the calibration service and the calibration”; “the examination” in Article 38-5 paragraph (2) shall be read as “calibration”; “the certification examiner” in Article 38-5 paragraph (2) and Article 38-6 shall be read as “the calibrator”; “this Chapter” in Article 38-14 paragraph (2) item i) shall be read as “this Chapter to be applied, *mutatis mutandis*, to the provisions of Article 102-18 paragraph (6), or Article 102-18 paragraph (8)”.

(Collection of Fees)

Article 103.

- (1) Any person who falls under any of the following items shall pay, in accordance with the provisions of the cabinet order #, the amount of fees which shall be specified in the cabinet order # taking actual expenses into account to the Government (for a person who undergoes the training courses conducted by a designated training agency, to said designated training agency; for a person who undergoes the state examinations for radio operators qualifications which a designated examinations executing agency executes in place of the Government, to said designated examinations executing agency; or for a person who undergoes the calibration conducted by the Research Laboratory, to the Research Laboratory).
 - i) A person who applies for a license under the provisions of Article 6.
 - ii) A person who conducts an inspection under the provisions of Article 10.
 - iii) A person who conducts an inspection under the provisions of Article 18 (except a person who has obtained permission under Article 17 paragraph (1) due to the designation being changed pursuant to the provisions of Article 71 paragraph (1)).
 - iv) A person who applies for an attestation under Article 24-2 paragraph (1)
 - v) A person who applies for an attestation under Article 24-9 paragraph (1)
 - vi) A person who applies for a license under Article 27-3
 - vii) A person who applies for an attestation under Article 27-13 paragraph (11)
 - viii) A person who conducts an inspection under the provisions of Article 37
 - ix) A person who applies for an technical regulations conformity certification (excluding that conducted by a designated certification agency)
 - x) A person who applies for the certification (excluding certification conducted by a designated certification agency) under the Article 38-16 paragraph (1)

- xi) A person who takes the training courses under the provisions of Article 39 paragraph (7)
 - xii) A person who takes a state examinations for a radio operators qualification under the provisions of Article 41
 - xiii) A person who applies for a license under the provisions of Article 41.
 - xiv) A person who applies for a ship station radio operator's certificate under the provisions of Article 48-2 paragraph (1)
 - xv) A person who takes a training course which the Minister of Public Management, Home Affairs, Posts and Telecommunications organizes in accordance with the provisions of Article 48-2 paragraph (2) item i)
 - xvi) A person who takes a training course which the Minister of Public Management, Home Affairs, Posts and Telecommunications organizes in accordance with the provisions of Article 48-3 item i)
 - xvii) A person who applies for re-issue of a radio station license, radio operator's license, or ship station radio operator's certificate
 - xviii) A person who conducts an inspection under the provisions of Article 73 paragraph (1)
 - xix) A person whose equipment conducts a calibration under the provisions of Article 102-18 paragraph (1) (except calibration by the designated calibration agency)
 - # The Cabinet Order for Fixing Fees for Radio Stations under the Radio Law.
- (2) Fees to be paid to a designated training agency, a designated examinations executing agency or the Research Laboratory under the provisions of the preceding paragraph, shall be the revenues of said designated training agency, said designated examinations executing agency or the Research Laboratory, or a designated inspection agency.

(Collection of the Spectrum User Fee, Etc.)

Article 103-2.

- (1) Licensees shall pay to the Government the amount of money specified under the right column of the following table corresponding to the categories of radio stations in the left column of the same table, as the Spectrum User Fee, within 30 days of the date of licensing or within 30 days of the date corresponding to it in each subsequent year (substituted for by the day following to that day, where there is no day corresponding to it; referred to as "the corresponding day" hereinafter in this article). The amount of money shown in the following table is for the one-year period beginning from the date of licensing of the radio station or the corresponding day (referred to as "initial date of reckoning" in this paragraph), although where this period begins from March 1 of the preceding year to leap year under the condition that the date of licensing is February 29, the period shall be substituted for by the period from March 1 to February 28 of the following year; and in cases where the period from the initial date of reckoning to the date on which the license of the radio station expires is less than a year, the period shall be substituted for by that period. In the latter cases, the amount of money shall be the product of the amount of money in the table multiplied by the number, which is obtained by dividing the number of the months of this period by 12.

Classification of Radio Station	Fee (Yen)
i) Mobile radio stations (except those referred to in items iii), iv), v) and viii). The same shall apply to item ii))	600
ii) Fixed radio stations installed on land with the purpose to communicate with mobile radio stations or receiving equipment for portable use (except those referred to in item viii))	5,500
iii) Satellite stations (except those referred to in item viii))	24,100
iv) Radio stations whose communications are relayed by transponders installed on satellites (except those referred to in items v) and viii) and those for the purpose of conducting telecommunications service)	10,500
v) Radio stations installed on mobile objects automobiles, ships, or installed for portable use whose communications are relayed by transponders installed on satellites (except those referred to in item viii))	2,200
vi) Broadcasting stations (except those referred to in items iii) and vii)) and those for the purpose of telecommunications service)	23,800
vii) Multiplex broadcasting stations (except those referred to in item iii)	900
viii) Radio stations for experimental use and amateur radio stations	500
ix) Other radio stations(2) “Spectrum User Fee” in this article and the following article means the money which licensees shall bear in order to fund the expenses (referred to as “the outlay for spectrum users common benefit use” in the following article) of administrative work, including the following administrative work, of the Minister of Public Management, Home Affairs, Posts and Telecommunications with the direct objective of benefiting all radio stations as a whole concerning the assurance of the sound use of radio waves.	16,300

- i) Monitoring and correction of radio waves, and search of illegally installed radio stations
 - ii) Establishment and management of the Integrated Radio Stations Database (meaning a computerized database which registers particulars which shall be entered on documents required by Article 6 paragraphs (1) and (2) and Article 27-3, and on licenses and other particulars related to licenses of all radio stations)
 - iii) Examination for establishing the technical regulations of radio equipment using technologies that contribute to efficient use of radio waves and analysis of the results thereof
 - iv) Specific frequency change support service (including payment of compensation to a designated specific frequency change support agency in accordance with the provision of Article 71-3 paragraph (9))
- (3) Notwithstanding the provisions of paragraph (1), a blanket licensee shall notify the Minister of Public Management, Home Affairs, Posts and Telecommunications of the number of specified radio stations operating (hereafter referred to as “operating radio stations” in this paragraph and the following paragraph) at the last day of the month to which the date of a blanket license or the date corresponding to the date of a blanket license in each following year belongs (the previous day in the absence of corresponding date) by the 15th of the following month, and pay, as the Spectrum User Fee and within thirty days counting from the day of acceptance of the aforementioned notification, to the Government the amount obtained by multiplying 540 yen for each one year period commencing from the date of a blanket license or the date corresponding to the date of a blanket license (the following day in the absence of the corresponding day) in each following year (where this period begins from March 1 of the preceding year to a leap year under

- the condition that the date of a blanket licensing is February 29, the period shall be substituted for by the period from March 1 to February 28 of the following year; and where the period from the date of the aforementioned blanket license or the date corresponding to the date of aforementioned blanket license (the following day in the absence of the corresponding date) to the expiration date of validity of the aforementioned blanket license is less than one year, the period shall be substituted for by that period; hereinafter the same shall apply in this and following paragraph.), by the number of operating radio stations during the aforementioned period of one year (in cases where the period from the date of the aforementioned blanket license or the date corresponding to the date of the aforementioned blanket license (the following day in the absence of the corresponding date) to the expiration date of validity of the aforementioned blanket license is less than one year, the amount shall be the equivalent multiplied by the number, which is obtained by dividing the number of the months of the aforementioned period by 12.).
- (4) In addition to the provisions of the preceding paragraph and for the one year period commencing from the date of blanket license or the date corresponding thereto (the following day in the absence of corresponding date), the blanket licensee shall notify the Minister of Public Management, Home Affairs, Posts and Telecommunications of the number of specified radio stations in operation by 15th of the following month, where the number of specified radio stations operating at the last day of the month subsequent to the month to which the date of aforementioned blanket license or the date corresponding thereto (the previous day in the absence of corresponding date) belongs exceeds the number of operating radio stations for the aforementioned one year period (the number of specified radio stations notified after the date of notification already submitted in accordance with the provisions of this paragraph), and pay, as a radio wave user fee within thirty days counting from the day of acceptance of the aforementioned notification, to the Government the amount obtained by multiplying 540 yen by the aforementioned excess number of specified radio stations and the number obtained by dividing the number of months of the aforementioned period by 12 for the period from the month of the aforementioned excess to the month prior to the month to which the corresponding date of subsequent blanket license (the previous day in the absence of corresponding date) belongs, or to the month prior to the month to which the day subsequent to the expiration date of the aforementioned blanket license belongs.
- (5) The provision of paragraphs (1) and (3) shall not apply to the licensees of the following radio stations:
- i) Radio stations licensed under the provision of Article 27 paragraph (1)
 - ii) Radio stations established by local public bodies and used for the purpose of fire control by prefectural governors or organizations for fire control set up under the provision of Article 9 (and Article 18 of the Law to which the provisions of Article 9 shall apply, *mutatis mutandis*) of the Organization of Fire Control Law (Law No. 226 of 1947)
 - iii) Radio stations established by local public bodies or flood control and management bodies under the provisions of Article 2 paragraph (1) of the Flood Control Law (Law No. 193 of 1949) and used for the purpose of flood control by prefectural governors, flood control managers under the provision of paragraph (2) of the same article or flood control bodies
- (6) The amount of the Spectrum User Fee which licensees of the radio stations (except those specified under item ii) and iii) of the preceding paragraph) established by local public bodies for the purpose of providing the necessary communications for disaster prevention under the provision of the Local Disaster Prevention Plan set forth in Article 2 paragraph (10) of the Disaster Control Fundamental Law (Law No. 223 of 1961) shall pay corresponds, irrespective of the provisions of paragraphs (1), (3) and (4), to half of that amount of money specified under the provisions of the aforementioned respective paragraph.
- (7) The number of months in paragraphs (1) and (3) shall be reckoned according to the calendar, and the fractions less than a month shall be appraised as one month.
- (8) Licensees (except blanket licensees) in paying the Spectrum User Fee under the provisions of

paragraph (1) shall be allowed to pay in advance the Spectrum User Fee for the period after the corresponding date of the following year.

- (9) The portion of the Spectrum User Fee paid in advance under the provisions of the preceding paragraph which relates to the period after the first corresponding date following the request of the payer is to be refunded provided the payer has requested such refund.
- (10) The Minister of Public Management, Home Affairs, Posts and Telecommunications may, upon receipt of a proposal from a licensee that the licensee expects to entrust withdrawal of its deposits or postal savings and payment of the Spectrum User Fee by the withdrawn money to a financial institution with which the licensee has a bank account or a postal savings account, approve the proposal only when determining that the payment is certain and the approval of the proposal is advantageous for the levy of the Spectrum User Fee.
- (11) When the Spectrum User Fee related to the approval of the preceding paragraph is paid by the date specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications as the deadline of payment of the Spectrum Fee by the financial institution of the same paragraph, the payment shall be deemed to be made by the original deadline, even though the date of payment is after the original deadline.
- (12) The Minister of Public Management, Home Affairs, Posts and Telecommunications shall, by setting a deadline, press for payment by sending a reminder to the licensees who have not paid their due Spectrum User Fee.
- (13) The Minister of Public Management, Home Affairs, Posts and Telecommunications shall dispose of licensees who have not paid by the deadline the Spectrum User Fee pressed for payment and arrears under the provision of the following paragraph, in the manner of disposition for failure to pay national taxes. In this case, the ranking in the right of priority of the Spectrum User Fee and its arrears comes next to that of national taxes and local taxes.
- (14) The Minister of Public Management, Home Affairs, Posts and Telecommunications shall, when pressing for payment under the provisions of paragraph (12), levy arrears on an overdue Spectrum User Fee, reckoned according to the number of days from the day following the deadline to the preceding day of its payment or of seizure of property, with the rate being set at 14.5% per year. However this shall not apply to where it is deemed to have occurred under unavoidable conditions, or other cases specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications.

