

The Broadcast Act

(Act No.132 of May 2, 1950)

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(Acts promulgated before the day of the latest amendment but yet to come into effect)

Act No.88 of June 9, 2004 (yet to come into effect)

Act No.50 of June 2, 2006 (yet to come into effect)

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Chapter I General Provisions

Article 1 (Purpose)

The purpose of this Act is to regulate broadcasting for the public welfare, and to facilitate the sound development thereof, in accordance with the principles as stated below:

- (i) To secure the maximum availability and benefits of broadcasting for the citizens;
- (ii) To assure the freedom of expression through broadcasting by guaranteeing impartiality and integrity in broadcasting and its autonomy;
- (iii) To make broadcasting contribute to the development of a healthy democracy by clarifying the responsibilities of the entities engaged in broadcasting.

Article 2 (Definitions)

This Act and the orders issued hereunder shall be interpreted in accordance with the following definitions.

(i) “Broadcasting” means the transmission of radio communications that are intended to be received directly by the general public.

(i)-2 “Domestic broadcasting” means broadcasting, excepting entrusted domestic broadcasting, that is intended to be received domestically.

(i)-3 “Entrusted domestic broadcasting” means broadcasting that is entrusted by others and intended to be received domestically. Such entrusted broadcast programs are aired by space-based satellite radio stations without any editing.

(ii) “International broadcasting” means broadcasting, excepting international relay broadcasting and international broadcasting entrusted by NHK, that is intended to be received in foreign countries.

(ii)-2 “International broadcasting for Japanese nationals overseas” means international broadcasting that airs programs for Japanese nationals overseas.

(ii)-2-2 “International broadcasting for foreign nationals overseas” means international broadcasting that airs programs for foreign nationals overseas.

(ii)-2-3 “International relay broadcasting” means broadcasting that is entrusted by a foreign broadcaster (an entity engaged in broadcasting business in a foreign country; the same hereunder) and intended to be received in a foreign country. Such entrusted broadcast programs are aired without any editing.

(ii)-2-4 “International broadcasting entrusted by NHK” means broadcasting that is entrusted by Japan Broadcasting Corporation (hereinafter referred to as “NHK”) and intended to be received in a foreign country. Such entrusted broadcast programs are aired by space-based satellite radio stations without editing.

(ii)-2-5 “Entrusted domestic and overseas broadcasting” means broadcasting that is entrusted by others and intended to be received domestically and overseas. Such entrusted broadcast programs are aired by space-based satellite radio stations without editing.

(ii)-3 “Medium frequency broadcasting” means the broadcasting of voices and other sounds via frequencies in the band ranging from 526.5 kHz to 1606.5 kHz.

(ii)-4 “Very high frequency broadcasting” means the broadcasting of voices and other sounds (including such that broadcasts characters, patterns, and other images or signals together) via frequencies exceeding 30 MHz, which does not fall under the classification of television broadcasting and is not transmitted on a channel multiplexed on a radio wave of another type of broadcasting.

(ii)-5 “Television broadcasting” means the broadcasting of transient images of fixed or moving objects, and voices and other sounds accompanying them (including such that broadcasts characters, patterns, and other images (including images that accompany voices and other sounds) or signals together).

(ii)-6 “Multiplex broadcasting” means the broadcasting of voices and other sounds, characters, patterns, and other images or signals on a channel multiplexed on a radio wave used for very high frequency broadcasting or television broadcasting and not falling under the classification of very high frequency broadcasting or television broadcasting.

(iii) A “broadcasting station” means a radio station used for broadcasting.

(iii)-2 A “broadcaster” means an entity that is engaged in broadcasting business, for which it has been granted a license for a broadcasting station (except the radio stations for relay broadcasting to eliminate receiving interference (refer to relay broadcasting to eliminate receiving interference in Article 5 paragraph (5) of the Radio Act (Act No.131 of 1950); the same hereunder)) in accordance with the provisions of the same Act, a program-supplying broadcaster, or NHK (to the extent that it carries out the domestic broadcast programming operations provided for in Article 9 paragraph (1) item (ii) or NHK’s international broadcast programming operations).

(iii)-3 A “private broadcaster” means a broadcaster other than NHK or the Open University of Japan (hereinafter referred to as “University”) stipulated in Article 3 of the Open University of Japan Act (Act No.156 of 2002).

(iii)-4 A “facility-supplying broadcaster” means an entity that has been granted a license for a radio station for entrusted domestic broadcasting, international broadcasting entrusted by NHK or entrusted domestic and overseas broadcasting (hereinafter collectively referred to as “entrusted broadcasting”) in accordance with the provisions of the Radio Act.

(iii)-5 A “program-supplying broadcaster” means an entity authorized to be engaged in broadcast programming operations (activities to entrust broadcast programs to an entity who has been granted a license for a radio station for entrusted domestic broadcasting or entrusted domestic and overseas broadcasting; the same hereunder) in accordance with the provisions of Article 52-13 paragraph (1).

(iii)-6 “NHK’s international broadcast programming operations” means the business in which NHK entrusts the broadcasting of broadcast programs to an entity who has been granted a license for a radio station for international broadcasting entrusted by NHK in accordance with the provisions of the Radio Act, or to an entity who operates an overseas radio station that carries out international broadcasting entrusted by NHK.

(iii)-7 “NHK’s international broadcast programming operations for Japanese nationals overseas” means such international broadcast programming operations that air broadcast programs for Japanese nationals overseas.

(iii)-8 “NHK’s international broadcast programming operations for foreign nationals overseas” means such international broadcast programming operations that air broadcast programs for foreign nationals overseas.

(iv) A “broadcast program” means the kind, content, volume and arrangement of matters to be broadcasted (or matters for which entrusted broadcasting is done, in the case of entrusted broadcasting).

(v) An “educational program” means a broadcast program for formal education or social education.

(vi) A “cultural program” means a broadcast program other than an educational program that directly aims at the improvement of the general culture of citizens.

Article 2-2 (Basic Plan for Broadcasting Diffusion)

(1) The Minister for Internal Affairs and Communications shall establish the basic plan for broadcasting diffusion and take necessary actions according thereto for the purpose of promoting the systematic diffusion and sound development of broadcasting (including entrusted broadcasting; the same shall apply to item (i) of the following paragraph; Article 7; Article 9 paragraph (1) item (iii), paragraph (2) items (ii) (vii) and (viii), and paragraph (6); Article 34 paragraph (1); Article 52-13 paragraph (1) item (iv); and Article 53 paragraph (1)).

(2) The basic plan for broadcasting diffusion shall clarify the following matters concerning the establishment of broadcasting stations (referring to the establishment of broadcasting stations that carry out broadcasting and broadcast programming operations in the case of entrusted domestic broadcasting or entrusted domestic and overseas broadcasting, and to the establishment of broadcasting stations that carry out international broadcasting entrusted by NHK and NHK's international broadcast programming operations in the case of international broadcasting entrusted by NHK (this shall be limited to broadcasting activities conducted by licensed radio stations under the provisions of the Radio Act; the same shall apply to this paragraph hereinafter)):

(i) The guiding principles for the maximum diffusion of broadcasting among the citizens, the guiding principles for the enjoyment of freedom of expression through broadcasts by as many persons as possible by creating opportunities for broadcasting for as many persons as possible, and other basic matters for promoting the systematic diffusion and sound development of broadcasting;

(ii) A fixed area deemed appropriate for simultaneously receiving the same broadcast programs according to the classification of broadcasting by NHK (including entrusted domestic broadcasting entrusted by NHK; the same shall apply to the main clause of Article 32 paragraph (1)), the University or private broadcasters (except the entrusted domestic broadcasting entrusted by NHK); the classification of broadcasting by domestic broadcasting, entrusted domestic broadcasting, international broadcasting, international relay broadcasting, international broadcasting entrusted by NHK or entrusted domestic and overseas broadcasting; the classification of broadcasting by medium frequency broadcasting, very high frequency broadcasting, television broadcasting and other types of broadcasting, and other classification of broadcasting as provided by the Ordinance of the Ministry of Internal Affairs and Communications (hereinafter referred to as "MIC") (the foregoing fixed area is hereinafter referred to as "broadcasting service area");

(iii) Target number of the broadcasting systems (all the broadcasting stations that can simultaneously air the same broadcast programs; this shall apply hereunder in this item) for each broadcasting service area (or target number of broadcast programs that can be broadcasted by the broadcasting systems for each broadcasting service area for which entrusted broadcasting is done).

(3) A basic plan for broadcasting diffusion shall be established in consideration of the matters provided for in Article 9 paragraph (1), paragraph (2) item (i), and paragraph (5); frequencies allocatable for broadcasting as provided in Article 7 paragraph (3) of the Radio Act; developments

in broadcasting techniques, demand trends, and natural, economic, social, cultural and other circumstances.

(4) The Minister for Internal Affairs and Communications may, if deemed necessary due to the changes of circumstances stated in the preceding paragraph, modify the basic plan for broadcasting diffusion.

(5) The Minister for Internal Affairs and Communications shall immediately provide a public notification of the basic plan for broadcasting diffusion upon establishment or amendment thereto.

(6) A broadcaster (except facility-supplying broadcaster, program-supplying broadcaster and NHK (to the extent that it carries out the domestic broadcast programming operations provided in Article 9 paragraph (1) item (ii) or NHK's international broadcast programming operations)) shall endeavor to make their broadcasting receivable throughout the broadcasting service area concerned.

Chapter I-2 General Rules Concerning the Compilation of Broadcast Programs

Article 3 (Freedom in Compilation of Broadcast Programs)

Broadcast programs shall never be interfered with or regulated by any person without legally authorized powers.

Article 3-2 (Compilation of Broadcast Programs for Domestic Broadcasting, etc.)

(1) A broadcaster shall, in compiling broadcast programs for domestic broadcasting, adhere to the following items:

(i) Shall not disturb public security and good morals and manners;

(ii) Shall be politically impartial;

(iii) Shall broadcast news without distorting facts;

(iv) As regards controversial issues, shall clarify the point at issue from as many angles as possible.

(2) A broadcaster shall, in compiling broadcast programs for domestic television broadcasting, maintain harmony among broadcast programs, except those provided in accordance with a special business project, by providing cultural or educational programs as well as news commentary and entertainment programs.

(3) A broadcaster shall, in compiling and airing an educational program for domestic broadcasting, clearly indicate the viewers at whom the broadcasting is aimed, and make the content of the broadcasting systematic and continuative as well as appropriate and instructive to such viewers. At the same time, means shall be provided to allow the general public to learn of the plan and the content of the broadcasting in advance. In this case, if the program concerned is intended for schools, the content thereof shall conform to the standard of the curricula provided for by the laws and regulations related to formal education.

(4) A broadcaster shall, in compiling broadcast programs for domestic television broadcasting, provide as many broadcasting programs as possible that provide voices and other sounds to explain transient images of fixed or moving objects for blind persons, and characters or patterns

to explain voices and other sounds for deaf persons.

Article 3-3 (Standards for Broadcast Programs)

(1) A broadcaster shall establish standards for compilation of broadcast programs (hereinafter referred to as “standards for broadcast programs”) according to the types of broadcast programs and viewers, and shall compile the broadcast programs in accordance with the standards for broadcast programs.

(2) A broadcaster shall, upon having established standards for broadcast programs for domestic broadcasting according to the provisions of the preceding paragraph, publicize such standards in accordance with the provisions of the applicable MIC Ordinance. The same shall apply to amendment of such standards.

Article 3-4 (Consultative Organization on Broadcast Programs)

(1) A broadcaster shall, for the purpose of maintaining the propriety of broadcast programs, have a consultative organization on broadcast programs (hereinafter referred to as “consultative organization”).

(2) The consultative organization may examine necessary matters for maintaining the propriety of the broadcast programs in response to inquiries from the broadcaster, and express its views to the broadcaster.

(3) When a broadcaster intends to establish or change its standards for broadcast programs or the basic plan for the compilation of the broadcast programs, the broadcaster shall consult the consultative organization.

(4) When the consultative organization has replied to a broadcaster’s inquiry or expressed its views in accordance with the provisions of the above paragraph (2), the broadcaster shall respect these replies or views and take necessary actions.

(5) In accordance with the provisions of the applicable MIC Ordinance, a broadcaster shall report the matters mentioned in the following items to the consultative organization:

(i) The content of actions taken in accordance with the provisions of the preceding paragraph;

(ii) State of implementation for broadcasting of corrections or retractions in accordance with the provisions of Article 4 paragraph (1); and

(iii) The summary of complaints or other opinions presented concerning broadcast programs.

(6) A broadcaster shall endeavor to use the function of the consultative organization in order to reflect the latter’s replies or views on broadcast programs. At the same time, the broadcaster shall publicize the matters mentioned in the following items in accordance with the provisions of the applicable MIC Ordinance:

(i) The content of replies made by the consultative organization in response to inquiries from the broadcaster, the particulars of its views made to the broadcaster, and the outline of proceedings of the consultative organization; and

(ii) The content of actions taken in accordance with the provisions of the above paragraph (4).

Article 3-5 (Exception to the Provisions of Standards for Broadcast Programs, etc.)

The provisions of the preceding two articles shall not apply to a broadcaster that is exclusively engaged in the broadcasting of matters related to economic and market trends, natural events,

sporting news, and other matters provided for by the applicable MIC Ordinance, or engaged in broadcasting for an extraordinary and temporary purpose (limited to those provided for by the applicable MIC Ordinance).

Article 4 (Broadcasting Corrections, etc.)

(1) If there is a request from any person whose rights have been infringed on by the broadcasting of an untrue matter, or from any person directly concerned in the case, within three months from the day of such broadcasting, the broadcaster shall immediately investigate whether such broadcasted matter was untrue or not. If the untruthfulness is proven, the broadcaster shall, within two days from the day on which such untruthfulness is proven, conduct broadcasting of corrections or retractions in an appropriate manner through a broadcasting system equivalent to the system through which the original broadcasting was conducted.

(2) The provisions of the preceding paragraph shall apply to any case in which the broadcaster has found any untrue matter in its broadcasting.

(3) The provisions of the preceding two paragraphs shall not preclude a claim for damages in accordance with the provisions of the Civil Code (Act No.89 of 1896).

Article 5 (Storage of Broadcast Programs)

In accordance with the provisions of the applicable Cabinet Order, a broadcaster shall keep broadcast programs for three months (if a case concerning a request for correction or cancellation as shown in paragraph (1) of the preceding article lasts for more than three months, the broadcaster shall keep the program for as long as the case lasts, up to a maximum of six months) after the program is broadcasted, to enable the consultative organization or the persons responsible for correction broadcasting or retraction broadcasting as provided for in Article 4 to verify the content of the broadcast program by watching the program or by other means.

Article 6 (Rerun)

A broadcaster shall not receive and rerun a broadcast (including an entrusted one) of another broadcaster (excluding facility-supplying broadcaster) or a broadcast using telecommunications services (this means the broadcast on telecommunications services provided for in Article 2 paragraph (1) of the Act Concerning Broadcast on Telecommunications Services (Act No.85 of 2001); the same hereunder) of a broadcaster using telecommunications services (this means the broadcaster provided for in Article 2 paragraph (3) of the Act; the same hereunder) without obtaining their consent.

Article 6-2 (Broadcasting in the Event of Disaster)

If a disaster caused by storm, heavy rain, flood, earthquake, large-scale fire or other cause has occurred or is threatened to occur, a broadcaster conducting domestic broadcasting shall conduct such broadcasting that helps to prevent the occurrence of a disaster or to reduce the damages caused thereby.

Chapter II Japan Broadcasting Corporation (NHK)

Section 1 General Rules

Article 7 (Purpose)

The purpose of NHK is to conduct the domestic broadcasting of, or to entrust the broadcasting

of, enriched and high quality broadcast programs for the public welfare in such a manner that the broadcasting may be received all over Japan, to conduct business necessary for the improvement and development of broadcasting and the reception thereof, and to conduct international broadcasting and NHK's international broadcast programming operations.

Article 8 (Juridical Personality)

NHK shall be a juridical person established under the provisions of this Act for the accomplishment of the purpose mentioned in the preceding article.

Article 8-2 (Office)

- (1) The head office of NHK shall be located in Tokyo.
- (2) NHK may have branch offices at necessary places.

Article 8-3 (Articles of Incorporation)

- (1) NHK shall provide for the following matters in its Articles of Incorporation:
 - (i) Purpose;
 - (ii) Corporate name;
 - (iii) Locations of offices;
 - (iv) Matters related to assets and accounting;
 - (v) Matters related to the Board of Governors, the audit committee, the Board of Directors and Officers;
 - (vi) Matters related to the business and the execution thereof;
 - (vii) Matters related to broadcast bonds;
 - (viii) Method of public notice.

- (2) The Articles of Incorporation may be amended with the prior approval of the Minister for Internal Affairs and Communications.

Article 8-4 (Registration)

- (1) NHK shall register any change of the head office, the establishment of a branch office and other matters specified in the Cabinet Order in accordance with the formalities specified in the Cabinet Order.
- (2) Any matters that must be registered in accordance with the provisions of the preceding paragraph may not be asserted to third parties until they are registered.

Section 2 Business

Article 9 (Business)

- (1) NHK shall conduct the following business for the accomplishment of the purpose mentioned in Article 7:
 - (i) To conduct domestic broadcasting by means of the following broadcasting:
 - (a) Medium frequency broadcasting;
 - (b) Very high frequency broadcasting;
 - (c) Television broadcasting.
 - (ii) To conduct television broadcast programming operations (limited to those activities to entrust programs to an entity that has been licensed to operate a radio station that carries out entrusted domestic broadcasting; hereinafter referred to as "domestic broadcast programming

operations”);

(iii) To conduct research and investigation necessary for the improvement and development of broadcasting and the reception thereof;

(iv) To conduct international broadcasting for Japanese nationals overseas and international broadcasting for foreign nationals overseas; and

(v) To conduct NHK’s international broadcast programming operations for Japanese nationals overseas and NHK’s international broadcast programming operations for foreign nationals overseas.

(2) NHK may, in addition to the business mentioned in the preceding paragraph, conduct the following business for the accomplishment of the purpose mentioned in Article 7:

(i) To conduct, if it is deemed necessary, an international relay broadcasting related to a foreign broadcaster in accordance with the provisions of an agreement with NHK entrusting the foreign broadcaster to transmit, in a foreign country, a broadcast program for international broadcasting mentioned in item (iv) of the preceding paragraph;

(ii) To provide the general public with broadcast programs aired by NHK and data necessary for editing them (including edited versions of such broadcast programs; these are referred to as “aired broadcast programs, etc.” in the following item) via telecommunication channels (excluding broadcasting and cable broadcasting provided for in Article 2 paragraph (1) of the Cable Television Broadcast Act (Act No.114 of 1972));

(iii) To provide aired broadcast programs, etc. to an entity that conducts business by providing the general public with broadcast programs via telecommunication channels;

(iv) Provision of broadcasting programs and data necessary for editing programs to foreign broadcasters or foreign cable broadcasters (referring to overseas broadcasters engaged in cable broadcasting (this refers to cable telecommunications transmissions to be received directly by the general public; the same hereunder)) (excluding those mentioned in the preceding item);

(v) To conduct business incidental to the business stated in the preceding paragraph (excluding business mentioned in the preceding items);

(vi) To lease broadcast equipment to those who intend to conduct multiplex broadcasting;

(vii) To conduct, on request, research and investigation that contributes to the improvement and development of broadcasting and the reception thereof, the design of broadcast equipment and other technical assistance, and the training of the personnel to be engaged in broadcasting; and

(viii) In addition to the above, to conduct business that is especially necessary for the improvement and development of broadcasting and the reception thereof.

(3) NHK may conduct, in addition to the business mentioned in the preceding two paragraphs, the following business, provided that they will not hinder smooth execution of the former:

(i) To offer for the use of the general public, or to lease, the facilities or equipment (including those acquired as a result of the expiration of a trust made on land owned by NHK); and

(ii) To conduct, on request, such business of producing broadcast programs or such other business with the use of equipment or techniques owned by NHK for conducting the business

mentioned in the preceding two paragraphs that is regarded as appropriate for NHK to do.

(4) In conducting the business mentioned in the preceding three paragraphs, NHK shall not aim at profit;

(5) NHK shall make arrangements to ensure that either medium frequency broadcasting or very high frequency broadcasting and television broadcasting can be received all over Japan.

(6) NHK shall, if any opinion is offered from any person having any relation to broadcasting or from a person with relevant knowledge and experience, pay regard to such opinion in conducting the business mentioned in paragraph (1) item (iii), provided that such opinion is conducive to the improvement and development of broadcasting and the reception thereof, and that it will not hinder the conduct of business mentioned in the same paragraph and paragraph (2). The benefit derived from the business mentioned in the same item shall be offered for the use of the general public to the greatest possible limit.

(7) When NHK's international broadcast programming operations for foreign nationals overseas are conducted, NHK shall utilize television broadcasting for the whole or part of such operations.

(8) The agreement mentioned in paragraph (2) item (i) shall contain the broadcasting area and the broadcast time related to the international relay broadcasting and other matters related to the broadcast equipment as provided by the applicable MIC Ordinance. NHK shall obtain the prior approval of the Minister for Internal Affairs and Communications when it seeks to conclude or amend said agreement.

(9) NHK shall conduct the business mentioned in paragraph (2) item (ii) in compliance with the standards to be established after their approval by the Minister for Internal Affairs and Communications.

(10) NHK shall obtain the prior approval of the Minister for Internal Affairs and Communications, when it intends to conduct the business mentioned in paragraph (2) item (viii) or paragraph (3).

(11) NHK shall not take any action to certify broadcast radio receiving devices for receiving radio broadcasts, or vacuum tubes or component parts thereof, or to designate repairers of broadcast radio receivers, or to, whatever the pretext may be, regulate or interfere with the business of the manufacturers of, dealers in or repairers of radio devices.

