

(Released on June 30, 2003)

Summary of Meeting of the Radio Regulatory Council (No. 873)

1. Date and Time

June 11, 2003 (Wednesday)

16:00 to 17:38

2. Location

Meeting Room of MIC (Ministry of Internal Affairs and Communications)

(Meeting Room No. 1001 on the 10th floor)

3. Attendees (Honorifics omitted)

(1) Members of the Radio Regulatory Council

Yasuhiko Yasuda (Chairperson), Takeo Inokuchi (Vice-Chairperson), Junichi Hamada, Kashiko Kodate

(2) Hearing Examiner of the Radio Regulatory Council

Kaoru Suzuki

(3) Secretary

Masao Okamoto (Deputy Director of the General Affairs Division, Telecommunications Bureau)

(4) MIC (Ministry of Internal Affairs and Communications)

Takahara (Director-General of the Information and Communications Policy Bureau),

Fujioka (Deputy Director-General), and others

4. Minutes of the Meeting

(1) Request for examination pertaining to a filing by Japan DX Association

(Attached June 12, 2002 agenda No. 1)

Continued deliberation was carried out six times within the past year regarding a request filed by Japan DX Association (Represented by Nobuyasu Itoh), for examination to nullify a decision pertaining to an application for amateur radio station

change. The council deemed the Minister of Internal Affairs and Communications decision for rejection appropriate, and concluded to reject the request for examination.

The Chairman pointed out, “the MIC’s attitude was unhelpful in a way, since the reason for rejection was not such that the applicant can understand how the application should be rewritten to apply again in the future.” The Chairman also requested that the government make efforts to consider the convenience of the applicant further when deciding to reject respective applications. The MIC replied that serious efforts would be made to consider applicant convenience further.

(2) Draft MIC ordinance to amend Rules for Radio Operators

(Consultation No. 13 of April 16, 2003)

This consultation was on the MIC ordinance draft described in the title. The draft pertains to clarification of leaving the government no discretion in granting accreditation for the Radio Operator Training Course, Designated Course for Radio Operators, and training for Ship Radio Operator Attestation. The council deliberated the case based on the written opinions and written statements submitted by the hearing examiner who presided over the opinion hearing procedure (cf. No. 382: Written Opinion from Hearing on Opinions from the Radio Regulatory Council). The council deemed the issue appropriate, and submitted a report.

(3) Draft MIC ordinance to amend respective portions of Regulations for Enforcement of the Radio Law, Regulations for Radio Equipment, and Ordinance Concerning Technical Regulations Conformity Certification, etc. of Specified Radio Equipment

(Consultation No. 21)

As this case is related to Consultation No. 22, the MIC explained the case together with Consultation No. 22, and a Q&A session took place.

(4) Draft for partial amendment of the Frequency Assignment Plan

(Consultation No. 22)

As this case is related to Consultation No. 21, the MIC explained the case together with Consultation No. 21, as presented below, and a Q&A session took place.

Since the Radio Law stipulates the hearing of opinions in regard to Consultation No. 21, and since it was deemed appropriate to hear opinions on Consultation No. 22 together with Consultation No. 21, the hearings were held on the same occasion. Kaoru Suzuki was designated as the hearing examiner to preside over the opinion hearing procedure.

a. Explanation by MIC

Currently, the airport radio telephony system using the analog MCA method is utilized as a communication means related to aerial transportation service, such as aircraft maintenance and passenger guidance within the airport. However, there is a growing demand for the introduction of a digital airport radio telecommunication system that enables data image transmission and security level improvement. In response to the April 21 report from the Information and Communications Council this year, regulations related to technical standards shall be prepared.

Concretely, technical requirements for four-channel radio communication in the 400 MHz band at a speed of 32 kbps or more and based on the TDMA method shall be prepared. Together with this, related regulations that will enable a blanket license for the said radio equipment shall be prepared. The date of enforcement shall be the promulgation date.

Moreover, part of the Frequency Assignment Plan shall be changed. To enable frequency assignment, “Commercial Telecommunications Service (Digital Airport Radio Communications)” shall be added to the 415.5-417.5 MHz and the 460-462 MHz bands. Accordingly, the existing conditions for frequency use by fixed multiplex systems designated to end by November 30, 2002 shall be deleted in line with the completed transition of the fixed multiplex systems.

b. Main content of the Q&A session

- The council asked if 32kbps or more is the transmission speed of one carrier, and what “or more” means. The MIC answered that 32kbps was decided because 8kbps is being considered as one audio channel – the system will be four-channel. The reason for tolerating 32kbps “or more” is to leave flexibility for the service providers to use the extra bits for error correction or control.

(5) Draft MIC ordinance to amend part of Regulations for Procedure for Obtaining a Radio Station License

(Consultation No. 16)

This consultation was on the MIC ordinance draft to amend part of Regulations for Procedure for Obtaining a Radio Station License. The MIC gave the below explanation.

Since the Radio Law stipulates the hearing of opinions for this consultation, Kaoru Suzuki was designated as the hearing examiner to preside over the opinion hearing procedure.

- Explanation by MIC

Along with the enforcement of the total amendment of the Rule of the University of the Air in December of last year, the University of the Air will change from a government-affiliated corporation to a school juridical organization stipulated by the Private University Law from October 1 of this year. Accordingly, the required regulations regarding the license procedure for the broadcast station of the said school shall be prepared.

In concrete terms, some statements that were unnecessary in the past shall become necessary. When applying for a broadcast station license, a statement on estimated business income and expenditure will become necessary; and upon applying for re-licensing, statements on estimated business income and expenditure and on the actual assets, debts & balances will become necessary. Moreover, statement on estimated business income and expenditure will also be necessary upon applying or reporting changes in construction design, etc. Statements on funds necessary to start business, by use, and procurement method for the funds will become necessary. The said ordinance pertaining to the amendment is planned to be enforced from October 1, 2003.

(6) Approval for paid broadcasting contract pertaining to MEGAPORT CO., LTD

(Consultation No. 24)

This consultation was regarding approval for a paid broadcasting contract pertaining to MEGAPORT CO., LTD. The MIC gave the below explanation, and a Q&A session took place. After deliberation, the council reported the issue to be appropriate.

a. Explanation by MIC

MEGAPORT CO., LTD. provides free data broadcasting by BS broadcasting, and paid data broadcasting by CS broadcasting from 110 degrees. MEGAPORT CO., LTD. applied for approval for a paid broadcasting contract to start providing golf games as paid broadcasting by BS data broadcasting.

Concretely, the provision of contracted service (e.g. contract unit, requirement for establishment, valid term, obligation to provide paid broadcasting service, measures to take in case of failure or maintenance), fee payment, payment method, conditions for service rendering such as contract discharge and protection of subscribers' personal information are stipulated.

The examination concluded to permit the application since the conditions comply with Article 52-4 of the Broadcast Law and examination standards related to the Broadcast Law.

b. Main content of the Q&A session

- The council asked if there is a large demand for the games, or if paid broadcasting is going to be introduced for the time being. The MIC explained that this judgment was made at the broadcaster's discretion. Nevertheless, the MIC replied that it assumes that this application for paid broadcasting was made as a means to assure profits.
- The council asked if this is the first paid broadcasting by BS. The MIC answered that although this is the third application for paid broadcasting by BS, after WOWWOW INC. and STAR CHANNEL INC., it is the first paid data broadcasting.

(The Radio Regulatory Council Secretariat is responsible for the wording of this document)