Article 103-3.

- (1) The Government shall fund every fiscal year the outlays for spectrum users' common benefit by the amount of money corresponding to the estimated revenue of the Spectrum User Fee of that year under the provisions of the national budget. However, where the amount of money is estimated to exceed the estimated expense of the outlay for spectrum users' common benefit of that year, this shall not apply to the amount of money in excess.
- (2) The Government shall fund, where it is deemed to be necessary to do so taking into account of the needed common benefit costs for radio waves use in that year, in addition to the estimated revenue of the Spectrum User Fee of that year, all or a part of the amount of money reckoned by subtracting the total amount of the settled account (estimated account, as for the year preceding that year) of the outlay for spectrum users' common benefit of each year from 1993 to the year preceding that year, from the total amount of the settled account (estimated account, as for the year preceding that year) of the revenue of the Spectrum User Fee of each year from 1993 to the year preceding that year.

(Foreign Radio Stations Established on Board Ships or Aircraft)

Article 103-4.

- (1) No provisions of Chapters II and IV shall apply to foreign radio stations established on board ships or aircraft.

- (2) Radio stations of the preceding paragraph are allowed to operate only where conducting communications falls under the following items:
 - i) Communications of any of the items of Article 52.
 - ii) Communications with radio stations which conduct telecommunications service
 - iii) Communications for the purpose of safe navigation (except those of the preceding item).

(Foreign Radio Stations Sharing the Same Person (s) with Whom the Specified Radio Stations Conduct Radio Communications)

Article 103-5.

- (1) Irrespective of the provisions of Chapter II, Chapter III and Chapter IV, a blanket licensee may operate, with the permission of the Minister of Public Management, Home Affairs, Posts and Telecommunications, foreign radio stations sharing the same person (s) with whom the specified radio stations under the blanket license conduct radio communications and emitting only the radio waves of frequency automatically selected by receiving the radio waves from the radio station with which the radio communications is conducted in this country.
- (2) Upon receipt of application for the permission under the preceding paragraph, the Minister of Public Management, Home Affairs, Posts and Telecommunications shall grant the permission when the radio equipment of radio station under the application satisfies the technical regulations specified in Chapter III.
- (3) Where the blanket license held by the blanket licensee loses its validity, the permission of the paragraph (1), which is granted to the blanket licensee shall lose its validity.
- (4) When the blanket licensee has been granted the permission of the paragraph (1), the radio stations under the aforementioned permission shall be deemed as specified radio stations under the blanket license of the aforementioned blanket licensee, and the provisions of Chapter V and Chapter VI shall be applied thereto. However, the provisions of Article 71 paragraph (2), Article 76 paragraph (3) item i) and ii) and Article 76-2 shall not apply.

(Exemption of Application to the Government, Etc.)

Article 104.

- (1) No provisions of Article 103, Article 103-2 nor those of Chapter IX shall apply to the Government, and no provisions of Article 103 nor Article 103-2 shall apply to the independent administrative institutions (limited to those institutions specified in the applicable cabinet order, considering said independent administrative institutions' activities, etc.) under Article 2 paragraph (1) of the Independent Administrative Institution General Law (Law No. 103 of 1999). However, the provisions of Article 103 and Article 103-2 shall apply to those entities which are regarded as government organizations under other Laws.
- (2) Where the provisions of this Law apply to the Government, "license" or "permission" shall be replaced with "authorization".

(Conditions, Etc. of Pre-permits, Etc.)

Article 104-2.

- (1) Any restrictions or a term may be affixed to a pre-permit, license or permission.
- (2) Such restrictions or terms of the preceding paragraph shall be limited to a minimum extent necessary for promoting the public interest or ensuring the attainment of the purposes involved in a pre-permit, license or permission, without undue obligations upon the persons who suffer such administrative dispositions.

(Entrustment of Authority)

Article 104-3.

- (1) The authority of the Minister of Public Management, Home Affairs, Posts and Telecommunications provided in this Law may partially be entrusted, in accordance with the applicable

ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications #, to the Director-General of each Regional Telecommunications Bureau and to the Director-General of the Okinawa Office of Posts and Telecommunications.

The Regulations for Enforcement of the Radio Law, Article 51-7.

- (2) The provisions of Articles 85 through 99 shall apply, mutatis mutandis, to a request for examination or an action against administrative dispositions which the Director-General of each Regional Bureau of Telecommunications or the Director-General of the Okinawa Office of Posts and Telecommunications has made with the authority entrusted under the preceding paragraph. In this case, “the Minister of Public Management, Home Affairs, Posts and Telecommunications” in Article 96-2 shall be read as “the Director-General of Regional Bureau of Telecommunications or the Director-General of the Okinawa Office of Posts and Telecommunications “ and “the decision given to the protest” in the same article shall be read as “the judgment on the request for examination.”

(Demand for Examination on Administrative Dispositions Made by a Designated Certification Agency)

Article 104-4.

- (1) A person who is dissatisfied with administrative dispositions which a designated certification agency, or a designated examinations executing agency, has made under the provisions of this Law may request the examination of the Minister of Public Management, Home Affairs, Posts and Telecommunications.
- (2) The provisions of Articles 85 through 96 shall apply, mutatis mutandis, to a request for examination under the preceding paragraph; and the provisions of Articles 96-2 through 99, to a lawsuit against administrative dispositions made under the preceding paragraph. In this case, “the Minister of Public Management, Home Affairs, Posts and Telecommunications” in Article 90 paragraph (2) and Article 96-2 shall be read as “the designated certification agency or the designated examinations executing agency,” “the ministerial staffs” in Article 90 paragraph (2) shall be read as “the officer or staff” and “the decision made to the protest” in Article 96-2 shall be read as “the judgement on the request for examination.”

(Transitional Measures)

Article 104-5.

When any order is established, amended or abolished under the provisions of this Law, necessary transitional measures (including those related to penal provisions) may be specified in that order as deemed to be reasonably necessary in establishing, amending or abolishing that order.

Chapter IX. Penal Provisions

Article 105.

- (1) Any person who is engaged in radio communications service shall, when failing or delaying to treat distress traffic of the provisions of Article 66 paragraph (1) (including Article 70-6 to which the provisions of Article 66 paragraph (1) shall apply, mutatis mutandis), be guilty of an offense and liable to penal servitude for a specified term of one year or longer.
- (2) The provisions of the preceding paragraph shall also apply to any person who causes hindrances in the way of distress traffic.
- (3) Any attempted offense of the two preceding paragraphs shall be punished.

Article 106.

- (1) Any person who transmits a false message by means of radio equipment or other communications facilities of Article 100 paragraph (1) item i), with an aim at bringing advantage to oneself or other person or inflicting damage to other person, shall be guilty of an offense and liable to

penal servitude for a term not exceeding three years or to a fine not exceeding one million and five hundred thousand yen.

- (2) Any person who transmit a distress traffic by means of radio equipment irrespective of the fact that neither a ship nor aircraft is in distress shall be guilty of an offense and liable to penal servitude for a term of three months to ten years.

Article 107.

Any person who uses radio equipment or other telecommunications facilities of Article 100 paragraph (1) item i), to advocate destruction through use of violence of the Constitution of Japan or the Government which has been established under that Constitution shall be guilty of an offense and liable to penal servitude or imprisonment for a term not exceeding five years.

Article 108.

Any person who transmits a message of indecent contents by means of radio equipment or communications facilities of Article 100 paragraph (1) item i) shall be guilty of an offense and liable to penal servitude for a term not exceeding two years or to a fine not exceeding one million yen.

Article 108-2.

- (1) Any person who destroys, or makes any object touch, or impairs the functions of either radio equipment of a radio station fulfilling telecommunications or broadcast activities or radio equipment used for the protection of life or property, for the maintenance of public peace, for meteorological service, for supply of electric power under the electric business, or for operation of railway business, in order to cause thereby hindrances in the way of radio communications shall be guilty of an offense and liable to penal servitude for a term not exceeding five years or to a fine not exceeding two million and five hundred thousand yen.
- (2) An attempted offense of the preceding paragraph shall be punished.

Article 109.

- (1) Any person who divulges or takes advantage of a secret of other person's radio communications being handled by a radio station shall be guilty of an offense and liable to penal servitude for a term not exceeding one year or to a fine not exceeding five hundred thousand yen.
- (2) Any person who is engaged in radio communications and divulges or takes advantage of such a secret known in the course of radio communications of the preceding paragraph shall be guilty of an offense and liable to penal servitude for a term not exceeding two years or to a fine not exceeding one million yen.

Article 109-2.

Any person who divulges, in contravention of the provisions of Article 38-7 paragraph (1) (including Article 47-4, Article 71-3 paragraph (11) and Article 102-17 paragraph (5) to which the provisions of Article 38-7 paragraph (1) shall apply, *mutatis mutandis*), a secret known in the course of fulfilling the duties shall be guilty of an offense and liable to penal servitude for a term not exceeding one year or a fine not exceeding five hundred thousand yen.

Article 110.

Any person who falls under any of the following items shall be guilty of an offense and liable to penal servitude for a term not exceeding one year or to a fine not exceeding five hundred thousand yen.

- i) Any person who establishes or operates a radio station without a license of the provisions of Article 4
- ii) Any person who establishes specified radio stations in contravention of the provisions of Article 27-7

- iii) Any person who operates facilities of the provisions under Article 100 paragraph (1) without permission under the provisions of the same paragraph
- iv) Any person who operates a radio station in contravention of the provisions of Article 52, Article 53, Article 54 item i), or Article 55
- v) Any person who operates radio equipment in contravention of the provisions of Article 18 paragraph (1)
- vi) Any person who operates radio stations or facilities of Article 100 paragraph (1), irrespective of emissions therefrom or operation thereof being suspended under the provisions of Article 72 paragraph (1), or Article 76 paragraph (1) (or Article 100 paragraph (5) to which the provisions of either Article 72 paragraph (1) or Article 76 paragraph (1) shall apply, *mutatis mutandis*)
- vii) Any person who fails to observe administrative dispositions made under the provisions of Article 74 paragraph (1)
- viii) Any person who contravenes the provisions of Article 99-9
- ix) Any person who executes by himself/herself or makes a contractor execute the work involved in a hindrance causing part in contravention of the provisions of Article 102-6
- x) Any person who fails to refrain from execution or to prohibit a contractor to execute the work involved in the upper part of a building, etc. in contravention of an order issued under the provisions of Article 102-8 paragraph (1)

Article 110-2.

Any officer or staff of a designated certification agency, a designated training agency, a designated examinations executing agency, a designated frequency change support agency, the Center or a designated calibration agency who fails to observe an order relating to suspension of activities under the provisions of Article 38-14 paragraph (2) (including Article 39-2 paragraph (6), Article 47-4, Article 71-3 paragraph (11), Article 102-17 paragraph (5) and Article 102-18 paragraph (8), to which the provisions of Article 38-14 paragraph (2) shall apply, *mutatis mutandis*) shall be guilty of an offense and liable to penal servitude for a term not exceeding one year or to a fine not exceeding five hundred thousand yen.

Article 111.

Any person who refuses, hinders, or evades an inspection to be conducted under the provisions of Article 73 paragraph (1), (4) (including Article 100 paragraph (5) to which the provisions of Article 73 paragraph (4) shall apply, *mutatis mutandis*) or (5), or Article 82 paragraph (2) shall be guilty of an offense and liable to penal servitude for a term not exceeding six months or to a fine not exceeding three hundred thousand yen.

Article 112.