Article 9-2 (Method of NHK's International Broadcast Programming Operations for Foreign Nationals Overseas)

(1) To facilitate the smooth implementation of NHK's international broadcast programming operations for foreign nationals overseas using television broadcasting, NHK shall have a single company with the main purpose of conducting the following business based on the budget of revenues and expenditures, the business project and the financial program as a subsidiary (a corporation a majority of which voting stocks are held by NHK, or a juridical person controlled by NHK as provided for in the applicable MIC Ordinance: the same shall apply to this chapter hereunder and Article 58 paragraph (2)):

(i) To produce broadcast programs for foreign nationals overseas for television broadcasting upon request by NHK; and

(ii) Upon request by NHK, to entrust the broadcasting of broadcast programs for foreign

nationals overseas using television broadcasting to an entity that has been granted a license for a radio station for international broadcasting entrusted by NHK in accordance with the provisions of the Radio Act, or to an entity that operates an overseas radio station which carries out international broadcasting entrusted by NHK.

(2) When NHK intends to conduct NHK's international broadcast programming operations for foreign nationals overseas using television broadcasting, NHK shall entrust the subsidiary mentioned in the preceding paragraph to conduct a part of the business in accordance with the standards established by NHK to facilitate smooth implementation of said operations.

(3) When NHK has established the standards mentioned in the preceding paragraph, it shall immediately submit the standards to the Minister for Internal Affairs and Communications. This provision shall apply to the amendment of such standards.

Article 9-2-2 (Investment in the Japan Aerospace Exploration Agency, etc.)

When NHK intends to invest in the subsidiary mentioned in paragraph (1) of the preceding article or it is necessary to perform the business mentioned in Article 9 paragraph (1) or (2), it may, with the approval of the Minister for Internal Affairs and Communications, invest in the Japan Aerospace Exploration Agency and the National Institute of Information and Communications Technology (both independent administrative institutions), licensees for cable television broadcast facilities prescribed in the provisions of Article 2 paragraph (3) of the Cable Television Broadcast Act, and those enterprises that carry on a business closely related to that mentioned in paragraph (1) or (2) of Article 9 and specified in the applicable Cabinet Order, in accordance with the budget of revenues and expenditures, the business project and the financial program.

Article 9-3 (Entrustment of Business)

(1) NHK may entrust a part of the business mentioned in Article 9-2 paragraph (2), Article 9 paragraph (1), Article 33 paragraph (1) or Article 34 paragraph (1) (referred to as "the business, etc. mentioned in Article 9 paragraph (1)" in the following paragraph) to another entity, provided that the said other entity conducts the business in conformity with the standards established by NHK.

(2) The standards mentioned in the preceding paragraph shall ensure that the business entrusted in accordance with the provisions of the preceding paragraph is conducted efficiently and the business activities, etc. mentioned in Article 9 paragraph (1) are executed smoothly and without hindrance.

(3) When NHK has established the standards mentioned in paragraph (1), it shall immediately submit the standards to the Minister for Internal Affairs and Communications. This provision shall apply to amendments of such standards.

Article 9-4 (Implementation of Domestic Broadcast Programming Operations and NHK's International Broadcast Programming Operations)

(1) When NHK intends to entrust an entity licensed to operate a radio station that carries out entrusted domestic broadcasting or international broadcasting entrusted by NHK under the provisions of the Radio Act to implement domestic broadcast programming operations or NHK's

international broadcast programming operations, it shall obtain Minister for Internal Affairs and Communications approval of its compliance with the conditions set forth in Article 52-13 paragraph (1) items (i), (ii) and (v) (limited to the sentences related to (d)-(i)).

(2) The provisions of Article 52-13 paragraphs (2) and (3) and Article 52-14 shall respectively apply, *mutatis mutandis*, to the application for approval and the approval set forth in the previous paragraph. The provisions of Article 52-15 paragraph (1), Article 52-17, Article 52-19, and Articles 52-21 through 52-26 shall apply, *mutatis mutandis*, to NHK if it has obtained the approval set forth in the previous paragraph in this article. In this case, the phrase “approval under paragraph (1) of Article 52-13” appearing in Article 52-15 paragraph (1), Article 52-21, Article 52-22, and Article 52-24 paragraph (2) item (ii) shall be read as “approval under Article 9-4 paragraph (1)”; the phrase “entrusted domestic and overseas broadcasting” in Article 52-17 paragraph (2) shall be read as “international broadcasting entrusted by NHK”; the phrase “broadcast programming operations” in Articles 52-21 and 52-24 shall be read as “domestic broadcast programming operations or NHK's international broadcast programming operations for which approval is granted under Article 9-4 paragraph (1)”; the phrase “upon receiving a notice of abolition of business according to the stipulations of Article 52-20” in Article 52-26 shall be read as “upon approval to abolish domestic broadcast programming operations or NHK's international broadcast programming operations for which approval is granted under Article 9-4 paragraph (1) in accordance with the stipulations of Article 48 paragraph (1), which is applicable, *mutatis mutandis*, under Article 48 paragraph (3)”; and the phrase “said notice” shall be read as “said approval”.

Article 9-5

When NHK has started its international broadcast programming operations by entrusting such operations to an overseas radio station operator that carries out international broadcasting entrusted by NHK, it shall immediately notify the Minister for Internal Affairs and Communications of the area for which entrusted broadcasting is done, the matters for which entrusted broadcasting is done (referring to the matters that NHK entrusts the broadcaster to carry out; the same hereunder) and other matters stipulated in the applicable MIC Ordinance. This provision shall also apply when these matters have been revised.

Article 10

(1) When NHK deems it necessary in conducting its international broadcast programming operations for foreign nationals overseas using television broadcasting as provided in Article 9 paragraph (7) (including entrustment of production of broadcast programs to a subsidiary as provided in Article 9-2 paragraph (2)), NHK may request a private broadcaster (excluding facility-supplying broadcaster; the same in paragraph (3)) to cooperate with NHK concerning the provision of materials needed for editing broadcast programs and other matters in accordance with the standards and method determined by NHK.

(2) When NHK intends to establish or amend the standards or method mentioned in the previous paragraph, it shall consult the international consultative committee on broadcast programs as provided in Article 44-2 paragraph (1).

(3) When the international consultative committee on broadcast programs mentioned in the previous paragraph has received an inquiry as provided in the previous paragraph, it shall seek the opinions of private broadcasters.

(4) When NHK has established the standards and method as provided in paragraph (1), it shall immediately submit such standards and method to the Minister for Internal Affairs and Communications. This provision shall also apply when such standards and method have been revised.

Article 11.

(1) When the provisions of Article 4 paragraphs (1) and (2) and Article 6 are applied to NHK conducting domestic broadcast programming operations or NHK's international broadcast programming operations, the phrase "broadcasting" in Article 4 paragraph (1) shall be read as "entrusted broadcasting"; the phrase "broadcasted matter" in the same paragraph shall be read as "matters for which entrusted broadcasting is done"; the phrase "shall" in the same paragraph shall be read as "shall entrust to"; the term "its broadcasting" in paragraph (2) of the same article shall be read as "its entrusted broadcasting"; and the phrase "shall not" in Article 6 shall be read as "shall not entrust to".

(2) When the provisions of Article 3-2, Article 3-3 paragraph (2) and Article 6-2 are applied to NHK conducting domestic broadcast programming operations, the phrase "domestic broadcasting" in Article 3-2 and Article 3-3 paragraph (2) shall be read as "entrusted domestic broadcasting"; the phrase "airing" in Article 3-2 paragraph (3) shall be read as "entrusting the airing of"; and the phrase "conducting domestic broadcasting" and "conduct" in Article 6-2 shall be read as "entrusting the conducting of entrusted domestic broadcasting" and "entrusting the conducting of" respectively.

Article 12 (Grievance Procedure)

NHK shall handle complaints or other opinions submitted for its business rapidly and appropriately.

Section 3 Board of Governors

Article 13 (Establishment of the Board of Governors)

NHK shall have a Board of Governors.

Article 14 (Powers of the Board of Governors, etc.)

(1) The Board of Governors shall have the following responsibilities:

(i) Resolution of the following matters:

(a) Basic policy concerning the business management of NHK

(b) Such matters that are necessary for the performance of responsibilities of the audit committee and provided for in the MIC Ordinance;

(c) Establishment of the below-mentioned organizations that are necessary for ensuring the appropriateness of the business of NHK:

1. Organization to ensure that the execution of duties by the President, the Vice President and the Directors comply with the applicable laws and regulations and the articles of incorporation;

2. Organization to keep and maintain the information concerning the execution of duties by the President, the Vice President and the Directors;

3. Organization to manage the risk of loss;

4. Organization to ensure that the duties of the President, the Vice President and the Directors are efficiently executed;

5. Organization to ensure that the execution of duties by the employees comply with the applicable laws and regulations and the articles of incorporation;

6. Organization to ensure the propriety of business operations conducted by the group consisting of NHK and its subsidiaries;

7. Organization related to the secretariat of the Board of Governors.

(d) The budget of revenues and expenditures, the business project and the financial program;

(e) Business report mentioned in Article 38 paragraph (1) and financial statements mentioned in Article 40 paragraph (1);

(f) Plan to establish broadcasting stations, and the establishment, suspension or abolition of broadcasting stations (excluding any case that is deemed insignificant by the Board of Governors);

(g) Commencement, suspension or abolition of domestic broadcast programming operations or NHK's international broadcast programming operations;

(h) Standards of Broadcast Programs and the basic plan for compilation of broadcast programs;

(i) Revision of the articles of incorporation;

(j) Terms and conditions of receiver's contract mentioned in Article 32 and the standards for exemption from receiver's fee;

(k) Issuance of broadcast bonds and borrowing of loans;

(l) Land trust;

(m) Standards provided in Article 9 paragraph (9);

(n) Standards provided in Article 9-2 paragraph (2) and Article 9-3 paragraph (1);

(o) Standards and method provided in Article 10 paragraph (1);

(p) Standards for the payment of salary, etc. provided in Article 30-2 and the rules concerning services;

(q) Remuneration, retirement allowance and social expenses of the officers (including all other similar items regardless of their names);

(r) Matters requiring resolution based on the budget of revenues and expenditures;

(s) Basic matters related to the acquisition or disposal of important real estate;

(t) Basic matters related to cooperation with foreign broadcasters, foreign cable broadcasters and their associations;

(u) The conclusion and amendment of an agreement made with the approval of the Minister for Internal Affairs and Communications as provided in Article 9 paragraph (8);

(v) Business conducted with the approval of the Minister for Internal Affairs and Communications as provided in Article 9 paragraph (10);

(w) Investment made with the approval of the Minister for Internal Affairs and Communications as provided in Article 9-2-2;

(x) Transfer of broadcasting equipment, etc. carried out with the approval of the Minister for Internal Affairs and Communications as provided in Article 47 paragraph (1);

(y) Appointment of members of such organizations established by NHK that conduct deliberations on disclosure of information and protection of personal information; and

(z) In addition to those mentioned in (a) through (y), those matters considered by the Board of Governors to be similar to any of the foregoing matters.

(ii) Supervision of the execution of duties by the officers.

(2) The Board of Governors cannot commission any of its governors to execute its responsibilities.

(3) To contribute to the appropriate execution of its power as provided in paragraph (1), the Board of Governors, in accordance with the provisions of the MIC Ordinance, shall seek to obtain opinions of persons who must conclude a receiver's contract with NHK in accordance with the provisions of Article 32 paragraph (1).

Article 15 (Organization of the Board of Governors)

(1) The Board of Governors shall be composed of twelve governors.

(2) The Board of Governors shall have one chairperson, who shall be elected from among the governors.

(3) The chairperson shall preside over the business of the Board of Governors.

(4) The Board of Governors shall appoint, in advance, a person from among the governors to act as the chairperson if the chairperson is unable to act.

Article 16 (Appointment of the Governors)

(1) The governors shall be appointed by the Prime Minister, with the consent of both houses of the Diet, from among persons who are capable of making fair judgments concerning the public welfare and who have wide experience and knowledge. In this case, consideration shall be given to their appointment so as to achieve fair representation for each of the fields of education, culture, science, industry and other areas, and for each of the districts of Japan.

(2) If the term of office of a governor has expired or where a vacancy has occurred, but the consent of both houses of the Diet cannot be obtained for the appointment of a governor by reason that the Diet is not in session or the House of Representatives is dissolved, the Prime Minister may, notwithstanding the provision of paragraph (1), appoint a governor without the consent of both Houses. In such case, the consent of both Houses shall be obtained at the first session convened after such appointment has been made.

(3) Any person falling under any of the following items shall not be appointed as governor:

(i) A person who has been sentenced to imprisonment or heavier penalty;

(ii) A person who has been subjected to disciplinary dismissal as a national public servant, and two years have not elapsed from the date of this person's dismissal;

(iii) A national public servant (excluding a member of committees, councils, etc. or a person in a part-time position corresponding thereto);

(iv) Officer of a political party (including one who was such within one year prior to the date of

appointment);

(v) A manufacturer of, or dealer in, broadcast transmitters or broadcast radio receivers or, in the case such is a juridical person, an officer thereof (including any person, whatever his title may be, having authority or power equivalent to or more than that of officer; the same hereunder in this article) or a person possessing not less than one-tenth of the voting rights of such juridical person (including any person who was such within one year prior to the date of appointment);

(vi) Broadcaster (except facility-supplying broadcaster), broadcaster using telecommunications services, paid broadcasting management operator provided in Article 52-6-2 paragraph (2) (including the case wherein the Broadcast Act is applied, mutatis mutandis, in Article 15 of the Act Concerning Broadcast on Telecommunications Services), certified broadcast holding company provided in Article 52-31, or newspaper publishing company, news agency, or commercial distributor of news or information, or if such a company is a juridical person, an officer or employee thereof, or a person possessing not less than one-tenth of the voting rights of such juridical person; and

(vii) An officer of an organization of the enterprises mentioned in the preceding two items.

(4) In appointing the governors, appointment of five or more governors belonging to the same political party shall be avoided.

Article 16-2 (Power of Governors, etc.)

(1) Unless otherwise provided for in this Act or in orders issued under this Act, no governor shall execute the compilation of individual broadcast programs or other business of NHK.

(2) No governor shall act in conflict with the provisions of Article 3 concerning the compilation of individual broadcast programs.

Article 17 (Term of Office)

(1) The term of office of a governor shall be three years. However, a governor appointed to fill a vacancy shall hold office for the remainder of the term of office of his/her predecessor.

(2) Any governor may be re-appointed.

(3) Notwithstanding the provisions of paragraph (1), any governor shall, even after his/her term of office has expired, remain in office until a new governor is appointed.

Article 18 (Retirement)

Any governor shall, ipso facto, lose his/her office if the consent of both houses of the Diet under the second sentence of Article 16 paragraph (2) is not obtained.

Article 19 (Dismissal)

The Prime Minister shall dismiss a governor when he/she comes to fall under one of the items of Article 16 paragraph (3).

Article 20

(1) The Prime Minister may, with the consent of both houses of the Diet, dismiss a governor if he/she is deemed unable to perform the governor's duties owing to mental or physical deficiencies, is found to have acted contrary to the governor's official obligations or is guilty of such malfeasance as to render himself/herself unfit to be a governor. In this case, the governor to be dismissed shall be given by each house of the Diet an opportunity for vindication of his/her case in

accordance with the provisions of respective houses.

(2) If five or more of the governors come to belong to one and the same political party, the Prime Minister shall, with the consent of both houses of the Diet, dismiss a governor or governors to reduce the number of governors belonging to the same political party to four.

Article 21

Except for the cases mentioned in the preceding two articles, no governor shall be dismissed against his/her will.

Article 22 (Prohibition of Concurrent Offices of Governor)

No full-time governor shall become an officer of a profit-making company or engage in profit-making business by himself/herself.

Article 22-2 (Management of the Board of Governors)

(1) The chairperson shall convene the meetings of the Board of Governors.

(2) The chairperson shall periodically convene meetings of the Board of Governors in accordance with the provisions of the MIC Ordinance.

(3) The President shall report the state of execution of his/her duties and the summary of complaints and other opinions and how these have been handled as mentioned in Article 12 to the Board of Governors at least once every three months.

(4) If requested by the Board of Governors, the President shall attend a meeting of the board and explain matters as required by the board.

(5) An audit member nominated by the audit committee shall report the state of execution of the responsibilities of the audit committee to the Board of Governors.

Article 23 (Procedure of Resolution, etc.)

(1) The Board of Governors shall not hold meetings and make resolutions unless the chairperson or the person to act for the chairperson mentioned in Article 15 paragraph (4) and six or more governors are present.

(2) Except as prescribed otherwise, a resolution shall be resolved by simple majority of votes of governors present at a meeting of the Board of Governors. In case of a tie, the chairperson shall decide.

(3) The President may attend meetings of the Board of Governors and express his/her views.

Article 23-2 (Publication of Minutes)

Immediately following the completion of a meeting of the Board of Governors, the chairperson shall prepare and publicize the minutes concerned in accordance with the provisions established by the Board of Governors.

Section 4 Audit Committee

Article 23-3 (Establishment of the Audit Committee, etc.)

(1) NHK shall have an audit committee.

(2) The audit committee shall be composed of three audit members.

(3) Audit members shall be appointed by the Board of Governors from among the governors of the Board, and at least one audit member shall function full-time.

Article 23-4 (Powers of the Audit Committee)

The audit committee shall audit the execution of duties by the officers.

Article 23-5 (Investigation Conducted by the Audit Committee)

(1) An audit member selected by the audit committee may, at any time, ask officers and employees to report on the execution of their duties, or conduct an investigation into the business and the conditions of NHK assets.

(2) An audit member selected by the audit committee may, if deemed necessary for auditing the execution of duties by any officer, ask subsidiaries concerned of NHK to submit a report on their business operations or conduct an investigation into the business and the conditions of the assets of such subsidiaries.

(3) If it has a justifiable reason, any subsidiary mentioned in the preceding paragraph may refuse to submit a report or to cooperate with an investigation as provided in the preceding paragraph.

(4) If the audit committee has made a resolution concerning the collection of a report or the conducting of an investigation as mentioned in paragraph (1) and (2), the audit member mentioned in paragraph (1) or (2) shall comply with the resolution.

Article 23-6 (Duty to Submit a Report to the Board of Governors)

If an audit member has determined that an officer has conducted, or is feared to conduct, an illegal act, or has violated laws and regulations or the articles of incorporations, or conducted a seriously unjust act, the audit member shall report such to the Board of Governors.

Article 23-7 (Audit Member's Act to Prohibit an Officer from Conducting a Certain Activity)

If an audit member has determined that an officer has conducted an act for other than an NHK purpose, or has violated laws and regulations or the articles of incorporation, or is feared to conduct any of these acts, and that such act would cause significant damage to NHK, the audit member may ask the officer to discontinue such act.

Article 23-8 (Convocation of a Meeting of the Audit Committee)

Any audit member may convene a meeting of the audit committee.

Article 23-9 (Procedure of Resolution by the Audit Committee, etc.)

(1) The audit committee shall not hold meetings or make any resolutions unless a majority of the audit members are present.

(2) A resolution shall be made by a simple majority of votes of the audit members present at a meeting of the audit committee.

(3) If asked by the audit committee, an officer shall attend a meeting of the committee and explain matters as required by the committee.

(4) Except for those provided for in this Act, the procedural rules and other matters needed for managing the audit committee shall be determined by the audit committee.

Section 5 Officers and Employees

Article 24 (Officers)

NHK shall have one President, one Vice President and seven to ten Directors as officers in addition to the governors on the Board of Governors.

Article 25 (Board of Directors)

(1) The Board of Directors shall be composed of the President, the Vice President and the

Directors.

(2) The Board of Directors shall, in accordance with the provisions of the articles of incorporation, deliberate on matters related to the execution of important business of NHK.

Article 26 (President, etc.)

(1) The President shall represent NHK and preside over the business thereof according to the resolutions of the Board of Governors.

(2) The Vice President shall, according to the decisions of the President, represent NHK and assist the President in administering the business of NHK, act for the President when the President is unable to act, and discharge the duties of the President when the post of the President is vacant.

(3) Directors shall, according to the decisions of the President, represent NHK and assist the President and Vice President in administering the business of NHK, act for the President and Vice President when they are unable to act, and discharge their duties when the posts of both the President and Vice President are vacant.

(4) If the President, the Vice President or a Director has found a certain fact that is feared to cause significant damage to NHK, they shall report such to an audit member.

Article 27

(1) The President shall be appointed by the Board of Governors.

(2) The appointment under the preceding paragraph shall require a resolution by a majority of votes (nine or more) of the governors on the Board of Governors.

(3) The Vice President and the Directors shall be appointed by the President, with the consent of the Board of Governors.

(4) The provisions of Article 16 paragraph (3) shall apply, mutatis mutandis, to the appointment of the President, the Vice President and the Directors. In this case, in item (vi) of the same paragraph, “Broadcaster (except facility-supplying broadcasters), broadcaster using telecommunications services, paid broadcasting management operator provided in Article 52-6-2 paragraph (2) (including the case wherein the Broadcast Act is applied, mutatis mutandis, in Article 15 of the Act Concerning Broadcast on Telecommunications Services), certified broadcast holding company provided in Article 52-31, or newspaper publishing company” shall be read as “newspaper publishing company”; and “a person possessing not less than one-tenth of the voting rights of such juridical person” shall be read as “a person possessing not less than one-tenth of the voting rights of such juridical person (including any person who was as such within one year prior to the date of appointment)”; in item (vii) of the same paragraph, “officer” shall be read as “officer (including any person who was such within one year before the date of appointment)”.

Article 28

(1) The term of office of the President and the Vice President shall be three years, and that of a Director two years.

(2) The President, the Vice President and any Director may be re-appointed.

(3) Notwithstanding the provision of paragraph (1), the President shall, even after his/her term of office is expired, continue to hold his/her office until a new President is appointed.

Article 28-2

The Board of Governors or the President shall, if any of the officers who were respectively appointed in accordance with the provisions of paragraphs (1) to (3) inclusive of Article 27 have come under one of the items of paragraph (3) of Article 16 which are applied, *mutatis mutandis*, in paragraph (4) of Article 27, dismiss the officer concerned, except the case wherein such officer falls under item (vi) or (vii) of the same paragraph because the officer has become an officer of one of the enterprises mentioned in item (vi) of the same paragraph or an officer of one of the organizations thereof, of which NHK is a member.

Article 29

(1) The Board of Governors may dismiss the President, an audit member or an accounting auditor if such person is deemed unable to perform the duties, is found to have acted contrary to his/her official duties or is guilty of such malfeasance as to render himself/herself unfit to be the President, an audit member or an accounting auditor.

