

Manual for Market Entry into Japanese Telecommunications Business (Supplementary Edition)

Guidebook

Established on April 14, 2022
(Revised on January 30, 2023)

**Telecommunications Bureau
Ministry of Internal Affairs
and Communications**

Established: April 14, 2022
Revised: June 28, 2022
Revised: January 30, 2023

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* This guidebook provides an easy-to-understand explanation of the application of the Telecommunications Business Act. Service models are diverse, and different interpretations may apply. For detailed interpretations, refer to the [Manual for Market Entry into Japanese Telecommunications Business \(Supplementary Edition\)](#).

Purpose (Article 1)

The purpose of this Act is to ensure the smooth provision of telecommunications services and **protection of the interests of the users** and other persons of those services through **ensuring the proper and reasonable operation of telecommunications services** and **promoting fair competition** in consideration of the public nature of telecommunications business, thereby **ensuring the sound development of telecommunications, making the lives of the people more convenient** and improving public welfare.

Promotion of **fair competition**

Ensuring the smooth provision of telecommunications services

Protection of **user interests**

Realization of various services at low cost

Realization of a reliable and stable network

Realization of an environment safe for everyone to use

Example: Reduction of mobilephone charges

Example: Assurance of universal service

Example: Protection of secrecy of communications

Definition (Article 2)

Definition of business

Telecommunications business: The business involved in providing telecommunications services in order to meet the demands of other persons

Telecommunications carrier: the person that has obtained the registration set forth in Article 9 to operate telecommunications business, and the person that has filed a notification under Article 16, paragraph (1)

Procedures for Entry as Persons that Conduct Telecommunications Business (Articles 9 and 16)

Registration and notification

A person that intends to operate telecommunications business must obtain registration from the Minister for Internal Affairs and Communications

A person that intends to operate telecommunications business (except a person that should obtain registration as set forth in Article 9) must file a notification to that effect with the Minister for Internal Affairs and Communications, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, by attaching documents describing the following particulars to it

Exemptions (Article 164)

Persons, etc., conducting item (iii) business

Paragraph 1. The provisions of this Act do not apply to the telecommunications businesses listed below:
Item (iii). telecommunications business that provides, without installing telecommunications line facilities, telecommunications services other than telecommunications services of intermediating other persons' communications through the use of telecommunications facilities.

Application of communication privacy and relevant matters

Paragraph 3. Notwithstanding the provisions of paragraph 1, (...) the provisions of Articles 3 and 4 apply to communications handled by a person that operates telecommunications business (...) of item (iii).

* Article 3 (Prohibition of Censorship), Article 4 (Protection of Secrecy)



Persons that provide telecommunications services

Persons that conduct telecommunications business

Not categorized as persons that conduct telecommunications business

Telecommunications carriers

Registration or notification required.

Intermediating other persons' communications or installing telecommunications line facilities.

Decision flowchart P7

Decision flowchart P5

Decision criteria (Online services) P8

Registration or notification not required.

Not intermediating other persons' communications and not installing telecommunications line facilities. (Persons that conduct the business what is referred to as item (iii) business)

Details of search services, SNS, etc. P10

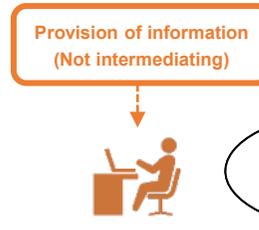
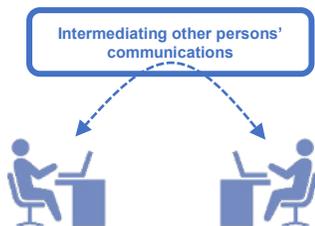
Examples of conditions not falling under P11

For example,

Landline telephone, mobile cell phone, email, Internet connection services, etc.

SNS, online search services, online provision of information, etc.

Operation of corporate/individual websites, online sales of the company's products, etc.



Subject to the rules under the Telecommunications Business Act



Not subject to the rules under the Telecommunications Business Act

I. Are you providing the service for others (not for yourself)?

- Key point:** Whether the service is provided for others (to meet the needs of others).
- *Providing a service that intermediates communications between person A and person B (providing transmission and reception of telephone calls, emails, etc., between people) is a typical example.
 - *Personal or corporate websites or in-house systems operated privately, etc., provided for their demand do not fall under this category.
 - *Telecommunications services offered as a means to carry out one's primary business activities, not necessarily relying on telecommunications services, do not fall under this category.

→ Falling under the category of "meeting the needs of others."



See Page 6



II. Are you providing the following telecommunications services (services)?

i. Are you providing services using telecommunications facilities?