Any person who falls under any of the following items shall be guilty of an offense and liable to a fine not exceeding five hundred thousand yen:

- i) Any person who contravenes the provisions of Article 38-2 paragraph (7) or (8)
- ii) Any person who contravenes the provisions of Article 62 paragraph (1)
- iii) Any person who contravenes the provisions of Article 70-2 paragraph (1)
- iv) Any person who fails to observe an order to limit the operation under the provisions of Article 76 paragraph (1) (including Article 100 paragraph (5) to which the provisions of Article 76 paragraph (1) shall apply, *mutatis mutandis*)
- v) Any person who fails to notify or makes a false notification in contravention of an order under the provisions of Article 102-4 paragraph (1)
- vi) Any person who contravenes the provisions of Article 102-18 paragraph (4)

Article 113.

Any person who falls under any of the following items shall be guilty of an offense and liable to a fine not exceeding three hundred thousand yen:

- i) Any person who fails to submit a report or makes a false report under the provisions of Article 24-8 paragraph (1), or refuses, hinders, or evades an inspection under the provisions of the same paragraph
- ii) Any person who fails to submit a report or makes a false report in accordance with provisions of Article 38-16 paragraph (6), or any person who refuses, hinders, or evades the inspection under the same provision
- iii) Any person who contravenes the provisions of Article 39 paragraph (1) or (2), or Article 39-3
- iv) Any person who fails to notify or makes a false notification in contravention of the provision of Article 39 paragraph (4)
- v) Any person who fails to make a report or makes any false report in contravention of the provision of Article 71-3 paragraph (6)
- vi) Any person who contravenes the provisions of Article 78
- vi) Any person who operates radio equipment irrespective of the fact that the person has been prohibited under the provisions of Article 79 paragraph (1) (including Article 79 paragraph (2) to which the provisions of Article 79 paragraph (1) shall apply, *mutatis mutandis*)
- viii) Any person who operates radio equipment of a ship station specified in the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications specified in the main clause of Article 39 paragraph (1) irrespective of the fact that the validity of the ship station radio operator attestation has been suspended under the provisions of Article 79-2 paragraph (1)
- ix) Any person who fails to observe an order issued under the provisions of Article 82 paragraph (1) (including Article 101 to which the provisions of Article 82 paragraph (1) apply, *mutatis mutandis*)
- x) Any person who fails to notify or makes a false notification in contravention of the provisions of Article 102-3 paragraph (1) or (2) (including Article 102-3 paragraph (6) and Article 102-4 paragraph (2), to which the provisions of Article 102-3 paragraph (1) or (2) shall apply, *mutatis mutandis*)
- xi) Any person who fails to make a report under the provisions of Article 102-9 or makes any false report
- xii) Any person who fails to make a report under the provisions of Article 102-12 or makes any false report
- xiii) Any person who contravenes the instruction given under the provisions of Article 102-15 paragraph (1)
- xiv) Any person who fails to make a report or makes any false report under the provisions of Article 102-16 paragraph (1), or refuses, hinders, or evades an inspection to be executed under the provisions of the same paragraph

Article 113-2.

Any officer or staff of a designated certification agency, a designated training agency, a designated examinations executing agency, a designated frequency change support agency, the Center or designated calibration agency who falls under any of the following items shall be personally guilty of an offense and liable to a fine not exceeding three hundred thousand yen:

- i) When a person neglects to provide a record book, fails to enter or makes any false entry therein, or fails to preserve the record book in contravention of the provisions of Article 38-10 (including Article 39-2 paragraph (6), Article 47-4, Article 71-3 paragraph (11) and Article 102-18 paragraph (8), to which the provisions of Article 38-10 shall apply, *mutatis mutandis*).

- ii) When a person fails to submit a report or makes any false report under the provisions of Article 38-12 paragraph (1) (including Article 39-2 paragraph (6), Article 47-4, Article 71-3 paragraph (11), Article 102-17 paragraph (5) and Article 102-18 paragraph (8), to which the provisions of Article 38-12 paragraph (1) shall apply, *mutatis mutandis*; hereinafter the same shall apply), or refuses, hinders, or evades an inspection to be conducted under the provisions of the same paragraph.
- iii) When a person ceases all of technical regulations conformity certification service, all of training service, all of examination service, or the whole of specific frequency change support service without permission of Article 38-13 paragraph (1) (including Article 39-2 paragraph (6), Article 47-4 and Article 71-3 paragraph (11), to which Article 38-13 paragraph (1) shall apply, *mutatis mutandis*).
- iv) When a person ceases all of service without notification of the provision of Article 102-18 paragraph (6), or makes a false report.

Article 114.

Where any representative of a juridical person, or any agent, employee or other worker of a person or juridical person commits a violating act referred to in Article 110 and Articles 111 through 113 with respect to the business activities of either the person or juridical person, not only the violator shall be punished but also the person or juridical person shall be punished with the fine under the provisions of these Articles.

Article 115.

Any person who fails to attend, does not make a statement or make any false statement, or does not give legal advice or affords any false advice in contravention of an administrative disposition made by the hearing examiner in accordance with the provisions of Article 92-2 shall be guilty of an offense and liable to a fine not exceeding three hundred thousand yen.

Article 116.

Any person who falls under any of the following items shall be liable to a non-penal fine not exceeding three hundred thousand yen:

- i) Any person who fails to submit a notification under the provisions of Article 20 paragraph (7) (including Article 20 paragraph (8) and Article 27-16 to which the provisions of Article 20 paragraph (7) shall apply, *mutatis mutandis*).
- ii) Any person who fails to notify in contravention of the provisions of Article 22 (including Article 100 paragraph (5) to which the provisions of Article 22 shall apply, *mutatis mutandis*).
- iii) Any person who fails to return the license in contravention of the provisions of Article 24 (including Article 100 paragraph (5) to which the provisions of Article 24 shall apply, *mutatis mutandis*).
- iv) Any person who neglects to notify in contravention of the provisions of Article 24-5 paragraph (2).
- v) Any person who neglects to notify in contravention of the provisions of Article 24-6 paragraph (1).
- vi) Any person who fails to return the attestation certificate in contravention of the provisions of Article 24-7.
- vii) Any person who neglects to notify in contravention of the provisions of Article 27-10 paragraph (1)
- viii) Any person who fails to notify in contravention of the provisions of Article 100 paragraph (4).
- ix) Any person who fails to notify in contravention of the provisions of Article 102-3 paragraph (5).
- x) Any person who fails to notify or provides a false notification in contravention of the provisions of Article 103-2 paragraph (3) or (4).

Supplementary Provisions (Excerpts)

(Date of Enforcement)

(1) This Law shall come into force as of the day 30 days from the day of promulgation.

(Repeal of the Radiotelegraphy Law)

(2) The Radiotelegraphy Law (Law No. 26 of 1915) shall be repealed.

(Application of Old Law's Penal Provisions)

(4) The old Law remains effective in the application of Penal Provisions to acts made before this Law comes into force.

(Transitional Measures Concerning Radio Operators)

(5) A person who obtains the qualifications of First-Class, Second-Class, Third-Class, Radiotelephone-Class or Listener-Class radio operator in accordance with the provisions of the Regulation for Radio Operator Qualification Examination (Ordinance of the Ministry of Communications No. 8 of 1931) when this Law comes into force shall be deemed to be granted the license of First-Class radio operator, Second-Class radio operator, Third-Class radio operator, Radiotelephone-Class radio operator, or Listener-Class radio operator, respectively, mutatis mutandis, in accordance with the provisions of this Law on the day when this Law comes into force.

(6) A person who possesses qualifications of First-Class or Second-Class telecommunications engineer or who possesses qualifications of Third-Class telecommunications engineer (radio) on the day when the old Regulations for Telecommunications Engineer Qualification Examination (Ordinance of the Ministry of Communications: Ordinance No. 13 of 1940) was repealed (June 1, 1949) shall be deemed as granted the license of First-Class technical radio operator or Second-Class technical radio operator, respectively, in accordance with the provisions of this Law on the day when this Law comes into force.

(Dispositions, Etc. before the Enactment of this Law)

(9) Apart from cases provided in paragraphs (5) and (6), dispositions, procedures or other acts based on the provisions of the old Law or the orders thereon shall, if there are relevant provisions in this Law for them, be deemed as having been made in accordance with this Law. In this case, the valid terms of license of a radio station (except ship radio stations of ships under Article 4 of the Law for Safety of Vessels or of fishing boat under Article 5 of the cabinet order for restricting fishery areas of fishing boats) shall, notwithstanding the provisions of Article 13 paragraph (1), be the periods which are longer than one year and not exceeding three years from the day of enactment of this Law, and which are fixed in the applicable rule of the Radio Regulatory Council by each type of radio station.

(Transitional Measures Concerning Telegram)

(13) While telegram business is regarded as a Type I telecommunications business in accordance with the provisions under Supplementary Provisions Article 5 paragraph (1) of the Telecommunications Business Law, the telecommunications business provided in Article 5 paragraph (2) item iv), Article 16-2, Article 102-2 paragraph (2) item i), Article 103-4 paragraph (2) item ii) or Article 108-2 paragraph (2) shall include the operations of said telegram business concerned.

Supplementary Provisions (Law No. 249 of July 31, 1952) (Excerpts)

(Date of Enforcement)

(1) This Law shall come into force as of the day of promulgation. However, the amended provisions

of Article 33 paragraph (3), Article 33-2 through Article 36, Article 37 (limited to the part concerning mobile radiotelegraph equipment for a lifeboat which shall be installed on ships by the order based on the provisions of the Article 2 of the Law for Safety of Vessels), Article 63, Article 65 and Article 99-11 item i) shall come into force as of November 19, 1952.

Supplementary Provisions (Law No. 251 of July 31, 1952) (Excerpts)

- (1) This Law comes into force as of the day of enactment of the Nippon Telegraph and Telephone Public Corporation Law.

Supplementary Provisions (Law No. 280 of July 31, 1952) (Excerpts)

- (1) This Law comes into force as of the day of enforcement of the Law to Amend a Part of the Ministry of Posts and Telecommunications Establishment Law (Law No. 279 of 1952).
- (2) Staff and organization (except chairperson or members) of the former Radio Regulatory Committee shall, with the same status, remain as equivalent staff and organizations of the Ministry of Posts and Telecommunications.
- (3) The Rules of the Radio Regulatory Committee which are effective when this Law comes into force shall remain effective after this Law comes into force as the ministerial ordinances of the Ministry of Posts and Telecommunications.

Supplementary Provisions (Law No. 301 of August 7, 1952) (Excerpts)

(Date of Enforcement)

- (1) This Law shall come into force as of the day specified in the applicable cabinet order. However, the day shall not be later than March 31, 1953.

Supplementary Provisions (Law No. 98 of July 31, 1953) (Excerpts)

- (1) This Law shall come into force as of August 1, 1953.

Supplementary Provisions (Law No. 140 of May 6, 1958) (Excerpts)

- (1) This Law shall come into force as of the date specified in applicable cabinet order not exceeding six months from the day of promulgation.
- (2) A person who possesses qualifications in the left column of the following **table** shall, on the day when this Law comes into force, be deemed to be granted a license in the right column of the same table in accordance with the provisions of the Radio Law after amendment by this Law.

Old Qualifications	New Qualifications
First-Class Radio Operator	First-Class Radio Operator
Second-Class Radio Operator	Second-Class Radio Operator
Third-Class Radio Operator	Third-Class Radio Operator
Aeronautical-Class Radio Operator	Aeronautical-Class Radio Operator
Radiotelephone-Class Radio Operator	Radiotelephone-Class Radio Operator
First-Class Technical Radio Operator	First-Class Technical Radio Operator
Second-Class Technical Radio Operator	Second-Class Technical Radio Operator
Special Technical Radio Operator	Special Technical Radio Operator
Amateur First-Class Radio Operator	Amateur First-Class Radio Operator
Amateur Second-Class Radio Operator	Amateur Radiotelephone-Class Radio Operator

- (3) Until the ministry name of the Ministry of Posts and Telecommunications is altered to the Ministry of Communications, “the Minister of Communications” in Article 9 paragraph (4), Article 16 paragraph (2) or Article 20 paragraph (2) and paragraph (6) of the Radio Law after amendment shall be read as “the Minister of Posts and Telecommunications,” “the applicable ordinance of the Ministry of Communications” in Article 15, Article 16 paragraph (1) and the proviso of Article 60 of the same Law after amendment shall be read as “the applicable ordinance of the Ministry of Posts and Telecommunications.”