(2) The President may, with the consent of the Board of Governors, dismiss the Vice President or a Director, if such person is deemed unable to perform the duties, is found to have acted contrary to his/her official duties or is guilty of such malfeasances as to render himself/herself unfit to be the Vice President or a Director.

Article 30 (Prohibition of Concurrent Offices of President, etc.)

(1) The President, the Vice President and a Director shall neither become an officer of any profit-making organization nor engage in any profit-making business by himself/herself.

(2) The President, the Vice President and the Directors shall not make any investment in any broadcasting business (except facility-supplying broadcasting business), broadcasting business using telecommunications services, or paid broadcasting management operations provided in Article 52-6-2 paragraph (1) (including the case wherein the Broadcast Act is applied, *mutatis mutandis*, in Article 15 of the Act Concerning Broadcast on Telecommunications Services), or shall not have stock in a certified broadcast holding company as provided in Article 52-31.

Article 30-2 (Standards for Payment of Salary, etc.)

NHK shall establish and publicize the standards for payment of remuneration and retirement allowance for its officers and those for payment of salary and retirement allowance for its employees. This provision shall also apply when these standards are revised.

Article 30-3 (Rules Concerning Services)

NHK shall establish and publicize the rules providing for the obligations of its officers and employees to concentrate on their duties and other services to ensure the appropriate execution of duties by its officers and employees. This provision shall also apply when these rules are revised.

Article 31 (*Mutatis Mutandis* Application of the Civil Code, etc.)

The provisions of Article 44 (Capacity of Juridical Person to Commit Tortious Acts), Article 50 (Domicile of Juridical Person), Article 54 (Limitation on Director's Authority of Representation), Article 56 (Provisional Director) and Article 57 (Conflict of Interest) of the Civil Code, and Article 35 paragraph (1) (Jurisdiction of Appointment of Provisional Director, etc.) of the Act of

Procedures in Non-Contentious Matters (Act No. 14 of 1898) shall apply, mutatis mutandis, to NHK.

Section 6 Receiver's Fee, etc.

Article 32 (Receiver's Contract and Receiver's Fee)

(1) Any person having receiving equipment capable of receiving the broadcasting provided by NHK shall conclude a contract with NHK with regard to the reception of its broadcasting. However, this shall not apply to those who have receiving equipment that is not intended for the reception of broadcasting, receiving equipment for only the reception of radio broadcasting (broadcasting of voice and other sound transmissions and not falling under television broadcasting and multiplex broadcasting classifications) or receiving equipment for only the reception of multiplex broadcasting.

(2) NHK shall, unless in accordance with standards approved by the Minister for Internal Affairs and Communications in advance, not exempt any person who concluded a contract in accordance with the main clause of the preceding paragraph from the receiver's fee.

(3) NHK shall obtain prior approval from the Minister for Internal Affairs and Communications for the terms and conditions of the contract mentioned in paragraph (1). The same shall apply to any intended change thereof.

Article 33 (Request for Conducting of International Broadcasting, etc.)

(1) The Minister for Internal Affairs and Communications may request NHK to conduct international broadcasting by designating the broadcasting area, the matters to be broadcasted (limited to matters related to the protection of lives, bodies and properties of Japanese nationals overseas; matters related to important policies of the State; important matters related to culture, tradition and socioeconomy of the State; and other important matters of the State. The same shall apply to the matters for which entrusted broadcasting is done as mentioned below in this paragraph.) and other relevant matters, or may request NHK to carry out its international broadcast programming operations by designating the area for which entrusted broadcasting is done, the matters for which entrusted broadcasting is done, and other necessary matters.

(2) When the request mentioned in the previous paragraph is made, the Minister for Internal Affairs and Communications shall respect NHK's freedom in compilation of broadcast programs.

(3) When the request mentioned in paragraph (1) has been made by the Minister for Internal Affairs and Communications, NHK shall strive to meet the request.

(4) When NHK entrusts a foreign broadcaster to transmit a broadcast program for the international broadcasting as mentioned in paragraph (1) in a foreign country, NHK may conduct, if deemed necessary, international relay broadcasting related to the foreign broadcaster in accordance with the terms and conditions of an agreement with the foreign broadcaster.

(5) The provisions of Article 9 paragraph (8) shall apply, mutatis mutandis, to the agreement mentioned in the preceding paragraph. In this case "conclude or amend" in paragraph (8) of the same article shall be read as "conclude, amend or revoke".

Article 34 (Research Activities)

(1) The Minister for Internal Affairs and Communications may, if deemed necessary for the

improvement and development of broadcasting and the reception thereof, order NHK to conduct research on matters designated by the Minister.

(2) The results of any research performed according to the provisions of the preceding paragraph shall be utilized for the development of broadcasting business or for other public interests.

Article 35 (Expenses for International Broadcasting, etc.)

(1) Expenses required for international broadcasting or international broadcast programming operations conducted by NHK in response to the request mentioned in Article 33 paragraph (1), or those required for the investigation conducted by NHK in response to the order mentioned in paragraph (1) of the preceding article shall be borne by the State.

(2) The request mentioned in Article 33 paragraph (1) or the order mentioned in paragraph (1) of the preceding article shall be given within the limits that the amount borne by the State in accordance with the provision of the preceding paragraph shall not exceed the budgetary appropriations approved by the Diet.

Section 7 Financial Affairs and Accounting

Article 36 (Business Year)

The business year of NHK shall begin in April every year and end in March of the following year.

Article 36-2 (Corporate Accounting Principles)

NHK accounting shall be done, in principle, under the corporate accounting principles and in accordance with the provisions of the MIC Ordinance.

Article 37 (Budget of Revenues and Expenditures, Business Project and Financial Program)

(1) NHK shall prepare a budget of revenues and expenditures, business project and financial program for every business year and present them to the Minister for Internal Affairs and Communications. The same procedures shall be followed for the alteration thereof.

(2) Upon receipt of the budget of revenues and expenditures, the business project and the financial program mentioned in the preceding paragraph, the Minister for Internal Affairs and Communications shall review them and provide them, with his comments, to the Diet for approval through the Cabinet.

(3) If any recommendation for change is made for the budget of revenues and expenditures, the business project or the financial program mentioned in the preceding paragraph in accordance with the provisions of the same paragraph, the appropriate committee of the Diet shall obtain the view of NHK.

(4) The monthly amount of receiver's fee to be collected from a person who has concluded a contract in accordance with the main clause of Article 32 paragraph (1) shall be determined when the Diet has approved the budget of revenues and expenditures mentioned in paragraph (1).

Article 37-2

(1) When the approval of the Diet for the budget of revenues and expenditures, the business project and the financial program for any business year cannot be obtained before the first day of the business year concerned because the Diet is not in session or for some other unavoidable reasons, NHK may prepare the budget of revenues and expenditures, the business project and

the financial program for a period not exceeding three months, within limits, that are necessary for the routine operation of its business and for facility construction or repair works (to be limited to the continuance of such works being carried out in accordance with the business project of the previous business year approved by the Diet) and carry them out with the approval of the Minister for Internal Affairs and Communications. In this case, the monthly amount of the receiver's fee prescribed in paragraph (4) of the preceding article shall, notwithstanding the provision of the same paragraph, be the same as the monthly amount of the receiver's fee for the month to which the last day of the previous business year belongs.

(2) The budget of revenues and expenditures, the business project and the financial program prepared in accordance with the provision of the preceding paragraph shall be null and void when the budget of revenues and expenditures, the business project and the financial program for the entire business year are approved by the Diet. The revenues, expenditures, implementation of business, and procurements and repayment of funds made in accordance with the budget of revenues and expenditures, the business project and the financial program prepared in accordance with the provision of the preceding paragraph shall be deemed to have been made in accordance with the budget of revenues and expenditures, the business project and the financial program for the entire business year.

(3) The Minister for Internal Affairs and Communications shall, if having made the approval mentioned in paragraph (1), make an ex post facto report to the Diet.

Article 38 (Presentation of Business Report, etc.)

(1) NHK shall prepare a business report for every business year and present it, with the statement of views of the audit committee attached thereto, to the Minister for Internal Affairs and Communications within three months from the end of the business year.

(2) Upon receipt of the business report mentioned in the preceding paragraph, the Minister for Internal Affairs and Communications shall submit it to the Diet through the Cabinet, with his views and the statement of views of the audit committee mentioned in the same paragraph attached thereto.

(3) NHK shall, when it has submitted the business report in accordance with the provisions of paragraph (1), immediately retain copies of the report in each of the offices, and offer the report for public perusal for the period stipulated in the applicable MIC Ordinance.

Article 39 (Limitation on Expenditures, etc.)

(1) The revenues of NHK shall not be expended for purposes other than the performance of business listed in Article 9 paragraphs (1) through (3).

(2) NHK shall separate the accounting of the operations mentioned in Article 9 paragraph (2) item (ii) and paragraph (3) from the accounting of other business, and keep such accounting records of operations as special accounts.

Article 40 (Presentation of Financial Statements, etc.)

(1) NHK shall prepare an inventory, a balance sheet, and a profit and loss statement for every business year, other documents provided for in the MIC Ordinance and a written explanation thereof (hereinafter collectively referred to as "financial statements"), and present these

documents, with the statements of views of the audit committee and the accounting auditor attached thereto, to the Minister for Internal Affairs and Communications within three months from the end of the business year.

(2) The Minister for Internal Affairs and Communications shall, upon receipt of the documents mentioned in the preceding paragraph, submit them to the Cabinet.

(3) The Cabinet shall submit the documents mentioned in the preceding paragraph to the Diet after the Board of Audit has examined them.

(4) NHK shall, when it has submitted the documents in accordance with the provisions of paragraph (1), immediately publicize the balance sheet and the profit and loss statement in the official gazette, and retain copies of such documents in each of the offices and offer them for public perusal for the period stipulated in the applicable MIC Ordinance.

Article 40-2 (Audit by Accounting Auditor)

NHK shall ensure that the financial statements are audited by both the audit committee and the accounting auditor.

Article 40-3 (Appointment of Accounting Auditor)

(1) An accounting auditor shall be appointed by the Board of Governors.

(2) An accounting auditor shall be a certified public accountant (including a foreign certified public accountant, as provided in Article 16-2 paragraph (5) of the Certified Public Accountant Act (Act No.103 of 1948)) or an audit corporation.

(3) A person mentioned in any of the following items shall not function as accounting auditor:

(i) A person who is not allowed to audit the financial statements in accordance with the provisions of the Certified Public Accountant Act;

(ii) A person who receives remuneration on a continuous basis for services other than the service of a certified public accountant or accounting auditor from a subsidiary of NHK or a Director, an accounting councilor, an auditor or an operating officer of the subsidiary, or such person's spouse; and

(iii) An audit corporation in which a majority of the employees fall under a person mentioned in the preceding item.

Article 40-4 (Powers of Accounting Auditor, etc.)

(1) An accounting auditor may, at any time, have access to, or duplicate, accounting books or materials related thereto, or ask an officer or employee to make a report on accounting.

(2) If it is necessary for performing his/her duties, an accounting auditor may ask a subsidiary of NHK to make a report on accounting, or conduct an investigation into the business or the conditions of assets of NHK or its subsidiary.

(3) If it has a justifiable reason, the subsidiary mentioned in the preceding paragraph may refuse to submit a report or cooperate in the conduct of the investigation.

(4) If an accounting auditor has found, during the performance of auditing duties, that an officer conducted an illegal act in the execution of his/her duties or violated laws and regulations or the articles of incorporation, the accounting auditor shall immediately notify the audit committee of such.

(5) If it is necessary to audit the execution of duties by officers, an audit member selected by the audit committee may ask an accounting auditor to report on an accounting audit.

Article 40-5 (Term of Office of Accounting Auditor)

The term of an accounting auditor shall begin on the date of appointment and end at the time the financial statements for the first business year following the date of appointment have been submitted to the Minister for Internal Affairs and Communications in accordance with the provisions of Article 40 paragraph (1).

Article 41 (Audit by the Board of Audit)

The accounts of NHK shall be audited by the Board of Audit.

Article 42 (Broadcast Bond)

(1) NHK may issue broadcast bonds to raise funds for the construction or repair of broadcast equipment.

(2) The total amount of broadcast bonds to be issued as mentioned in the preceding paragraph shall not exceed the amount of three times the net assets of NHK reflected by the balance sheet of the latest business year to have undergone audit by the Board of Audit.

(3) NHK may temporarily issue new broadcast bonds in excess of the amount mentioned in the preceding paragraph in order to refinance outstanding broadcast bonds. In this case, NHK shall redeem an amount of outstanding bonds equal to the amount of the new issue within six months of the payment day for the new issue of broadcast bonds (this means the date of the first payment if paid in installments).

(4) When NHK has issued broadcast bonds in accordance with the provisions of paragraph (1), it shall, as the reserve fund for redemption, lay aside the sum equivalent to one-tenth of the unredeemed amount of bonds issued as of the end of every business year.

(5) NHK may appropriate the fund prescribed in the preceding paragraph only for the redemption of broadcast bonds.

(6) The creditors of NHK broadcast bonds shall be entitled to receive repayment of their credits by NHK properties in advance of other creditors .

(7) The order of lien mentioned in the preceding paragraph shall be immediately subsequent to the general statutory lien mentioned in the Civil Code.

(8) As regards necessary matters relating to broadcast bonds, in addition to these prescribed in the preceding seven paragraphs in this article, provisions relating to debenture in the Companies Act (Act No.86 of 2005) and the Act Concerning Transfer of Bonds, Stocks, Etc. (Act No. 75 of 2001) shall apply, mutatis mutandis, as specified in the applicable Cabinet Order.

Article 43 (Deleted)

Section 8 Exception to the Compilation of Broadcast Programs

Article 44 (Compilation of Broadcast Programs, etc.)

(1) In compiling and broadcasting broadcast programs for domestic broadcasting, or in compiling and entrusting the broadcasting of, broadcast programs for entrusted domestic broadcasting, NHK shall adhere to, in addition to the provisions of Article 3-2 paragraph (1), the following items:

(i) It shall make the utmost efforts to satisfy the needs of the general public as well as to contribute to improvement in the cultural level by broadcasting, or by entrusting the broadcasting of, enriched and excellent broadcast programs;

(ii) It shall have local programs in addition to national programs; and

(iii) It shall contribute to the development and diffusion of a new culture as well as to the preservation of past excellent culture of our country.

(2) NHK shall, in order to know the needs of the general public, conduct scientific opinion polls at regular intervals and make public the results thereof.

(3) The provisions in Article 3-2 paragraph (2) shall apply, *mutatis mutandis*, to the compilation of broadcast programs for medium frequency broadcasting and very high frequency broadcasting by NHK.

(4) In compiling and broadcasting broadcast programs for international broadcasting for Japanese nationals overseas, or in compiling, and entrusting the broadcasting of, broadcast programs for international broadcasting entrusted by NHK (limited to such international broadcasting entrusted by NHK that broadcasts broadcast programs for Japanese nationals overseas), or in compiling such broadcast programs intended for Japanese nationals overseas that are offered to a foreign broadcaster or a foreign cable broadcaster, NHK shall endeavor to provide appropriate news commentary programs and entertainment programs to Japanese nationals overseas.

(5) In compiling and broadcasting broadcast programs for international broadcasting for foreign nationals overseas, or in compiling, and entrusting the broadcasting of, broadcast programs for international broadcasting entrusted by NHK for foreign nationals overseas (limited to such international broadcasting entrusted by NHK that broadcasts broadcast programs for foreign nationals overseas), or in compiling such broadcast programs intended for foreign nationals overseas that are offered to a foreign broadcaster or a foreign cable broadcaster, NHK shall exert all possible efforts to contribute to the promotion of international friendship and to the development of economic exchanges with foreign countries, by fostering and diffusing the correct recognition of our country by introducing our country's culture, industry and other state of affairs.

Article 44-2 (Consultative Committees on Broadcast Programs)

(1) As the consultative organization described in Article 3-4 paragraph (1), NHK shall have a Central Consultative Committee on Broadcast Programs (hereinafter referred to as "central committee") and Regional Consultative Committee(s) on Broadcast Programs (hereinafter referred to as "regional committee(s)"), both relating to domestic broadcasting and entrusted domestic broadcasting (referred to as "domestic broadcasting, etc." hereinafter in this article) as well as the International Consultative Committee on Broadcast Programs (hereinafter referred to as "international committee") on NHK's international broadcasting and international broadcasting entrusted by NHK (referred to as "international broadcasting, etc." hereinafter in this article).

(2) A regional committee shall be established in each of the districts prescribed by the applicable Cabinet Order.

- (3) The central committee and a regional committee shall respectively consist of fifteen or more and seven or more members. The international committee shall consist of ten or more members.
- (4) The members of the central committee and the international committee shall be delegated by the President, with the consent of the Board of Governors, from among persons with relevant knowledge and experience.
- (5) The members of a regional committee shall be delegated by the President from among persons with relevant knowledge and experience who dwell in the district as mentioned in paragraph (2) concerning the regional committee.
- (6) In response to NHK inquiries in accordance with the provisions of Article 3-4 paragraph (2), the central committee shall examine matters related to domestic broadcasting, etc. as described in paragraph (3) of the same article and those related to broadcast programs for nationwide broadcasting, and a regional committee shall examine matters related to broadcast programs for regional broadcasting as described in paragraph (2), and the international committee shall examine matters related to international broadcasting, etc. as described in Article 3-4 paragraph (3) and those related to broadcast programs for international broadcasting, etc.
- (7) When NHK intends to establish or amend a plan relating to the compilation and broadcasting of the broadcast programs intended for any of the districts described in paragraph (2), it shall consult the regional committee concerned.
- (8) In accordance with the provisions of Article 3-4 paragraph (2), the central committee and a regional committee may express their views to NHK on matters related to broadcast programs of domestic broadcasting, etc.; and the international committee on matters related to broadcast programs of international broadcasting, etc.

Article 45 (Campaign Broadcasting)

If NHK allows any candidate for an elective office to broadcast his/her political views or make a campaign speech with its own facilities or those of facility-supplying broadcasters, it shall, upon application, allow other candidates to do the same under the same conditions.

Article 46 (Prohibition of Commercial Broadcast, etc.)

- (1) NHK shall not broadcast commercials for others' business activities.
- (2) If deemed necessary for the compilation of broadcast programs and regarded as not for advertisement related to any other person's commercial business, the provision of the preceding paragraph shall not preclude the broadcasting of the name or title of an author or trader.
- (3) The provisions in the preceding two paragraphs shall apply, mutatis mutandis, to NHK when it carries out domestic broadcast programming operations or NHK's international broadcast programming operations. In this case, the term "broadcast" in paragraph (1) shall be read as "entrust the broadcasting of", and the phrase "the broadcasting of the name or title of the author or trader" in the preceding paragraph shall be read as "entrusting the broadcasting of the name or title of the author or trader".

Section 9 Miscellaneous

Article 47 (Limitation on Transfer of Broadcast Equipment, etc.)

- (1) NHK shall not, without the prior approval of the Minister for Internal Affairs and

Communications, transfer, lease, offer as a security, nor entrust the operation of, nor, whatever the method may be, subject the whole or part of its broadcast equipment to the control of any other person.

(2) If the Minister for Internal Affairs and Communications intends to give approval in accordance with the provision of the preceding paragraph, the consent of both houses of the Diet shall be obtained. However, this does not apply to a case wherein NHK conducts the business described in Article 9 paragraph (2) item (vi) or paragraph (3) item (i).

Article 48 (Suspension and Abolition of Broadcasting, etc.)

(1) NHK shall not, without the prior approval of the Minister for Internal Affairs and Communications, shut down any of its broadcasting stations or suspend the operation of any of its broadcasting stations for 12 hours or longer. However, this does not apply to the case where a force majeure condition has occurred.

(2) When NHK has suspended its broadcasting, it shall immediately notify the Minister for Internal Affairs and Communications of such suspension, except in cases for which the approval mentioned in the preceding paragraph has been obtained.

(3) The provisions in the preceding two paragraphs shall apply, *mutatis mutandis*, to the abolition or suspension of domestic broadcast programming operations or NHK's international broadcast programming operations. In this case, the term "12 hours or longer" in paragraph (1) shall be read as "12 hours or longer (or 24 hours or longer in the case of NHK's international broadcast programming operations)".

Article 49. (Deleted)

Article 50 (Dissolution)

(1) Matters related to the dissolution of NHK shall be prescribed by law separately.

(2) When NHK is dissolved, the ownership of any remaining properties of NHK shall revert to the State.

Chapter II-2 The Open University of Japan

Article 50-2 (Application of General Rules, etc. for Compilation of Broadcast Programs, etc.)

(1) The provisions of Article 3-2 paragraph (2), Article 3-3, Article 3-4, Article 6-2, Article 52-13 paragraph (1) item (v) (limited to the part related to a), b), and c)), Article 52-15 paragraph (2), Article 52-18 paragraph (1), Article 52-20, and Article 52-28 shall not apply to the University.

(2) In the event Article 3-2 paragraphs (1), (3) and (4); Article 4 paragraphs (1) and (2); Article 6; and Article 52-26 are applied to the University in undertaking broadcast programming operations (Article 3-2 paragraphs (1), (3) and (4) shall be excluded when the provisions of the subsequent paragraph are applicable), "domestic broadcasting" in Article 3-2 paragraphs (1), (3) and (4) shall be read as "entrusted domestic broadcasting"; "airing" in Article 3-2 paragraph (3) shall be read as "entrusting the airing of"; "by the broadcasting" in Article 4 paragraph (1) shall be read as "by the entrusted broadcasting"; "broadcasted matter" in the same paragraph shall be read as "matter for which entrusted broadcasting was made"; "shall broadcast" in the same paragraph shall be read as "shall entrust the broadcasting of"; "its broadcasting" in Article 4

paragraph (2) shall be read as “its entrusted broadcasting”; “shall not receive and rerun” in Article 6 shall be read as “shall not entrust the receiving and rerunning of”; “upon receiving a notice of abolition of business according to the stipulations of Article 52-20” and “the notification” in Article 52-26 shall be read as “upon approval of abolition of broadcast programming operations in accordance with the stipulations of Article 50-3 paragraph (1) that are applicable, mutatis mutandis, in Article 50-3 paragraph (3)” and “the approval” respectively.

