

To All Notification-filing Telecommunications Businesses:

Thank you for your understanding and cooperation with our telecommunications policy.

We are sending information necessary for the operation of telecommunications businesses that telecommunications operators should be aware of. For documents relevant only to specific operators, please check the target operators indicated above the title.

If you have any questions or inquiries about the documents, please feel free to contact the inquiry contact listed in each document. If you have any questions or concerns about the notification procedures, please contact the Regional Bureau of Telecommunications in your area of jurisdiction listed on the next page.

<Table of Contents>

1. Discipline for Appropriate Handling of Specific User Information	3
2. External Transmission Disciplines.....	3
3. Notifications and Reports Required under the Broadband Universal Service System.....	4
4. Prior Notification for Inward Direct Investment, etc.....	6
5. Procedures Required for Notification-Filing Telecommunications Carriers	7
6. Reports Required from Telecommunications Carriers	10
7. Telecommunications Accident Reporting System	11
8. Initiatives for Consumer Protection	14
9. Guidelines for Personal Information Protection in Telecommunications Business and Pertinent Information.....	15
10. Guidelines for Invoking Business Improvement Orders against Problems in Ensuring the Secrecy of Communications.....	16
11. Reference Document on How to Obtain Consent.....	16
12. Start of MNP One-Stop and Compliance Matters	17
13. Approval for the Telecommunications Numbers Usage Plan.....	18
14. Rules for Providing Telephone Numbers and Call Forwarding Services.....	19
15. Guidelines on Anti-Money Laundering and Combating the Financing of Terrorism	20
16. Regulations Applicable to Call Forwarding	21
17. Regarding verification, etc., under the Act on Prevention of Transfer of Criminal Proceeds	23
18. Verification of Identity under the Law Preventing Illegal Use of Mobile Phones	25
19. Safe and Secure Internet Use by Young People	27
20. Notification Obligations of Sales Agents	29
21. Introduction of the Telecommunications Dispute Settlement Commission.....	30

<Inquiries Regarding Registration Procedures>

Regional Bureaus of Telecommunications	Contact (Phone)	Jurisdiction
Hokkaido Regional Bureau of Telecommunications (Telecommunications Business Department)	011-709-2311 (Extension 4705)	Hokkaido
Tohoku Regional Bureau of Telecommunications (Telecommunications Business Department)	022-221-0630	Aomori, Iwate, Miyagi, Akita, Yamagata, and Fukushima
Kanto Regional Bureau of Telecommunications (Telecommunications Business Department)	03-6238-1675	Ibaraki, Tochigi, Gunma, Saitama, Chiba, Tokyo, Kanagawa, and Yamanashi
Shinetsu Regional Bureau of Telecommunications (Telecommunications Business Department)	026-234-9948	Niigata and Nagano
Hokuriku Regional Bureau of Telecommunications (Telecommunications Business Department)	076-233-4422	Toyama, Ishikawa, and Fukui
Tokai Regional Bureau of Telecommunications (Telecommunications Business Department)	052-971-9403	Gifu, Shizuoka, Aichi, and Mie
Kinki Regional Bureau of Telecommunications (Telecommunications Business Department)	06-6942-8518	Shiga, Kyoto, Osaka, Hyogo, Nara, and Wakayama
Chugoku Regional Bureau of Telecommunications (Telecommunications Business Department)	082-222-3378	Tottori, Shimane, Okayama, Hiroshima, and Yamaguchi
Shikoku Regional Bureau of Telecommunications (Telecommunications Business Department)	089-936-5042	Tokushima, Kagawa, Ehime, and Kochi
Kyushu Regional Bureau of Telecommunications (Telecommunications Business Department)	096-326-7824	Fukuoka, Saga, Nagasaki, Kumamoto, Oita, Miyazaki, and Kagoshima
Okinawa Office of Telecommunications (Information and Communications Division)	098-865-2302	Okinawa

Also, please refer to the guide for entry and change procedures in the telecommunications business.

https://www.soumu.go.jp/menu_seisaku/ictseisaku/denkitsushin_suishin/tetsuzuki/index.html



1. Discipline for Appropriate Handling of Specific User Information

It is necessary to promote the proper handling of user-related information, focusing on telecommunications carriers that acquire and manage a large amount of information while aligning with regulations in other countries. Accordingly, disciplines regarding the proper handling of specific user information, including the establishment and notification of regulations for handling information, have been introduced by the Act on Partial Amendments to the Telecommunications Business Act (Act No. 70 of 2022) and they came into effect on June 16, 2023.

Telecommunications carriers designated as providers of telecommunications services with a significant impact on the interests of users are required to take the following actions:

- (1) Establishment and notification of regulations for handling information
- (2) Establishment and publication of information handling policies
- (3) Evaluation of the handling status of specific user information
- (4) Appointment and notification of a general manager of specified user information
- (5) Reporting in the event of a leakage of specific user information

For the contents of specific disciplines, refer to the following Ministry of Internal Affairs and Communications (MIC) website.

- **Regarding the discipline for the appropriate handling of specific user information**

https://www.soumu.go.jp/main_sosiki/joho_tsusin/tokuteiriyoujoho/index.html



- **Guidelines for Protection of Personal Information in Telecommunications Business**

https://www.soumu.go.jp/main_sosiki/joho_tsusin/d_syohi/telecom_perinfo_guideline_intro.html



2. External Transmission Disciplines

When using websites or apps, if the user's information is transmitted to a third party without the user's consent, it is necessary to ensure that the user can check this themselves. Therefore, disciplines mandating notifications, etc., for external transmissions have been newly introduced by the Act on Partial Amendments to the Telecommunications Business Act (Act No. 70 of 2022) and came into effect on June 16, 2023.

“Telecommunications carriers providing telecommunications services with no insignificant impact on the interests of users” or operators of item (iii) businesses (website operators, application providers, etc.) must notify and publish (make easily accessible) the content of user information to be transmitted when sending programs that direct external transmission to the user's device.

For the contents of specific disciplines, refer to the MIC website or Chapter 7 of the Commentary for Guidelines for Protection of Personal Information in Telecommunications Business (Handling of User-Related Information Concerning External Transmission (Related to Chapter 5)).

- **External transmission disciplines**

https://www.soumu.go.jp/main_sosiki/joho_tsusin/d_syohi/gaibusoushin_kiritsu.html



- **Guidelines for Protection of Personal Information in Telecommunications Business**

https://www.soumu.go.jp/main_sosiki/joho_tsusin/d_syohi/telecom_perinfo_guideline_intro.html



3. Notifications and Reports Required under the Broadband Universal Service System

(1) Overview of the broadband universal service system

The Telecommunications Business Act, revised in 2022 (hereafter referred to as “the Act”) and pertinent regulations, have newly designated FTTH, CATV (on HFC),^{(*)1} and dedicated wireless fixed broadband services^{(*)2} as universal services. As a result, the **Broadband Universal Service System** (hereafter referred to as “BB Universal System”) was established and began operation on June 16 of this year. The system includes (i) regulations for providers of broadband services and (ii) grants to partially compensate for the maintenance costs of broadband services provided in unprofitable areas. **(Details on (i) operator regulations introduced with the creation of the BB Universal System will be discussed later in section (ii).)**

Operators eligible for grant support under item (2) are **those providing broadband universal services** (referring to FTTH, CATV (on HFC), and dedicated wireless fixed broadband services) **in unprofitable areas designated by the Minister for Internal Affairs and Communications** using access line facilities they have installed themselves (excluding operators providing the service solely through leased access line facilities under IRU contracts).