- Key point:** "Telecommunications facilities" refer to machines (such as servers), devices, lines (such as optical fibers), and other electrical equipment for conducting telecommunications.
- *Telecommunications facilities include not only those owned by oneself but also those one has the right to use (or allow others to use).
 - *Not only in cases of "intermediating communication between others" but also when providing services through "communication between oneself and others."

→ Falling under the category of "telecommunications business." (If both I and II are met)

ii. Are you providing the service repeatedly and continuously?

- Key point:** Whether you are performing similar actions repeatedly and continuously with a proactive intention and purpose.
- *Services provided on an emergency or temporary basis do not fall under this category.

III. Are you seeking to gain profit, such as by collecting fees?

- Key point:** Whether the aim is to gain profit by charging a fee for the service provided (or, in cases where the service is free, by earning advertising revenue, etc.).(=> Also check the Q&A on P29.)
- *Falling under this category even though profit is currently not being made if the intent is to make a profit.
 - *Not falling under this category if services are provided on a no-charge or cost basis.

→ Falling under the category of "operating."

All YES



Falling under the category of "Persons that Conduct Telecommunications Business."

Even one NO



The Telecommunications Business Act does not apply.

Services that cannot exist without providing telecommunications services to customers
 => Falling under **“telecommunications business.”**  Left figure

Providing telecommunications services as a means of conducting one’s original business operations, not necessarily predicated on telecommunications services

=> **Not falling under “telecommunications business.”**  Right figure

The provision of **telecommunications services** (transmission of information) itself is the purpose of the business (objective).

Utilizing **telecommunications services** as a means

News site

Accumulating news that can be distributed upon customer request



News display instructions

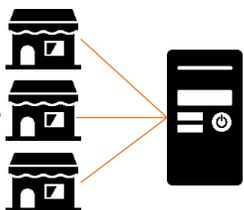
News distribution



<Scope of telecommunications services provision>

Operation of an EC mall

Vendors



Shopping Provision of a “venue”

Orders, etc.



Constructing a mall where multiple stores open online

Online acceptance of newspaper subscriptions

Sales of newspapers (goods)



E.g., the introduction of one’s products
 Orders, etc.



Shipping of newspapers

<Scope of telecommunications services provision>

Sales on own EC site

Manufacture and sales of goods (products)



E.g., the introduction of one’s products
 Orders, etc.



Shipping of goods (products)

Trading of financial products
BANK

Telecommunications services are utilized as a means.

If it falls under “telecommunications business” and “Persons that Conduct Telecommunications Business,” the Telecommunications Business Act applies.

 Refer to P5 and P17

Not falling under “telecommunications business.” The Telecommunications Business Act does not apply.

 Refer to P5 and P17

Falling under "Persons that Conduct Telecommunications Business."



Have you installed telecommunications line facilities?

*Telecommunications line facilities consist of telecommunications lines that connect the transmission and reception locations, along with integrated switching facilities and adjunct facilities.

*For more details, consult the "Telecommunications Carriers' Network Construction Manual." (https://www.soumu.go.jp/main_content/000426546.pdf)

YES
(installing)



NO
(not installing)



See P8

Does the installation area* of terminal system transmission line facilities extend beyond the boundaries of a single municipality (including special wards)?

*Terminal system transmission line facilities are, for example, telecommunications lines from a station to a user's home. More specifically, these include transmission line facilities, such as optical fibers and wireless equipment.

or

Does the installation section of transit system transmission line facilities extend beyond the boundaries of a single prefecture?

*Transit system transmission line facilities are, for example, telecommunications lines from one station to another.

Are you intermediating other persons' communications?

*"Intermediating other persons' communications" means transmitting and switching information without altering its content to facilitate communication between others.

*Not falling under if only communicating between oneself and other people.

YES



(At least one case applicable)

NO



(Not applicable in any case)

YES



(Intermediating)

NO



(Not intermediating)

Telecommunications carriers that require "registration"

Telecommunications carriers that require "notification"

Operators conducting "Item (iii) business"

*Exclusive service provision to a single entity or service provision within the same premises does not require registration or notification.