Supplementary Provisions (Law No. 140 of May 16, 1962) (Excerpts)

- (1) This Law shall come into force as of October 1 1962.
- (2) The provisions of this Law after amendment shall apply, except cases when particularly provided in these Supplementary Provisions, to matters happening before this Law comes into force. However, this does not prevent the effect emerging from the provisions of this Law before amendment.
- (3) A lawsuit which is continuing when this Law comes into force shall, notwithstanding the provisions of this Law after amendment that said action shall not be taken, the provisions then in force shall be dealt with as before amendment.
- (4) The jurisdiction of the lawsuit which is continuing when this Law comes into force shall, notwithstanding the provisions of this Law after amendment that said jurisdiction shall be the exclusive jurisdiction, the provisions then in force shall be dealt with as before amendment.
- (5) With regard to the term of actions against an administrative disposition or a decision whose time period in accordance with the provisions of this Law before amendment is not expired when this Law comes into force, the provisions then in force shall be dealt with as before amendment. However, this only applies if the time period in accordance with the provisions of this Law after amendment is shorter than the time period in accordance with the provisions of this Law before amendment.
- (6) The time period allowed to take actions, where a party laid a case against an administrative disposition or a decision made before this Law comes into force, shall be calculated from the day this Law comes into force.
- (7) With regard to a lawsuit concerning revocation of a disposition or a decision which continues when this Law comes into force, notwithstanding the provisions after amendment of this Law stipulates that either party shall be a defendant, the provisions then in force shall be dealt with as before amendment. Nevertheless, the court may, at the statement of the plaintiff, by decision, enable said lawsuit to be changed to a lawsuit between the parties.
- (8) In the case of the proviso of the preceding paragraph, the provisions of the latter part of Article 18 and Article 21 paragraph (2) through paragraph (5) of the Administrative Case Litigation Law.

Supplementary Provisions (Law No. 161 of September 15, 1962) (Excerpts)

- (1) This Law shall come into force as of October 1, 1962.
- (2) The provisions of this Law after amendment shall, except cases when particularly provided for in these Supplementary Provisions, apply to dispositions of administrative agencies made before this Law comes into force, nonfeasance of administrative agencies or other matters concerning applications filed before this Law comes into force. However, this does not prevent the effects arising from the provisions of this Law before amendment.
- (3) With regard to a petition, claim for examination, or submission of protest or other filing of complaint (hereinafter referred to as “petition, etc.”), even after this Law comes into force, the provisions then in force shall be dealt with as before amendment. As regards a judgement, decision or other disposition (hereinafter referred to as “judgement, etc.”) on petition, etc. made before this Law comes into force, or petition, etc. of a complaint on judgement, etc. made after this Law comes into force concerning petitions, etc. filed before this Law comes into force, the provisions then in force shall be dealt with as before amendment.
- (4) The petition, etc. provided in the preceding paragraph, which concerns a complaint against disposition that made able to be filed under the Administrative Appeals Law after the amendment of this Law, shall, with regard to the application of Laws except said Law, be regarded as the filing of complaint under the Administrative Appeals Law.
- (5) With regard to a judgement, etc. on the claim for examination, on the filing of protest or on other

filling of complaint made after this Law comes into force in accordance with the provisions of paragraph (3), the complaint shall not be filed under the Administrative Appeals Law.

- (6) With regard to a disposition of an administration made before this Law comes into force, against which a complaint may be filed in accordance with the provisions of this Law before amendment, and whose time period of the filing was not specified, the period that the filing of complaint against the disposition may be made under the Administrative Appeals Law shall be computed from the day when this Law comes into force.
- (8) With regard to the application of penal provisions to acts made before this Law comes into force, the provisions then in force shall be dealt with as before amendment.
- (9) Except specified in the preceding eight paragraphs, transitional measures necessary for the enforcement of this Law shall be stipulated in the applicable cabinet order.
- (10) Where there are amended provisions in this Law and in the Law Concerning the Adjustment, Etc. of Relevant Laws at the Enforcement of Administrative Case Litigation Law on identical laws, said laws shall be amended firstly by this Law, and then, amended by the Law Concerning the Adjustment, Etc. of Relevant Laws at the Enforcement of Administrative Case Litigation Law.

Supplementary Provisions (Law No. 82 of April 4, 1963) (Excerpts)

- (1) This Law shall come into force as of the date specified in the applicable cabinet order not exceeding four months from the day of promulgation.

Supplementary Provisions (Law No. 149 of July 4, 1964) (Excerpts)

(Date of Enforcement)

- (1) This Law shall come into force as of the date specified in the applicable cabinet order not exceeding 60 days from the day of promulgation. However, the amended provisions of Article 33, Article 33-2 (including the article title), Article 35, Article 35-2 (including the article title), Article 63, Article 65 and Article 99-11 paragraph (1) item i) and the provisions of the following paragraph shall come into force as of the day when the International Convention for the Safety of Life at Sea of 1960 becomes effective for Japan.

Supplementary Provisions (Law No. 114 of June 2, 1965) (Excerpts)

- (1) This Law shall come into force as of the date stipulated in the applicable cabinet order not exceeding three months from the day of promulgation.
- (2) With regard to a radio station which has received a license or a pre-permit under Article 8, within the valid terms of the license or the license concerning the pre-permit, notwithstanding the provisions of Article 56 paragraph (1) after amendment, the provisions then in force shall be dealt with as before amendment.

Supplementary Provisions (Law No. 36 of June 12, 1967) (Excerpts)

- (1) This Law shall come into force as of the day when the Registration and License Tax Law comes into force.
- (2) Where a person who has filed application for registration or license (hereinafter referred to as “registration, etc.”) listed in the Table No. 1 under the Registration and License Tax Law item xxiii-iii), (xiii), (xvi) and (xvii), item xxxi), xlvi) through xli) and xlviii) with the administrative registry (hereinafter referred to as “administrative registry, etc.”) before the day of promulgation of said Law, when the person receives the registration, etc. of said application by December 31, 1967, the amount of the fee shall follow the former provisions.
- (3) Where a person who has filed application for registration etc. with the administrative registry, etc. during the period from the day of promulgation of the Registration and License Tax Law to July 31, 1967 receives the registration, etc. of said application, or where a person who has filed

application for registration, etc. to the administrative registry, etc. before the day of promulgation of said Law receives the registration, etc. of said application after January 1, 1968, when the person has paid the fee concerning said registration, etc. at the application of said registration, etc., the amount of the paid fee shall be regarded as a part of the amount of registration license tax to be paid in accordance with the Registration and License Tax Law.

Supplementary Provisions (Law No. 44 of May 10, 1968) (Excerpts)

(Date of Enforcement)

Article 1.

This Law shall come into force as of the day when the International Convention on Load Lines of 1966 becomes effective for Japan. However, the amended provisions of Article 4 and the provisions of Supplementary Provisions Article 2 paragraph (3), Article 3 and Article 4 shall be effective as of October 1, 1969.

Supplementary Provisions (Law No. 96 of June 1, 1971) (Excerpts)

(Date of Enforcement, Etc.)

- (1) This Law shall come into force as of the day of promulgation.
- (16) Application of penal provisions to acts made before this Law (for the provisions listed in each item of Supplementary Provisions Article 1, said provisions) comes into force, the provisions then in force shall be dealt with as before amendment.

Supplementary Provisions (Law No. 130 of December 31, 1971) (Excerpts)

(Date of Enforcement)

- (1) This Law shall come into effect as of the day when the Agreement between Japan and the United States of America on the Ryukyu Islands and Daito Islands becomes effective.

Supplementary Provisions (Law No. 111 of July 1, 1972) (Excerpts)

(Date of Enforcement)

- (1) This Law shall come into force as of the day of promulgation.
- (9) With regard to the application of Penal Provisions to acts made before this Law (for the provisions provided in the proviso of Supplementary Provisions Article 1, said provisions) comes into force, the provisions then in force shall be dealt with as before amendment.

Supplementary Provisions (Law No. 114 of July 1, 1972) (Excerpts)

(Date of Enforcement)

- (1) This Law shall come into force as of the day after six months from the day of promulgation. However, the provisions of Article 4, the provisions of Supplementary Provisions paragraph (6) and the amended provisions of paragraph (12) paragraph (1) item i) and Article 19 paragraph (1) table (limited to those concerning the Cable Broadcast Council) in the Ministry of Posts and Telecommunications Establishment Law (Law No. 244 of 1948) in Supplementary Provisions Article 12 shall come into force as of the day of promulgation.

Supplementary Provisions (Law No. 80 of September 14, 1973) (Excerpts)

(Date of Enforcement)

Article 1.

This Law shall come into force as of the day after three months from the day of promulgation.

Supplementary Provisions (Law No. 58 of July 10, 1975) (Excerpts)

(Date of Enforcement)

This Law shall come into force as of the day after three months from the day of promulgation.

Supplementary Provisions (Law No. 27 of April 24, 1978) (Excerpts)

(Date of Enforcement)

- (1) This Law shall come into force as of the day of promulgation. However, the amended provisions of Article 11 paragraph (1) of the Law Concerning Real Estate Appraisal in Article 1, the provisions of Article 2, Article 3, Article 5 and Article 6, the amended provisions of the Patent Law Article 107 paragraph (1) in Article 19, the amended provisions of the Utility Model Law Article 31 paragraph (1) in Article 20, the amended provisions of the Design Law Article 42 paragraph (1) and paragraph (2) in Article 21, the amended provisions of the Trademark Law Article 40 paragraph (1) and (2) in Article 22, the amended provisions of the Interpretation Guide Business Law Article 5 paragraph (2) in Article 28 and the provisions of Article 29 and Article 30 shall come into force as of May 1, 1978.

Supplementary Provisions (Law No. 54 of May 23, 1978) (Excerpts)

(Date of Enforcement)

- (1) This Law shall come into force as of the day of promulgation. However, the provisions of Article 1 and the following paragraph through Supplementary Provisions paragraph (7) shall come into force as of the date fixed in the applicable cabinet order not exceeding three months from the day of promulgation.

Supplementary Provisions (Law No. 67 of December 18, 1979) (Excerpts)

(Date of Enforcement)

- (1) This Law shall come into force as of the date fixed in the applicable cabinet order not exceeding six months from the day of promulgation

(Transitional Measures)

- (2) A radar of a type which has passed the type approval examination conducted by the Minister of Posts and Telecommunications before this Law comes into force shall be regarded as the one whose type has passed the approval provided in Article 37 of the Radio Law after amendment.
- (3) A radar (except that regarded as passed the type approval examination in accordance with the provisions of the preceding paragraph) installed on a ship by an order by virtue of the provisions of Law for Safety of Vessels Article 2 when this Law comes into force and has passed the inspection in accordance with the provisions of Article 10 and Article 18 of the Radio Law before amendment shall be regarded as, insofar as said radar is installed on said ship, the one whose type has passed the type approval examination provided under Article 37 of the Radio Law after amendment.

Supplementary Provisions (Law No. 45 of May 19, 1981) (Excerpts)

(Date of Enforcement)

- (1) This Law shall come into force as of the day of promulgation.

Supplementary Provisions (Law No. 49 of May 23, 1981) (Excerpts)

(Date of Enforcement)

- (1) This Law shall come into force as of the day after six months from the day of promulgation. However, the amended provisions of Article 110 item i) shall come into force as of January 1, 1983.

(Transitional Measures)

- (2) With regard to the application of Penal Provisions to acts made before this Law comes into force, the provisions then in force shall be dealt with as before amendment.