Furthermore, this grant system is a private mutual aid system where operators contribute payments to each other. **For operators whose telecommunications business revenue exceeded one billion yen in the previous fiscal year and who provide broadband services** (excluding services for IoT), **contributions will be collected by the support organization**.^{(*)3}

However, operators providing broadband universal services solely through wholesale telecommunications services will not be subject to contributions collected by the support organization.

Details of the above grant system, etc., are currently under consideration by the Information and Communications Council,^{(*)4} an advisory body to the Minister for Internal Affairs and Communications, and **updates will be provided as discussions progress**.

For the history of considerations regarding the BB Universal System, refer to relevant references, including the report by the Information and Communications Council, **“Ideal State of the Basic Telecommunications Service System Relating to Broadband Services, etc.”** (February 7, 2023).^{(*)5}

(2) Overview of notifications and reports

With the establishment of the BB Universal System, **operators providing broadband universal services are subject to regulations such as (i) the obligation to notify and display contract terms** (Article 19, Paragraph 1, and Article 23, Paragraph 1 of the Act), **(ii) the obligation to maintain compliance with technical standards for telecommunications line facilities used to provide such services** (Article 41, Paragraph 1 of the Act), and **(iii) the obligation to report annually on the scale and other aspects of telecommunications line facilities by town and district** (Article 14-5, Paragraph 1 of the Regulations for Enforcement of the Telecommunications Business Act). For an overview of these regulations, see below.

(i) Notification and posting obligations for contract terms

Eligible entities: Operators with more than 300,000 contracts for broadband universal services (including those providing broadband universal services using wholesale telecommunications services) or recipients of grant support.

Notification and posting content: Contract terms related to broadband universal services.

Deadline for notification and posting: Notification of contract terms must be provided and they must be posted by the end of the quarter following the quarter in which the total number of contracts exceeds 300,000. Operators whose total number of contracts exceeded 300,000 as of June 16, 2023, must notify and post by December 15 of the same year.

(ii) Obligation to maintain compliance with technical standards for telecommunications line facilities

Eligible entities: Operators providing broadband universal services using installed access line facilities or connection methods.

Notification content: Documentation required for providing data transmission services and compliance with international standards regarding nominal speed.

Deadline for notification: Notification must be made by the start date of using the facilities. In case of changes, notification must be made without delay. Operators using the facilities as of June 16, 2023, must notify by December 15 of the same year.

(iii) Annual reporting on the status of telecommunications line facilities by town and district at the end of each fiscal year

Eligible entities: Operators providing broadband universal services using access line facilities they have installed.

Reporting content: Whether the ratio of households that can be provided with broadband universal services by town and district ⁽⁶⁾ exceeds 50%, whether a year has passed since the ratio exceeded 50%, and whether the owner of all or part of the access line facilities installed by themselves in each town and district is a local public entity.

Reporting deadline: End of June each year

*1: Hybrid Fiber Coaxial: A system where the trunk line is provided through optical fiber and the lead-in line through a coaxial cable.

*2: Provided using dedicated wireless lines for fixed communication services (e.g., regional BWA or local 5G)

*3: An institution that performs support services related to this grant system, etc. The Telecommunications Carriers Association is designated as the support institution.

*4: Planned to be discussed at entities, including the Universal Service Policy Subcommittee under the Telecommunications Business Policy Committee of the Information and Communications Council.

*5: https://www.soumu.go.jp/menu_news/s-news/01kiban02_02000473.html

*6: The keycode used in the national census

*7: The ratio of households calculated by the right formula



(Using access line facilities they have installed)

$$\frac{\text{The number of households that can be provided with broadband universal services.}}{\text{The total number of households in the town or district}}$$

Contact information

(For general inquiries about the system): Infrastructure Promotion Division,
Telecommunications Business Department, Telecommunications Bureau, MIC
Phone: 03-5253-5817 Email: broadband2020-jimu@ml.soumu.go.jp

(Regarding the obligation to maintain compliance with technical standards):
Telecommunication Systems Division
Phone: 03-5253-5862 Email: kikaku_tyousei@ml.soumu.go.jp

4. Prior Notification for Inward Direct Investment, etc.

When foreign investors engage in certain investments in Japanese companies that are notification-filing telecommunications businesses, such as acquiring shares or appointing officers from foreign corporations, they must submit a prior notification in accordance with the provisions of the Foreign Exchange and Foreign Trade Act (FEFTA). Japanese companies filing a notification based on Telecommunications Businesses Act are encouraged to inform foreign investors that procedures based on the FEFTA are required, when receiving contributions, etc., from them.

Examples of when prior notification is required

- When foreign investors (1) (individuals who are non-residents, foreign companies, or domestic companies receiving more than 50% of their investment from these entities) acquire one or more shares (3) (including fractional shares) in a Japanese company that is a **telecommunications carrier** (2) filing a notification.
- When a foreign investor agrees at a shareholders' meeting to appoint a person (3) related to a foreign corporation as an officer in a Japanese company that is a **telecommunications carrier** (2) filing a notification.

(Note) A telecommunications carrier that has submitted a notification under Article 16 of the Telecommunications Business Act corresponds to a company engaged in industries requiring prior notification.



Contact Information

Foreign Investment Policy and Review Office, Research Division, International Bureau, Ministry of Finance

Phone: 03-3581-4111 (Extension 2887) Email: monitoring-fipro@mof.go.jp

Foreign Exchange Law Procedures Group, Balance of Payments Division, International Department, Bank of Japan

Phone: 03-3277-2107

5. Procedures Required for Notification-Filing Telecommunications Carriers

(1) Changes in notification items, etc.

Notification-filing telecommunications carriers are obliged to submit change notifications based on the Telecommunications Business Act, mainly in the following cases, so they have to respond appropriately.

- **When there are changes in the name (in the case of a corporation, the corporate name and representative's name), address, telephone number, or email address** (Article 16, Paragraph 2 of the Act).
- **When a foreign corporation changes its domestic representative, etc., or when there are changes in the domestic representative's name (in the case of a corporation, the corporate name and representative's name), address, telephone number, or email address** (Article 16, Paragraph 2 of the Act)
- **When intending to change the business area or overview of telecommunications facilities (when installing business telecommunications facilities)** (Article 16, Paragraph 3 of the Act)
- **When changing the telecommunications services provided** (Article 166, Paragraph 1 of the Act and Article 10, Paragraph 1 of the Regulations for Enforcement of the Telecommunications Business Act)
- **When there is a transfer of the entire telecommunications business or in cases of mergers, splits, or inheritance regarding telecommunications carriers (notification by the successor of the telecommunications carrier's position)** (Article 17, Paragraph 2 of the Act)
- **When suspending or abolishing the entire (or part of the) telecommunications business** (Article 18, Paragraph 1 of the Act)
- **When a corporation dissolves for reasons other than a merger** (Article 18, Paragraph 2 of the Act)

For details, check the following URL.