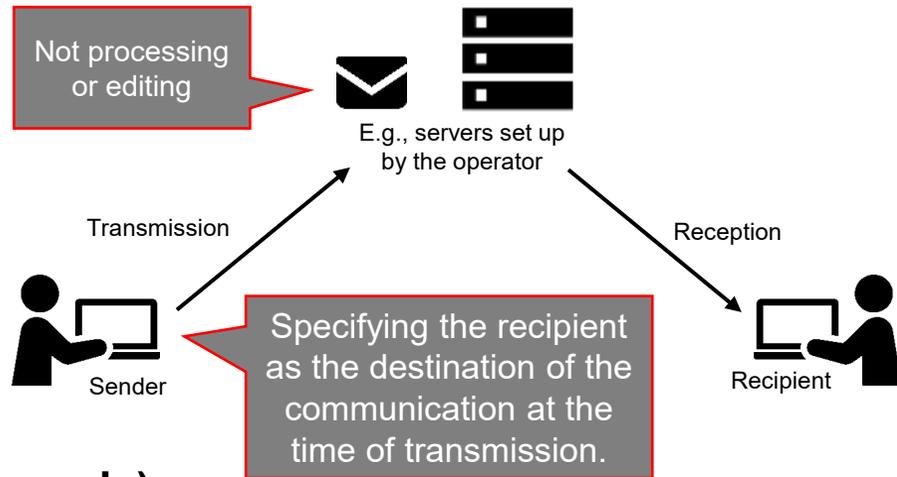
*Providers of domain name telecommunications services, search information telecommunications services, and telecommunications services equivalent to intermediation require notification. Also check "(Details) Search services, SNS, and Bulletin Board Systems (BBS) that require notification." on page 10.

Cases that fall under “Intermediating other persons’ communications” when providing online services are situations where both of the following apply to the services provided by entities that install servers (including entities that do not install servers themselves but use the cloud to provide services and apps).

- 1) Not processing or editing
- 2) Specifying the recipient as the destination of the communication at the time of transmission

☞ (Refer to P7 and P9 as well)

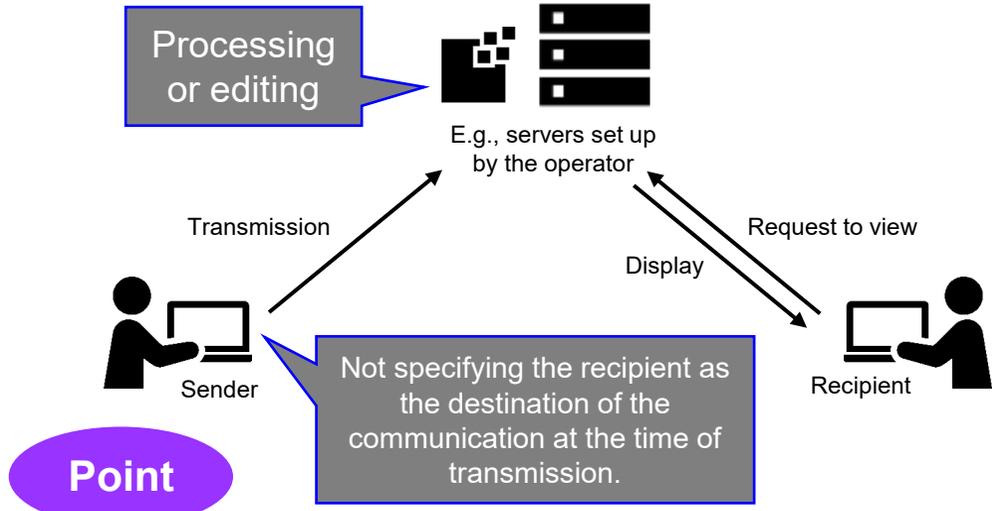
Cases of intermediation



(Example)

- Emails and direct messages
- Web conferencing systems that allow meetings with specified (designated) participants
- E.g., direct messaging functions accompanying SaaS

Cases not considered as intermediation



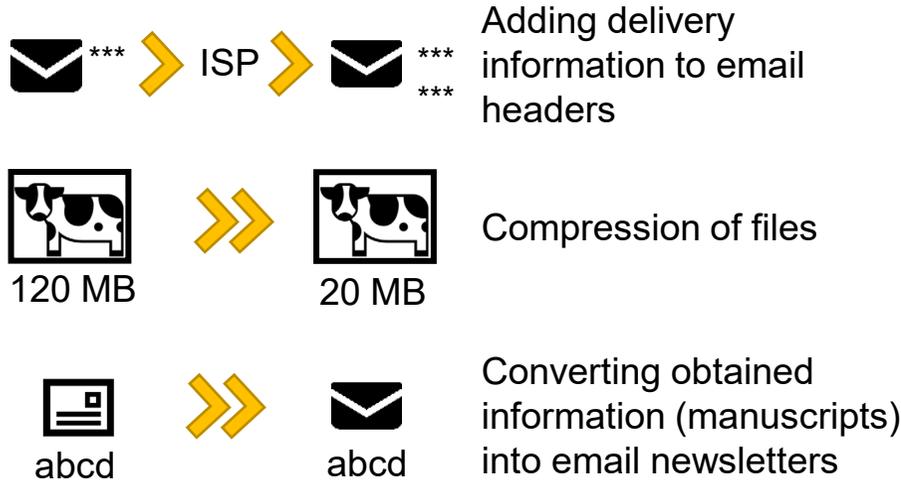
Point

A service is not considered as “intermediating other people’s communications” if it meets at least one of the following:

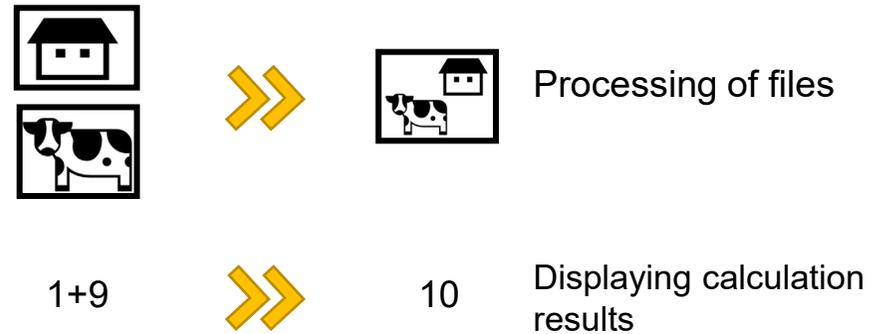
- 1) Processing or editing
- 2) Not specifying the recipient as the destination of the communication at the time of sending

“Not processing or editing” (without altering its content) means **not making any fundamental changes to the essential content** of the information.  (Related to P8)

Cases that fall under the category of “not processing or editing”



Cases that fall under the category of “processing or editing”



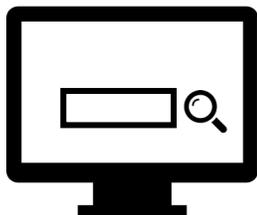
Point

Performing surface or formal modifications falls under “not processing or editing.”

Search services, SNS, and Bulletin Board Systems (BBS) may need notification when they have more than 10 million users (even if they do not intermediate other persons' communications). **However, on-site searches or review boards** provided as ancillary services to other services **do not require notification**.

Examples of search services

(Falling under search information telecommunications services)



Search services that target all web pages
(General search sites)



Notification is required if the average monthly active user count for the previous fiscal year was at least 10 million.



E.g., shopping sites
Search functions within specific websites
(Product search and in-page search)



Notification is not required.

Examples of SNS and bulletin boards

(Falling under services equivalent to intermediating telecommunications services)



SNS and bulletin board services that require account registration for posting or broadcasting



Notification is required if the average monthly active user count for the previous fiscal year was at least 10 million.



Bulletin board functions that are provided incidentally by shopping sites or gourmet sites (E.g., **review and question boards**)



Notification is not required.

*In addition to the above, video-sharing platforms, blog platforms, etc., may also qualify as services equivalent to intermediating telecommunications services.

Point

Providing telecommunications services itself as a business (purpose) and intending to profit from such business falls under “Persons that Conduct Telecommunications Business.”

Registration/Notification

***1 Telecommunications Carriers**

*1. Telecommunications businesses specified by Article 164, Paragraph 1, Items 1 (exclusively provided to one entity), 2 (provided within the same premises), and 3 of the Telecommunications Business Act are exempt from registration/notification.

Example

- **Landline/mobile phones**
- **Internet-access services**
- **Inter-user messaging mediation services**
- **Web conferencing systems*3**

*3. Systems that allow meetings with limited participants (specified recipients) require notification.

Persons who conduct telecommunications business and are not required to register/notify

Persons conducting business under item (iii) business*2, etc.

*2. The telecommunications business specified by Article 164, Paragraph 1, Item 3 of the Telecommunications Business Act (providing services without installing telecommunications line facilities and not intermediating other persons' communications).

Example

SNS*4, *5

- **Online search services*5**
- **Online shopping malls/Auction malls*4**
- **Provision of various information online**

*4. Messaging mediation services related to these (such as direct messages on SNS) require notification.
 *5. Notification is required if the average monthly active user count for the previous fiscal year was at least 10 million.

Examples not corresponding to telecommunications businesses

✓ **Operation of websites for companies, individuals, residents' associations, etc.**

Point

If operated for one's information dissemination, it is considered as being conducted for **one's own needs**.

✓ **Finance: Online sales of securities and financial products**

✓ **Retail: Online sales of goods/products**

✓ **Manufacturers: Online sales of manufactured goods**

Point

It is considered that online resources are being utilized for **one's own needs** if the provision of telecommunications services is not for the business, and online means are utilized as a tool for conducting business operations.