(3) The provisions of Article 3-2 paragraph (1), (3) and (4) shall be applied to the University when it entrusts others to carry out entrusted domestic and overseas broadcasting by regarding the entrusted domestic and overseas broadcasting as entrusted domestic broadcasting. In this case “the domestic broadcasting” in Article 3-2 paragraphs (1), (3) and (4) shall be read as “the entrusted domestic broadcasting”; and “airing” in Article 3-2 paragraph (3) shall be read as “entrusting the airing of”.

Article 50-3 (Suspension and Abolition of Broadcasting, etc.)

(1) The University shall not abolish any of its broadcasting stations or suspend the broadcasting thereof for 12 hours or longer without the prior approval of the Minister for Internal Affairs and Communications. However, this shall not apply to the cases caused by force majeure.

(2) In cases where the University has suspended its broadcasting, it shall, except in cases for which the prior approval mentioned in the preceding paragraph is given, immediately notify the Minister for Internal Affairs and Communications of such suspension.

(3) The provisions in the preceding two paragraphs shall apply, mutatis mutandis, to the suspension and abolition of the broadcast programming operations when the University carries them out.

Article 50-4 (Prohibition of Commercial Broadcast, etc.)

(1) The University shall not broadcast commercials for others' business activities.

(2) If deemed necessary for the compilation of broadcast programs and regarded as not for advertisement related to any other person's commercial business, the provision of the preceding paragraph shall not preclude the broadcasting of the name or title of an author or trader.

(3) The provisions in the preceding two paragraphs shall apply, mutatis mutandis, to the University when it carries out broadcast programming operations. In this case, the term “broadcast” in paragraph (1) shall be read as “entrust the broadcasting of”, and the phrase “the broadcasting of the name or title of the author or trader” in the preceding paragraph shall be read as “entrusting the broadcasting of the name or title of the author or trader”.

Chapter III Private Broadcaster

Article 51 (Consultative Organization on Broadcast Programs)

(1) The consultative organization for a private broadcaster shall consist of seven members or more (except the consultative organization for a private broadcaster conducting exclusive multiplex broadcasting, which shall consist of fewer than seven members in accordance with the provisions of the applicable MIC Ordinance).

(2) Members of the consultative organization for a private broadcaster shall be persons with

relevant knowledge and experience who are delegated by the private broadcaster.

(3) If the service area (the service area mentioned in Article 14 paragraph (3) item (iii) of the Radio Act; the same hereunder) of the broadcast station of a private broadcaster (except a specified ground-based private broadcaster as provided in Article 52-34 and a program-supplying broadcaster to whom entrusted domestic and overseas broadcasting is entrusted; the same hereafter in this paragraph), or the service area for which entrusted broadcasting is done (referred to as the "service area, etc." hereafter in this paragraph), overlaps the service area, etc. of another private broadcaster and such overlapped portion is equal to two-third or more of the service area of either of these private broadcasters, or the population of the overlapped portion is equal to two-third or more of the population of the service area of either of these private broadcasters, these private broadcasters shall jointly establish the consultative organization. In this case, the delegation of the members of the consultative organization in accordance with the provisions of the preceding paragraph shall be jointly made by these private broadcasters.

Article 51-2 (Measures for Identifying Commercial Broadcast)

When a private broadcaster broadcasts a paid commercial broadcast, the broadcaster shall take measures for enabling the receivers of such broadcast to identify it clearly as a commercial broadcast.

Article 52 (Campaign Broadcasting)

If a private broadcaster allows any candidate for an elective office to broadcast his/her political views or make a campaign speech with its own facilities or those of other private broadcasters, the broadcaster shall, upon application, let other candidates do the same under the same conditions, with or without charge.

Article 52-2 (Restrictions on Commercials in Broadcasting for School)

If a private broadcaster conducts the broadcasting of educational programs intended for schools, the broadcast programs shall not include any commercial deemed to obstruct school education.

Article 52-3 (Restrictions on Agreement for Supply of Broadcast Programs)

A private broadcaster shall not conclude any agreement for supply of broadcast programs that includes any terms and conditions under which broadcast programs are supplied exclusively by a particular person.

Article 52-4 (Paid Broadcasting)

(1) When a private broadcaster intends to conduct paid broadcasting (which means the broadcasting conducted under a contract, for reception by persons who install receiving equipment and pay charges for programs received with said receiving equipment, and which can be received only with said receiving equipment; the same hereunder), the private broadcaster (hereinafter referred to as a "paid broadcaster") shall set the service charges for said paid broadcasting for domestic receivers (referring to persons who conclude a contract to receive paid broadcasting through receiving equipment installed domestically; the same hereunder), and shall report such to the Minister for Internal Affairs and Communications before said service charges go into effect. The same shall apply when said service charges are revised.

(2) When its paid broadcasting is other than multiplex broadcasting, a paid broadcaster shall

establish contract clauses covering the terms and conditions of service for said paid broadcasting for domestic receivers (except the service charges), and shall obtain the approval for such from the Minister for Internal Affairs and Communications. The same shall apply when said contract clauses are revised.

(3) When the application for approval in the preceding paragraph meets the conditions of the following paragraphs, the Minister for Internal Affairs and Communications shall grant approval as mentioned in the same paragraph:

(i) The matters related to the responsibilities of the paid broadcaster and domestic receivers are defined appropriately and clearly; and

(ii) Certain persons are not discriminated against.

(4) When the Minister for Internal Affairs and Communications has provided for the standard contract clauses on the terms and conditions of service to be established in accordance with the provisions of paragraph (2) and provided a public notification of them (including the case where the Minister has modified said contract clauses and provided a public notification of them), if a paid broadcaster intends to establish contract clauses that are the same as the standard contract clauses or to change an existing contract clauses into those that are the same as the standard contract clauses and has submitted a notice to that effect to the Minister for Internal Affairs and Communications in advance, such contract clauses shall be considered approved as mentioned in the same paragraph.

(5) When its paid broadcasting is multiplex broadcasting, a paid broadcaster shall establish contract clauses covering the terms and conditions of service for said paid broadcasting for domestic receivers (except the service charges), and shall report such to the Minister for Internal Affairs and Communications before said contract clauses are implemented. The same shall apply when said contract clauses are revised.

(6) A paid broadcaster shall not provide paid broadcasting service for domestic receivers under terms and conditions other than the service charges that have been reported in accordance with the provisions of paragraph (1), contract clauses that have been approved in accordance with the provisions of paragraph (2), or contract clauses that have been reported in accordance with the provisions of the preceding paragraph (these are referred to as the “approved contract clauses, etc.” hereafter in this chapter).

(7) A paid broadcaster shall post a copy of the approved contract clauses, etc. in its domestic sales offices or other offices in such a way as to enable the public to read the approved contract clauses, etc. easily.

Article 52-5

Unless having concluded a contract with a paid broadcaster for receiving the paid broadcasting services from the paid broadcaster based on the approved contract clauses, etc., no person shall receive said paid broadcasting with the use of receiving equipment for said paid broadcasting in Japan.

Article 52-6

Without a justifiable reason, a paid broadcaster shall not refuse to provide paid broadcasting

services to any person who desires to receive said paid broadcasting with the use of receiving equipment in Japan.

Article 52-6-2 (Notification of Paid Broadcasting Management Operations)

(1) When a person intends to act as broker, mediator or agent for the conclusion of contracts and conduct business to make paid broadcasting unreceivable without the receiving equipment to be installed under a contract (hereinafter referred to as “paid broadcasting management operations”) (this person is limited to such person who conducts paid broadcasting management operations for such number or more of paid broadcasters that is designated by the MIC Ordinance) in connection with the provision of paid broadcasting service, the person shall submit a notification to that effect, together with documents containing information on the below-mentioned matters, to the Minister for Internal Affairs and Communications in accordance with the provisions of the MIC Ordinance:

(i) Name or corporate name and address, and in the case of a juridical person, the name of its representative;

(ii) Outline of business; and

(iii) Other matters specified by the MIC Ordinance.

(2) When the person who submitted the notification mentioned in the preceding paragraph has changed any of the matters contained in the notification, the person (hereinafter referred to as “paid broadcasting management operator”) shall immediately submit a notice to that effect to the Minister for Internal Affairs and Communications.

Article 52-6-3 (Succession)

(1) When a paid broadcasting management operator has transferred the whole of the business to conduct paid broadcasting management operations, or an inheritance, merger or divestiture (limited to the case wherein the whole of the business to conduct paid broadcasting management operations is transferred) has taken place for a paid broadcasting management operator, the person or heir (if there are two or more heirs and the heir who must succeed to the business to conduct paid broadcasting management operations has been selected by a consultation among all of them, the heir so selected) who has succeeded to the whole of the business, a juridical person that has survived the merger, a juridical person that has been established by the merger, or a juridical person that has succeeded to the whole of the business after the divestiture, shall succeed to the status of the paid broadcasting management operator.

(2) The successor to the status of the paid broadcasting management operator in accordance with the provisions of the preceding paragraph shall immediately submit a notification to that effect to the Minister for Internal Affairs and Communications.

Article 52-6-4 (Notification of Discontinuance of Business, etc.)

(1) When a paid broadcasting management operator has discontinued the business to conduct paid broadcasting management operations, the paid broadcasting management operator shall immediately submit a notification to that effect to the Minister for Internal Affairs and Communications.

(2) If a juridical person who is a paid broadcasting management operator has been dissolved for a

reason other than merger, its liquidator (or its receiver if the juridical person has been dissolved based on a determination to commence bankruptcy procedures) shall immediately submit a notification to that effect to the Minister for Internal Affairs and Communications.

Article 52-6-5 (Obligation to Implement Paid Broadcasting Management Operations)

A paid broadcasting management operator shall establish and publicize a policy to conduct such operations and take other measures to ensure the appropriate and secure implementation thereof in connection with the paid broadcasting management operations (including operations closely connected with the foregoing) in accordance with the provisions of the MIC Ordinance.

Article 52-7 (Order for Change, etc.)

(1) If the Minister for Internal Affairs and Communications has determined that the terms and conditions for services specified in contract clauses to which approval has been granted in accordance with the provisions of Article 52-4 paragraph (2) have become extremely unreasonable due to fluctuations of social and economic circumstances and impaired the interests of domestic receivers, the Minister may order the paid broadcaster to apply for approval of modifications to such contract clauses.

(2) If the Minister for Internal Affairs and Communications has determined that such charges for paid broadcasting service that have been reported in accordance with Article 52-4 paragraph (1) or such terms and conditions for services specified in the contract clauses that have been reported in accordance with paragraph (5) of the same article have impaired domestic receivers' interests, the Minister may order the paid broadcaster to revise the relevant charges or the contract clauses.

(3) If a paid broadcasting management operator has violated the provisions of the preceding article, the Minister for Internal Affairs and Communications may order the paid broadcasting management operator to take measures to improve the method of operations and other measures to the extent needed to ensure the interests of domestic receivers.

Article 52-8 (Treatment of Stocks Acquired by Foreigners, etc.)

(1) If a private broadcaster is a company that issues the stocks listed in a financial instruments exchange (this means a financial instruments exchange specified in Article 2 paragraph (16) of the Financial Instruments and Exchange Act (Act No.25 of 1948); the same applies to Article 52-32 paragraph (1)) or those stocks designated as equivalent to the foregoing stocks by MIC Ordinance, if requested by those persons mentioned in Article 5 paragraph (1) items (i) through (iii), or paragraph (4) item (iii) (b) of the same article of the Radio Act (referred to as "foreigners, etc." hereafter in this article) to enter or record their names and addresses in the list of the shareholders, the private broadcaster may refuse entering or recording thereof, if meeting the request causes a situation that falls under the cause (referred to as "cause for disqualification" in the following paragraph) specified in each item according to the classification of the following items:

(i) Broadcasting is done via a radio station of a space-based satellite (except the case listed in the following item): the cause specified in Article 5 paragraph (4) item (ii) of the Radio Act;

(ii) It is a facility-supplying broadcaster: the cause specified in Article 5 paragraph (1) item (iv)

of the Radio Act; or

(iii) Cases other than those mentioned in the preceding two items: the cause specified in Article 5 paragraph (4) item (ii) or (iii) of the Radio Act.

(2) If all shares deemed possessed by foreigners, etc. in accordance with the provisions of Article 30 paragraph (1) of the Act Concerning Depository and Book-Entry for Stocks, etc. (Act No.30 of 1984) out of the substantial shareholders stipulated in the same paragraph pertaining to a notice in accordance with the provisions of Article 31 paragraph (1) of the same act are entered or recorded in the list of substantial shareholders in accordance with the provisions of Article 32 paragraph (2) of the same act, and such case falls under the cause for disqualification, notwithstanding the provisions of the same paragraph, a private broadcaster under paragraph (1) of this Article may refuse entering or recording thereof with respect to specified foreign shares (referring to shares other than those that may be entered or recorded in accordance with the method specified in the applicable MIC Ordinance as the method of entering or recording the limited part of said shares so as not to fall under the cause for disqualification).

(3) Except the cases wherein a private broadcaster may refuse entering or recording shares in the list of shareholders or the list of substantial shareholders in accordance with the provisions of the preceding two paragraphs, if the private broadcaster being a corporation (except a private broadcaster broadcasting via a space-based satellite radio station) comes to fall under the cause specified under Article 5 paragraph (4) item (iii) of the Radio Act if all shares are deemed to have voting rights with respect to shares possessed by or deemed possessed by persons listed in (b) of the same item entered or recorded in the list of shareholders or the list of substantial shareholders, through an increased ratio of voting rights as indirectly occupied by persons listed in (a) of the same item via persons listed in (b) of the same item, then specified foreign shareholders (referring to shareholders who possess shares other than those deemed to have voting rights, as specified in the applicable MIC Ordinance, so as not to fall under the cause specified in the same item, out of shares possessed by or deemed possessed by persons listed in (a) and (b) of the same item who are entered or recorded in the list of shareholders or the list of substantial shareholders) shall not have voting rights relating to said shares.

(4) A private broadcaster under paragraph (1) shall, as specified in the applicable MIC Ordinance, provide a public notice of the ratio of voting rights possessed by foreigners, etc. to all voting rights. However, this provision shall not apply to the case wherein the ratio does not reach the ratio specified in the applicable MIC Ordinance.

Chapter III-2 Facility-Supplying Broadcaster

Article 52-9 (Obligations, etc. for Providing Services)

(1) When requested by a program-supplying broadcaster or NHK if it carries out domestic broadcast programming operations or NHK's international broadcast programming operations (hereinafter referred to as "program-supplying broadcaster, etc.") to broadcast its programs in accordance with the matters mentioned in Article 52-14 paragraph (3), items (iii) through (vi) mentioned in the certificate provided for in Article 52-14 paragraph (2) (including the case of

mutatis mutandis application in Article 9-4 paragraph (2)) (these matters are referred to as “descriptions in the certificate” in the following paragraph), a facility-supplying broadcaster shall not refuse such request without a justifiable reason.

(2) When requested by a person other than a program-supplying broadcaster or NHK if it carries out domestic broadcast programming operations or NHK's international broadcast programming operations, to broadcast his/her programs, or by a program-supplying broadcaster, etc. to broadcast programs, that are not in conformity with the descriptions in the certificate, a facility-supplying broadcaster shall not agree to broadcast such programs.

Article 52-10 (Terms and Conditions for Providing Service)

(1) A facility-supplying broadcaster shall determine the broadcasting service charge for programs supplied by program-supplying broadcasters, etc. (hereinafter referred to as “facility-supplying broadcasting service”) and other conditions for providing such service as stipulated in the applicable MIC Ordinance, and report the contents thereof to the Minister for Internal Affairs and Communications before implementing them. The same shall apply when these conditions are revised.

(2) A facility-supplying broadcaster shall not provide facility-supplying broadcasting service under conditions other than those reported in accordance with the provisions of the preceding paragraph.

Article 52-11 (Amendment Order)

When the Minister for Internal Affairs and Communications has determined that facility-supplying broadcasting service provided under the conditions reported to the Minister by a facility-supplying broadcaster in accordance with the provisions of paragraph (1) of the preceding article hinders the management of broadcast programming operations or NHK's international broadcast programming operations for which approval has been obtained under Article 9-4 paragraph (1) for the reason that said conditions fall under any of the following items, the Minister may order the facility-supplying broadcaster to amend such conditions:

(i) The charge for facility-supplying broadcasting service constitutes unjustified discriminatory treatment against a certain program-supplying broadcaster, etc;

(ii) Matters related to the conclusion and cancellation of a contract concerning the provision of facility-supplying broadcasting service, the suspension of the provision of facility-supplying broadcasting service and the responsibilities of facility-supplying broadcaster and program-supplying broadcaster, etc. are not specified appropriately and explicitly; or

(iii) Unfair obligations are imposed on program-supplying broadcaster, etc.

Article 52-12 (Compilation of Broadcast Programs, etc.)

The provisions of Chapter I-2 and the preceding chapter (except Article 52-8) shall not apply to facility-supplying broadcasters.

Chapter III-3 Program-Supplying Broadcaster

Article 52-13 (Approval)

(1) Any person who intends to engage in broadcast programming operations (except NHK if it

carries out domestic broadcast programming operations) shall obtain approval from the Minister for Internal Affairs and Communications for their conformance to all of the following items:

(i) The person shall be able to receive facility-supplying broadcasting service;

(ii) The person shall have the financial capacity to maintain such business;

(iii) The person shall satisfy the standards specified in the applicable MIC Ordinance, to enable as many persons as possible to enjoy such freedom of expression via the use of facility-supplying broadcasters;

(iv) Granting approval to the person shall be appropriate for the diffusion of broadcasting and its sound development; and

(v) The person who intends to conduct the business shall fall under none of the following items (a) through (i):

(a) A person who does not have Japanese nationality;

(b) A foreign government or its representative;

(c) A foreign juridical person or organization;

(d) A juridical person or organization for which business is executed by a director who falls under any of the preceding items (a) through (c), or who possesses not less than one fifth of the voting rights of such juridical person or organization;

(e) A person who has been sentenced to a fine or heavier punishment for having committed an offense stipulated in this Act or the Act Concerning Broadcast on Telecommunications Services, and two years have not elapsed since the end of the execution of such punishment or the day when the execution of punishment had terminated;

(f) A person whose approval has been revoked according to the provisions of Article 52-23 or Article 52-24 paragraph (2) (except item (v)) and two years have not elapsed since the date of revocation;

(g) A person whose license for a broadcasting station has been revoked according to the provisions of Article 75 paragraph (1) of the Radio Act and two years have not elapsed since the date of revocation;

(h) A person whose broadcasting station license has been revoked according to the provisions of Article 76 paragraph (3) item (iii) of the Radio Act (limited to the revocation related to an order calling for the termination of broadcasting station operation according to the provisions of paragraph (1) of the same article in violation of the provisions of this Act, or the order or disposition thereunder, or a revocation related to the limitation of the allowed operation time, frequency or antenna power) and two years have not elapsed since the date of revocation; and

(i) A juridical person or organization for which the director falls under any of the preceding items (e) through (h).

(2) A person who intends to receive the approval mentioned in the preceding paragraph shall submit, to the Minister for Internal Affairs and Communications, an application stating the following matters according to the provisions of the applicable MIC Ordinance:

(i) Name or corporate name and the address, and in the case of a juridical person, the name of

the representative;

(ii) Type of entrusted broadcasting;

(iii) The party to whom one desires to entrust broadcasting;

(iv) Desired orbit or position of a space-based satellite broadcasting station of the party to whom broadcasting is entrusted;

(v) Desired frequency for the entrusted broadcasting;

(vi) Scheduled date for starting entrusted broadcasting; and

(vii) Matters for which entrusted broadcasting is done.

(3) A business plan and other documents as provided for in the applicable MIC Ordinance shall be attached to the application mentioned in the preceding paragraph.

Article 52-14 (Designated Matters and Certificate)

(1) The approval mentioned in paragraph (1) of the preceding article shall be granted by designating the following matters:

(i) The party to whom broadcasting is entrusted;

(ii) Orbit or position of a space-based satellite broadcasting station of the party to whom broadcasting is entrusted; and

(iii) Frequency for the entrusted broadcasting.

(2) The Minister for Internal Affairs and Communications shall issue a certificate when the approval mentioned in paragraph (1) of the preceding article is given.

(3) The certificate shall contain the following matters:

(i) The date and number of an approval;

(ii) Name or corporate name of the person who is given the approval;

(iii) Type of the entrusted broadcasting;

(iv) The party to whom broadcasting is entrusted;

(v) Orbit or position of a space-based satellite broadcasting station of the party to whom broadcasting is entrusted;

(vi) Frequency for the entrusted broadcasting; and

(vii) Matters for which entrusted broadcasting is done.

Article 52-15 (Notification of Start and Suspension of Business)

(1) When approval has been given under Article 52-13 paragraph (1), a program-supplying broadcaster shall immediately notify the Minister for Internal Affairs and Communications of the starting date for its business.

(2) When a program-supplying broadcaster intends to suspend broadcast programming operations for a period of one month or longer, the program-supplying broadcaster shall report such suspension period to the Minister for Internal Affairs and Communications. The same shall apply when such period of suspension of operations is changed.

Article 52-16 (Renewal of Approval)

(1) An approval specified in Article 52-13 paragraph (1) shall be invalidated unless renewed every five years.

(2) Upon receiving an application for renewal of the approval under the preceding paragraph, the

Minister for Internal Affairs and Communications shall renew the approval, except when the Minister has determined that the condition specified in Article 52-13 paragraph (1) item (iii) is not satisfied.

Article 52-17 (Changes of Matters for which Entrusted Broadcasting Is Done)

(1) When intending to change any of the matters for which entrusted broadcasting is done, a program-supplying broadcaster shall obtain prior approval from the Minister for Internal Affairs and Communications.

(2) If a person other than the party to whom a program-supplying broadcaster entrusts broadcasting (referred to as the “entrusted party” hereafter in this paragraph) has been given a license, according to the provisions of the Radio Act, for a radio station for entrusted domestic broadcasting or entrusted domestic and overseas broadcasting that requires the orbit or position of a space-based satellite and frequency concerned with the entrusted broadcasting to be stated in the license concerned, or if the entrusted party has been allowed to change the orbit or position of the space-based satellite or frequency related to the entrusted broadcasting or whose designation has been changed, or, in the case of equivalent nature as provided for in the applicable MIC Ordinance, the Minister for Internal Affairs and Communications shall change the designation made for each of the items of Article 52-14 paragraph (1) upon application by the program-supplying broadcaster.