Guidance on Procedures for Entry and Changes in Telecommunications Business

https://www.soumu.go.jp/menu_seisaku/ictseisaku/denkitsushin_suishin/tetsuzuki/index.html



<Inquiries Regarding Registration Procedures>

Regional Bureaus of Telecommunications	Contact (Phone)	Jurisdiction
Hokkaido Regional Bureau of Telecommunications (Telecommunications Business Department)	011-709-2311 (Extension 4705)	Hokkaido
Tohoku Regional Bureau of Telecommunications (Telecommunications Business Department)	022-221-0630	Aomori, Iwate, Miyagi, Akita, Yamagata, and Fukushima
Kanto Regional Bureau of Telecommunications (Telecommunications Business Department)	03-6238-1675	Ibaraki, Tochigi, Gunma, Saitama, Chiba, Tokyo, Kanagawa, and Yamanashi
Shinetsu Regional Bureau of Telecommunications (Telecommunications Business Department)	026-234-9948	Niigata and Nagano
Hokuriku Regional Bureau of Telecommunications (Telecommunications Business Department)	076-233-4422	Toyama, Ishikawa, and Fukui
Tokai Regional Bureau of Telecommunications (Telecommunications Business Department)	052-971-9403	Gifu, Shizuoka, Aichi, and Mie
Kinki Regional Bureau of Telecommunications (Telecommunications Business Department)	06-6942-8518	Shiga, Kyoto, Osaka, Hyogo, Nara, and Wakayama
Chugoku Regional Bureau of Telecommunications (Telecommunications Business Department)	082-222-3378	Tottori, Shimane, Okayama, Hiroshima, and Yamaguchi
Shikoku Regional Bureau of Telecommunications (Telecommunications Business Department)	089-936-5042	Tokushima, Kagawa, Ehime, and Kochi
Kyushu Regional Bureau of Telecommunications (Telecommunications Business Department)	096-326-7824	Fukuoka, Saga, Nagasaki, Kumamoto, Oita, Miyazaki, and Kagoshima
Okinawa Office of Telecommunications (Information and Communications Division)	098-865-2302	Okinawa

(2) Making the suspension and discontinuation of telecommunications operations widely known and notification

When intending to suspend or discontinue a business, in addition to the procedures for the suspension or discontinuation of telecommunications business, **it is necessary to inform users in advance about the intention to suspend or discontinue.**

Furthermore, **for the suspension or discontinuation of telecommunications services that significantly affect users' interests**, it is necessary to submit a notification to MIC regarding notification for users in advance.

For details, refer to “(3) Obligation of User Awareness Regarding the Suspension or Discontinuation of Telecommunications Services” and respond appropriately.

(3) Obligation to make the suspension and discontinuation of telecommunications operations widely known

When intending to suspend or discontinue all or part of telecommunications services, it is necessary to inform users at least 30 days before the suspension or discontinuation date (however, this does not apply if the effect on users' interests is relatively small).

Additionally, for telecommunications services that significantly affect users' interests, i.e., 1) Basic telecommunications services, 2) Designated telecommunications services, 3) Services with a contract number exceeding one million as of the end of the fiscal year prior to the year to which the start date of notification belongs, and that are paid services (if providing wholesale telecommunication services, the number of contracts of the wholesale recipients is included in their contract count), it is necessary to submit a notification to the Minister for Internal Affairs and Communications at least 30 days before the start date of notification and inform users at least one year before the suspension or discontinuation date.

For specific details of the system, refer to “Guidelines on Consumer Protection Rules Stipulated by the Telecommunications Business Act, Chapter 8 (Notification, etc., Regarding Suspension or Discontinuation of Telecommunications Services).”

- Within the “Consumer Protection Rules” page of the “Telecommunications Consumer Information Corner”

https://www.soumu.go.jp/main_sosiki/joho_tsusin/d_syohi/shohi.htm



Contact information: Consumer Contract Fairness Promotion Office,
Telecommunications Bureau, MIC
Phone: 03-5253-5488 Email: zigyouhou-cppc@soumu.go.jp

6. Reports Required from Telecommunications Carriers

MIC requests reports from telecommunications carriers based on the Telecommunications Business Report Regulations as follows: The main reporting subjects are items (1) to (3) below.

All reporting subjects, report formats, and email addresses for reporting are posted on the following URL. Check the files for report formats posted on the URL for explanations, etc.

Regarding Telecommunications Business Report Regulations

http://www.soumu.go.jp/joho_tsusin/eidsystem/houkoku_kisoku.html



(1) Reporting on contract numbers and other situations

Telecommunications carriers providing landline telephone, mobile telephone, broadband services, etc., and falling under the reporting requirements, are obliged to report the number of contracts for the relevant services to the Minister for Internal Affairs and Communications in accordance with Article 2 of the Rules for Reporting on Telecommunications Business.

Reporting destination: Since it varies on a form-by-form basis, check the following URL.

https://www.soumu.go.jp/main_content/000919717.pdf



(2) Reports for consumer protection

Telecommunications carriers that handle the covered services outlined in the bold frame in the following table are required to report items 1) to 3) to the Minister for Internal Affairs and Communications in accordance with Article 4-10 of the Rules for Reporting on Telecommunications Business.

	Target services	Report items		Reporting period	Format
		Matters related to the services	Matters related to the target entity		
(1)	Services subject to the duty of explanation among those with over 10,000 or more subscribers for each type of service	<ul style="list-style-type: none"> ▶ Service name *The unique name displayed to users ▶ Website address of the service 	Name Corporate number Telephone number Email address	End of each quarter Within one month (Example: The situation as of the end of September 2020 must be reported by the end of October 2020)	Article 23, Paragraph 13
(2)	Services subject to initial contract cancellation among those with 10,000 or more subscribers for each type of service	<ul style="list-style-type: none"> ▶ Number of contracts concluded and canceled under the initial contract cancellation system ▶ Number of contracts concluded, requests received, and cancellations under the verification measures *Target contracts refer to new contracts 		End of each quarter Within two months (Example: The situation from July to September 2020 must be reported by the end of November 2020)	Article 23, Paragraph 14 Table 1 or Table 2
(3)		<ul style="list-style-type: none"> ▶ Name, notification number, corporate number, contact information (phone number, etc.), layer number, and whether involved in customer-facing operations of the intermediary service contractor. ▶ For any unknown part, write "unknown" and explain the reason. 		At the end of each fiscal year Within two months* (Example: The situation at the end of fiscal year 2020 needs to be reported by the end of May 2021)	Article 23, Paragraph 15

Reporting destination: Personnel in charge of Reporting Rules, Consumer Contract Fairness Promotion Office, Telecommunications Bureau
Email: zigyouhou-cppc@ml.soumu.go.jp

(3) Reports on telecommunications accidents

In the event of a telecommunications accident, it is necessary to report the situation to the Minister for Internal Affairs and Communications.

In case of a serious accident: Report the situation promptly + submit a detailed report within 30 days using the specified form.

In cases where a situation is deemed likely to lead to a serious accident:

Promptly report the situation + submit a detailed report within 30 days using the specified form.

For accidents other than the above: Report quarterly, within two months after the end of each quarter.

For details, please refer to “7. Telecommunications Accident Reporting System.”