Supplementary Provisions (Law No.59 of June 1, 1982) (Excerpts)

(Date of Enforcement)

- (1) This Law shall come into force as of the date fixed in the applicable cabinet order not exceeding one year from the day of promulgation. However, the amended provisions of Article 4 paragraph (1), the amended provisions of Article 5 paragraph (2), the amended provisions of Article 99-11 paragraph (1) item i) (limited to the part which amends “the proviso of Article 4 paragraph (1)” to “Article 4 paragraph (1) items i) and ii),” and the part which amends “or Article 100 paragraph (1) item ii)” to “and Article 100 paragraph (1) item ii)”) as well as the provisions of the preceding paragraph, Supplementary Provisions paragraph (3) and Supplementary Provisions paragraph (8) shall come into force as of January 1, 1983.

(Transitional Measures)

- (2) Where a radio station which has received a license when the amended provisions of Article 4 paragraph (1) come into force, and where the radio equipment falls under a category of radio station specified by the applicable ministerial ordinance of the Ministry of Posts and Telecommunications under Article 4 paragraph (1) item ii) of the Radio Law after amendment (hereinafter referred to as “the new Law”), the radio equipment of said radio station shall be regarded as having received technical standard conformity certification on the day when the amended provisions of Article 4 paragraph (1) come into force.
- (3) License of radio station of the preceding paragraph shall lose its effects on the day when the amended provisions of Article 4 paragraph (1) come into force.
- (4) A person who possesses qualifications of radio operator under Article 48-2 paragraph (2) of the new Law when this Law comes into force shall be regarded as receiving ship station radio operator attestation in accordance with the provisions of paragraph (1) of the same article.
- (5) A person who has passed radio operator state examination of radio operator qualification under Article 48-2 paragraph (2) of the new Law when this Law comes into force, and who has not obtained a radio operator license of said qualification in accordance with the provisions of the new Law shall be regarded as receiving ship station radio operator attestation in accordance with the provisions of paragraph (1) of the same article, on the day the person receives said license.
- (6) A person who is regarded as receiving ship station radio operator attestation in accordance with the provisions of the preceding two paragraphs shall, within five years from the day this Law comes into force, apply for the issuance of ship station radio operator attestation in accordance with the provisions of the new Law.
- (7) Where a person who is regarded as receiving ship station radio operator attestation by the provisions of Supplementary Provisions paragraph (4) or paragraph (5) does not apply in accordance with the provisions of the preceding paragraph within five years from the day this Law comes into force, the ship station radio operator attestation shall lose its effects when said period expires.
- (8) With regard to the application of Penal Provisions to acts made before the amended provision of Article 4 paragraph (1) comes into force, the provision then in force shall be dealt with as before amendment.

Supplementary Provisions (Law No. 60 of June 1, 1982) (Excerpts)

(Date of Enforcement)

- (1) This Law shall come into force as of the day six months from the day of promulgation.

Supplementary Provisions (Law No. 78 of December 2, 1983) (Excerpts)

- (1) This Law (except Article 1) shall come into force as of July 1, 1984.
- (2) With regard to organizations, etc. which is established on the day before this Law comes into

force in accordance with the provisions of laws, which shall be established in accordance with the provisions of the National Government Organization Law or of the applicable cabinet orders based on the provisions of laws concerned by this Law after amendment (hereinafter referred to as “orders concerned”) after the day when this Law comes into force, the necessary transitional measures for the organizations, or other transitional measures necessary for establishing, amending or repealing ordinances concerned with the enforcement of this Law, may be stipulated in the applicable cabinet orders.

Supplementary Provisions (Law No. 48 of May 29, 1984) (Excerpts)

This Law shall come into force as of September 1, 1984. However, the amended provisions of Article 103 shall come into force from the day of promulgation.

Supplementary Provisions (Law No. 87 of December 25, 1984) (Excerpts)

(Date of Enforcement)

Article 1.

This Law shall come into force as of April 1, 1985.

(Transitional Measures at the Partial Amendment to the Radio Law)

Article 18.

- (1) A designation made before this Law comes into force concerning radio propagation blockage prevented areas in accordance with the provisions of Article 102-2 paragraph (1) of the Radio Law before amendment by the provisions of Article 48, or the notification of causing an important radio communications hindrance over a radio propagation blockage prevented area in accordance with the provisions of Article 102-5 paragraph (1) of said Law shall be regarded as a designation or a notification concerning a telecommunications business blockage prevented area in accordance with the provisions of Article 102-2 paragraph (1) or Article 102-5 paragraph (1), in accordance with the provisions of Article 47, respectively.
- (2) With regard to the application of Penal Provisions to acts made before this Law comes into force in contravention of the provisions of the Radio Law before amendment by the provisions of Article 47, the provisions then in force shall apply.

(Entrustment to Cabinet Order)

Article 28.

Except when specified in Supplementary Provisions Article 2 through the preceding article, the necessary matters concerning the enforcement of this Law shall be stipulated in the applicable cabinet orders.

Supplementary Provisions (Law No. 102 of December 24, 1985) (Excerpts)

(Date of Enforcement)

Article 1.

This Law shall come into force as of the day of promulgation. However, the provisions listed in each of the following items shall come into force from the day fixed in each item.

- i) through iv): (omitted)
- v) The amended provisions of Article 37 of the Radio Law in Article 21: From the day fixed in the applicable cabinet order not exceeding five months from the day of promulgation
- vi): (omitted)
- vii) The amended provisions of the Consumer Products Safety Law Supplementary Table in Article 10, the provisions of Article 21 (except the amended provisions of the Radio Law Article 37) and the provisions of Article 26: The day fixed in the applicable cabinet order not exceeding one year from the day of promulgation

(Transitional Measures for Penal Provisions)

Article 8.

With regard to the application of Penal Provisions to acts made before this Law (as regards the provisions listed in each item of Supplementary Provisions Article 1, each said provision) comes into force, or to acts made after the provisions of Article 11 come into force in the case where the provisions then in force shall apply in accordance with the provisions of Supplementary Provisions Article 4, the provisions then in force shall still apply.

Supplementary Provisions (Law No. 35 of April 25, 1986) (Excerpts)

- (1) This Law shall come into force as of July 1, 1986. However, the provisions of the following paragraph shall come into force as of the day of promulgation.
- (2) The Minister of Posts and Telecommunications may, also before this Law comes into force, stipulate the applicable ministerial ordinance of the Ministry of Posts and Telecommunications based on the provisions of Article 37 item iv) of the Radio Law after amendment (hereinafter referred to as “new Law”), and conduct type approval for apparatus (hereinafter referred to as “new apparatus for approval”) of radio equipment which is newly made not be installed under said ministerial ordinance unless the type of the apparatus passes the approval conducted by the Ministry of Posts and Telecommunications.

(Transitional Measures)

- (3) New apparatus for approval which is installed on a ship when this Law comes into force shall, where it has passed the inspection provided in Article 10 or Article 18 of the Radio Law before amendment before this Law comes into force, while the apparatus is installed on said ship, be regarded as a type that has passed the approval provided in Article 37 of the new Law.

Supplementary Provisions (Law No. 93 of December 4, 1986) (Excerpts)

(Date of Enforcement)

Article 1.

This Law shall come into as of April 1, 1987.

(Transitional Measures with the Partial Amendment to the Radio Law)

Article 36.

A designation made before this Law comes into force concerning radio propagation blockage prevented areas in accordance with the provisions of Article 102-2 paragraph (1) item vi) of the Radio Law before amendment in accordance with the provisions of Article 141, or the notification of causing an important radio communications hindrance over a radio propagation blockage prevented area in accordance with the provisions of Article 102-5 paragraph (1) of said Law shall be regarded as a designation or a notification concerning a telecommunications business blockage prevented area in accordance with the provisions of Article 102-2 paragraph (1) item vi) or Article 102-5 paragraph (1) in accordance with the provisions of Article 141.

(Transitional Measures for the Application of Penal Provisions)

Article 41.

With regard to the application of Penal Provisions to acts made before this Law comes into force, or to acts made after this Law comes into force concerning matters which shall be applied the former provisions in accordance with the provisions of this Law, the provisions then in force shall still apply.

Supplementary Provisions (Law No. 55 of June 2, 1987) (Excerpts)

(Date of Enforcement)

- (1) This Law shall come into effect as of the day fixed in the applicable cabinet order not exceeding six months from the day of promulgation. However, the amended provisions of Article 13 and the provisions of Supplementary Provisions Article 4 shall come into force from the day of promulgation.

(Transitional Measures)

- (2) Radio equipment of radio station which has received a license when this Law comes into force, and which falls under the category of radio station specified in the applicable ministerial ordinance of the Ministry of Posts and Telecommunications under Article 4 paragraph (3) of the Radio Law after amendment (hereinafter referred to as “new Law”) shall, on the day when this Law comes into force, be regarded as receiving the technical standard conformity certificate in accordance with the provisions of Article 38-2 paragraph (1) of the new Law, and also be regarded as receiving the designation of call signs or call names in accordance with the provisions of Article 4-2 paragraph (1) of the new Law.
- (3) The license of radio station of the preceding paragraph shall lose its effects on the day when this Law comes into force.
- (4) A person who has received a license of radio station under Article 13 paragraph (2) of the new Law when this Law comes into force may not, with regard to matters concerning the valid term of license entered on the license of said radio station, need to receive the correction in accordance with the provisions of Article 21 of the new Law.
- (5) With regard to acts made before this Law comes into force, the provisions then in force shall still apply.

Supplementary Provisions (Law No. 56 of June 2, 1987) (Excerpts)

(Date of Enforcement)

- (1) This Law shall come into force as of January 1, 1988.

Supplementary Provisions (Law No. 29 of May 6, 1988) (Excerpts)

(Date of Enforcement)

Article 1.

This Law shall come into force as of October 1, 1988

(Effects of Dispositions, Etc. Based on the Provisions of the Old Law, Etc.)

Article 5.

Dispositions, procedures or other acts made in accordance with the provisions of the old Law or of the Radio Law before amendment in accordance with the provisions of Article 2 before this Law comes into force shall, if there are relevant provisions in the new Law (hereinafter referred to as “the new Law, etc.”) or the Radio Law after amendment in accordance with Article 2, be deemed as made in accordance with the new Law, etc.

(Transitional Measures Concerning Penal Provisions)

Article 6.

With regard to acts made before this Law comes into force, the provisions then in force shall still apply.

Supplementary Provisions (Law No. 55 of June 28, 1989) (Excerpts)

(Date of Enforcement, Etc.)

- (1) This Law shall come into force as of October 1, 1989. However, the provisions to amend the

Broadcast Law Contents in Article 1, the provisions to amend that Article 53 of said Law shall be Article 52-8 of said Law, the provisions to amend Article 59 of said Law, the provisions to amend that Chapter 4 of said Law shall be Chapter 6 of said Law, the provisions to amend that Article 53-6 of said Law shall be Article 53-13 of said Law, the provisions to amend Article 53-5 of said Law, the provisions to amend that said paragraph shall be Article 53-12 of said Law, the provisions to amend Article 53-4 paragraph (1) item ii) of said Law, the provisions that add item ii) to Article 53-4 paragraph (4) of said Law (limited to the part concerning item iv) of said paragraph), the provisions to amend Article 53-4 paragraph (2) of said Law, the provisions to amend that said paragraph shall be Article 53-10 of said Law and an article shall be added after said article, the provisions to amend that Article 53-3 of said Law shall be Article 53-9 of said Law and Article 53-2 of said Law shall be Article 53-8 of said Law, the provisions to amend that Chapter 3-2 of said Law shall be Chapter 5 of said Law (limited to the part concerning Chapter 4 of said Law), and the provisions of Article 99-14 paragraph (2) of the Radio Law in Article 2 shall come into force as of the day of promulgation, the provisions to amend Article 26 of the Broadcast Law in Article 1 shall come into force as of the date 30 days from the day of promulgation.