Article 52-18 (Succession)

(1) In the case of the succession of a program-supplying broadcaster, its heir shall inherit the position of the program-supplying broadcaster. In this case, the heir shall immediately report the matter to the Minister for Internal Affairs and Communications by attaching documents certifying the fact of the succession.

(2) If a program-supplying broadcaster has assigned its business conducting broadcast programming operations, or that a juridical person as a program-supplying broadcaster has effected a merger or divestiture (limited to the case wherein its business conducting broadcast programming operations is assigned to the party concerned), the person who has succeeded to the business, the juridical person that has survived the merger, the juridical person that has been established by the merger, or the juridical person that has succeeded to said business as a result of the divestiture may succeed to the position of the program-supplying broadcaster upon approval by the Minister for Internal Affairs and Communications.

(3) The provisions in Article 52-13 paragraph (1) shall apply, *mutatis mutandis*, to the approval mentioned in the preceding paragraph.

Article 52-19 (Amendment of Certificate)

If any change occurs in the matters stated in its certificate, a program-supplying broadcaster shall submit the certificate to the Minister for Internal Affairs and Communications for amendment.

Article 52-20 (Abolition of Business)

When intending to discontinue its business, a program-supplying broadcaster shall report the matter to the Minister for Internal Affairs and Communications.

Article 52-21

When a program-supplying broadcaster has discontinued its broadcast programming operations, the approval issued under Article 52-13 paragraph (1) shall be invalidated.

Article 52-22 (Return of Certificate)

When a certificate issued under Article 52-13 paragraph (1) has been invalidated, the ex-program-supplying broadcaster shall return its certificate within one month of the invalidation.

Article 52-23 (Revocation of Approval, etc.)

When a program-supplying broadcaster falls under any of the provisions of Article 52-13 paragraph (1) item (v) (except (f)), the Minister for Internal Affairs and Communications shall revoke the approval concerned.

Article 52-24

(1) When a program-supplying broadcaster has violated this Act or an order or disposition made hereunder, the Minister for Internal Affairs and Communications may order the program-supplying broadcaster to suspend its broadcast programming operations for a fixed period not longer than three months.

(2) If a program-supplying broadcaster falls under any of the following items, the Minister for Internal Affairs and Communications may revoke the approval concerned:

(i) A program-supplying broadcaster has suspended its broadcast programming operations for a period of six months or longer without a justifiable reason;

(ii) A program-supplying broadcaster has obtained approval under Article 52-13 paragraph (1), or permission under Article 52-17 paragraph (1), by illegal means;

(iii) A program-supplying broadcaster has failed to follow the order specified in the provisions of the preceding paragraph;

(iv) A program-supplying broadcaster's broadcasting station license has been revoked in accordance with the provisions of Article 76 paragraph (3) of the Radio Act; or

(v) The license for space-based satellite broadcasting of the entrusted party has been invalidated.

Article 52-25

If disposition has been imposed against a program-supplying broadcaster according to the provisions of the preceding two articles, the Minister for Internal Affairs and Communications shall send the broadcaster a document stating the reason for such disposition.

Article 52-26 (Notice)

Upon receiving a notification of abolition of business according to the provisions of Article 52-20, revoking the approval according to the provisions of Article 52-23 or Article 52-24 paragraph (2), or issuing an order for the suspension of business according to the provisions of Article 52-24 paragraph (1), the Minister for Internal Affairs and Communications shall give notice of the abolition of business, the revocation of approval or the order for the suspension of business to the related entrusted party of the program-supplying broadcaster.

Article 52-27 (Compilation of Broadcast Programs for Entrusted Domestic and Overseas

Broadcasting)

In compiling broadcast programs for entrusted domestic and overseas broadcasting, a program-supplying broadcaster shall take the natural, economic, social and cultural conditions of foreign countries that are the target of said entrusted domestic and overseas broadcasting into consideration as much as possible, so that friendship and exchanges with such foreign countries may not be impaired.

Article 52-28 (Application of General Rules, etc. to Compilation, etc. of Broadcast Programs)

(1) If the provisions of Chapter I-2 (except Article 3-2, Article 3-3 paragraph (2) and Article 6-2 when these provisions apply to the program-supplying broadcaster mentioned in the subsequent paragraph) and Chapter III apply to a program-supplying broadcaster, “domestic broadcasting” in Article 3-2 and Article 3-3 paragraph (2) shall be read as “entrusted domestic broadcasting”; “airing” in Article 3-2 paragraph (3) shall be read as “entrusting the airing of”; “broadcasting of matters” in Article 3-5 shall be read as “entrusted broadcasting of matters (matters for which entrusted broadcasting is done)”; “engaged in” in Article 3-5, “conducting” in Article 51 paragraph (1), “broadcasts” in Article 51-2, and “conducts” in Article 52-2 shall respectively be read as “engaged in through entrustment”, “conducting through entrustment”, “broadcasts through entrustment” and “conducts through entrustment”; “broadcasting” in Article 4 paragraph (1) shall be read as “entrusted broadcasting”; “broadcasted matter” in the same paragraph shall be read as “matter for which entrusted broadcasting was done”; “shall conduct” in the same paragraph shall be read as “shall entrust a party to conduct”; “its broadcasting” in Article 4 paragraph (2) of the same article shall be read as “entrusted broadcasting”; “shall not” in Article 6 shall be read as “shall not entrust a party to”; “conducting domestic broadcasting” in Article 6-2 shall be read as “entrusting a party to conduct domestic broadcasting”; “conduct such broadcasting” in the same article shall be read as “entrust a party to conduct such broadcasting”; “with its own facilities or those of other private broadcaster” in Article 52 shall be read as “with facilities of the program-supplying broadcaster”; “under a contract” in Article 52-4 paragraph (1) shall be read as “under a contract concluded with a party that conducts entrusted broadcasting”; “means broadcasting conducted” in the same paragraph shall be read as “means entrusted broadcasting conducted”; “other than multiplex broadcasting” in paragraph 2 of the same article shall be read as “entrusted broadcasting other than multiplex broadcasting”; “multiplex broadcasting” in paragraph 5 of the same article shall be read as “entrusted multiplex broadcasting”; “said paid broadcasting in Japan” in Article 52-5 shall be read as “broadcasting related to said services”; “said paid broadcasting with” in Article 52-5 shall be read as “said broadcasting with”; “said paid broadcasting” in Article 52-6-2 paragraph (1) shall be read as “the broadcasting concerning services of said paid broadcasting”; “paid broadcasting” in Article 52-6 shall be read as “the broadcasting concerning said services”; “those persons mentioned in Article 5 paragraph (1) items (i) through (iii) or paragraph (4) item (iii) (b) of the same article of the Radio Act” in Article 52-8 paragraph (1) shall be read as “Article 52-13 paragraph (1) item (v), (a) through (c)”; “the cause (referred to as “cause for disqualification” in the following paragraph) specified in each item according to the classification of the following items” in Article 52-8 paragraph (1) shall be read as

“Article 52-13 paragraph (1) item (v), (d)”; “the cause for disqualification” in paragraph (2) of the same article shall be read as “Article 52-13 paragraph (1) item (v), (d)”; “notwithstanding the provisions of the same paragraph” in paragraph (2) of the same article shall be read as “notwithstanding the provisions of Article 32 paragraph (2) of the same act”; and “the cause for disqualification” in paragraph (2) of the same article shall be read as “Article 52-13 paragraph (1) item (v), (d)”.

(2) The provisions of Article 3-2, Article 3-3 paragraph (2), and Article 6-2 shall be applied to program-supplying broadcasters that entrust others to conduct entrusted domestic and overseas broadcasting by treating the entrusted domestic and overseas broadcasting as entrusted domestic broadcasting. In this case, “domestic broadcasting” in Article 3-2 and Article 3-3 paragraph (2) shall be read as “entrusted domestic broadcasting”; “airing” in Article 3-2 paragraph (3) shall be read as “entrusting the airing of”; “conducting domestic broadcasting” in Article 6-2 shall be read as “entrusting a party to conduct domestic broadcasting”; and “conduct such broadcasting” shall be read as “entrust a party to conduct such broadcasting”.

Chapter III-4 Certified Broadcast Holding Company

Article 52-29 (Definition)

For the purpose of this chapter,

If more than 50% of the voting shares of all shareholders, etc. of a company (these voting rights refer to the voting shares of all of its shareholders or investors (in the case of a corporation, including the voting rights of such shares that are deemed to have voting rights in accordance with the provisions of Article 879 paragraph (3) of the Companies Act, excluding such voting rights of the shares that can be exercised only for a part of the whole matters for which a resolution can be made at a general shareholders meeting; the same hereafter in this article and Article 52-35); the same hereafter in this article) is held by another company, the company is a “subsidiary” of the said other company. In this case, if more than 50% of the voting shares of all shareholders, etc. of a company is held by another company and one or more of the subsidiaries of the said other company, or one or more of the subsidiaries of said subsidiaries, the company shall be deemed to be the subsidiary of the said other company, the subsidiaries of the said other company, or such one or more of the subsidiaries of the said subsidiaries.

Article 52-30 (Approval)

(1) A company that has acquired, or intends to acquire, two or more private broadcasters (limited to the case that the said two or more private broadcasters include one or more ground-based private broadcasters (referring to a private broadcaster that conducts broadcasting using a radio station other than a space-based satellite radio station; the same hereunder); the same applies to this article, Article 52-31 item (i) and Article 52-37 paragraph (2) items (i) and (ii)), or a person who intends to establish a company that will acquire two or more private broadcasters, may obtain approval from the Minister for Internal Affairs and Communications.

(2) Except for the case wherein an application for approval under the preceding paragraph is determined to satisfy all of the conditions mentioned in the following items, the Minister for

Internal Affairs and Communications shall not give approval under the preceding paragraph.

(i) The company that has submitted an application for approval, or the company to be established after said approval has been obtained, (referred to as the “company under application” hereafter in this article) shall be a corporation;

(ii) The company under application is not a private broadcaster;

(iii) The ratio of “total amount (if “other amount” is mentioned in the final balance sheet, such amount) necessary to acquire stocks of a private broadcaster (including a company treated in the same way as private broadcaster in the MIC Ordinance) that is a subsidiary (including a company to be a subsidiary; the same hereunder) of the company under application” to “the amount of total assets (referring to total amount of assets computed by a method specified in the MIC Ordinance) of the company under application” is expected to be greater than 50:100 at all times;

(iv) Cash flow of the company under application and its subsidiary are expected to be favorable; and

(v) The company under application will not fall under any of (a) through (i), mentioned below;

(a) A corporation in which the person mentioned in 1. or 2. is an officer who conducts operations, or a corporation in which 1/5 or more of the voting rights is held by the persons mentioned in 1., 2. and 3.:

1. A person who does not have Japanese nationality;

2. A foreign government or its representative;

3. A foreign juridical person or organization.

(b) A corporation in which the total of “voting rights held directly by the persons mentioned in 1.” and “voting rights held indirectly by the persons mentioned in 1. through the persons mentioned in 2.” accounts for 1/5 or more of the voting rights thereof (excluding the case falling under (a));

1. The persons mentioned in (a) 1., 2. and 3.; and

2. Juridical person or organization in which the ratio of voting rights held directly by the persons mentioned in 1. is not less than the ratio specified by the MIC Ordinance.

(c) A corporation that has been sentenced to a fine for having committed an offense stipulated in this Act, the Radio Act or the Act Concerning Broadcast on Telecommunications Services, and two years have not elapsed since the end of the execution of such punishment or the day when the execution of punishment had terminated;

(d) A person whose approval has been revoked according to the provisions of Article 52-23 or Article 52-24 paragraph (2) (except item (v)) and two years have not elapsed since the date of revocation;

(e) A person whose approval has been revoked according to the provisions of Article 52-37 paragraph (1) (except item (ii)) or paragraph (2) and two years have not elapsed since the date of revocation;

(f) A person whose license has been revoked according to the provisions of Article 75 paragraph (1), or Article 76 paragraph (3) (except item (iv)), or Article 76 paragraph (4) (except

item (v)), of the Radio Act and two years have not elapsed since the date of revocation;

(g) A person whose approval has been revoked according to the provisions of Article 27-15 paragraph (1) (except item (iii)) of the Radio Act and two years have not elapsed since the date of revocation;

(h) A person whose registration has been revoked according to the provisions of Article 76 paragraph (5) (except item (iii)) of the Radio Act and two years have not elapsed since the date of revocation; or

(i) A corporation in which an officer falls under any of the following:

1. A person that has been sentenced to a fine or heavier punishment for having committed an offense stipulated in any of the Acts mentioned in (c) above, and two years have not elapsed since the end of the execution of such punishment or the day when the execution of punishment had terminated; or

2. A person that falls under any of (d) through (h).

(3) When intending to submit an application for approval under paragraph (1), a person shall submit an application to the Minister for Internal Affairs and Communications in which the following matters are entered in accordance with the provisions of the MIC Ordinance:

(i) Name or corporate name and address of the person who submits the application (excluding the case wherein an applicant is the company under application), and in the case wherein a person who submits an application is a juridical person, the name of its representative;

(ii) Corporate name and address of the company under application, and the name of the company's representative;

(iii) Corporate name and address of a private broadcaster as a subsidiary of the company under application, and the name of the private broadcaster's representative; and

(iv) Other matters specified by the MIC Ordinance.

(4) A business plan and other documents, as provided for in the applicable MIC Ordinance, shall be attached to the application mentioned in the preceding paragraph.

Article 52-31 (Notification)

When the company having obtained approval or the company established with approval under paragraph (1) of the preceding article (hereinafter referred to as "certified broadcast holding company") falls under any of the following items, the certified broadcast holding company shall immediately notify the Minister for Internal Affairs and Communications in accordance with the MIC Ordinance:

(i) The certified broadcast holding company has acquired two or more private broadcasters as subsidiaries (excluding the case wherein the certified broadcast holding company has already had two or more private broadcasters as subsidiaries when it obtained the approval); or

(ii) A change has occurred to any of the matters mentioned in paragraph (3) items (ii) through (iv) of the preceding article.

Article 52-32 (Treatment of Stocks Acquired by Foreigners, etc.)

(1) When a certified broadcast holding company issues the stocks listed in a financial instruments exchange or those stocks designated as equivalent to the foregoing stocks by the MIC Ordinance,

if requested by foreigners, etc. having acquired such stocks (referring to persons specified in Article 52-30 paragraph (2) item (v), (a) 1. through 3. or (b) 2.) to enter or record their names and addresses in the shareholders list, the certified broadcast holding company may refuse entering or recording thereof if meeting the request causes a situation whereby the certified broadcast holding company will fall under a corporation specified in Article 52-30 paragraph (2) item (v) (a) or (b).

(2) The provisions of Article 52-8 paragraphs (2) through (4) shall apply, *mutatis mutandis*, to certified broadcast holding companies. In this case, “paragraph (1) of this Article” in paragraph (2) of the same article shall be read as “Article 52-32 paragraph (1)”, “foreigners, etc. --- in the same paragraph” in paragraph (2) of the same article shall be read as “foreigners, etc. specified in Article 52-32 paragraph (1) ---in Article 30 paragraph (1) of the same Act”, “the cause for disqualification” in paragraph (2) of the same article shall be read as “a corporation specified in Article 52-30 paragraph (2) item (v), (a) or (b)”, “notwithstanding the provisions of the same paragraph” in paragraph (2) of the same article shall be read as “notwithstanding the provisions of Article 32 paragraph (2) of the same Act”, “the cause for disqualification” in paragraph (2) of the same article shall be read as “a corporation specified in (a) or (b) of the same item”, “the preceding two paragraphs” in paragraph (3) of the same article shall be read as “Article 52-8 paragraph (2) that is applied, *mutatis mutandis*, in Article 52-32 paragraphs (1) and (2)”, “(a) of the same item” in paragraph (3) of the same article shall be read as “(b) 1. of the same item”, “(b) of the same item” in paragraph (3) of the same article shall be read as “(b) 2. of the same item”, “the private broadcaster being a corporation (except a private broadcaster broadcasting via a space-based satellite radio station)” in paragraph (3) of the same article shall be read as “the certified broadcast holding company”, “the cause specified under Article 5 paragraph (4) item (iii) of the Radio Act” in paragraph (3) of the same article shall be read as “a corporation specified in Article 52-30 paragraph (2) item (v), (b)”, “(a) and (b) of the same item” in paragraph (3) of the same article shall be read as “(b) 1. and 2. of the same item”, “paragraph (1)” in paragraph (4) of the same article shall be read as “Article 52-32 paragraph (1)”, and “foreigners, etc.” in paragraph (4) of the same article shall be read as “foreigners, etc. specified in the same paragraph”.

Article 52-33 (Exception to the Radio Act)

If the Minister for Internal Affairs and Communications conducts an examination for a certified broadcast holding company subsidiary in accordance with the provisions of Article 7 paragraph (2) of the Radio Act, when the provisions of item (iv) of the same paragraph are applied, “broadcasting provided for” and “broadcasting)” in the same item shall be read as “broadcasting related to the certified broadcast holding company subsidiary as provided for” and “broadcasting --- by taking into consideration of the characteristics of the certified broadcast holding company subsidiary)”, respectively.

Article 52-34 (Responsibilities of Subsidiary)

In compiling broadcast programs for domestic broadcasting, a specified ground-based private broadcaster (referring to a ground-based private broadcaster that is a certified broadcast holding company subsidiary) shall make an effort to maintain various broadcast programs produced by

itself for a broadcasting service area in order to meet various needs for broadcast programs in the broadcasting service area.

Article 52-35 (Restrictions on the Voting Rights)

(1) If all shares are deemed as having voting rights with respect to shares possessed by or deemed possessed by a person entered or recorded in the list of shareholders of a certified broadcast holding company, or in the list of substantial shareholders specified in Article 32 paragraph (1) of the Act Concerning Depository and Book-Entry for Stocks, etc. (these shares include those shares of the certified broadcast holding company as possessed by or deemed as possessed by another person who has a stockholding relationship or other special relationship designated by the MIC Ordinance with the aforesaid person and is entered or recorded in the list of shareholders or in the list of substantial shareholders specified in the same paragraph; these shares are referred to as the “specified shares” hereafter in this paragraph), if the ratio of voting rights held by the aforesaid person to the voting rights of all shareholders of the certified broadcast holding company exceeds the criterion for shareholding ratio, the specified shareholders (referring to those that have stocks other than such stocks that will have voting rights in accordance with such provisions of the MIC Ordinance that prevent the ratio of voting rights of specified stocks to the voting rights of all shareholders of the certified broadcast holding company from exceeding the criterion for shareholding ratio) shall not have voting rights relating to said shares.

(2) The criterion for shareholding ratio mentioned in the preceding paragraph means the ratio to be determined within the range from 1/10 or more to less than 1/3 by the MIC Ordinance in consideration of the matters mentioned in the items of Article 2-2 paragraph (2).

Article 52-36 (Succession)

(1) If a certified broadcast holding company has assigned the whole of its business or effected a merger or divestiture (limited to the case wherein the whole of its business is assigned to the party concerned), the corporation that has succeeded to the whole of such business, or the corporation that has survived the merger or the corporation that has been established by the merger, or the corporation that has succeeded to the whole of such business as a result of the divestiture, may succeed to the position of the certified broadcast holding company upon approval by the Minister for Internal Affairs and Communications.

(2) The provisions in Article 52-30 paragraph (2) shall apply, *mutatis mutandis*, to the approval mentioned in the preceding paragraph.

Article 52-37 (Revocation of Approval)

(1) When a certified broadcast holding company falls under any of the following items, the Minister for Internal Affairs and Communications shall revoke the approval concerned.

(i) The certified broadcast holding company falls under any of (a) through (i) (excluding (e)) of Article 52-30 paragraph (2) item (v); or

(ii) The certified broadcast holding company submits an application for cancellation of approval.

(2) If a certified broadcast holding company falls under any of the following items, the Minister for Internal Affairs and Communications may revoke the approval concerned:

(i) The certified broadcast holding company has failed to become a corporation having two or

more private broadcasters as subsidiaries within six months from the day it obtained the approval;

(ii) The certified broadcast holding company has ceased to have two or more private broadcasters as subsidiaries;

(iii) The certified broadcast holding company has obtained the approval by using an illegal means; or

(iv) The certified broadcast holding company has failed to comply with any of the items (excluding item (v)) of Article 52-30 paragraph (2).

Chapter IV Broadcast Programming Center

Article 53 (Designation)

(1) The Minister for Internal Affairs and Communications may designate, upon application, a juridical person who has been established with the objective of promoting the sound development of broadcasting in accordance with the provisions of Article 34 of the Civil Code, and that is considered to be capable of appropriately and correctly conducting the business activities provided for in the following article, as the Broadcast Programming Center (hereinafter referred to as the “center”), of which there shall be no more than one in Japan.

(2) When a juridical person who has submitted an application under the provisions of the preceding paragraph falls under any of the following items, the Minister for Internal Affairs and Communications shall not make the designation under the provisions of the same paragraph:

(i) A juridical person whose designation as the center has been revoked according to the provisions of Article 53-7 paragraph (1) and two years have not elapsed since the date of such revocation; or

(ii) A juridical person whose director has been sentenced to a punishment for having committed an offense against this Act, and two years have not elapsed since the end of the execution of the punishment or the day when such execution had terminated.

(3) Upon designating a juridical person as the center in accordance with the provisions of paragraph (1), the Minister for Internal Affairs and Communications shall provide a public notification of the name, address and the office location of the center that has received the designation.

(4) When the center intends to change its name, address or the location of its office, it shall report the matter to the Minister for Internal Affairs and Communications at least two weeks prior to the date it intends to effect such change.

(5) Upon receiving a report made in accordance with the provisions of the preceding paragraph, the Minister for Internal Affairs and Communications shall provide a public notification of the fact.

Article 53-2 (Business Activities)

The center shall carry out the following businesses activities:

(i) Collect and store broadcast programs, and allow the general public to watch or listen to them;

- (ii) Collect, classify, arrange, and store information concerning broadcast programs;
- (iii) Provide information concerning broadcast programs periodically, as necessary, or in response to a request;
- (iv) Carry out business activities incidental to those stated in the preceding three items.