Persons that **Conduct Telecommunications Business**

- Prohibition of Censorship
- Protection of Secrecy
- Discipline regarding external transmission

Persons that conduct telecommunications businesses not required to register/notify

Persons, etc., conducting item (iii) business

Registration/Notification Telecommunications Carriers

In general

- Fair use and related matters

When starting a business

- Registration/Notification of telecommunications business

Notification of changes in the business

- Changes, suspension, cessation, etc. of registration/notification items

Consumer protection

- Explanation of provision conditions, notification of suspension/cessation of operations, etc.

User information-related matters

- Publication of information handling policies and related matters

Reporting accidents and other incidents

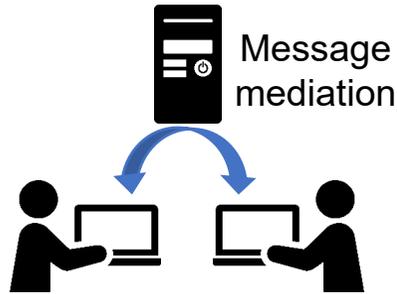
- Partial suspension of operations, leakage of communication secrecy, etc.

Those who fall under any of the following among persons that conduct telecommunications business:

- 1) Installing telecommunications line facilities
- 2) Intermediating other persons' communications
- 3) Search services, SNS, etc., with at least 10 million users

*Including discipline imposed only on those who meet certain requirements

Inter-user message mediation

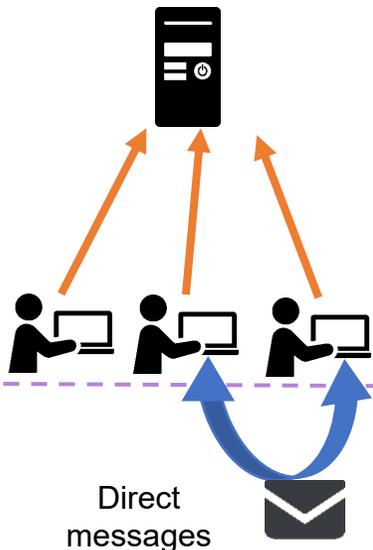


- Messaging apps and other applications that mediate the exchange of messages between specific users by means of text, voice, images, and video.
- Including cases where services like business matching sites or online games offer a direct messaging function between specific users as part of the service.

Registration or notification is **required** as a telecommunications business because it intermediates other persons' communications.

SNS, Bulletin Board Systems (BBS), video-sharing platforms

Provision of a "venue"



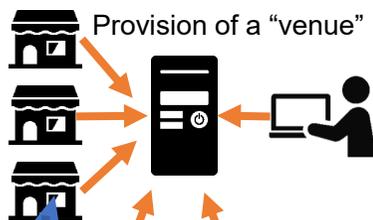
- Providing a venue where senders and viewers can interact through posting and viewing functions for text, voice, images, and videos among an unspecified number of users.
- Requiring user registration and has at least 10 million active users.
- Offering direct messaging functions that allow interactions only between specific users.

Providing a "venue" for exchanging information **without mediating other persons' communications**. Thus, **no registration or notification is required** for this telecommunications business (**item (iii) business**).

Corresponding to telecommunications services that mediate, **requiring** registration or notification as a telecommunications business.

Registration or notification is **required** as a telecommunications business because it intermediates other persons' communications.

Operation of e-commerce malls, online auctions, and flea market apps



Provision of a "venue"

- Allowing online shopping at multiple stores, flea markets, auctions, etc., via the Internet.

Providing a "venue" for exchanging information without mediating other persons' communications. Thus, **no registration or notification is required** for this telecommunications business (item (iii) business).



Reviews, feedbacks, etc.

- Providing functionality for reviews and testimonials that an unspecified number of people can view.

Similarly, because it does not mediate other persons' communications, **no registration or notification is required** for this telecommunications business (item (iii) business).

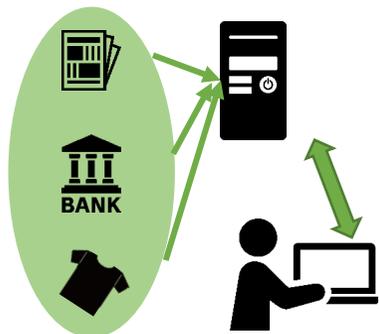


Direct messages

- Providing direct messaging functionality between specific users such as vendors and customers.

Because it mediates other persons' communications, registration or notification is **required** as a telecommunications business.