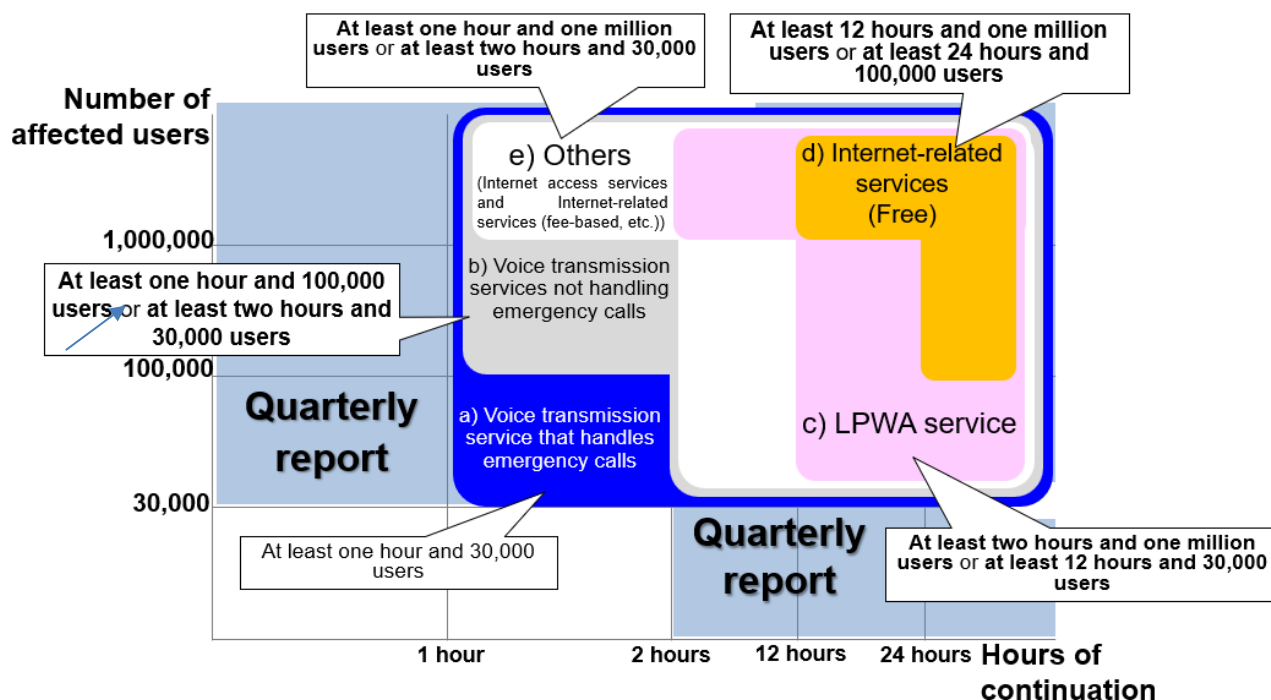
7. Telecommunications Accident Reporting System

Reporting to MIC is required in the following cases.

In cases where the provision of telecommunications services is halted or the quality is degraded due to a malfunction of telecommunications facilities, it is necessary to promptly **report it as a serious accident** to MIC (including the headquarters and the Regional Bureau of Telecommunications, etc., the same applies hereafter) 1) if it meets the criteria for any of the five service categories (a to e) listed in the diagram below. Furthermore, 2) it is necessary to report to MIC in situations deemed likely to lead to a serious accident affecting many users due to potential issues with business telecommunications facilities.

Additionally, 3) if an accident caused by a failure of telecommunications facilities disrupts the provision of telecommunications services, affecting more than 30,000 users or lasting more than two hours, a quarterly report must be submitted. Similarly, accidents that disrupt the provision of telecommunications services due to failures of facilities other than telecommunications facilities, affecting more than 30,000 users or lasting more than two hours, also require the submission of a quarterly report.

Even for incidents not defined under the Telecommunications Business Act, depending on their scale, we request your cooperation in providing rapid and appropriate accident and failure information on appropriate media, such as websites, from the perspective of user protection and in voluntarily reporting to MIC.



[Fig.: Reporting Criteria for Telecommunications Incidents]

- **For the initial report of a serious accident, there is no need to prepare reporting documents formally. Promptly report the matters known at that time to MIC via appropriate media, such as phone or email.**

https://www.soumu.go.jp/menu_seisaku/ictseisaku/net_anzen/jiko/judai.html



Email address for report reception: anshin@ml.soumu.go.jp

(If requested by any Regional Bureau of Telecommunications, etc., also report to them via CC.)

- **For the report of situations deemed likely to lead to a serious accident, there is no need to prepare report documents for the initial report formally. Promptly report the matters known at that time to MIC via appropriate media, such as phone or email.**

https://www.soumu.go.jp/menu_seisaku/ictseisaku/net_anzen/jiko/osore.html



Email address for report reception: jyuudaijiko-osore@ml.soumu.go.jp

(If requested by any Regional Bureau of Telecommunications, etc., also report to them via CC.)

- For details on the accident reporting system, see the following MIC website.

https://www.soumu.go.jp/menu_seisaku/ictseisaku/net_anzen/jiko/index.html



- For criteria on the applicability of incidents, also refer to the Guidelines for Application of the Telecommunications Business Act and Related Regulations on Telecommunications Accidents and Incidents.

https://www.soumu.go.jp/menu_seisaku/ictseisaku/net_anzen/jiko/handan.html



- For serious incidents, not only the telecommunications carriers involved in the accident but also for the purpose of preventing the recurrence of accidents in the telecommunications industry and minimizing damage, verification is conducted by the Telecommunications Accident Verification Meeting Body, which is composed of external experts. The lessons learned from the verification are compiled, and an annual report is published and disseminated to industry organizations, etc., so refer

to it.

https://www.soumu.go.jp/main_sosiki/kenkyu/tsuushin_jiko_kenshou/index.html



Contact information: Network Safety and Reliability Division, Telecommunications
Bureau, MIC
Phone: 03-5253-5858 Email: anshin@ml.soumu.go.jp

8. Initiatives for Consumer Protection

(1) Consumer protection rules

Since 2015, MIC has been progressively strengthening the consumer protection rules in the Telecommunications Business Act.

In 2022, the Regulations for Enforcement of the Telecommunications Business Act were revised to institutionalize 1) the obligation to use written documents for providing condition explanations during telephone solicitation, 2) the obligation to take measures to ensure users can cancel services without delay, and 3) the limitation on the amount that can be charged upon cancellation (implemented on July 1 of the same year). Additionally, the Guidelines for Consumer Protection Rules for the Telecommunications Business Act clarify, including specific examples, that contracts between mobile network operators and their sales agents could also be subject to business improvement orders if they potentially facilitate violations of consumer protection rules. The regulations have been expanded to include descriptions of desirable practices from a consumer protection perspective.

Companies are requested to continue complying with relevant laws and regulations and to further commit to consumer protection based on guidelines voluntarily established by industry associations.

(2) Thorough compliance with consumer protection rules

Guidelines explaining the consumer protection rules that telecommunications carriers must comply with have been published. You are requested to read them and ensure thorough consumer protection.

- Within the “Consumer Protection Rules” page of the “Telecommunications Consumer Information Corner”
 - The Guidelines for Consumer Protection Rules for the Telecommunications Business Act (Last revised in September 2022)

Diagram explaining consumer protection rules

- Includes special content on system revision (implemented on July 1, 2022), Q&As, etc.
https://www.soumu.go.jp/main_sosiki/joho_tsusin/d_syohi/shohi.htm

*Also refer to the top page of the same section for information on consumer protection initiatives and administrative guidance.

https://www.soumu.go.jp/main_sosiki/joho_tsusin/s-jyoho.html



(3) Monitoring the implementation of consumer protection rules

MIC conducts complaint analysis and surveys on explanation situations at sales sites for MNOs, MVNOs, FTTH, ISPs, CATV, etc., and points out matters that need improvement. Refer to them.