Supplementary Provisions (Law No. 67 of November 7, 1989) (Excerpts)

(Date of Enforcement)

Article 1.

- (1) This Law shall come into force as of the day specified in the applicable cabinet order in a period not exceeding one year from the day of promulgation. However, the provisions listed in the following items shall come into force from the day specified in each item.
 - i) The provisions to amend Contents and Article 6 paragraph (1) item iv), the provisions to amend Article 10 (except the part that amends “Article 48-2 paragraph (1)” to “the requirements for chief radio operator in accordance with the provisions of Article 39-3 paragraph (3), Article 48-2 paragraph (1)”), the provisions to amend that eliminates Article 50 paragraph (2), the provisions to amend paragraph (3) of said article (limited to the part that amends “the preceding two paragraphs” to “the preceding paragraph”), the provisions to amend that said paragraph shall be paragraph (2) of said article, the provisions to amend the section title of Chapter 5 Section 2, Article 63 paragraph (5), the section title of section 3 of the same chapter, Article 70-3, Article 70-4 and Article 70-6, the provisions to amend Article 99-11 paragraph (1) item i) (limited to the part which amends “Article 50 paragraph (3)” to “Article 50 paragraph (2)”), and the provisions of the following paragraph: The day of promulgation
 - ii) The provisions to amend Article 52 and Article 64 paragraph (1), the provisions to amend that adds one paragraph to Article 65, the provisions to amend Article 66 through Article 68, the provisions to amend item i) of Article 99-11 paragraph (1) (limited to the part that amends “Article 52 item vi)” to “Article 52 item i), item ii), item iii) and item vi)” and the part that adds “and paragraph (4) (Watch-keeping Obligation), Article 66 paragraph (1) (Distress Communications), Article 67 paragraph (2) (Emergency Communications)” after Article 65 paragraph (1)”), and the provisions of Supplementary Provisions Article 3: July 1, 1991
- (2) During the period from the day specified in the preceding paragraph item i) to June 30, 1991, “ship earth stations (meaning radio stations established on board ship for the purpose of telecommunications service and conducts radio communications via satellite stations; hereinafter the same shall apply.), radio stations on board aircraft” in Article 6 paragraph (1) item iv) of the Radio Law after amendment shall be “radio stations on board aircraft,” “ship earth stations” in Article 63 paragraph (5) shall be “ship earth stations (meaning radio stations which are established on board ship for the purposes of telecommunications service and conducts radio

communications via satellite stations)”, “; hereinafter the same shall apply.” in said paragraph shall be deleted.

- (3) During the period from the day of enactment to June 30, 1991, “a) Maritime First-Class Radio Operator, b) Maritime Second-Class Radio Operator, c) Maritime Third-Class Radio Operator, d) Maritime Fourth-Class Radio Operator, e) Maritime Special Technical Radio Operators specified in the cabinet order” in Article 40 paragraph (1) item ii) of the Radio Law after amendment by this Law (referred to as “new Law” in the following paragraph and the following Article) shall be “a) Maritime Fourth-Class Radio Operator, b) Maritime Special Technical Radio Operators specified in the applicable cabinet order.”
- (4) Notwithstanding the provisions of the preceding paragraph, the Minister of Posts and Telecommunications may, even before July 1, 1991, conduct the radio operator state examination for granting qualifications under Article 40 paragraph (1) item ii) a) through c) of new Law, or grant the license of said qualifications.

(Transitional Measures Concerning Radio Operators)

Article 2.

- (1) Person who has been granted license of qualifications listed in the left column of the following **table** (hereinafter referred to as “old qualifications”) in accordance with the provisions of the Radio Law before amendment by this Law (hereinafter referred to as “old Law”) when this Law comes into force shall be regarded as receiving the license of qualifications listed in the right column of said table (hereinafter referred to as “new qualifications”) in accordance with the provisions of the Radio Law after amendment by this Law (hereinafter referred to as “new Law”).

Old Qualifications	New Qualifications
First-Class Radio Operator	First-Class Radio Operator for General Service
Second-Class Radio Operator	Second-Class Radio Operator for General Service
Third-Class Radio Operator	Third-Class Radio Operator for General Service
Aeronautical-Class Radio Operator	Aeronautical-Class Radio Operator
Telephone-Class Radio Operator	Maritime Fourth-Class Radio Operator
First-Class Technical Radio Operator	First-Class Technical Radio Operator for On-the-Ground Service
Second-Class Technical Radio Operator	Second-Class Technical Radio Operator for On-the-Ground Service
Special Technical Radio Operator	The qualification listed in Article 40 paragraph (1) item ii) e), item iii) b) or item iv) c) and also specified in the applicable cabinet order
Amateur First-Class Radio Operator	Amateur First-Class Radio Operator
Amateur Second-Class Radio Operator	Amateur Second-Class Radio Operator
Amateur Telegram-Class Radio Operator	Amateur Third-Class Radio Operator
Amateur Telephone-Class Radio Operator	Amateur Fourth-Class Radio Operator

- (2) A person who has passed the radio operator state examination in accordance with the old Law (hereinafter referred to as “old examinations”) or has completed the training course (hereinafter referred to as “old training course”) of radio operators with regard to the old qualification in accordance with the provisions under the old Law, and has not applied for the license concerning the old qualifications shall, where the person applies for a license in accordance with the provisions under the new Law within three months from the day the person passes said old examination or completed said old training course, except the case for not granting license in accordance with the provisions of Article 42, be granted a license of the new qualifications which are equivalent to the old qualification.
- (3) Except the case provided in the preceding paragraph, the dispositions, procedures or other acts

made by the Minister of Posts and Telecommunications in accordance with the provisions of the old Law or orders thereon before this Law comes into force shall be deemed to be made by the Minister in accordance with the relevant provisions of the new Law or orders thereon, and the application, notification and other acts made to the Minister of Posts and Telecommunications in accordance with the provisions of the old Law or orders thereon before this Law comes into force shall be deemed to be made to the Minister in accordance with the relevant provisions of the new Law or orders thereon.

(Transitional Measures for Ship Earth Station)

Article 3.

- (1) A person who has received a license of ship earth station of Article 6 paragraph (1) item iv) of the Radio Law after amendment by the provisions to amend listed in Supplementary Provisions Article 1 paragraph (1) item i) (hereinafter referred in this article simply as “ship earth station”) shall, when the provisions to amend listed in Supplementary Provisions Article 1 paragraph (1) item ii) comes into force, notify the location of radio equipment of said ship earth station within 30 days from the day specified in Supplementary Provisions Article 1 paragraph (1) item ii).
- (2) Any person who fails to notify in accordance with the provisions of the preceding paragraph, or makes a false notification shall be guilty of an offence and liable to a fine not exceeding one hundred thousand yen.
- (3) Where any representative of a juridical person, or any agent, employee or other worker of a person or juridical person commits a violation referred to in the preceding paragraph, not only the violator shall be punished but also the person or juridical person shall be punished with the Penal Provisions of the same paragraph.
- (4) Any person who has received a license of ship earth station when the provisions to amend listed in Supplementary Provisions Article 1 paragraph (1) item ii) come into force may be exempted from obtaining correction in accordance with the provisions of Article 21 of the Radio Law.
- (5) With regard to applying the provisions of Article 53 of the Radio Law to a ship earth station which has received a license when the provisions to amend listed in Supplementary Provisions Article 1 paragraph (1) item ii) comes into force, the location of radio equipment notified in accordance with the provisions of paragraph (1) shall be deemed as the location of radio equipment entered on the license of said ship earth station.
- (6) The provisions of paragraph (1) shall apply, mutatis mutandis, to a person who has received pre-permit of ship earth station when the provisions to amend listed in Supplementary Provisions Article 1 paragraph (1) item ii) come into force. In this case, “within 30 days from the day specified in Supplementary Provisions Article 1 paragraph (1) item ii).” shall be read as “without delay after the day specified in Supplementary Provisions Article 1 paragraph (1) item ii).”

(Transitional Measures Concerning Penal Provisions)

Article 4.

The application of Penal Provisions to acts made before enactment of this Law (as regards the provisions to amend listed in Supplementary Provisions Article 1 paragraph (1) item ii), said provisions to amend) shall be dealt with as before amendment.

Supplementary Provisions (Law No. 54 of June 27, 1990) (Excerpts)

(Date of Enforcement)

- (1) This Law shall come into force as of the day stipulated in the applicable cabinet order not exceeding six months from the day of promulgation.

Supplementary Provisions (Law No. 67 of May 2, 1991) (Excerpts)***(Date of Enforcement)***

- (1) This Law shall come into force as of February 1, 1992.

(Transitional Measures)

- (2) With regard to compulsory ship stations provided in Article 13 paragraph (3) of the Radio Law (hereinafter referred to simply as “compulsory ship stations”) are built or whose building are commenced before January 31, 1995, except the matters concerning ship station radio operator attestation, until January 31, 1999 (when said compulsory ship station installs facilities which shall be installed before said day in accordance with the provisions of Article 33 of the Radio Law after amendment (hereinafter referred to as “the new Law”), until the day when the facilities are installed), the provisions then in force shall apply.
- (3) Compulsory ship stations which the provisions then in force shall apply in accordance with the provisions of the preceding paragraph shall, notwithstanding the provisions of the same paragraph, install facilities including an emergency position indication radio beacon, and a device for receiving information on ship’s safe voyage, which shall be installed in accordance with the provisions of Article 33 of the new Law and which are specified in the applicable ministerial ordinance of the Ministry of Posts and Telecommunications before the day specified in the applicable ministerial ordinance of the Ministry of Posts and Telecommunications before January 31, 1999. In this case, said facilities specified in the applicable ministerial ordinance of the Ministry of Posts and Telecommunications (limited to those for receiving information on ships’ safe passage) shall be deemed as the facilities listed in Article 37 item v) of the new Law, and shall be applied the provisions of said article notwithstanding the provisions of said paragraph.
- (4) Apparatus of radio equipment which shall not be installed unless having passed the examination for type approval conducted by the Minister of Posts and Telecommunications newly in accordance with the provisions of Article 37 item v) and item vi) of the new Law (referred in the following paragraph as “new apparatus for approval”) shall, where the apparatus has passed the type approval conducted by the Minister of Posts and Telecommunications before this Law comes into force, be regarded as the apparatus whose type has passed the approval in accordance with the provisions of said article.
- (5) A new apparatus for approval installed on a ship when this Law comes into force which has passed the approval in accordance with the provisions of Article 10 or Article 18 of the Radio Law before amendment (referred to as “the old Law” in the following paragraph) before this Law comes into force shall, while it is installed on said ship, be regarded as the apparatus whose type having passed the approval provided in Article 37 of the new Law.
- (6) The dispositions, procedures and other acts made before this Law comes into force by the Minister of Posts and Telecommunications on the ship station radio operator attestation in accordance with the provisions of the old Law or orders thereon shall be regarded as made in accordance with the relevant provisions of the new Law or orders thereon, and the applications or other acts made by a person who wishes to obtain the ship station radio operator attestation in accordance with the provisions of the old Law or orders thereon before this Law comes into force or a person who has received the ship station radio operator attestation when this Law comes into force shall be deemed to be made in accordance with the relevant provisions of the new Law or orders thereon.

Supplementary Provisions (Law No. 74 of June 5, 1992) (Excerpts)***(Date of Enforcement)***

- (1) This Law shall come into force as of April 1, 1993. However, the provisions to amend of Article 102-13 shall come into force as of the day of promulgation.

(Transitional Measures)

- (2) A person who has received a license for compulsory ship stations or compulsory aircraft stations in accordance with the provisions of Article 13 paragraph (3) when this Law comes into force shall, within two years from the day this Law comes into force, submit the license to the Minister of Posts and Telecommunications and obtain permission for change of license on the address.
- (3) With regard to radio stations which has received a license when this Law comes into force, the provisions of Article 103-2 paragraph (1) and paragraph (3) after amendment shall not, until the day before the corresponding date specified in accordance with paragraph (1) of said article which comes first after this Law comes into force (if the valid terms of the concerned license expires before the corresponding date, the day of expiration), apply.

