

2nd Study Group Meeting on the Comprehensive Law System
for Communication and Broadcasting
Summary of Minutes

- 1 Date and time: September 28 (Thurs), 2006 18:00 to 19:40
- 2 Location: Special Conference Room No.1, 8F Ministry of Internal Affairs and Communications
- 3 Attendees: Horibe (Chairman), Murai (Acting Chairman), Ando, Tagaya, Nakamura, Funada, Murakami
Aritomi (Vice-Minister for Policy Coordination), Mori (Director-General of the Telecommunications Bureau), Terasaki (Director-General for Policy Planning), Nakada (Acting Director-General of Minister's Secretariat), Sakamoto (Director of the General Policy Division), Sato (Director of the Information Policy Division), Naito (Chief of the Communication and Broadcasting Legislation Planning Office)

4 Summary of proceedings

The Secretariat explained “Future perspective of the information and communication industry” (Document 2) and “Legislation for communication and broadcasting” (Document 3) followed by questions and answers. Below are the major opinions of members in the questions and answers.

(1) Future perspective of the information and communication industry

- As “masterpieces” may not be easily created while the number of contents increases, the industry will rather take the direction toward providing everyone with the benefit of watching movies and dramas whenever he/she desires.
- It must be noted that a huge amount of contents contributed by individuals have been accumulated in a short period of time, but at the same time it must also be noted that quality contents do not appear so frequently.
- CGM and Web 2.0 can be called “media,” having characteristics unique in digital objects of being a platform, services, and contents at the same time, and therefore has good future prospects. We must pay attention to how it should be placed from a legal viewpoint.
- Japan has been working on environmental improvements to utilize animation contents not only for entertainment but also in medical care and education. I am afraid the reliability of animation contents may be impaired if illegal animation contents become popular in the net space.
- Children with the talent to create contents are now growing and we are responsible for showing them high-quality work. In that sense, it seems important to enhance the qualities of television programs and movies, which are the “key media,” and create sound markets as a playground for talented young people.

(2) Legislation for communication and broadcasting

a. Legal structure for radio frequencies

- There are many restrictions on radio due to the limitations on frequencies. In order to develop integrated services for communications and broadcasting—including radio—it is necessary to review the legal structure for radio broadcasting and make appropriate revisions. We should discuss this in this Study Group.
- Radio has inherent restrictions because it involves the sharing of limited frequencies and thus it takes time for the process from the technical verification and development of standards to the launching of a new service. Since technologies and needs develop rapidly, the flexible use of radio waves must be studied, including speeding up procedures and admitting of trial services.
- Problems such as interference are increasing as more people are using the public radio frequencies. I am afraid that the legal support for coordination to resolve issues is becoming insufficient.
- I think that we should hold discussions based on international trends when considering the legal system for radio broadcasting.
- So far, the Radio Law has not been studied much, but I suggest that we review the Radio Law since the law has some vital aspects for studying amalgamation issues.
- When thinking of the entire legal system for radio waves, we must take into consideration not only requirements on the suppliers side, but also the styles and intentions for using radio waves on the part of users that will come out anew.
- It seems that a review needs to be undertaken concerning those in between the license system and systems such as feeble radio wave and radio LANs that do not require licenses.
- The Chairman made the following request: “I would like to ask Member Tagaya and Member Ando to make adjustments and consideration of the legislation for radio frequencies.” This was approved.

b. Draft EU and audiovisual media service directive

- Is the video on demand service on the Internet included in the non-linear service? (The Secretariat answered that it is included.)
- Is identification of service providers requested up to the ISP level or the content producer level? What did the existing net community answer to this? (It was determined that the Secretariat would answer the question after making an investigation.)
- What is the relationship between the discipline of the linear service and that of the existing television broadcasting? (The secretariat answered that they were almost at the same level as that of the current “Television Without Frontiers Directive.”)

(3) Others

- Based on the opinions from the members of the previous meeting and the current meeting, it was determined that discussions be further deepened toward future summarization of discussed points.
- The future schedule was explained by the Secretariat and was approved.

(4) Next meeting

- The next meeting will be held from 18:00 on October 27th (Fri). The agenda will be “Hearing on the amalgamation of and cooperation between communication and broadcasting (the market phase).”

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