Article 53-3 (Standards of Collection, etc.)

- (1) The center shall establish the standards for collecting broadcast programs and gather broadcast programs according thereto.
- (2) The center may request broadcasters (except facility-supplying broadcasters) to submit information concerning broadcast programs according to the standards and method as provided by it within the limits necessary for collecting such programs.
- (3) The center shall not use the information submitted in response to a request made according to the provisions of the preceding paragraph for purposes other than those of the business activities provided for in the preceding article.
- (4) When the center has established the standards for collecting broadcast programs as provided in paragraph (1) and the standards and method of submitting information concerning broadcast programs as provided in paragraph (2) (hereinafter referred to as "standards of collection, etc."), it shall make these matters public in accordance with the provisions of the applicable MIC Ordinance. The same shall apply when the center makes any changes thereto.

Article 53-4 (Advisory Council on the Collection of Broadcast Programs)

- (1) The center shall establish the Advisory Council on the Collection of Broadcast Programs (hereinafter referred to as the "advisory council").
- (2) The advisory council shall, in response to an inquiry from the center, deliberate on items concerning the standards of collection, etc.
- (3) When the center intends to establish or amend the standards of collection, etc., it shall refer the matter to the advisory council.
- (4) Upon receiving a report from the advisory council in response to its inquiry in accordance with the provisions set forth in paragraph (2), the center shall take necessary measures in respect to the report made by the advisory council.
- (5) The members of the advisory council shall be delegated, by the representative of the center, from among the persons recommended by NHK, the University, organizations of private broadcasters (excluding facility-supplying broadcasters) and other persons with relevant knowledge and experience.

Article 53-5 (Submission of Business Plan, etc.)

- (1) The center shall prepare a business plan and a budget for each business year and submit them to the Minister for Internal Affairs and Communications before the start of the business year concerned (or immediately after the day of designation in the business year to which the day of designation made in accordance with the provisions of Article 53 paragraph (1) belongs). The same shall apply when the center intends to make changes thereto.
- (2) The center shall prepare a business report and the financial statements for each business year and submit them to the Minister for Internal Affairs and Communications by no later than three

months after the end of the business year concerned.

Article 53-6 (Supervisory Order)

The Minister for Internal Affairs and Communications may issue orders to the center as needed for supervising its business activities as provided for in Article 53-2, within the limits necessary for implementing the provisions set forth in this chapter.

Article 53-7 (Revocation of Designation)

(1) When the center falls under any of the following items, the Minister for Internal Affairs and Communications may revoke the designation concerned:

(i) The center is considered to be incapable of appropriately and correctly carrying out the business activities stipulated in Article 53-2;

(ii) The center has violated any of the provisions of this chapter;

(iii) The center falls under the provisions of Article 53 paragraph (2) item (ii);

(iv) The center has violated an order issued according to the provisions of the preceding article;

or

(v) The center has received the designation through an illegal means.

(2) When the designation of the center has been revoked in accordance with the provisions of the preceding paragraph, the Minister for Internal Affairs and Communications shall provide a public notification of the fact.

Chapter V Miscellaneous Provisions

Article 53-8 (Presentation of Materials, etc.)

The Minister for Internal Affairs and Communications may require broadcasters, paid broadcasting management operators or certified broadcast holding companies to present materials related to their business activities within the limits necessary for the enforcement of this Act and in accordance with the provisions of the applicable Cabinet Order.

Article 53-9

The Minister for Internal Affairs and Communications may, for the diffusion of multiplex broadcasting and in accordance with the provisions of the applicable MIC Ordinance, require NHK or private broadcasters (excluding program-supplying broadcasters) conducting very high frequency broadcasting or television broadcasting to prepare and present a plan for placing their broadcast equipment for very high frequency or television broadcasting in use for multiplex broadcasting (including matters for which broadcasting is done, and matters related to users of broadcast equipment, etc.).

Article 53-9-2 (Exemption from Application)

The provisions of this Act shall not apply to such broadcast that falls on broadcast using telecommunications services.

Article 53-9-3 (Relay Broadcasting for Eliminating Receiving Interference, etc.)

The provision of Article 4 paragraph (1), Article 6, Article 32 paragraph (1), Article 51-2, Article 52-4 paragraphs (1) (2) and (5) and Article 52-5 shall be applied to broadcasting that is conducted by a person who has been granted a license for a radio station for relay broadcasting to

eliminate receiving interference in accordance with the provisions of the Radio Act by treating this as the broadcasting by a broadcaster who airs the broadcast received by the person who has been granted the license for the radio station for relay broadcasting to eliminate receiving interference. The provision of Article 51 paragraph (3) shall be applied to the service area of the radio station for relay broadcasting to eliminate receiving interference by treating this as the service area of the broadcasting station of a broadcaster who airs the broadcast received by the person who has been granted the license for the radio station for relay broadcasting to eliminate receiving interference.

Article 53-10 (Consultation with the Radio Regulatory Council)

(1) In any of the following cases, the Minister for Internal Affairs and Communications shall consult the Radio Regulatory Council:

(i) When the Minister intends to prepare or amend the basic plan for broadcasting diffusion in accordance with the provisions of Article 2-2 paragraph (1) or (4);

(ii) When the Minister intends to take action in accordance with the provisions of Article 8-3 paragraph (2) (Approval of alteration to articles of incorporation), Article 9 paragraph (8) (including the case of mutatis mutandis application in Article 33 paragraph (5)) (Approval of agreement on international relay broadcasting), Article 9 paragraph (9) (Approval of the standards for conducting business), Article 9 paragraph (10) (Approval of discretionary business activities), Article 9-2-2 (Approval of investment in the Japan Aerospace Exploration Agency, etc.), Article 9-4 paragraph (1) (Approval of implementation of domestic broadcast programming operations and NHK's international broadcast programming operations), Article 32 paragraph (2) and (3) (Approval of standards of exemption of receiver's fee and terms and conditions of receiver's contract), Article 33 paragraph (1) (Request for conducting of international broadcasting, etc.), Article 34 paragraph (1) (Order for conducting of research activities relating to broadcasting, etc.), Article 37-2 paragraph (1) (Approval of budget of revenues and expenditures, etc.), Article 47 paragraph (1) (Approval of transfer of broadcast equipment, etc.), Article 48 paragraph (1) (including the case of mutatis mutandis application in Article 48 paragraph (3)) (Approval of abolition or suspension of broadcasting, etc.), Article 50-3 paragraph (1) (including the case of mutatis mutandis application in Article 50-3 paragraph (3)) (Approval of suspension and abolition of broadcasting, etc.), Article 52-4 paragraph (2) (Approval of contract clauses for paid broadcasting services), Article 52-7 (Order for application for approval of amendment of charges or contract clauses for paid broadcasting services, Order for the amendment of charges or contract clauses, and Order for improvement of the method of operations of a paid broadcasting management operator), Article 52-11 (Order for amendment of the conditions for providing facility-supplying broadcasting service), Article 52-13 paragraph (1) (Approval related to broadcast programming operations), Article 52-17 paragraph (1) (including the case of mutatis mutandis application in Article 9-4 paragraph (2)) (Permission for changes of matters for which entrusted broadcasting is done), Article 52-30 paragraph (1) (Approval related to certified broadcast holding company), or Article 53 paragraph (1) (Appointment of the center);

(iii) When the Minister intends to state his/her views on an NHK budget of revenues and

expenditures, business project and financial program in accordance with the provisions of Article 37 paragraph (2);

(iv) When the Minister intends to establish, modify or abolish the standard contract clauses provided in Article 52-4 paragraph (4);

(v) When the Minister intends to take action in accordance with the provisions of Article 52-24 paragraph (2) (including the case of mutatis mutandis application in Article 9-4 paragraph (2)) (Revocation of approval for broadcast programming operations), Article 52-37 paragraph (2) (Revocation of approval of certified broadcast holding company), or Article 53-7 paragraph (1) (Revocation of appointment of the center); and

(vi) When the Minister intends to establish or amend an applicable MIC Ordinance in accordance with the provisions of Article 52-13 paragraph (1) item (iii) (Standards of approval for broadcast programming operations), Article 7 paragraph (2) item (iv) of the Radio Act (Standard for exemptions to the Radio Act) that is applied after the wording of its phrases are changed according to the provisions of Article 52-33, or Article 52-35 paragraph (2) (Criterion for shareholding ratio).

(2) Of the matters mentioned in any of the items (except item (v)) of the preceding paragraph, those deemed by the Radio Regulatory Council to be of minor importance may be disposed of by the Minister for Internal Affairs and Communications without consulting the Radio Regulatory Council.

Article 53-11 (Hearing)

(1) The Radio Regulatory Council shall hold a hearing upon being consulted in accordance with the provisions of the preceding article paragraph (1) items (v) and (vi).

(2) In addition to the cases mentioned in the preceding paragraph, the Radio Regulatory Council may hold a hearing, as necessary, when it is consulted in accordance with the provisions of items (i) through (iv) of paragraph (1) of the preceding article.

(3) The provisions of Article 99-12 paragraphs (3) through (8) of the Radio Act shall apply, mutatis mutandis, to the hearing mentioned in the preceding two paragraphs.

Article 53-12 (Recommendations)

(1) The Radio Regulatory Council may present, to the Minister for Internal Affairs and Communications, necessary recommendations concerning the matters mentioned in each item of paragraph (1) of Article 53-10.

(2) On receipt of any recommendation mentioned in the preceding paragraph, the Minister for Internal Affairs and Communications shall publicize the contents thereof.

Article 53-13 (Petition of Objection and Lawsuit)

The provisions of Chapter VII and Article 115 of the Radio Act shall apply, mutatis mutandis, to any petition of objection and any lawsuit against a disposition that the Minister for Internal Affairs and Communications has made in accordance with the provisions of this Act.

Chapter VI Penal Provisions

Article 54

- (1) If an NHK officer has received, demanded, or obtained a promise for, any bribe, in connection with his/her duties, the officer shall be punished with imprisonment not exceeding three years.
- (2) If a person who is going to be an NHK officer has received, demanded, or obtained a promise for, any bribe upon solicitation concerning the official business for which the person is to be responsible, the person shall be punished with the same penalty as mentioned in the preceding paragraph when such person will have become an officer of NHK.
- (3) If a person who was an NHK officer received, demanded, or obtained a promise for, any bribe for conducting an unjust act or for not conducting a certain act in the performance of such officer's duties upon solicitation during the person's term of office, the person shall be punished with the same penalty as mentioned in paragraph (1).
- (4) A person who has given, offered to give, or promised to give, any bribe provided for in the preceding three paragraphs shall be punished with imprisonment not exceeding three years or with a fine not exceeding two million and five hundred thousand yen.
- (5) In the cases mentioned in paragraphs (1) through (3), the bribe received by the said NHK officer shall be confiscated. If the whole or part of the bribe cannot be confiscated, the corresponding amount shall be collected from the said officer.

Article 55

(1) If an officer of NHK or the University falls under any of the following items, the officer having committed the violation shall be punished with a fine not exceeding one million yen:

(i) An officer has conducted business activities other than those prescribed in Article 9 paragraphs (1) through (3) and Article 33 paragraph (4);

(ii) An officer has not obtained an approval that should have been obtained in accordance with the provisions of Article 8-3 paragraph (2), Article 9 paragraph (8) (including the case of mutatis mutandis application in Article 33 paragraph (5)), Article 9 paragraph (9) or (10), Article 9-2-2, Article 32 paragraph (2) or (3), Article 37-2 paragraph (1), Article 47 paragraph (1), Article 48 paragraph (1) (including the case of mutatis mutandis application in paragraph (3) of the same article), or Article 50-3 paragraph (1) (including the case of mutatis mutandis application in paragraph (3) of the same article); or when an officer has not obtained an approval that should have been obtained in accordance with the provision of Article 9-4 paragraph (1);

(iii) An officer has violated any of the provisions of Article 22, Article 30 paragraph (1), Article 37 paragraph (1), Article 38 paragraph (1), Article 39 paragraph (1), or Article 40 paragraph (1).

Article 56

(1) A person who has violated any of the provisions of Article 4 paragraph (1) shall be punished with a fine not exceeding five hundred thousand yen.

(2) The prosecution of the offense mentioned in the preceding paragraph, if it concerns private affairs, shall only take place upon complaint.

Article 56-2

A person who has committed an offense mentioned in any of the following items shall be punished with a fine not exceeding five hundred thousand yen:

(i) A person who has provided paid broadcasting service based on other than the charges

approved in accordance with the provisions of Article 52-4 paragraph (1), or contract clauses approved in accordance with the provisions of Article 52-4 paragraph (2), or contract clauses reported in accordance with the provisions of Article 52-4 paragraph (5);

(ii) A person who has refused to provide paid broadcasting service in violation of the provisions of Article 52-6;

(iii) A person who has conducted paid broadcasting management operations in violation of the provisions of Article 52-6-2 paragraph (1);

(iv) A person who has violated an order given in accordance with the provisions of Article 52-7;

(v) A person who has refused a request for the broadcasting of broadcast programs through entrustment in violation of the provisions of Article 52-9 paragraph (1);

(vi) A person who has accepted a request for the broadcasting of broadcast programs through entrustment in violation of the provisions of Article 52-9 paragraph (2);

(vii) A person who has provided facility-supplying broadcasting service based on other than the conditions for providing the service as reported in accordance with the provisions of Article 52-10 paragraph (1);

(viii) A person who has violated an order given in accordance with the provisions of Article 52-11;

(ix) A person who has changed the matters for which entrusted broadcasting is done without obtaining permission in accordance with the provisions of Article 52-17 paragraph (1) (including the case of mutatis mutandis application in Article 9-4 paragraph (2)); or

(x) A person who has violated an order given in accordance with the provisions of Article 52-24 paragraph (1) (including the case of mutatis mutandis application in Article 9-4 paragraph (2)).

Article 56-3

A person who has failed to post contract clauses in violation of the provision of Article 52-4 paragraph (7) shall be punished with a fine not exceeding three hundred thousand yen.

Article 57

(1) If the representative of a juridical person, or the proxy, employee or other worker of a juridical person or natural person has committed an offense mentioned in any of the preceding three articles in connection with the business of the juridical person or natural person, the juridical person or natural person as well as the offender shall be punished with the fine mentioned in each of such articles.

(2) In the case of the preceding paragraph, the prosecution mounted against the offender in accordance with the provisions of Article 56 paragraph (2) shall be effective against the juridical person or natural person, and the prosecution against the juridical person or natural person shall also be effective against the offender.

Article 58

(1) If an officer of NHK or the University has committed an offense mentioned in any of the following items, the officer shall be punished with a non-penal fine not exceeding two hundred thousand yen.

(i) The officer has failed to make a registration in contravention of this Act or an order issued

thereunder:

(ii) The officer has failed to submit a notification or report in contravention of the provisions of Article 9-5, Article 48 paragraph (2) (including the case of mutatis mutandis application in Article 48 paragraph (3)) or Article 50-3 paragraph (2) (including the case of mutatis mutandis application in Article 50-3 paragraph (3));

(iii) The officer has not publicized, in contravention of the provisions of Article 23-2, Article 30-2 or Article 3-3, or has publicized falsely;

(iv) The officer has obstructed an investigation conducted in accordance with the provisions of Article 23-5 paragraph (1) or Article 40-4 paragraph (2); or

(v) The officer has failed to retain documents or offer them for public perusal in contravention of the provisions of Article 38 paragraph (3) or Article 40 paragraph (4).

(2) If an officer of an NHK subsidiary has obstructed an investigation conducted in accordance with the provisions of Article 23-5 paragraph (2) or Article 40-4 paragraph (2), the officer shall be punished with a non-penal fine not exceeding two hundred thousand yen.

Article 58-2

A person falling under any of the following items shall be punished with a non-penal fine not exceeding two hundred thousand yen:

(i) A person who has failed to submit a notification or report in violation of the provisions of Article 52-6-2 paragraph (2), Article 52-6-3 paragraph (2), Article 52-6-4 paragraph (1) or (2), Article 52-18 paragraph (1), Article 52-20 or Article 52-31; or

(ii) A person who has failed to return the certificate in violation of the provisions of Article 52-22 (including the case of mutatis mutandis application in Article 9-4 paragraph (2)).

Article 59

A person who has failed to present the materials in accordance with the provisions of Article 53-8, or who has presented false materials, shall be punished with a non-penal fine of two hundred thousand yen or less.

Supplementary Provisions (Excerpts)

(Effective Date)

(1) This Act shall come into effect as from the day of enforcement of the Radio Act (June 1, 1950). However, the provisions of paragraphs (2) through (10) of these Supplementary Provisions shall come into effect as from the day of promulgation.

(Foundation of NHK)

(12) The founding of NHK shall become effective upon its registration.

(13) When the founding of NHK comes into force, the NHK Association shall be dissolved and NHK shall succeed to all its rights and obligations. In this case, the provisions regarding the dissolution and liquidation of a juridical person stipulated in any other laws and regulations shall not apply.

(14) Matters required for the registration of the NHK Association's dissolution shall be specified in the applicable Cabinet Order.

(15) At the time of NHK's founding, the employees of the NHK Association shall become the

employees of NHK.

Supplementary Provisions (Act No. 200 of June 17, 1952)

This Act shall come into effect as from the day of promulgation.

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

(1) This Act shall come into effect as from the day of enforcement (August 1, 1952) of the Act for Partial Amendments to the Foundation of the Ministry of Posts and Telecommunications (Act No. 279 of 1952).

Supplementary Provisions (Act No. 30 of March 23, 1959) (Excerpts)

(1) This Act shall come into effect after 30 days have elapsed from the day of promulgation, however the parts referring to Articles 44-3, 44-4 and 44-6 in the amendment provisions to add six articles after Article 44 and the parts referring to Article 51-2 in the amendment provisions to add two articles into Chapter III shall come into effect immediately after 60 days have elapsed from the day of promulgation; the parts referring to Article 44-7 in the amendment provisions to add six articles after Article 44, and the amendment provisions in Article 53 (limited to the parts referring to Article 44-7) shall come into effect immediately after 90 days have elapsed from the day of promulgation; and the parts referring to Articles 44-2 and 44-5 paragraph (2) in the amendment provisions to add six articles after Article 44 and the parts referring to Article 51 (limited to the parts referring to Article 44-2) in the amendment provisions to add two articles into Chapter III shall come into effect after 120 days have elapsed from the day of promulgation.

Supplementary Provisions (Act No. 129 of April 13, 1959)

This Act shall come into effect as from April 1, 1960.

Supplementary Provisions (Act No. 94 of July 28, 1967)

(1) This Act shall come into effect as from April 1, 1968.

(2) In any case where, as of the day of enforcement of this Act, NHK has a contract entered into pursuant to the original provisions of Article 32 paragraph (1) with a person defined in the proviso of the amended provisions of the same, such contract shall be terminated as of the day of enforcement of this Act.

Supplementary Provisions (Act No. 50 of June 23, 1969) (Excerpts)

Article 1 (Effective Date)

This Act shall come into effect as from the day of promulgation, however the provisions of Articles 8 through 18 of the supplementary provisions shall come into effect, within six months, calculating from the day of promulgation, as from the day specified in the applicable Cabinet Order.

Supplementary Provisions (Act No. 48 of May 6, 1970) (Excerpts)

Article 1 (Effective Date)

This Act shall come into effect as from January 1, 1971.

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

(Effective Date)

(1) This Act shall come into effect as from the effective date of the Agreement between Japan and the United States of America Concerning the Ryukyu Islands and the Daito Islands.

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

(Effective Date)

(1) This Act shall come into effect as from the day of promulgation.

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

(Effective Date)

(1) This Act shall come into effect immediately after six months have elapsed from the day of promulgation.

Supplementary Provisions (Act No. 46 of June 12, 1979) (Excerpts)

Article 1 (Effective Date)

This Act shall come into effect within three months, calculating from the day of promulgation, as of the day specified in the applicable Cabinet Order.

Supplementary Provisions (Act No. 80 of June 11, 1981) (Excerpts)

Article 1 (Effective Date)

This Act shall come into effect as from the day of promulgation.

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

(Effective Date)

(1) This Act shall come into effect immediately after six months have elapsed from the day of promulgation.

(Transitional Measures)

(2) With regard to the application of the penal provisions to acts committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.

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

(Effective Date)

(1) This Act shall come into effect as from January 1, 1988.

(Transitional Measures)

(2) With regard to the application of the penal provisions to acts committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.

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

Article 1 (Effective Date)

This Act shall come into effect as from October 1, 1988, however the amendment provisions of Article 23 paragraph (3), Article 26, Article 28 paragraph (1), Article 38 and Article 40 as stipulated in Article 1, as well as the provisions of Articles 3 and 4 in these supplementary provisions, shall come into effect as from August 1, 1988.

Article 2 (Transitional Measures Concerning Repair Operations)

The operations entrusted to Japan Broadcasting Corporation (Nihon Hoso Kyokai (NHK); hereinafter referred to as "NHK") prior to the enforcement of this Act, in accordance with the provisions of item (x) of Article 9 paragraph (2) of the old Broadcast Act (hereinafter referred to as "old Broadcast Act"), which is to be amended pursuant to the provisions of Article 1, shall still follow the provisions then in force.

Article 3 (Transitional Measures Concerning Officers' Terms of Office)

The terms of office of persons who are Directors or Auditors of NHK at the time of enforcement of the amendment provisions in Article 28 paragraph (1) shall still follow the provisions then in force.

Article 4 (Transitional Measures Concerning Submission of Business Report, etc.)

NHK's business report, and its inventory, balance sheet and profit and loss statement, as well as written explanations thereon, for the business year commencing on April 1, 1987 shall still follow the provisions then in force, notwithstanding the provisions of Article 38 and Article 40 paragraph (1) of the Broadcast Act revised pursuant to the provisions of Article 1 (hereinafter referred to as "new Broadcast Act").

Article 5 (Effect of Disposals, etc. Pursuant to Provisions of old Broadcast Act, etc.)

Disposals, processes or other actions conducted prior to the enforcement of this Act in accordance with the provisions of the old Broadcast Act or old Radio Act to be revised pursuant to the provisions of Article 2 shall, when there are equivalent provisions in the new Broadcast Act or the Radio Act revised pursuant to the provisions of Article 2 (hereinafter referred to as "new Acts, etc."), be deemed conducted in accordance with the new Acts, etc.