Supplementary Provisions (Law No. 71 of June 16 1993) (Excerpts)

(Date of Enforcement)

- (1) This Law shall come into force as of April 1, 1994. However, the provisions to amend Contents, Article 5 paragraph (2), Article 6, Article 7 paragraph (1) and Article 39-3, the part of provisions that amends “Article 7 paragraph (1) item iv)” to “Article 7 paragraph (1) item iii)” in Article 99-11 paragraph (1) item i), the provisions that deletes Article 104-3, changes Article 104-4 to Article 104-3, and changes Article 104-6 to Article 104-5 and the provisions of the following paragraph shall come into force from the day of promulgation.

(Transitional Measures)

- (2) As regards the radio stations listed in Article 5 paragraph (2) item iv) and item vi) under the provisions of Article 104-3 of the Radio Law prior to amendment before the provisions that delete Article 104-3 come into force, the requirements or the period of pre-permit, license or permission made by the Minister of Posts and Telecommunications, or the restriction on operation imposed by the Minister shall lose their effects on the day when the provisions that deletes Article 104-3 come into force.
- (3) With regard to the application of Penal Provisions to acts made before this Law comes into force, the provisions then in force shall apply.

Supplementary Provisions (Law No. 89 of November 12, 1993) (Excerpts)

(Date of Enforcement)

Article 1.

This Law shall come into force as of the day when the Administrative Procedure Law (Law No. 88 of 1993) comes into force.

(Transitional Measures Concerning Adverse Dispositions on Which Consultations, Etc. Are Made)

Article 2.

Where, before this Law comes into force, a consultation or other request has been made to a council or other consultation body by law, that a hearing, the procedure to give an opportunity to state, or other procedure for speaking opinions provided in Administration Procedure Law Article 13 shall be taken, with regard to the procedure of adverse dispositions concerning the consultation or other request, notwithstanding the provisions of laws concerned after amendment by this Law, the provisions then in force shall apply.

(Transitional Measures on Penal Provisions)

Article 13.

With regard to Penal Provisions against acts made before this Law comes force, the provisions then in force shall apply.

*(Transitional Measures on Adjustment of Provisions Concerning Hearing)***Article 14.**

A hearing, an inquiry or a hearing panel (except the one concerning adverse dispositions), or the procedure for these acts shall, where it is made before this Law comes into force, be deemed to be made on applicable provisions of laws concerned after the amendment of this Law.

*(Entrustment to Cabinet Order)***Article 15.**

Except those specified in this Supplementary Provisions Article 2 through the preceding article, the transitional measures necessary in enforcing this Law shall be stipulated in the applicable cabinet order.

Supplementary Provisions (Law No. 73 of June 29, 1994) (Excerpts)

This Law shall come into effect as of the day of promulgation.

Supplementary Provisions (Law No. 74 of June 29 1994) (Excerpts)*(Date of Enforcement)*

- (1) This Law shall come into force as of the day stipulated in the applicable cabinet order not exceeding six months from the day of promulgation.

Supplementary Provisions (Law No. 83 of May 8, 1995) (Excerpts)*(Date of Enforcement)*

- (1) This Law shall come into as of April 1, 1996. However, the provisions to amend Article 103-2 shall come into force as of the day stipulated in the applicable cabinet order not exceeding one year from the promulgation of this Law.

(Transitional Measures)

- (2) With regard to the radio operator license for a person who has received the attestation in accordance with the provisions of Article 41 paragraph (2) item iii) before amendment, and has not received a license for radio operator, or has applied for the attestation in accordance with the provisions of the same item when this Law comes into force, the provisions then in force shall apply.

Supplementary Provisions (Law No. 70 of June 12, 1996) (Excerpts)*(Date of Enforcement)*

- (1) This Law shall come into force as of the day of promulgation.

(Transitional Measures)

- (2) With regard to radio stations which received a license before the day when this Law comes into force (hereinafter referred to as “enforcement day”), the provisions of Article 103-2 after amendment shall apply for the spectrum user fees of the period after the first corresponding date provided in paragraph (1) of the same article after the enforcement day (hereinafter referred simply as “the corresponding day”), for the spectrum user fees of the period before the corresponding day, the provisions then in force shall apply.
- (3) With regard to the spectrum user fee of radio stations listed in paragraph (2) through (6) and paragraph (9) of Article 103-2 paragraph (1) table 2 after amendment, where the fee concerns the period after the corresponding date whose fee has been paid in advance in accordance with the provisions of paragraph (5) of the same article before amendment, the portion that exceeds the amount of the spectrum user fee concerning said period in accordance with the provisions

of paragraph (1) and paragraph (3) of said article after amendment shall be refunded.

Supplementary Provisions (Law No. 47 of May 9, 1997)

(Date of Enforcement, Etc.)

Article 1.

- (1) This Law shall come into force as of the day stipulated in the applicable cabinet order not exceeding six months from the day of promulgation. However, the provisions to amend Article 6, Article 10 and Article 18, the provisions that adds seven articles after Article 24, the provisions to amend Article 73, the provisions that deletes Article 73-2, the provisions to amend Article 99-11 paragraph (1) item i) (limited to the part that adds “Article 24-2 paragraph (1) (Attestation of Private Inspector’s Qualification), Article 27-2 (Specified Radio Station), Article 27-4 item ii) (Essential Standards for the Establishment of Specified Radio Stations), Article 27-5 paragraph (3) (Valid Term of a Blanket License)” after “Article 15 (Simplified Licensing Procedures),” (limited to the part concerning Article 24-2 paragraph (1)), and the part that deletes “, Article 73-2 paragraph (1) (Designated Inspection Agency)”), the provisions to amend item iv) of said paragraph (limited to the part that deletes “, designation of the designated inspection agency in accordance with the provisions of Article 73-2 paragraph (1)”), the provisions to amend Article 100 paragraph (5), the provisions to amend Article 103 paragraph (1) (limited to the part that deletes “; or for a person who undergoes the inspection which a designated inspection agency executes in place of the Government, to the designated inspection agency”), the provisions to amend paragraph (2) of said article, Article 104-4 and Article 109-2, the provisions to amend Article 110, (limited to the part that amends “Article 18” to “Article 18 paragraph (1)”), the provisions to amend Article 111 and Article 113, the provisions that amend item v) to item ix), item iv) to item viii), and adds item iv) after item iii) in the provisions of Article 116 (limited to the part concerning to item iv) through item vi)), and the provisions of Supplementary Provisions Article 3 through Article 5 shall come into force as of April 1, 1998.
- (2) With regard to the attestation in accordance with Article 24-2 paragraph (1) of the Radio Law after amendment by this Law (hereinafter referred to as “new Law”) and the necessary procedure or other acts concerning the attestation, even before the provisions in the proviso of the preceding paragraph come into force, the provisions of the new Law may apply.
- (3) During the period from the day this Law comes into force to March 31, 1998, “Article 102-18 paragraph (5)” in Article 99-11 paragraph (1) item i) of the new Law shall be “Article 73-2 paragraph (5) and Article 102-18 paragraph (5)”; “Article 47-2 and Article 102-18 paragraph (5)” in item iii) of said paragraph, Article 99-12 paragraph (6) of the new Law and Article 113-2 item i) and iii) of the new Law shall be “Article 47-2, Article 73-2 paragraph (5) and Article 102-18 paragraph (5)”; “or designated calibration agency” in Article 99-11 paragraph (1) item iii) of the new Law shall be “, designated inspection agency or designated calibration agency”, “or calibrators” shall be “, inspectors or calibrators”; “Article 102-17 paragraph (6) and Article 102-18 paragraph (5)” in said item, Article 110-2 and Article 113-2 item ii) of the new Law shall be “Article 73-2 paragraph (5), Article 102-17 paragraph (6) and Article 102-18 paragraph (5)”; “center or designated calibration agency” in Article 99-11 paragraph (1) item iii) of the new Law shall be “designated inspection agency, center or designated calibration agency”, “or designated calibration agency” in Article 99-12 paragraph (6) of the new Law shall be “, designated inspection agency or designated calibration agency”, “or calibrators” shall be “, inspectors or calibrators”; “radio equipment” in Article 102-18 paragraph (1) of the new Law shall be “radio equipment (including equipment which shall be installed in accordance with the provisions of Article 30 and Article 32)”; “center or designated calibration agency” in Article 110-2 and Article 113-2 of the new Law shall be “designated inspection agency, center or designated calibration agency”; “or the entire business of calibration” in Article 113-2 item iii) of the new Law shall be “, the entire business of periodical inspection or the entire business of calibration”.

*(Transitional Measures)***Article 2.**

Where a person has filed an application for license of radio stations listed in supplementary table 1 item 48 of the Registration and License Tax Law (Law No. 35 of 1967) with the Minister of Posts and Telecommunications before this Law comes into force, with regard to fees concerning the license of said radio station and the spectrum user fee provided in the Article 103-2 paragraph (1) of the new Law, the provisions then in force shall apply.

Article 3.

With regard to the obligation that an officer or staff of a designated calibration agency shall not divulge a secret known in the course of work, even after the provisions to amend provided in Supplementary Provisions Article 1 paragraph (1) proviso come into force, the former provisions shall apply.

Article 4.

- (1) With regard to dispositions on a designated inspection agency made in accordance with the provisions of the Radio Law before amendment (hereinafter referred to as “the old Law”) before the provisions in the proviso of Supplementary Provisions Article 1 paragraph (1) come into force, the provisions of Article 104 of the old Law shall remain effective even after said provisions to amend come into force.
 - i) In this case, “the Minister of Posts and Telecommunications” in said article shall be “the Minister of Public Management, Home Affairs, Posts and Telecommunications.”
- (2) With regard to judgements to the claim for examination in accordance with the provisions of Article 104-4 paragraph (1) of the old Law which made effective by the provisions of the preceding paragraph, said claim for examination shall be deemed to be a protest to the Minister of Public Management, Home Affairs, Posts and Telecommunications, and Article 47 of the Administrative Complaint Examination Law (Law No. 160 of 1962) shall apply.

Article 5.

With regard to the application of Penal Provisions to acts made before the provisions to amend the proviso of Supplementary Provisions Article 1 paragraph (1) come into force, or to acts made after said provisions come into force in the case where the provisions then in force shall apply in accordance with the provisions of Supplementary Provisions Article 3, the former provisions shall apply.

*(Review)***Article 6.**

The Government shall, after ten years from the day the provisions in the proviso of Supplementary Provisions Article 1 paragraph (1) come into force, review the situation under which the provisions of Article 24-2 through Article 24-8 and Article 102-18 after amendment, and if it determines that it is necessary from the viewpoint of radio regulation, shall take necessary measures based upon the conclusion of the review.

Supplementary Provisions (Law No. 100 of June 20, 1997)*(Date of Enforcement)*

- (1) This Law shall come into force as of the day the Fourth Protocol to the General Agreement on Trade in Services comes into force in Japan.

(Transitional Measures Concerning Penal Provisions)

- (2) With regard to the application of Penal Provisions to acts made before this Law comes into force, the provisions then in force shall apply.

Supplementary Provisions (Law No. 58 of May 8, 1998) (Excerpts)

(Date of Enforcement)

Article 1.

This Law shall come into force as of the day stipulated in the applicable cabinet order not exceeding six months from the day of promulgation. However, the provisions listed in the following items shall come into force as of the day fixed in each item concerned, respectively.