Regular meetings for monitoring the implementation of consumer protection rules

https://www.soumu.go.jp/main_sosiki/kenkyu/ict_anshin/index_03.html



Contact information: Consumer Contract Fairness Promotion Office,
Telecommunications Bureau, MIC
Phone: 03-5253-5488 Email: zigyouhou-cppc@soumu.go.jp

9. Guidelines for Personal Information Protection in Telecommunications Business and Pertinent Information

(1) Purpose of the guidelines and pertinent information

The telecommunications business is directly related to the confidentiality of communications, has an extremely high public interest, and is expected to handle highly private information. Inappropriate handling could cause significant harm to individuals. Therefore, the Guidelines for Protection of Personal Information in Telecommunications Business aim to provide concrete guidelines for the proper handling of matters related to the confidentiality of communications and other personal information by telecommunications carriers, with the goal of protecting privacy and increasing the convenience of telecommunications services.

The guidelines have been revised on June 16, 2023, following the implementation of the revised Telecommunications Business Act in 2022. Check the new guidelines.

=>https://www.soumu.go.jp/main_sosiki/joho_tsusin/d_syohi/telecom_perinfo_guideline_intro.html



(2) Reporting various leakage incidents, etc.

In the event of a leakage of the secrecy of communications or specific user information, a report must be submitted within 30 days from the day the leakage was discovered.

=>https://www.soumu.go.jp/main_sosiki/joho_tsusin/d_syohi/rouei_houkoku.html



=>https://www.soumu.go.jp/main_sosiki/joho_tsusin/tokuteiriyoujoho/index.html

In the telecommunications business, some of the authority of the Personal Information Protection Committee has been delegated to MIC. In situations involving the leakage of personal data or other incidents concerning the security of personal data in telecommunications, which pose a significant risk to the rights and interests of individuals, a report must be submitted within 30 days (or in some cases, within 60 days) from the day the situation is discovered.



=>https://www.soumu.go.jp/main_sosiki/joho_tsusin/d_syohi/denkitsushin_rouei.html

(3) Smartphone Privacy Initiative (SPI)

The SPI has been published as a guide for the proper handling of user information collected and used by apps stored on smartphones, ensuring its safe and secure use and leading to the provision of convenient services. This initiative involves a variety of related businesses, including app providers, which can directly access user information. Refer to this as well.



=>https://www.soumu.go.jp/main_sosiki/joho_tsusin/d_syohi/smartphone_privacy.html



10. Guidelines for Invoking Business Improvement Orders against Problems in Ensuring the Secrecy of Communications

The Guidelines for Invoking Business Improvement Orders against Problems in Ensuring the Secrecy of Communications (hereafter referred to as the “Implementation Guidelines”) are based on Article 29, Paragraph 1, Item 1 of the Telecommunications Business Act and illustrate the criteria and examples for issuing an Order to Improve Business Activities.

(1) Purpose of the implementation guidelines, etc.

The Minister for Internal Affairs and Communications may order improvements in operational methods, etc., when there is an obstacle to ensuring the secrecy of communications concerning the operational methods of telecommunications carriers, based on Article 29, Paragraph 1, Item 1 of the Telecommunications Business Act (hereafter referred to as an “Order to Improve Business Activities”). The Implementation Guidelines have been published with the goal of increasing transparency and predictability by clarifying the concept of ensuring the secrecy of communications and typologically presenting the criteria and examples for issuing an Order to Improve Business Activities.

(2) Concepts and cases when there is an obstacle to ensuring the secrecy of communications

The secrecy of communications includes not only the content of individual communications but also the date and time of the communications, the location, the names, and telephone numbers of the parties involved, the number of communications, etc., and any information that could lead to the inference of the existence or semantic content of the communications by being leaked. In cases where the secrecy of communications handled by telecommunications carriers is violated (Telecommunications Business Act, Article 4, Paragraph 1, and Article 179, Paragraph 1), it should generally correspond to situations where there is an obstacle to ensuring the secrecy of communications. For specific examples, refer to the Implementation Guidelines.

=>https://www.soumu.go.jp/main_sosiki/joho_tsusin/d_syohi/privacy.html



11. Reference Document on How to Obtain Consent

The “Reference Document on the Manner of Obtaining Consent” (hereafter referred to as the “Consent Reference Document”) presents the contents that should be referred to when attempting to obtain valid consent from users regarding the acquisition of secrecy of communications, etc.

It is stated that acts violating the secrecy of communications can be categorized into three types: knowledge acquisition, misappropriation, and leakage. However, even in cases of acquiring secrecy of communications, if there is valid consent from the user or if there are reasons that justify the legality, it is considered not to violate the secrecy of communications. Therefore, it is extremely important to determine when there is valid consent from the user or reasons that justify the legality.

The Consent Reference Document has been primarily organized and published on the points of discussion regarding the manner of obtaining consent from the perspective of clarifying the discipline to enhance predictability for businesses. When considering the acquisition of valid consent, refer to the Consent Reference Document.

=>https://www.soumu.go.jp/main_sosiki/joho_tsusin/d_syohi/privacy.html



Contact information: Usage Environment Division, Telecommunications Bureau, MIC
Phone: 03-5253-5847

12. Start of MNP One-Stop and Compliance Matters

Guidelines for Implementing Mobile Number Portability (MNP) for Mobile Phones and PHS were revised and Mobile Phones and PHS carriers have been required to offer MNP one-stop method, in principle, since May 24, 2023.

Telecommunications carriers providing voice calling services with mobile phone numbers (090/080/070) must offer MNP in accordance with the guidelines.

- ※ The one-stop method enables number portability by receiving applications from users at the transferee carrier, coordinating with the transferor carrier, explaining the key points of cancellation using the Internet or other methods by the transferor carrier, and then sending the number portability reservation number from the transferor to the transferee carrier.

- **Main compliance matters**

- (1) Introduction to the MNP one-stop method**

- The implementation method for number portability is, in principle, to offer either a combination of the one-stop method and the two-stop method (traditional method) or solely the one-stop method.

- (2) Prohibition of retention actions against MNP one-stop users**

- Perform no retention actions at all when response moves from the transferee carrier to the transferor carrier.

- (3) Early response when the response shifts to the transferor carrier.**

- The transferor carrier must respond immediately, except in unavoidable circumstances.

(Reference) Main amendments at the last revision (April 2021):

Principle of free MNP fees, improvement of web procedures, prohibition of excessive retention activities.

- MIC webpage about MNP Guidelines

https://www.soumu.go.jp/menu_news/s-news/01kiban06_02000102.html



13. Approval for the Telecommunications Numbers

Usage Plan

All telecommunications carriers using telecommunications numbers (commonly known as telephone numbers) must follow the two procedures specified below:

(1) Creation and application for approval of a telecommunications number usage plan

Telecommunications carriers intending to use telecommunications numbers for the provision of telecommunications services must create a telecommunications number usage plan and receive prior approval from the Minister for Internal Affairs and Communications.*

Moreover, if intending to change an approval telecommunications number usage plan, approval for the changes must be obtained from the Minister for Internal Affairs and Communications before the changes are implemented.