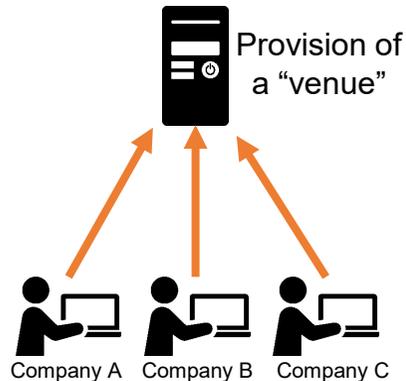
Online sales of own products



- Online shopping that is provided by retailers, net banking that is offered by banks and securities companies (including Internet-only operations), etc., responding to customer requests/orders via the Internet.

Providing telecommunications services (transmission of information) that are **not necessarily a prerequisite but a means of carrying out its primary business**. Thus, it does **not fall under telecommunications business**, and **no registration or notification is required**.

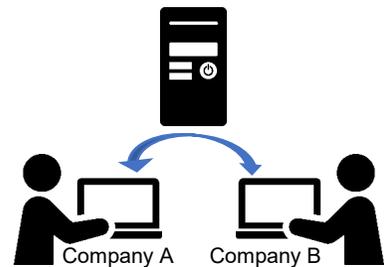
Webinar systems



- Offering a system like the live streaming function of video-sharing platforms, which anyone can join if they know the URL, etc.
- Requires user registration and has at least 10 million active users.

Providing a "venue" for exchanging information, and it does not intermediate other persons' communications. Thus, **no registration or notification is required** for this telecommunications business (item (iii) business).

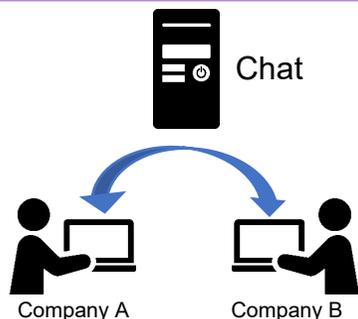
Corresponding to telecommunications services that mediate, **requiring** registration or notification as a telecommunications business.



- Providing a system only specific users can join, like a web conferencing system.

Registration or notification is **required** as a telecommunications business because it designates meeting participants as recipients of communications and **intermediating** other persons' communications.

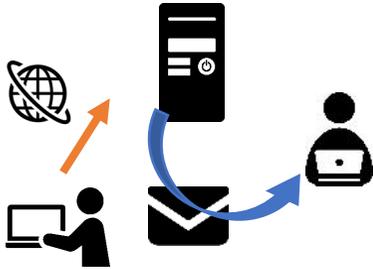
Business chat



- Offering a chat function using text or voice among multiple users (corporations).

Registration or notification is **required** as a telecommunications business because it **intermediates** other persons' communications.

Mediation of email magazines



- Sending the information provided by companies, etc. via the Internet as email magazines to previously registered subscribers, etc. without altering the content.

Registration or notification is **required** as a telecommunications business because it intermediates other persons' communications.

Distribution of email magazines



- To send email magazines, companies receive information, create email magazines based on that information, and send them to pre-registered subscribers.

While it operates as a business for transmitting information and thus constitutes a telecommunications business, it does not mediate other persons' communications because it creates email magazines based on provided information. Thus, **no registration or notification is required** for this telecommunications business (item (iii) business).

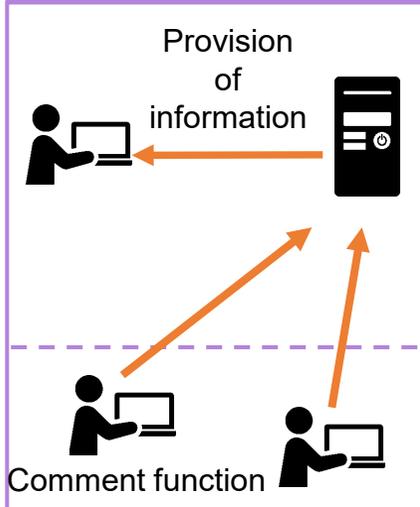
Issuance of email magazines



- Email magazines sent by companies and other organizations as a public relations tool for people, such as pre-registered subscribers.

Providing telecommunications services that are not necessarily a prerequisite but a means of carrying out its primary business. Thus, it does **not fall under telecommunications business**, and **no registration or notification is required**.

Provision of various information online



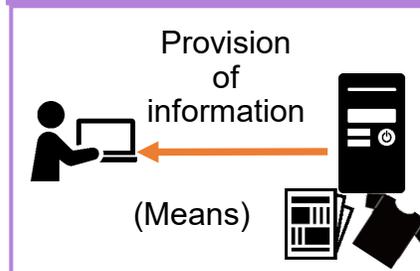
- Providing users with information, such as weather forecasts, news, and videos via the Internet

While sending information is a business activity and thus constitutes a telecommunications business, since it involves communication between the service provider (self) and others (users) without intermediating other persons' communications, **no registration or notification is required** for this telecommunications business (item (iii) business).