- i) The provisions to amend Article 99-3 of the Radio Law in Article 3: The day of promulgation
- iii) The provisions to amend the Telecommunications Business Law Contents in Article 2, the provisions to amend Article 50 of said Law, the provision that adds three articles after said article, the provisions that changes section name of Chapter 2 Section 5 of said Law, the provisions to amend Article 72 of said Law, the provision that adds one article and one sub-section after said article, the provisions to amend Articles 92 and Article 98, the provisions to amend Article 108 of said Law (limited to the part concerning item iv)), the provisions to amend Article 109 of said Law (limited to the part concerning item iii)), the provisions to amend Article 110 of said Law and the provisions to amend the Radio Law Contents in Article 3, the provisions to amend Articles 10 and Article 18 of said Law (the Telecommunications Business Law) the provision that adds one article after Article 24-8 of said Law, the provision to amend Article 38-2 of said Law, the provisions that add three articles after Article 38-15 of said Law, the provisions to amend Article 73 of said Law, the provisions to amend Article 99-11 of said Law (limited to the part that adds “Article 38-17 paragraph (5) and” after “Article 38-5 paragraph (5)”), the provision to amend Article 103 of said Law, the provision to amend Article 112 of said Law (limited to the part that changes “Article 38-2 paragraph (6) or paragraph (7)” to “Article 38-2 paragraph (7) or paragraph (8)”), the provision to amend Article 103 of said Law, and the provision to amend Supplementary Provisions Article 8: As of the day stipulated in the applicable cabinet order not exceeding ten months from the day of promulgation.

(Transitional Measures on Application of Penal Provisions)

Article 7.

With regard to the application of Penal Provisions to acts made before this Law comes into force, or acts made after this Law comes into force that shall follow the former provisions in accordance with Supplementary Provisions Article 5 paragraph (1) and paragraph (3) of the preceding article, the former provisions shall apply.

Supplementary Provisions (Law No. 101 of June 12, 1998) (Excerpts)

(Date of Enforcement)

Article 1.

This Law shall come into force as of April 1, 1999.

Supplementary Provisions (Law No. 47 of May 21, 1999)

(Date of Enforcement)

- (1) This Law shall come into force as of the day of promulgation. However, the provisions to amend Article 5, Article 6, Article 20, Article 27 and Article 70-3 shall come into force as of the day stipulated in the applicable cabinet order not exceeding six months from the day of promulgation.

(Transitional Measures)

- (2) With regard to radio stations which has received a license before the day this Law comes into force (hereinafter referred to as “enforcement date”), the amended provisions of Article 103-2

shall apply to the spectrum user fee concerning the period after the first corresponding date stipulated in paragraph (1) of said article which comes after the enforcement date (hereinafter referred simply as “corresponding date”), and the former provisions will apply to the spectrum user fee concerning the period before the corresponding date.

- (3) With regard to the spectrum user fee of radio stations listed in paragraph (2) through paragraph (6) and paragraph (9) of Article 103-2 paragraph (1) table 2 after amendment, where the fee concerns the period after the corresponding date of which the fee paid in advance in accordance with the provisions of paragraph (5) of the same article before amendment, the part that exceeds the amount of the spectrum user fee concerning said period in accordance with the provisions of paragraph (1) and paragraph (3) of said article after amendment shall be refunded.
- (4) With regard to the application of Penal Provisions to acts made before this Law comes into force, the provisions then in force shall apply.

Supplementary Provisions (Law No. 72 of June 11, 1999) (Excerpts)

(Date of Enforcement)

Article 1.

This Law shall come into force, by each classification listed in each of the following items, as of the day specified in each concerning item.

- i) The provisions to amend Article 28, Article 54, Article 54-2, Article 60 through Article 61-2, Article 66, Article 76, Article 145 and Article 148-2, and the provisions of Supplementary Provisions Article 7, Article 13 through Article 15 and Article 17: The day one month from the day of promulgation

Supplementary Provisions (Law No. 102 of July 16, 1999) (Excerpts)

(Date of Enforcement)

Article 1.

This Law shall come into force as of the day the Law to Amend a Part of the Cabinet Law (Law No. 88 of 1999) comes into force. However, the provisions listed in each of the following items shall come into force as of the day specified in each item.

- ii) Provisions of Supplementary Provisions Article 10 paragraph (1) and paragraph (5), Article 14 paragraph (3), Article 23, Article 28 and Article 30: The day of promulgation

(Status Transfer of Personnel)

Article 3.

A person who is a personnel of the former Prime Minister’s Office; Ministry of Justice; Ministry of Foreign Affairs; Ministry of Finance; Ministry of Education, Science, Sports and Culture; Ministry of Health and Welfare; Ministry of Agriculture, Forestry and Fisheries; Ministry of International Trade and Industry; Ministry of Transport; Ministry of Posts and Telecommunications; Ministry of Labour; Ministry of Construction, or, Ministry of Home Affairs (hereinafter referred in this article as “former ministries and agencies”) (except chairperson or member of council, etc. under Article 8 of the National Government Organization Law (Law No. 120 of 1948), member of Central Disaster Prevention Council, chairperson or member of Japanese Industrial Standard Committee or other person specified in the applicable cabinet order as similar to these) shall, unless otherwise appointed, with identical working conditions, be an equivalent personnel of the Cabinet Office; Ministry of Public Management, Home Affairs, Posts and Telecommunications; Ministry of Justice; Ministry of Foreign Affairs; Ministry of Finance; Ministry of Education, Culture, Sports, Science and Technology; Ministry of Health, Labour and Welfare; Ministry of Agriculture, Forestry and Fisheries; Ministry of Economy, Trade and Industry; Ministry of Land, Infrastructure and Transport; or, Ministry of the Environment (Hereinafter referred to as “new office and ministries”), of a bureau or an organization set up in the new office and ministries which is stipulated in the applicable cabinet

order to be the new ministry, bureau or organization set up in the ministry equivalent to the former ministry, bureau or organization set up in the ministry which said personnel belongs to when this Law comes into force.

(Transitional Measures with Partial Amendment to the Radio Law)

Article 16.

- (1) A person who is a member of the former Radio Regulatory Council of the Ministry of Posts and Telecommunications shall, on the day this Law comes into force, in accordance with the provisions of Article 99-3 paragraph (1) or paragraph (2) of the Radio Law after amendment of this Law by the provisions of Article 40 (hereinafter referred to as “the new Radio Law”), be deemed to be appointed as a member of the Radio Regulatory Council of the Ministry of Public Management, Home Affairs, Posts and Telecommunications. In this case, the term of the person who shall be deemed to be appointed shall, notwithstanding the provisions of Article 99-5 paragraph (1), be the remaining term as the member of the former Radio Regulatory Council of the Ministry of Posts and Telecommunications.
- (2) A person who is the chairperson of the former Radio Regulatory Council of the Ministry of Posts and Telecommunications shall, on the day this Law comes into force, be regarded as to be appointed as the chairperson of the Radio Regulatory Council of the Ministry of Public Management, Home Affairs, Posts and Telecommunications in accordance with the provisions of Article 99-2-2 paragraph (2) of the new Radio Law.
- (3) A person who is to act on behalf of the chairperson in accordance with the provisions of Article 99-2-2 paragraph (4) of the Radio Law before amendment by the provisions of Article 40 when this Law comes into force shall, on the day this Law comes into force, be deemed to be specified as a person who acts on behalf of the chairperson in accordance with the provisions of Article 99-2-2 paragraph (4) of the new Radio Law.

(Transitional Measures to Be Stipulated Separately)

Article 30.

Except specified in the provisions of Article 2 through the preceding article, the transitional measures which become necessary with the enforcement of this Law shall be stipulated separately in applicable laws.

Supplementary Provisions (Law No. 160 of December 12, 1999) (Excerpts)

(Date of Enforcement)

Article 1.

This Law (except Article 2 and Article 3) shall come into force as of January 6, 2001.

Supplementary Provisions (Law No. 162 of December 22, 1999) (Excerpts)

(Date of Enforcement)

Article 1.

This Law shall come into force as of January 6, 1999. However, the provisions of Supplementary Provisions Article 9 and Article 10 shall come into force as of the day stipulated in the applicable cabinet order not exceeding six months from the day of promulgation.

Supplementary Provisions (Law No. 220 of December 22, 1999) (Excerpts)

(Date of Enforcement)

Article 1.

This Law (except Article 1) shall come into force as of January 6, 1999.

(Entrustment to Cabinet Order)

Article 4.

Except specified in the preceding two paragraphs, the matters necessary for enforcing this Law shall be stipulated in the applicable cabinet order.

Supplementary Provisions (Law No. 91 of May 31, 2000) (Excerpts)

(Date of Enforcement)

- (1) This Law (except Article 1) shall come into force as of the day of enforcement of the Law to Amend the Commercial Code, Etc. (Law No. 90 of 2000).

(Transitional Measures)

- (2) Where the day when this Law comes into force is before the day when the provisions of Supplementary Provisions Article 8 of the “Independent Administrative Institution, Center for Food Quality, Labeling and Consumer Services Law” (Law No. 183 of 2001) come into force, “Article 27” in Article 19-5-2, Article 19-6 paragraph (1) item iv) and Article 27 in the amendment provisions of Article 31 of the “Law Concerning Standardization and Proper Labeling of Agricultural and Forestry Products” shall be read as “Article 26”.

Supplementary Provisions (Law No. 109 of June 2, 2000)

(Date of Enforcement)

- (1) This Law shall come into force as of the day stipulated by the applicable cabinet order not exceeding six months from the day of promulgation. However, the amendment provisions of Article 20 and Article 27-10 paragraph (2), and the amendment provisions of Article 116 item i) (except the part relating to Article 27-16) shall come into force as of the day of promulgation.

(Transitional Measures)

- (2) Regarding the validity of application for the radio operator’s license concerning the qualification of a person who has obtained said qualification that the person can obtain radio operator’s license by becoming a person provided in Article 41 paragraph (3) of the Radio Law before amendment prior to the date three months before the day of enforcement of this Law, the former rules shall apply. However, when a person having obtained the radio operator’s license at the enforcement of this Law applies for re-license after the person had the radio operator’s license revoked, this rule shall not apply.

Supplementary Provisions (Law No. 126 of November 27, 2000) (Excerpts)

(Date of Enforcement)

Article 1.

- (1) This Law shall come into force as of the day stipulated by the applicable cabinet order not exceeding five months from the day of promulgation. However, the provisions of the following items shall come into force as of the day specified in said items.
- (2) The amendment provisions of the Radio Law Article 99-11 paragraph (1) item i) in Article 10 January 6, 2001

(Transitional Measures concerning Penal Provisions)

Article 2.

Regarding application of penal provisions for acts made before the enforcement of this Law, the former rules shall apply.

Supplementary Provisions (Law No. 48 of June 15, 2001) (Excerpts)

(Date of Enforcement)

Article 1.

This Law shall come into force as of the day stipulated by the applicable cabinet order not exceeding four months from the day of promulgation. However, the amendment provisions of Article 99-11 paragraph (1) item i) (limited to the part which adds “, Article 71-3 paragraph (4) (Standards Concerning Payments of Compensations)” after “(Communications Report of Aircraft Stations)”) shall come into force as of the day of promulgation.

(Transitional Measures)

Article 2.

- (1) A person who has obtained designation of Article 38-2 paragraph (2) of the Radio Law before amendment (hereinafter referred to as “old Law”) at the enforcement of this Law shall be deemed as having obtained designation of Article 38-2 paragraph (1) of the Radio Law after amendment (hereinafter referred to as “new Law”) at the day of enforcement of this Law.
- (2) A person who has obtained designation of Article 102-18 paragraph (1) of the old Law at the enforcement of this Law shall be deemed as having obtained designation of Article 102-18 paragraph (1) of the new Law at the day of enforcement of this Law.
- (3) Except cases where provided in the preceding two paragraphs, dispositions, procedures and other deeds made before the enforcement of this Law in accordance with the provisions of the old Law shall be deemed as made in accordance with the provisions of the new Law.
- (4) Regarding application of penal provisions for acts made before the enforcement of this Law, the former rules shall apply.