*_When certain conditions are met, such as not providing a unique call forwarding service using a fixed telephone number, the application for accreditation to the Minister for Internal Affairs and Communications can be omitted if a telecommunications number usage plan is prepared in accordance with a standard telecommunications number usage plan that qualifies for deemed approval.

(2) Reporting on the use of telecommunications numbers, etc. (by the end of June every year)

Telecommunications carriers using telecommunications numbers for the provision of telecommunications services must report the number of numbers used as of the end of the previous fiscal year to the Minister for Internal Affairs and Communications by the end of June.

Procedures for using telecommunications numbers

https://www.soumu.go.jp/main_sosiki/joho_tsusin/top/tel_number/new_framework.html



14. Rules for Providing Telephone Numbers and Call Forwarding Services

The rules for providing telephone numbers and call forwarding services were established as specified below due to the amendment of the telecommunications number plan in January 2023 (MIC Notification No. 6 of 2019). When providing telephone numbers and call forwarding services, compliance with the following amendments is necessary.

(1) Amendment of the telecommunications numbering plan (MIC Notification No. 6 of 2019)

- ✓ In contracts identified as pertaining to wholesale telecommunications services, it is required that the wholesaler confirms that the retailer has received approval (including deemed approval) for the use of a telecommunications number plan.
- ✓ In contracts identified as pertaining to wholesale telecommunications services, it is necessary to state agreement that the retailer should comply with the conditions for using telecommunications numbers.
- ✓ The provider requires the recipient to comply with the conditions for using the telecommunications number in contracts or other agreements.
- ✓ If the recipient uses the provided telecommunications services for its own telecommunications business, the recipient must notify the provider that the recipient has received approval for its telecommunications number usage plan.

(2) Amendment of the Rules for Reporting on Telecommunications Business (Ministerial Ordinance of MPT No. 46 of 1988) related to the use of telecommunications numbers

- ✓ As part of the provision of wholesale telecommunications services, it is necessary to report whether there is confirmation of the approval status of the telecommunications number usage plan for each wholesale business operator and whether there is an agreement to comply with the conditions for using telecommunications numbers.
- Basic Policy on the Dissemination and Operation of New Rules for Providing Telephone Numbers and Call Forwarding Services

https://www.soumu.go.jp/main_content/000854477.pdf



15. Guidelines on Anti-Money Laundering and Combating the Financing of Terrorism

Taking the opportunity of the publication of the FATF's(*) Fourth Round of Mutual Evaluation Report of Japan in August 2021, the Japanese government has formulated the “National Anti-Money Laundering (AML), Countering the Financing of Terrorism (CFT), and Countering Proliferation Financing (CPF) Action Plan.” Based on this action plan, the MIC has formulated and published “Guidelines on Anti-Money Laundering and Combating the Financing of Terrorism for Telephone Receiving Service Providers/Telephone Forwarding Service Providers” with the aim of promoting the establishment of an effective system for AML and CFT measures.

This fiscal year, based on these guidelines, MIC plans to conduct surveys and other measures to monitor the situation regarding AML and counter-terrorist financing measures appropriately.

(*) FATF stands for the Financial Action Task Force, an intergovernmental body that promotes international cooperation in combating money laundering and terrorist financing. It comprises 37 countries/regions and two international organizations.

- Guidelines on Anti-Money Laundering and Combating the Financing of Terrorism for Telephone Receiving Service Providers and Telephone Forwarding Service Providers (MIC website)

https://www.soumu.go.jp/main_content/000810738.pdf



- Tell me! Anti-Money Laundering, Countering the Financing of Terrorism, and Countering Proliferation Financing Measures (Ministry of Finance website)

https://www.mof.go.jp/policy/international_policy/amlcftcpf/2.measures.html



Contact information: Telecommunications Consumer Policy Division,
Telecommunications Bureau, MIC
Phone: 03-5253-5487

16. Regulations Applicable to Call Forwarding

The definition of “telephone forwarding services” as stipulated in the Act on Prevention of Transfer of Criminal Proceeds differs from the “telephone transfer service” stipulated in the telecommunications number plan. Refer to the following for the applicability of each regulation.

	Act on Prevention of Transfer of Criminal Proceeds (Act No. 22 of 2007)	Telecommunications number plan (Notification of MIC No. 6 of 2019)
Applicable services (Definitions of “telephone forwarding service” and “telephone transfer service”)	A telephone forwarding service refers to a service that <u>authorizes a customer to use the provider’s telephone number as the customer’s contact number</u> and automatically forwards calls addressed to or received from that number to another number designated by the customer.	<ul style="list-style-type: none"> A telephone transfer service refers to a telecommunications service that performs outgoing call forwarding or incoming call forwarding. Outgoing call forwarding refers to <u>the automatic transfer of communications (including those directed to numbers, symbols, or codes other than telecommunications numbers) that are received on a user’s terminal equipment by changing or newly setting the originating number to a user equipment identification number, to another terminal equipment designated by the user.</u> Incoming call forwarding refers to <u>the automatic transfer of communications (limited to those directed to user equipment identification numbers) received on a user’s terminal equipment by changing the destination to a telecommunications number previously designated by the user (including setting numbers, symbols, or other codes other than telecommunications numbers).</u>
	<p>Note: If the transfer service provider does not provide telephone numbers it manages itself (including numbers procured from other telecommunications carriers) to customers, it will not be subject to the Act on Prevention of Transfer of Criminal Proceeds but may be subject to the telecommunications number plan.</p>	

Obligations of business operators	<ul style="list-style-type: none"> • Obligations for verification at the time of transactions (identification of the person, purpose of the transaction, nature of the business, verification of the beneficial owner, and verification related to high-risk transactions) • Creation and preservation of verification records • Creation and preservation of transaction records • Reporting of suspicious transactions • Measures to accurately perform verifications, etc., at the time of transactions 	<ul style="list-style-type: none"> • Preparation and application for certification of telecommunications number usage plans <div style="display: flex; align-items: center;"> <div style="writing-mode: vertical-rl; transform: rotate(180deg); font-size: 0.8em; margin-right: 5px;">The conditions applicable to telephone transfer services that use fixed telephone numbers.</div> <div style="font-size: 2em; margin-right: 10px;">{</div> <div> <ul style="list-style-type: none"> - Measures to prevent emergency calls that could misidentify the caller's location information, etc. - Obligation for verification at the time of transactions (verification of the person's identity) - Verification that the user's activity base is within the number district area - Verification that one end of the fixed terminal transmission line equipment is installed at the user's activity base - Verification of compliance with the overall quality or equivalent voice transmission quality of 050 IP telephony </div> </div> • Reporting of telecommunications number usage (annually)
--	---	---

*For voice services provided through apps on smartphones and other similar devices, if the services involve transferring calls by connecting incoming and outgoing calls of users through a telephone number to a gateway device, they fall under call forwarding services and telephone transfer services. Accordingly, the fulfillment of obligations, such as transaction verification, stipulated for these services is required.

Furthermore, if one intends to operate these service businesses, notification and other requirements under Article 16 of the Telecommunications Business Act are necessary.

Contact Information: For matters related to the Act on Prevention of Transfer of Criminal Proceeds:
 Telecommunications Consumer Policy Division,
 Telecommunications Bureau, MIC
 Phone: 03-5253-5487

For matters related to the telecommunications number plan:
 Numbering Plan Office, Telecommunications Bureau, MIC
 Phone: 03-5253-5859

17. Regarding verification, etc., under the Act on Prevention of Transfer of Criminal Proceeds

Telephone receiving service providers and telephone forwarding service providers are obliged to perform verification at the time of transactions and report suspicious transactions to their customers under the Act on Prevention of Transfer of Criminal Proceeds. They are also required to create and preserve verification records.