- In addition, providing a function that allows an unspecified number of people to post and view comments on news and similar content

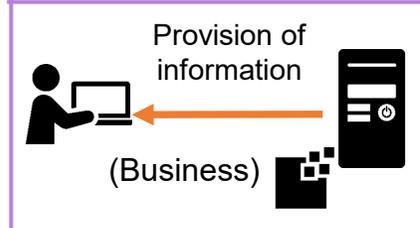
Since it does not mediate other persons' communications, **no registration or notification is required** for this telecommunications business (item (iii) business).

Corporate websites (webpages)



- Establishing websites by companies to publicize and promote their overview, products, or services; establishing websites as a means of selling these products or services

Providing telecommunications services that are not necessarily a prerequisite but a means of carrying out its primary business. Thus, it does **not fall under telecommunications business**, and **no registration or notification is required**.



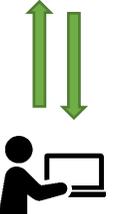
- Establishing websites to provide (sell) their products or services via the Internet, such as online news or video streaming

Since it is based on the provision of telecommunications services (transmission of information), it is considered a telecommunications business (with **no registration nor notification is required** (item (iii) business)).

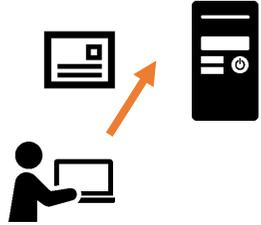
Individuals' websites and posting of videos and blogs

 <p>Means of disseminating personal information</p>	<ul style="list-style-type: none"> Individuals creating websites to share their hobbies or knowledge, such as by renting servers, and may include a small number of advertising banners on their websites to help cover server costs. 	<p>Providing telecommunications services as a means of disseminating one's information does not constitute a telecommunications business. Therefore, no registration or notification is required.</p>
 <p>Operated as individual's business</p>	<ul style="list-style-type: none"> Individuals opening websites as a business venture to generate profit through advertising and affiliate programs, offering various informational sites. 	<p>Recognized as conducting a business of transmitting information, it becomes a telecommunications business (with no registration or notification required (item (iii) business)).</p>
 <p>Posting of videos, etc.</p>	<ul style="list-style-type: none"> Individuals post their own created video content and others on platforms operated by third parties, such as video and blog platforms. This includes cases where compensation is received from platform operators based on the number of views. 	<p>Since it merely involves using telecommunications services provided by platform operators, it does not constitute a telecommunications business, and therefore, no registration or notification is required.</p>

Search services

 <p>Building a database of websites</p>	<ul style="list-style-type: none"> Building a database of a wide range of websites and providing users with URLs of websites containing the search terms. 	<p>Although operating as a business that transmits information and thus constitutes a telecommunications business, since it does not mediate other persons' communications, no registration or notification is required for this telecommunications business (item (iii) business).</p>
<p>Input of search terms</p>  <p>Provision of URLs, etc.</p>	<ul style="list-style-type: none"> Providing a search service that targets all web pages, requiring registration or notification as a telecommunications business if the active user count exceeds 10 million. 	<p>Since it qualifies as search information telecommunications services, registration or notification is required as a telecommunications business.</p>

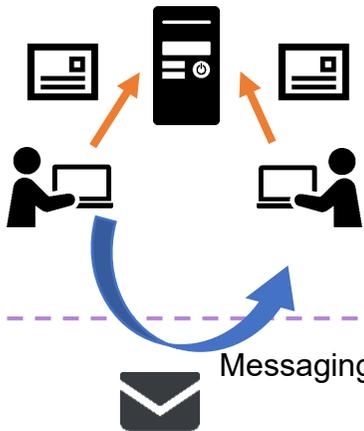
Online storage



- Providing storage for users' data by setting up servers, etc., and receiving and storing users' data via the Internet or other means.

Since it involves communications between **oneself** (service provider) and **others** (users) without **intermediating other persons' communications**, **no registration or notification is required** for this telecommunications business (**item (iii) business**).

File sharing/transfer systems



- Aimed at enabling users to share data, these involve setting up servers, etc. to receive and store user data via the Internet or other means.

Since it does not specify recipients, it **does not intermediate other persons' communications**; thus, **no registration or notification is required** for this telecommunications business (**item (iii) business**).

- In addition, providing a messaging function that allows users to notify each other about data storage and its location.