Article 6 (Transitional Measures Concerning Application of the Penal Provisions)

With regard to the application of the penal provisions to acts committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.

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

(Effective Date, etc.)

(1) This Act shall come into effect as from October 1, 1989. However, as provided for in Article 1, the provisions to amend the Table of Contents of the Broadcast Act, the provisions to amend Article 53 of the Broadcast Act to Article 52-8 of the same Act, the provisions to amend Article 59 of the same Act, the provisions to amend Chapter IV of the Broadcast Act to Chapter VI of the same Act, the provisions to amend Article 53-6 of the Broadcast Act to Article 53-13 of the same Act, the provisions to amend Article 53-5 of the same Act, the provision to amend said Article 53-5 to Article 53-12 of the same Act, the provisions to amend item (ii) of Article 53-4 paragraph (1) of the same, the provisions to add two items to Article 53-4 paragraph (1) (limited to parts related to item (iv) of paragraph (1)) of the same Act, the provisions to amend Article 53-4 paragraph (2) of the same Act, the provisions to alter said Article 53-4 to Article 53-10 of the same Act and add a new article after said Article 53-10, the provisions to alter Article 53-3 of the same Act to Article 53-9 of the same Act and alter Article 53-2 of the same Act to Article 53-8 of the same Act, and the provisions to amend Chapter III-2 of the same Act to Chapter V of the same Act, the provisions to add three chapters (limited to parts related to Chapter IV of the same) after Chapter III of the same Act, and the provisions to amend Article 99-14 paragraph (2) of the Radio Act as provided for in Article 2 shall come into effect as from the day of promulgation. The provisions to amend Article 26 of the Broadcast Act as provided for in Article 1 shall come into effect immediately after 30 days have elapsed from the day of promulgation.

(2) During the period from the day of enforcement of the amendment provisions (except the provisions to amend Article 26 of the Broadcast Act) stipulated in the proviso of the preceding

paragraph through September 30, 1989, “Chapter III Private broadcaster (Article 51 through Article 52-8); Chapter III-2 Facility-supplying broadcaster (Article 52-9 through Article 52-12); Chapter III-3 Program-supplying broadcaster (Article 52-13 through Article 52-27)” on the Table of Contents of the Broadcast Act amended pursuant to said amendment provisions (hereinafter referred to as “new Broadcast Act”) shall be read as “Chapter III Private broadcaster (Article 51 through Article 52-8)”; “broadcaster (except a facility-supplying broadcaster)” in Article 53-3 paragraph (2) of the new Broadcast Act shall be read as “broadcaster”; “private broadcaster (except a facility-supplying broadcaster)” in Article 53-4 paragraph (5) shall be read as “private broadcaster”; “Article 52-11 [amendment order to change the conditions of providing facility-supplying broadcasting service], Article 52-13 paragraph (1) [approval for broadcast programming operations], Article 52-17 paragraph (1) [permission for changes of matters related to entrusted broadcasting] or Article 53 paragraph (1) [appointment of the Broadcast Programming Center]” in item (ii) of Article 53-10 paragraph (1) of the new Broadcast Act shall be read as “or Article 53 paragraph (1) [appointment of the Broadcast Programming Center]”; “Article 52-24 paragraph (2) [revocation of approval for the broadcast programming operations] or Article 53-7 paragraph (1) [revocation of appointment of the Broadcast Programming Center]” in item (iv) of Article 53-10 paragraph (1) shall be read as “Article 53-7 paragraph (1) [revocation of appointment of the Broadcast Programming Center]”; and “items (iv) and (v) in paragraph (1) of the preceding article” in Article 53-11 paragraph (1) of the new Broadcast Act shall be read as “item (iv) in paragraph (1) of the preceding article”.

(Transitional Measures Concerning Entrusting of NHK’s Operations)

(3) The operations provided for in Article 9 paragraph (1) of the Broadcast Act that were entrusted by NHK prior to the enforcement of this Act and the operations conducted by NHK pursuant to the provisions of Article 33 paragraph (1) and Article 34 paragraph (1) of the Broadcast Act shall still follow the provisions then in force.

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

(Effective Date)

(1) This Act shall come into effect within six months, calculating from the day of promulgation, as of the day specified in the applicable Cabinet Order.

Supplementary Provisions (Act No. 34 of April 24, 1992) (Excerpts)

Article 1 (Effective Date)

This Act shall come into effect within six months, calculating from the day of promulgation, as of the day specified in the applicable Cabinet Order.

Supplementary Provisions (Act No. 63 of June 14, 1993)

This Act shall come into effect as from the day of enforcement of the Act for Amending Part of the Commercial Code, etc.

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

Article 1 (Effective Date)

This Act shall come into effect as from the day of enforcement of the Administrative Procedure Act (Act No. 88 of 1993).

Article 2 (Transitional Measures Concerning Appropriation of Deficit for Which Requests, etc. Are Made)

In any case where a relevant council or other collegiate-system organization has received a request or any other demand, prior to the enforcement of this Act and in accordance with the applicable laws and regulations, calling for it to initiate the procedures equivalent to those stipulated in Article 13 of the Administrative Procedure Act for becoming entitled to a hearing or a defense and the opportunity to give a statement, the procedures for appropriation of deficit relevant to such request or demand shall still follow the provisions then in force, notwithstanding the provisions of relevant Acts amended in connection with this Act.

Article 13 (Transitional Measures Concerning Application of the Penal Provisions)

With regard to the application of the penal provisions to acts committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.

Article 14 (Transitional Measures in Connection with Preparation of Provisions Concerning Hearings)

Hearings or hearing committees (except those related to appropriation of deficit), or their procedures that have been conducted or taken, as the case may be, prior to the enforcement of this Act shall be deemed to have been conducted or taken in accordance with applicable provisions of relevant Acts amended in connection with this Act.

Article 15 (Delegation to the Cabinet Order)

In addition to the provisions of Article 2 through the preceding article in these supplementary provisions, other transitional measures necessary for the enforcement of this Act shall be specified in the applicable Cabinet Order.

Supplementary Provisions (Act No. 74 of June 29, 1994)

(Effective Date)

(1) This Act shall come into effect within six months, calculating from the day of promulgation, as of the day specified in the applicable Cabinet Order.

(Transitional Measures)

(2) Contract clauses that are already approved as of the day of enforcement of this Act pursuant to the provisions of Article 52-4 paragraph (1) of the old Broadcast Act and which fall under the contract clauses provided in Article 52-4 paragraph (3) of the new Broadcast Act shall be deemed contract clauses for which notification has been given in accordance with the provisions of said paragraph of the new Broadcast Act.

(3) An application for approval of contract clauses that are already submitted pursuant to the provisions of Article 52-4 paragraph (1) of the old Broadcast Act and which are relevant to the contract clauses provided in Article 52-4 paragraph (3) of the new Broadcast Act as of the day of enforcement of this Act shall be deemed the notification thereof submitted in accordance with the provisions of said paragraph of the new Broadcast Act.

(4) With regard to the application of the penal provisions to acts committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.

Supplementary Provisions (Act No. 91 of May 12, 1995) (Excerpts)

Article 1 (Effective Date)

This Act shall come into effect immediately after 20 days have elapsed from the day of promulgation.

Supplementary Provisions (Act No. 92 of May 12, 1995)

(Effective Date)

(1) This Act shall come into effect within six months, calculating from the day of promulgation, as of the day specified in the applicable Cabinet Order.

(Transitional Measures)

(2) The amended provisions of Article 4 paragraph (1) (including mutatis mutandis application of these provisions to Article 4 paragraph (2) of the Act to Regulate the Operation of the Cable Sound Broadcasting Service (Act No. 135 of 1951) and to Article 17 paragraph (2) of the Cable Television Broadcast Act (Act No. 114 of 1972)) shall apply to broadcasting, cable sound broadcasting or cable television broadcasting (hereinafter referred to as “broadcasting, etc.”) provided after the enforcement of this Act; and broadcasting, etc. that has been provided prior to the enforcement of this Act, shall still follow the provisions then in force.

(3) The amended provisions of Article 5 shall apply to broadcasting provided after the enforcement of this Act; and broadcasting that has been provided prior to the enforcement of this Act shall still follow the provisions then in force.

(4) The application of the penal provisions to acts related to broadcasting, etc. committed after the enforcement of this Act, which is stipulated as “still follow the provisions then in force” in paragraph (2) of these supplementary provisions, shall still follow the provisions then in force.

Supplementary Provisions (Act No. 57 of May 21, 1997) (Excerpts)

(Effective Date)

(1) This Act shall come into effect as from the day of promulgation.

Supplementary Provisions (Act No. 58 of May 21, 1997) (Excerpts)

(Effective Date)

(1) This Act shall come into effect within six months, calculating from the day of promulgation, as of the day specified in the applicable Cabinet Order.

(Transitional Measures in Connection with Partial Amendment of the Broadcast Act)

(2) The service charges that are specified in contract clauses that are already approved at the enforcement of this Act pursuant to the provisions of Article 52-4 paragraph (1) of the old Broadcast Act (hereinafter referred to as “old Broadcast Act”) prior to amendment pursuant to the provisions of Article 1, and which fall into those service charges to which the provisions of Article 52-4 paragraph (1) of the Broadcast Act as amended pursuant to the provisions of Article 1 (hereinafter referred to as “new Broadcast Act”) apply, shall be deemed approved in accordance with the provisions of said paragraph of the new Broadcast Act.

(3) The service charges that are specified in contract clauses that are already approved at the enforcement of this Act pursuant to the provisions of Article 52-4 paragraph (1) of the old Broadcast Act, and which fall into those service charges to which the provisions of Article 52-4 paragraph (3) of the new Broadcast Act apply, shall be deemed service charges for which

notification has been given in accordance with the provisions of said paragraph of the new Broadcast Act.

(4) Contract clauses (except the parts concerning service charges) that are already approved pursuant to the provisions of Article 52-4 paragraph (1) of the old Broadcast Act at the enforcement of this Act shall be deemed approved in accordance with the provisions of Article 52-4 paragraph (4) of the new Broadcast Act.

(5) An application for approval of contract clauses that are already submitted at the enforcement of this Act pursuant to the provisions of Article 52-4 paragraph (1) of the old Broadcast Act shall be deemed an application for such approval submitted in accordance with the provisions of Article 52-4 paragraph (1) of the new Broadcast Act in cases where such application is related to the service charges to which the provisions of the same paragraph of the new Broadcast Act shall apply. An application for approval of contract clauses that have been submitted at the enforcement of this Act pursuant to the provisions of Article 52-4 paragraph (1) of the old Broadcast Act, shall be deemed a notification submitted under the provisions of Article 52-4 paragraph (3) of the new Broadcast Act in case where such notification is related to the service charges to which the provisions of the same paragraph of the new Broadcast Act shall apply. An application for approval of contract clauses that have been submitted at the enforcement of this Act pursuant to the provisions of Article 52-4 paragraph (1) of the old Broadcast Act shall be deemed an application for approval submitted under the provisions of Article 52-4 paragraph (4) of the new Broadcast Act in cases where such application is related to the contract clauses provided in the provisions of the same paragraph of the new Broadcast Act.

(6) In cases where, at the enforcement of this Act, the person who has obtained a license to operate a radio station that carries out VHF broadcasting defined in Article 2 item (ii)-4 of the old Broadcast Act or television broadcasting defined in item (ii)-5 of the same article (hereinafter referred to as "VHF broadcasting, etc.") pursuant to the provisions of the Radio Act (Act No. 131 of 1950) is the same person who has obtained a license to operate a radio station carrying out such multiplex broadcasting defined in item (ii)-6 of the same article that is offered by multiplexing the programming over radio waves for VHF broadcasting, etc., the radio facilities of such radio station that carries out multiplex broadcasting shall be deemed to be those of a radio station that carries out VHF broadcasting, etc., and with respect to the application of the provisions of Article 21, Article 53 or Article 54 of the Radio Act to such radio station that carries out VHF broadcasting, etc., the type of radio waves, frequency or antenna power described in the certificate of license granted to the radio station that carries out multiplexing broadcasting shall be deemed to be the type of radio waves, frequency or antenna power described in the certificate of license granted to the radio station that carries out VHF broadcasting, etc. at the same time.

(7) The license that is already granted to NHK to operate a radio station that carries out television sound multiplexing broadcasting as defined in Article 3-2-2 of the old Broadcast Act pursuant to the applicable provisions of the Radio Act shall be revoked as of the day of the enforcement of this Act.

(Transitional Measures Concerning Application of the Penal Provisions)

(8) With regard to the application of the penal provisions to acts committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.

Supplementary Provisions (Act No. 103 of June 24, 1997) (Excerpts)

Article 1 (Effective Date)

This Act shall come into effect as from the day of promulgation.

Article 2 (Transitional Measures)

(1) The provisions of the Act as amended in accordance with the provisions of Articles 1 through 5, Articles 7 through 24, Articles 26 through 32, Articles 34 through 37, Article 39, Articles 41 through 50, Article 52 through Article 64, and Article 66 through Article 72 shall apply first to those documents for the business year commencing on April 1, 1996 specified in the provisions of such amended Act (Of those documents specified in Article 35 paragraph (2) of the Export-Import Bank of Japan Act as amended pursuant to the provisions of Article 18 and those specified in Article 33 paragraph (2) of the Japan Development Bank Act as amended pursuant to the provisions of Article 19, such documents for the semi-annual period of April through September of 1996 shall be excluded.)

(2) The provisions of Article 37 paragraph (3) of the Japan Science and Technology Corporation Act as amended in accordance with the provisions of Article 6 shall apply first to those documents for the business year specified in the provisions of Article 11 of the supplementary provisions of the Act that are stipulated in the provisions of Article 37 paragraph (3) of the Act.

(3) The provisions of Article 34 paragraph (3) of the Agriculture & Livestock Industries Corporation Act as amended in accordance with the provisions of Article 38 shall apply first to those documents for the business year specified in the provisions of Article 11 of the supplementary provisions of the Act that are stipulated in the provisions of Article 34 paragraph (3) of the Act.

(4) The provisions of Article 30 paragraphs (3) and (4) of the Japan Racing Association Act as amended in accordance with the provisions of Article 40 shall apply first to those documents for the business year starting on January 1, 1997 that are stipulated in the provisions of Article 30 paragraphs (3) and (4) of the Act.

Supplementary Provisions (Act No. 88 of June 3, 1998)

(Effective Date)

(1) This Act shall come into effect within six months, calculating from the day of promulgation, as of the day specified in the applicable Cabinet Order. However, the amendment provisions of Articles 52-10 and 52-11 and the provisions of the following paragraph through paragraph (4) of these supplementary provisions shall come into effect as from the day of promulgation.

(Revision of Articles of Incorporation)

(2) NHK may, prior to the day of enforcement of this Act, make necessary revisions to its Articles of Incorporation, based on a resolution of the Board of Governors, and obtain approval of the Minister of Posts and Telecommunications thereon.

(3) If the approval under the preceding paragraph is given, such revisions to the Articles of Incorporation under the same paragraph shall become effective as of the day of enforcement of

this Act.

(Consultations with the Council)

(4) The Minister of Posts and Telecommunications may, prior to the enforcement of this Act, consult the Radio Regulatory Council on the issues with respect to the treatment of an application for revision of the Articles of Incorporation as provided for in paragraph (2) of these supplementary provisions, as well as the issues concerning revision of the basic plan for broadcasting diffusion in Article 2-2 paragraph (1) of the Broadcast Act as amended in connection with the enforcement of this Act, revision of the applicable MPT Ordinance pursuant to the provisions of Article 52-13 paragraph (1) item (iii) of the Broadcast Act, and revision of the plan for available frequencies allocated to broadcasting in Article 7 paragraph (2) item (ii) of the Radio Act (Act No. 131 of 1950).

(Transitional Measures Concerning Application of the Penal Provisions)

(5) With regard to the application of the penal provisions to acts committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.

Supplementary Provisions (Act No. 58 of May 28, 1999)

(Effective Date)

(1) This Act shall come into effect within six months, calculating from the day of promulgation, as of the day specified in the applicable Cabinet Order.

(Transitional Measures Concerning Operations of NHK)

(2) Notwithstanding the amended provisions of Article 9 of the Broadcast Act, until one year elapses from the day of enforcement of this Act, NHK may continue its operations pertaining to the types of broadcasting specified in Article 9 paragraph (1) item (i), (d) of the old Broadcast Act prior to the day of the enforcement of this Act, following the provisions then in force.

(Transitional Measures Concerning Application of the Penal Provisions)

(3) The application of the penal provisions to acts committed prior to the enforcement of this Act, and to acts committed after the enforcement of this Act related to the operations which are stipulated as “following the provisions then in force” in accordance with the provisions of the preceding paragraph, shall still follow the provisions then in force.

Supplementary Provisions (Act No. 160 of December 22, 1999) (Excerpts)

Article 1 (Effective Date)

This Act (except Articles 2 and 3) shall come into effect as from January 6, 2001. However, the provisions in the following items shall come into effect as from the day specified in the said respective items.

(ii) The provisions of Chapter III (except Article 3) and the following article: July 1, 2000.

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

(Effective Date)

(1) This Act shall come into effect as from the day of enforcement of the Act for Amending Part of the Commercial Code, etc. (Act No. 90 of 2000).

(Transitional Measures)

(2) If the day of enforcement of this Act is prior to the day of enforcement of the provisions of Article 8 of the supplementary provisions of the Food and Agricultural Materials Inspection Center Act (Act No.183 of 1999), the term “Article 27” appearing in such revised provisions of Article 19-5-2, Article 19-6 paragraph (1) item (iv) and Article 27 of the Act for Standardization and Proper Labeling of Agricultural and Forestry Products that are mentioned in Article 31 shall be read as “Article 26”.

Supplementary Provisions (Act No. 80 of June 29, 2001)

This Act shall come into effect as from the day of enforcement of the Act for Amending Part of the Commercial Code, etc.

Supplementary Provisions (Act No. 85 of June 29, 2001) (Excerpts)

Article 1 (Effective Date)

This Act shall come into effect within one year, calculating from the day of promulgation, as of the day specified in the applicable Cabinet Order.

Supplementary Provisions (Act No. 129 of November 28, 2001) (Excerpts)

(Effective Date)

(1) This Act shall come into effect as from April 1, 2002.

(Transitional Measures Concerning Application of the Penal Provisions)

(2) The application of the penal provisions to acts committed prior to the enforcement of this Act, and the application of the penal provisions to acts committed after the enforcement of this Act in the cases where this Act provides that the provisions then in force shall apply, shall still follow the provisions then in force.

Supplementary Provisions (Act No. 65 of June 12, 2002) (Excerpts)

Article 1 (Effective Date)

This Act shall come into effect as from January 6, 2003.

Article 84 (Transitional Measures Concerning Application of the Penal Provisions)

The application of the penal provisions to acts committed prior to the enforcement of this Act (meaning the provisions in the cases of the provisions as listed in each item of Article 1 of the supplementary provisions; said provisions shall apply hereafter in this article), and the application of the penal provisions to acts committed after the enforcement of this Act in the cases where the provisions then in force shall still apply in accordance with the provisions of these supplementary provisions, shall still follow the provisions then in force.

Article 85 (Delegation of Other Transitional Measures to the Cabinet Order)

In addition to the provisions in these supplementary provisions, other transitional measures necessary for the enforcement of this Act shall be specified in the applicable Cabinet Order.

Article 86 (Review)

When five years have elapsed from the enforcement of this Act, the government shall review systems pertaining to the protective trusts provided in Article 2 paragraph (11) of the New Act on the Transfer of Corporate Bonds, etc. and the clearing agencies for financial instruments transactions provided in Article 2 paragraph (29) of the Financial Products Trading Act, by considering the state of enforcement of the New Act on the Transfer of Corporate Bonds, etc. and

the Financial Instruments and Exchange Act, and changes in socioeconomic situations, etc. and shall take necessary measures when found necessary based upon the results of the review.

Supplementary Provisions (Act No. 134 of December 6, 2002) (Excerpts)

Article 1 (Effective Date)

This Act shall come into effect as from April 1, 2004.

Supplementary Provisions (Act No. 156 of December 13, 2002) (Excerpts)

Article 1 (Effective Date)

This Act shall come into effect as from October 1, 2003.

Article 18 (Delegation to the Cabinet Order)

In addition to the provisions stipulated under this Act, other transitional measures necessary for the establishment of the new University and for the enforcement of this Act shall be specified in the applicable Cabinet Order.

Supplementary Provisions (Act No. 161 of December 13, 2002) (Excerpts)

Article 1 (Effective Date)

This Act shall come into effect as from the day of promulgation, however, the provisions in the following items shall come into effect as from the day specified in the said respective items.

(i) The provisions of Articles 16 through 18, Articles 20 through 24, and Article 28 of these supplementary provisions: October 1, 2003.

Supplementary Provisions (Act No. 54 of May 30, 2003) (Excerpts)

Article 1 (Effective Date)

This Act shall come into effect as from April 1, 2004.

Article 38 (Transitional Measures Concerning Application of the Penal Provisions)

With regard to the application of the penal provisions to acts committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.

Article 39 (Delegation of Other Transitional Measures to Cabinet Order)

In addition to the provisions in this Act, other transitional measures necessary for the enforcement of this Act shall be specified in the applicable Cabinet Order.

Article 40 (Review)

When five years have elapsed from the enforcement of this Act, the government shall review the various financial systems revised by this Act by considering the state of enforcement of regulations revised by this Act and changes in socioeconomic situations, etc., and shall take needed measures when found necessary based upon the results of the review.

Supplementary Provisions (Act No. 47 of May 19, 2004) (Excerpts)

Article 1 (Effective Date)

This Act shall come into effect within three months, calculating from the day of promulgation, as of the day specified in the applicable Cabinet Order. However, the provisions in the following items shall come into effect as from the day specified in the said respective items.

(iii) The provisions of Article 2 (except the amendment provisions in item (i) of Article 99-11 paragraph (1) of the Radio Act) and Article 6 and Articles 8 through 12 of these supplementary provisions: Within one year, calculating from the day of promulgation, as of the day specified in

the applicable Cabinet Order.

Supplementary Provisions (Act No. 88 of June 9, 2004) (Excerpts)

Article 1(Effective Date)

This Act shall come into effect within five years, calculating from the day of promulgation, as of the day specified in the applicable Cabinet Order (hereinafter referred to as “day of enforcement”).