[Telephone receiving service providers and telephone forwarding service providers subject to the Act on Prevention of Transfer of Criminal Proceeds]

Telephone receiving service providers:

A business that provides a service to authorize a customer to use the provider's telephone number as the customer's contract telephone number, and receives telephone calls (including telecommunications by facsimile devices) addressed to the customer at the telephone number and notifies the customer of the content of the telephone calls.

Telephone forwarding service providers (Telephone forwarding service business requires notification, etc., under Article 16 of the Telecommunications Business Act):

A business that provides the service that authorizes a customer to use the provider's telephone number as the customer's contact number and automatically forwards calls addressed to or received from that number to another number designated by the customer.

[Obligations stipulated by the Act on Prevention of Transfer of Criminal Proceeds]

Verification procedures

At the time of entering into a contract, the subject business must verify the following items with the customer:

- 1) Personal identification details (for individuals: name, address, and date of birth; for legal persons: name and location)
- 2) Purpose of the transaction
- 3) Occupation (for individuals) or nature of business (for legal persons)
- 4) Beneficial owners* (for legal persons)
- 5) Status of asset and income (in some high-risk transactions)

The methods for personal identification are as follows:

In the case of face-to-face procedures: Receiving a presentation of personal identification documents with a photograph.

In the case of non-face-to-face procedures: Receiving a submission of personal identification documents or two copies thereof and sending documents related to the transaction to the described residence via a method such as recipient limited mail specifically for the addressee.

Receiving a transmission of an image of a photo identification document and an image of the person's face from the customer.

Receiving transmission of the IC chip information of a photo identification document and an image of the person's face from the customer

<Examples of personal identification documents>

For individuals: an individual number card, driver's license, passport, etc.

For legal persons: a certificate of registered matters, certificate of seal registration, and a copy of the list of beneficial owners' information (*)

*The Beneficial Ownership of Legal Persons List System has been in operation since January 31, 2022. For details, refer to the Ministry of Justice's website.

*For detailed types of personal identification documents and verification procedures, refer to MIC's website, which is mentioned at the end of this document.

Reporting of suspicious transactions

When operating a telephone receiving or telephone forwarding service providers, if they are suspected of a contract being used with the intent to conceal criminal proceeds, including those from drug crime, it is necessary to report to the MIC (contact details below).

*For reference cases of suspicious transactions, refer to MIC's website, which is mentioned at the end of this document.

Creation and preservation of verification records

Creation and preservation of verification records: When having conducted verification at the time of transaction, the subject business must create verification records immediately and preserve that for seven years from the date the contract ends.

Supervision and criminal penalties, etc., for businesses

To ensure the fulfillment of Obligations for verification at the time of transactions, etc., by businesses, the Minister for Internal Affairs and Communications can conduct reports, on-site inspections, etc., and if having made a false report, the business is subject to criminal penalties. Furthermore, the Minister for Internal Affairs and Communications can issue corrective orders when the minister finds that any business is in violation of the verification obligations, etc., and if it has violated the order, it is also subject to criminal penalties.

- About the Act on Prevention of Transfer of Criminal Proceeds (for call answering and call forwarding service providers): https://www.soumu.go.jp/main_sosiki/joho_tsusin/d_syohi/money/top.html
- Establishment of the beneficial ownership registry system (Ministry of Justice): https://www.moj.go.jp/MINJI/minji06_00116.html



Contact information: Telecommunications Consumer Policy Division,
Telecommunications Bureau, MIC
Phone: 03-5253-5487

18. Verification of Identity under the Law Preventing Illegal Use of Mobile Phones

Based on the Mobile Phone Improper Use Prevention Act,⁽¹⁾ mobile voice communication carriers (including MVNOs), contract agents, and those engaging in the business of lending rental mobile phones and capable terminal devices, etc.⁽²⁾ must perform personal identification verification of the counterparty at the time of concluding a contract. They are also required to create and preserve records of personal identification verification.

*1. Act on Identity Confirmation, etc. Performed by Mobile Voice Communications Carriers for their Subscribers, etc. and Prevention of Wrongful Use of Mobile Voice Communications Services (formal name)

*2. Telephonic call-capable terminal facilities, etc.: Mobile phones and Personal Handy-phone System (PHS) terminals that can make calls in Japan (including contracts for SIM cards alone)

Verification procedures

Using the personal identification documents stipulated in the Rules for Enforcement,⁽³⁾ the subscriber must verify their name, address, and date of birth (the corporation's name and address if the subscriber is a legal person).

The methods for personal identification are as follows:

In the case of face-to-face procedures: Receiving a presentation of personal identification documents.

In the case of non-face-to-face procedures: Receiving a submission of personal identification documents or copies thereof, and sending mobile phones, etc., to the described residence via recipient limited mail specifically for the addressee.

Receiving a transmission of the subscriber's facial image and transmission of personal identification details recorded in the IC chip attached to personal identification documents that include a photo (individual number card, driver's license, residence card, passport (only those with an address described)) by using software provided by mobile phone or rental mobile phone providers.

Receiving a transmission of the subscriber's facial image and transmission of an image of a personal identification document that includes a photo (including details of personal identification and features such as the thickness of the document) by using software provided by mobile phone or rental mobile phone providers.

*From October 1, 2020, the personal identification documents that can be used for verification methods utilizing specific item transmission type recipient limited mail, etc., are limited to those that include photos.

*3. Ordinance for Enforcement of Act on Identity Confirmation, etc. Performed by Mobile Voice Communications Carriers for their Subscribers, etc. and Prevention of Wrongful Use of Mobile Voice Communications Services

<Examples of personal identification documents>

For individuals: an individual number card, driver's license, and passport

For legal persons: a certificate of registered matters and certificate of seal registration

*In the case of a contract with a legal person, a personal identification verification of the contract representative, as well as the corporation, is required.

*For the rental mobile phone businesses providers, personal identification documents must include a face photograph.

For more details on other personal identification procedures, refer to MIC's website, which is mentioned at the end of this document.



Creation and preservation of records of personal identification verification

After conducting the personal identification verification of the subscriber, records of personal identification verification must be promptly created and preserved for three years from the date on which the contract ends.

*For the rental mobile phone providers, identification records must be created within three days.

For details on what must be recorded as records of personal identification verification, refer to MIC's website, which is mentioned at the end of this document.

Supervision and criminal penalties, etc., for businesses

In the case of mobile voice communication carriers

To ensure compliance with personal identification verification obligations by businesses, the Minister for Internal Affairs and Communications can conduct reporting, on-site inspections, administrative guidance, etc., and if having made a false report, the business is subject to criminal penalties. Furthermore, when the Minister for Internal Affairs and Communications finds that any mobile voice communications carrier, etc. is in violation of personal identification verification obligations, etc., the Minister can issue a corrective order, and if it has violated the order, it is also subject to criminal penalties.

In the case of mobile phone rental businesses

Violation of any of the obligations set forth in this Act shall be subject to immediate criminal penalties.

- Prevention of the criminal use of mobile phones

https://www.soumu.go.jp/main_sosiki/joho_tsusin/d_syohi/050526_1.html



Contact information: Usage Environment Division, Telecommunications Bureau, MIC
Phone: 03-5253-5487

19. Safe and Secure Internet Use by Young People

Please check again the Act on Establishment of Enhanced Environment for Youth's Safe and Secure Internet Use (Act No. 78 of 2008) and make further efforts to create a safe and secure environment for juveniles to use the Internet.

(1) Establishment of a safe and secure internet environment for young people

Under the Act on Establishment of Enhanced Environment for Youth's Safe and Secure Internet Use, the following duties are imposed on providers of mobile phone Internet connection services (including MVNOs) and sales agents, so please respond appropriately:

- 1) Youth verification (Article 13 of the Act): Confirm whether the contract signatory or the user of the mobile phone device is under 18 years of age.
- 2) Filtering explanation (Article 14 of the Act): Explain to guardians or young people 1) the risk of viewing harmful information for young people and 2) the necessity and details of filtering.
- 3) Filtering activation measures (Article 16 of the Act): Set up filtering software on mobile phone devices sold in a bundle with a contract at the time of sale. (Except when the guardian expresses a wish not to do so.)

Note: Internet connection service providers, including ISPs, are obligated to provide filtering services, etc. when requested by users (Article 17 of the Act).

(2) Reference materials on safe and secure internet use by young people

- Children and Families Agency: Act on Establishment of Enhanced Environment for Youth's Safe and Secure Internet Use and related regulations.

Explanations of legal provisions related to the Act on Establishment of Enhanced Environment for Youth's Safe and Secure Internet Use and a Q&A for businesses and others are provided.

https://www.cfa.go.jp/policies/youth-kankyau/internet_torikumi_hourei/



- Telecommunications Carriers Association: Guidelines on Encouraging Subscriptions to Mobile Phone Filtering Services for Young People

The guidelines outline the desirable responses regarding filtering for association member businesses, following a procedural flow.

<http://www.tca.or.jp/mobile/filteringshishin.html>



- Telecommunications Services Association: Guidelines on Encouraging Youth Subscriptions to Filtering Services

The guidelines provide examples for MVNOs to implement the provision of filtering services in accordance with the

laws and regulations.

https://www.telesa.or.jp/vc-files/mvno/mvno_newGL4.pdf



To sales agents and registered telecommunications carriers

20. Notification Obligations of Sales Agents

(1) Obligation of sales agents to make notifications

In 2019, the Telecommunications Business Act was amended to protect the interests of users in the telecommunications business, **introducing a notification system targeting sales agents**, who are the most direct contact point for consumers. **Those who intend to mediate contracts related to the provision of telecommunications services, such as mobile phone services and fiber-optic (FTTH) Internet services, on behalf of telecommunications carriers, etc., are required to make notifications.**

* Services subject to notification include mobile phone services, fiber-optic Internet services, CATV Internet services, ISP services, telephone services, IP telephone services, DSL access services, public wireless LAN, etc.

Telecommunications carriers are required to **ensure** that their subcontracted sales agents have made the **necessary notifications** and to **instruct those who have not complied.**

Failure to notify may subject the agent to penalties, and the instructing telecommunications carrier may also be subject to an Order to Improve Business Activities. Therefore, we ask telecommunications carriers to guide their sales agents on the obligation to notify.

Starting from fiscal 2022, the operation of the Electronic Notification System for Sales Agents commenced, making it possible to submit notifications via the Internet. Check the URL below to learn how to use it.

When making a notification, refer to the “Notification Manual for Mediation Service Contractors.” The manual can also be viewed at the URL below.

- MIC’s website: Sales Agent Notification System

https://www.soumu.go.jp/main_sosiki/joho_tsusin/d_syohi/135414.html



Inquiries about notification procedures and the necessity of notification should be directed to the Regional Bureau of Telecommunications responsible for the notifier’s main office location (or address if an individual). For submissions in paper format, the Regional Bureau of Telecommunications is also the submission destination.

(2) Periodic reporting obligations for sales agents

Sales agents who have notified and deal with telecommunications services*1 listed under Article 26, Paragraph 1, Items 1 and 2 of the Telecommunications

Business Act, are required to report store and subcontractor information to the Minister for Internal Affairs and Communications annually,^{*2} starting from 2021.

*1. Telecommunications services under Article 26, Paragraph 1, Items 1 and 2

- Mobile phone services by MNOs
- Wireless internet services with contract periods by MVNOs
- FTTH access services (last-mile circuits)
- Standalone ISP services (for FTTH and CATV Internet)
- Wireless internet services exclusive to MNOs
- Mobile phone services by MVNOs
- CATV access services (last-mile circuits)
- Standalone ISP services (for DSL)

*2. **Reports must be submitted by the end of May based on the situation as of the end of March each year.**

Reports should be made online under the Sales Agent Electronic Notification System. Check the following URL for the detailed reporting method.

- MIC's website: Reporting System for Sales Agents

https://www.soumu.go.jp/main_sosiki/joho_tsusin/d_syohi/146657.html



21. Introduction of the Telecommunications Dispute Settlement Commission

(1) Overview of the Telecommunications Dispute Settlement Commission

The Commission assists in resolving disagreements and contracts between communications and broadcasting operators that are difficult to negotiate through free, confidential, consultations and mediation.

Feel free to consult the Telecommunication Dispute Settlement Committee.

Experts with advanced expertise in law, economics & accounting, communications engineering, etc., address diversifying disputes.

Free and confidential, reducing the burden on parties involved and offering support for business consultations.

Over 60% of cases are resolved early, typically within an average of three to four months.

A fair and neutral position; problem-solving in an impartial and neutral stance independent of the Ministry of Internal Affairs and Communications' licensing department.

(2) Main functions of the Telecommunications Dispute Settlement Commission

1) Mediation

A system where a mediator appointed by the Commission intervenes between the disputing parties, encouraging compromise by presenting mediation proposals as necessary to resolve disputes. The process is carried out by mutual agreement of the parties and is not compulsory.

2) Arbitration

A dispute settlement system where both parties agree to abide by the arbitration decision made by three arbitrators appointed by the Commission in the event of a dispute between operators. The arbitration decision has the same effect as a final judgment.

3) Consultation service for operators

The Commission's secretariat offers a dedicated phone and email service for consultation in case of difficult negotiations between operators, providing explanations of the system and procedures and introducing and explaining relevant laws.

Consultation service (for inter-operator troubles)

Tel.: 03-5253-5500

[Telephone reception hours] Weekdays 9:30 AM to noon/1:00 PM to 5:00 PM

Email: soudan@ml.soumu.go.jp

(3) Cases where the dispute resolution system can be used

The system is available for the cases specified below as well.



- When there is a disagreement over contracts for the provision of wholesale telecommunications services
- When there is a disagreement over agreements related to the connection and sharing of telecommunications facilities
- When there is a disagreement over agreements related to the sharing of structures for installing telecommunications facilities



- When there is a disagreement over the terms and conditions of contracts for telecommunications services that should be used for conducting content delivery business, etc.

For more information, please visit MIC's website.

https://www.soumu.go.jp/main_sosiki/hunso/

Telecommunications
Dispute Settlement

検索



Contact information: Secretariat of Telecommunications Dispute Settlement Commission,
Ministry of Internal Affairs and Communications
Phone: 03-5253-5500; e-mail: soudan@ml.soumu.go.jp