Article 135 (Transitional Measures Concerning Application of the Penal Provisions)

The application of the penal provisions to acts committed prior to the enforcement of this Act and the application of the penal provisions to acts committed after the enforcement of this Act in the cases where the provisions then in force shall still apply under the provisions of these supplementary provisions and where the provisions then in force shall remain in effect under the provisions of these supplementary provisions, shall still follow the provisions then in force.

Article 136 (Delegation of Other Transitional Measures to Cabinet Order)

In addition to the provisions in these supplementary provisions, other transitional measures necessary for the enforcement of this Act shall be specified in the applicable Cabinet Order.

Article 137 (Review)

When five years have elapsed from the enforcement of this Act, the government shall review settlement systems for transactions of stocks, etc. as revised by this Act by considering the state of enforcement of regulations revised by this Act and changes in socioeconomic situations, etc., and shall take necessary measures when found necessary based upon the results of the review.

Supplementary Provisions (Act No. 147 of December 1, 2004) (Excerpts)

Article 1(Effective Date)

This Act shall come into effect within six months, calculating from the day of promulgation, as of the day specified in the applicable Cabinet Order.

Supplementary Provisions (Act. 87 of July 26, 2005) (Excerpts)

This Act shall come into effect as from the day of enforcement of the Companies Act.

Supplementary Provisions (Act No. 107 of November 2, 2005) (Excerpts)

Article 1(Effective Date)

This Act shall come into effect within three months, calculating from the day of promulgation, as of the day specified in the applicable Cabinet Order. However, the provisions in the following items shall come into effect as from the day specified in the said respective items.

(i) The amendment provision of Article 103-2 paragraph (2) item (iii) of the Radio Act, the amendment provision to add one item to the preceding paragraph (2), and the provision of Article 6 of these supplementary provisions as mentioned in this Article 1: The day of promulgation.

(ii) The amendment provisions of Articles 5 and 75 of the Radio Act, and the provision of Article 2 of the Radio Act, and the provisions of Articles 5 and 8 of these supplementary provisions as mentioned in this Article 1: Within six months, calculating from the day of promulgation, as of the day specified in the applicable Cabinet Order.

Article 2 (Transitional Measures)

(1) In the case of a radio station that has been awarded a license before the day of enforcement of this Act (hereinafter referred to as “day of enforcement”) or that has been registered in accordance

with Article 27-18 paragraph (1) of the Radio Act before the amendment made in accordance with Article 1 (hereinafter referred to as “old Radio Act”), the provisions of Article 103-2 paragraphs (1), (5), (6) and (13) of the Radio Act after the amendment made in accordance with Article 1 (hereinafter referred to as “new Radio Act”) shall apply to the Spectrum User Fees for the period on and after the date specified in respective items according to the classification of radio stations mentioned in the following items, and the Spectrum User Fees for the period before the date specified in respective items shall still follow the provisions then in force.

(i) Radio station that has been awarded a license (excluding the license specified in Article 27-5 paragraph (1) of the old Radio Act (hereinafter referred to as “blanket license”); hereinafter simply referred to as “license” in Article 4 of these supplementary provisions) or has made a registration in accordance with the registration provision of Article 27-18 paragraph (1) of the old Radio Act (excluding the registration specified in Article 27-29 paragraph (1) of the old Radio Act (hereinafter referred to as “blanket registration”); hereinafter simply referred to as “registration” in Article 4 of these supplementary provisions): The first corresponding day specified in Article 103-2 paragraph (1) of the new Radio Act after the day of enforcement.

(ii) Radio station with a blanket license or a blanket registration (hereinafter “blanket license, etc.”): If the day of blanket license, etc. is October 1, 2005 or thereafter, such day of blanket license, etc., and if the day of blanket license, etc. is before October 1, 2005, the first day corresponding to such day of blanket license, etc. after such day of blanket license, etc., in 2005 or 2006 (if there is no corresponding day in 2005, March 1, 2005).

(2) If such amount of Spectrum User Fee for the period on and after the day specified in item (ii) of the preceding paragraph that has been paid in accordance with the provisions of Article 103-2 paragraph (3) or (4) of the old Radio Act exceeds the amount of Spectrum User Fee specified in the provisions of Article 103-2 paragraph (5) or (6) of the new Radio Act, the amount in excess may be used to cover the Spectrum User Fee for the wide area exclusive radio wave specified in paragraph (2) of the same article (hereafter simply referred to as “wide area exclusive radio wave” in the following article) that should be paid by such blanket licensee, etc. specified in paragraph (5) of the same article that has paid such excess money.

(3) The Spectrum User Fee for the period on and after the day specified in item (i) of paragraph (1) that has been paid in advance in accordance with the provisions of Article 103-2 paragraph (13) of the old Radio Act before the enforcement date shall be used to cover such Spectrum User Fee that should be paid annually in accordance with the provisions of Article 103-2 paragraph (1) of the new Radio Act for the period on and after the day specified in the same item for which advance payment was made, starting from the annual period that will come first.

Article 3

(1) In the case of application of the first sentence of the provisions of Article 103-2 paragraph (2) of the new Radio Act to the period from the day of enforcement to September 30, 2006 for the person who has been awarded a license for a radio station using wide area exclusive radio wave before October 1, 2005, the term in the first sentence of said provisions “for the one-year period beginning on October 1 of the year, by November 1, every year” shall be read as “for the period

from the day of enforcement of the Act to Revise a Part of the Radio Act and the Broadcast Act (Act No.107 of 2005) to September 30, 2006, within thirty days from the day of enforcement of the Act”.

(2) In the case of application of the first sentence of the provisions of Article 103-2 paragraph (2) of the new Radio Act to the period from the day of enforcement to September 30, 2006 for the person who has been awarded a license for a radio station using wide area exclusive radio wave for the first time during the period from October 2, 2005 to the day immediately before the day of enforcement, the term in the first sentence of said provisions “for the one-year period beginning on October 1 of the year, by November 1, every year” shall be read as “for the period from the day of enforcement of the Act to Revise a Part of the Radio Act and the Broadcast Act (Act No.107 of 2005) to September 30, 2006, within thirty days from the day of enforcement of the Act”, and “the amount obtained” shall be read as “the amount obtained by multiplying [an amount obtained] by [a figure obtained by dividing the number of months of the period from the day of license for the licensee, etc. to the last month of the same month by 12]”.

Article 4.

In addition to the amount to be paid in accordance with the provisions of Article 103-2 paragraph (1) of the new Radio Act, the licensee, etc., mentioned in Article 26-2 paragraph (5) of the new Radio Act, of a radio station that has been granted a license or that has made a registration before the day of enforcement (hereafter referred to as “license, etc.” in this article) (this is limited to the radio station that has been awarded a license, etc. during the period from October 1, 2005 to the day immediately before the day of enforcement, or for which the corresponding day specified in the provisions of Article 103-2 paragraph (1) of the old Radio Act has come) shall pay to the government, within 30 days from the day of enforcement, the net amount obtained by deducting the amount indicated in the lower column of the table in Article 103-2 paragraph (1) of the old Radio Act from the amount specified in the lower column of Appended Table No.6 of the new Radio Act according to the classification of radio stations indicated in the upper column of the Table (if said license, etc. has expired on or before September 30, 2006, the amount obtained by multiplying the above-mentioned net amount by a figure obtained by dividing the number of months of the period from October 1, 2005 to the day of expiration of said license, etc. by 12) for the period from the day of enforcement to the day specified in Article 2 paragraph (1) item (i) of these supplementary provisions, as a Spectrum User Fee. In this case, the provisions of Article 103-2 paragraph (14) of the new Radio Act shall apply *mutatis mutandis*.

Article 5

In a case wherein a licensee of a radio station transmitting radio communication intended to be received directly by the general public that has been already established with a license in accordance with Article 4 of the old Radio Act as of the day of enforcement of the regulations specified in Article 1 item (ii) of these supplementary provisions (except radio stations for conducting telecommunications activities specified in Article 2 item (vi) of the Telecommunications Business Act (Act No.86 of 1984), the radio stations of relay broadcasting for

eliminating receiving interference specified in Article 5 paragraph (5) of the old Radio Act, and the radio stations installed on space-based satellites) falls under a person indicated in Article 5 paragraph (4) item (iii) of the new Radio Act on the day of enforcement of the provisions of Article 1 item (ii) of these supplementary provisions, when the provisions of Article 52-8 paragraph (3) of the Broadcast Act after the revision made in accordance with the provisions of Article 2 of these supplementary provisions are applied, the term “Article 5 paragraph (4) item (iii), (a) of the Radio Act” shall be read as “Article 5 paragraph (4) item (iii), (a) of the Radio Act after the revision made in accordance with the provisions of Article 1 of the supplementary provisions to the Act to Revise a Part of the Radio Act and the Broadcast Act (Act No.107 of 2005), on and after the day of enforcement of the provisions of Article 1 item (ii) of the supplementary provisions of the same Act”, and “through an increased ratio of voting rights” shall be read as “the ratio of voting rights”.
Article 6 (Delegation to the Cabinet Order)

In addition to the provisions of articles 2 through 5 of these supplementary provisions, transitional measures necessary for the enforcement of this Act shall be specified in the applicable Cabinet Order.

Supplementary Provisions (Act No. 50 of June 2, 2006) (Excerpts)

(Effective Date)

(1) This Act shall come into effect as from the day of enforcement of the Act on General Incorporated Associations and General Incorporated Foundations.

(Adjustment Provisions)

(2) If the day of enforcement of the Act to Revise a Part of the Penal Code, etc. in Order to Respond to the Internationalization and Organization of Crimes and the Sophistication of Information Processing (Act No.--- of 2006) is after the effective date specified in the preceding paragraph, when the provisions of Appended Table No.62 of the Act for Punishment of Organized Crimes, Control of Crime Proceeds and Other Matters (Act No.136 of 1999; this Act is referred to as “Organized Crime Punishment Act” in the following paragraph) are applied during the period from the effective date specified in the preceding paragraph to the day immediately before the day of enforcement of the first Act, the term “the offense specified in Article 157 (Aggravated Breach of Trust of Directors, etc.) of the Intermediate Corporation Act (Act No.49 of 2001)” shall be read as “the offense specified in Article 334 (Aggravated Breach of Trust of Directors, etc.) of the Act on General Incorporated Associations and General Incorporated Foundations (Act No.48 of 2006)”.

(3) In addition to the case mentioned in the preceding paragraph, when the provisions of the Organized Crime Punishment Act are applied up to the day immediately before the day of enforcement of the Act to Revise a Part of the Penal Code, etc. in Order to Respond to the Internationalization and Organization of Crimes and the Sophistication of Information Processing, the term “the offense specified in Article 157 (Aggravated Breach of Trust of Directors, etc.) of the old Intermediate Corporation Act for which Article 457 stipulates that the provisions then in force shall apply” shall be read as “the offense specified in Appended Table No.62 of the Organized Crime Punishment Act”.

Supplementary Provisions (Act No. 66 of June 14, 2006)

This Act shall come into effect as from the day of enforcement of the 2006 Act to Revise the Securities and Exchange Act. However, the provisions in the following items shall come into effect as from the day specified in the said respective items.

(i) The provisions of Article 127 to revise Article 4 item (ii) of the Certified Public Accountants Act (limited to the portion to revise the term “or Article 198” to “from --- to Article 198”), the provisions of Article 128 paragraph (1), the provisions of Article 205 to revise Article 331 paragraph (1) item (iii) of the Companies Act (limited to the portion to revise the term “Article 197 paragraph (1) items (i) through (iv), or item (vii), or Article 197 paragraph (2), or Article 198 items (i) through (x), or item (xviii), or item (xix)” to “Article 197, Article 197-2 items (i) through (x), or item (xiii), or Article 198 item (viii)”), the provisions of Article 206 paragraph (1) and the provisions of Article 213 to revise Article 20 paragraph (1) of the Financial Services Agency Establishment Act (limited to the portion to change the term “inspection” to “order for inspection, report or the submission of report, questions, or the collection of opinions”): The day of enforcement of the provisions specified in Article 1 item (i) of the supplementary provisions of the 2006 Act to Revise the Securities and Exchange Act.

(ii) The provisions of Article 178 to revise Appended Table No.2-2 of the Organized Crime Punishment Act (limited to the portion to delete the term “Article 198 item (xviii) (Insider Trading) or”): The day of enforcement of the provisions specified in Article 1 item (ii) of the supplementary provisions of the 2006 Act to Revise the Securities and Exchange Act.

(iii) The provisions of Article 178 (except the portion to delete the term “Article 198 item (xviii) (Insider Trading) or” in the provisions to revise Appended Table No.2-2 of the Organized Crime Punishment Act): The day of enforcement of the Act to Revise a Part of the Penal Code, etc. in Order to Respond to the Internationalization and Organization of Crimes and the Sophistication of Information Processing, or the day of enforcement of these supplementary provisions, whichever is later.

(iv) The provisions of Article 214: The day of enforcement of the provisions specified in Article 1 item (v) of the supplementary provisions of the 2006 Act to Revise the Securities and Exchange Act.

Supplementary Provisions (Act No. 109 of December 15, 2006) (Excerpts)

This Act shall come into effect as from the day of enforcement of the New Trust Act.

Supplementary Provisions (Act No. 136 of December 28, 2007) (Excerpts)

Article 1(Effective Date)

This Act shall come into effect within one year, calculating from the day of promulgation, as of the day specified in the applicable Cabinet Order (hereinafter referred to as “day of enforcement”). However, the provisions in the following items shall come into effect as from the day specified in the said respective items.

(i) The provisions of Article 2 to revise Article 99-11 paragraph (2) of the Radio Act, the provisions of Article 3 to revise Article 29 paragraph (1) and Article 147 paragraph (1) of the Telecommunications Business Act, and the provisions of the following article and the provisions of Articles 9 through 11 of these supplementary provisions: The day of promulgation

(ii) The provisions of Article 2 to revise the table of contents of the Radio Act (limited to the portion to change “Section 2 Registration for Radio Stations (Article 27-18 through Article 27-34)” to “Section 2 Registration for Radio Stations (Article 27-18 through Article 27-34) Section 3 Mediation, etc. for the Establishment of Radio Stations” (Articles 27-35 and 27-36)), the provision to revise Article 6 paragraph (1) of the same Act by adding one item thereto, the provision to revise Article 6 paragraph (2) of the same Act by adding one item thereto, the provision to revise Article 26-2 paragraph (5) of the same Act, the provision to revise Article 27-3 paragraph (1) of the same Act by adding one item thereto, the provision to revise Article 27-18 paragraph (3) of the same Act, the provision to revise the same Act by adding one section after Chapter II Section 2, the provision to add “Article 27-35 paragraph (1) (Mediation or Arbitration by the Telecommunications Business Dispute Settlement Commission)” after “(Notification of Establishment of Radio Stations)” in Article 99-11 paragraph (1) item (i) of the same Act, the provisions of Article 3 to revise Article 144 paragraph (2) of the Telecommunications Business Act, and the provisions of Articles 8 and 16 of these supplementary provisions: Within nine months, calculating from the day of promulgation, as of the day specified in the applicable Cabinet Order.

Article 2 (Preparatory Act)

Approval specified in Article 8-3 paragraph (2) and Article 9 paragraph (9) of the Broadcast Act after the revision made in accordance with the provisions of Article 1 (hereinafter referred to as “new Broadcast Act”), consultation with the Radio Regulatory Council in accordance with the provisions of Article 53-10 of the new Broadcast Act and those of Article 99-11 of the Radio Act after the revision made in accordance with the provisions of Article 2 (hereinafter referred to as “new Radio Act”), and procedures and other acts needed for these matters may be taken or conducted even before the enforcement of this Act (in the case of the provisions mentioned in item (ii) of the preceding article, such provisions) by following the cases of the preceding provisions.

Article 3 (Transitional Measures Concerning NHK's International Broadcast Programming Operations)

In the event that Japan Broadcasting Corporation (hereinafter referred to as “NHK”) conducts NHK's international broadcast programming operations specified in Article 9 paragraph (1) item (iv) of the Broadcast Act before the revision made in accordance with the provisions of Article 1 (hereinafter referred to as “old Broadcast Act”) as of the day of enforcement of this Act, when a part of such international broadcast programming operations is NHK's international broadcast programming operations for foreign nationals overseas using television broadcasting specified in Article 9 paragraph (7) of the new Broadcast Act, the provisions of Article 9-2 paragraph (2) of the new Broadcast Act shall not apply before one year has passed since the day of enforcement.

Article 4 (Transitional Measures Concerning Corporate Accounting Principles, etc.)

(1) The provisions of Article 36-2, Article 38, Article 39 paragraph (2), Article 40 and Article 40-2 of the new Broadcast Act shall apply in and after NHK's business year that starts on and after the day of enforcement. For the NHK's business year that has started before the day of enforcement, the provisions then in force shall remain applicable.

(2) The term of office of an Auditor of NHK as of the day immediately before the day of

enforcement shall end on the day when the business report, and the inventory, the balance sheet, the profit and loss statement and the explanatory leaflet (referred to as “balance sheet, etc.” in the following paragraph) for the business year that has started before the day of enforcement are presented to the Minister for Internal Affairs and Communications.

(3) When an Auditor prepares a written opinion attached to the business report and balance sheet, etc. for the business year that has started before the day of enforcement in accordance with the provisions of paragraph (1), the provisions of Article 23 paragraph (3), Article 24, Article 26 paragraphs (4) through (9), Article 27 paragraphs (4) and (5), Article 28-2, Article 29 paragraph (1) and Article 54 of the old Broadcast Act shall remain in effect.

Article 5 (Transitional Measures Concerning Service Charges for Paid Broadcasting)

(1) As of the day of enforcement of this Act, the service charges for which approval has been already obtained in accordance with the provisions of Article 52-4 paragraph (1) of the old Broadcast Act (including the case that these provisions are applied by changing the wording thereof according to the provisions of paragraph (18) of the supplementary provisions of the old Broadcast Act (including the case wherein these provisions are applied by changing the wording thereof according to the provisions of paragraph (19) of the supplementary provisions of the old Broadcast Act); the same hereunder), or those for which a notification has already been provided in accordance with the provisions of Article 52-4 paragraph (3) of the same Act, or those specified in contract clauses for which a notification has already been provided in accordance with the provisions of Article 52-4 paragraph (7) of the same Act, shall be deemed service charges for which notification has been provided in accordance with the provisions of Article 52-4 paragraph (1) of the new Broadcast Act.

(2) An application for approval under Article 52-4 paragraph (1) of the old Broadcast Act that is already made as of the day of enforcement of this Act shall be deemed a notification provided in accordance with the provisions of Article 52-4 paragraph (1) of the new Broadcast Act.

Article 6 (Transitional Measures Concerning Notification of Paid Broadcasting Management Operations)

A person who is already engaged in paid broadcasting management operations as of the day of enforcement of this Act may continue to be engaged in the operations without providing notification under Article 52-6-2 paragraph (1) of the new Broadcast Act (including the case wherein application *mutatis mutandis* is made under Article 15 of the Act Concerning Broadcast on Telecommunications Services after the revision made in accordance with the provisions of Article 4) until three months after the day of enforcement.

Article 7 (Transitional Measures Concerning Exceptions to Broadcasting Made by a Space-based Satellite Radio Station)

The approval that is deemed to have been obtained in accordance with the provisions of paragraph (20) of the supplementary provisions of the old Radio Act as of the day of enforcement of this Act shall remain in effect.

Article 8 (Transitional Measures Concerning Application for License, etc. for Radio Station)

In the event that a person has made an application for a license under Article 6 paragraph (1) of

the Radio Act before the revision made in accordance with the provisions of Article 2, or an application for a license under Article 6 paragraph (2) of the same Act, or an application for a license under Article 27-3 paragraph (1) of the same Act, or an application for registration under Article 27-18 paragraph (2) of the same Act, or an application for registration under Article 27-29 paragraph (2) of the same Act, before the day of enforcement of the provisions specified in Article 1 item (ii) of these supplementary provisions, the documents to be attached to the applications made by these persons shall still follow the provisions then in force.

Article 9 (Validity of Actions, etc.)

If actions, procedures or other acts have been made or have to be made in accordance with the provisions of respective Acts before revision before the day of enforcement of this Act (in the case of provisions made in each item of Article 1 of these supplementary provisions, such respective provisions), and respective Acts after revision have equivalent provisions, the above-mentioned actions, procedures or other acts shall be deemed to have been made or to have to be made in accordance with the equivalent provisions of the respective Acts after revision.

Article 10 (Transitional Measures Concerning Application of Penal Provisions)

With regard to the application of penal provisions to acts committed prior to the enforcement of this Act (in the case of provisions made in each item of Article 1 of these supplementary provisions, such respective provisions), the provisions then in force shall remain applicable.

Article 11 (Delegation of Other Transitional Measures to Cabinet Order)

In addition to those specified in these supplementary provisions, transitional measures (including those related to penal provisions) needed as a result of the enforcement of this Act (in the case of provisions made in each item of Article 1 of these supplementary provisions, such respective provisions) shall be specified in the applicable Cabinet Order.

Article 12 (Review)

(1) When five years have elapsed from the enforcement of this Act, the government shall review systems pertaining to NHK's international broadcast programming operations specified in Article 9 paragraph (1) item (v) of the new Broadcast Act, paid broadcasting specified in Article 52-4 paragraph (1) of the same Act, paid broadcasting management operations specified in Article 52-6-2 paragraph (1) of the same Act, succession to the status of a program-supplying broadcaster specified in Article 52-18 paragraph (2) of the same Act, and certified broadcast holding company specified in Article 52-31 of the same Act, by considering the state of enforcement of the new Broadcast Act and changes in socioeconomic situations, etc. and shall take necessary measures when found necessary based upon the results of the said review.

(2) When five years have elapsed from the enforcement of this Act, the government shall review the state of enforcement of the provisions of Articles 70-7, 70-9 and 80 of the new Radio Act from the viewpoint of supervision and management of radio waves and shall take necessary measures when found necessary based upon the results of the said review.

Supplementary Provisions (Act No. 50 of May 30, 2008) (Excerpts)

Article 1 (Effective Date)

This Act shall come into effect within nine months, calculating from the day of promulgation, as

of the day specified in the applicable Cabinet Order.