Registration or notification is **required** as a telecommunications business because it intermediates other persons' communications.

Server leasing for mail servers



- Leasing servers or parts of servers to individuals or companies to enable the use of mail servers, etc.

Functions like mail servers, since they **intermediate other persons' communications**, **require** registration or notification as a telecommunications business.



- Leasing servers that include functionalities enabling the intermediation of other people's communications to those intending to operate a telecommunications business

Similarly, it **requires** registration or notification as a telecommunications business.

Server leasing for web servers



- Leasing servers or parts of servers to individuals or companies to enable the use of web servers, database servers, etc.

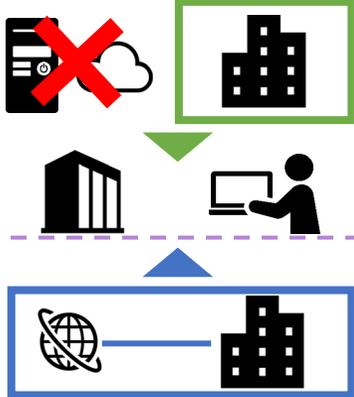
Since it involves communications between **oneself** (service provider) and **others** (users) **without intermediating other persons' communications**, **no registration or notification is required** for this telecommunications business (**item (iii) business**).



- Leasing servers, including functions of web servers, database servers, etc., to those intending to operate a telecommunications business

Similarly, **no registration or notification is required** for this telecommunications business (**item (iii) business**).

Server housing



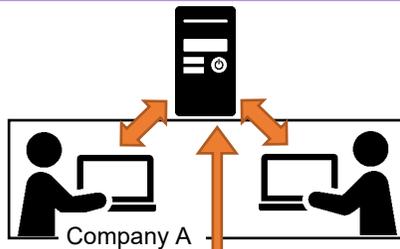
- Leasing space for servers in buildings equipped with power supplies, earthquake-resistant systems, etc., to others, such as telecommunications carriers.

Since it is only renting out space as a real estate business, it does **not fall under telecommunications services**. Therefore, **no registration or notification is required**.

- In addition, providing telecommunications lines that one has procured for businesses, etc.

Providing telecommunications lines qualifies as **reselling telecommunications services**, **requiring** registration or notification as a telecommunications business.

Expense management system



- A cloud service for corporations that supports business operations through server-based data processing, such as digitization of receipts, creation of internal documents, and approval functions, by transmitting data from users to the server.

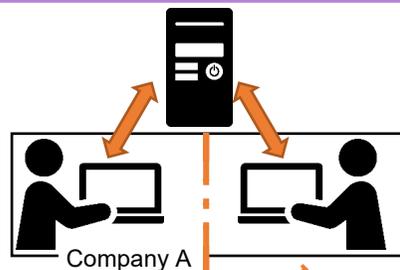
Since it involves communications between **oneself** (service provider) and **others** (users) without intermediating other persons' communications, **no registration or notification is required** for this telecommunications business (item (iii) business).



- In addition, if it has a function to integrate with external data such as credit card history, process the necessary information, and reflect it in internal documents, etc.

It is considered to involve processing and editing information without intermediating other persons' communications. Therefore, **no registration or notification is required** for this telecommunications business (item (iii) business).

Attendance management system



- A cloud service for corporations that provides a business support system through server-based data processing, such as recording the time of arrival and departure, and the system for applying for and approving leave by transmitting data from users to the server.

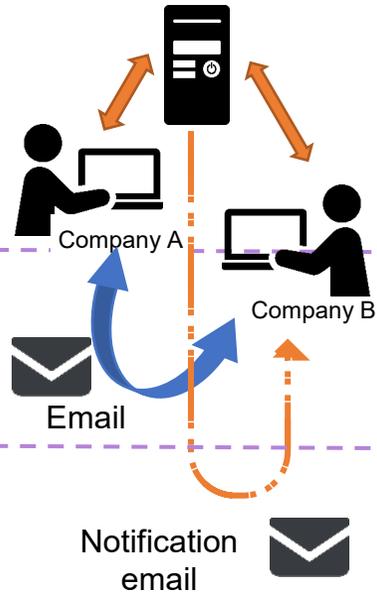
Since it involves communications between the **oneself** (service provider) and **others** (users) without intermediating other persons' communications, **no registration or notification is required** for this telecommunications business (item (iii) business).



- If, within the system above, there is a feature for reporting attendance status, and based on that information, the system generates and sends a status report email to other employees.

It is considered to involve processing and editing information without intermediating other persons' communications. Thus, **no registration or notification is required** for this telecommunications business (item (iii) business).

Electronic contract system



- A cloud service for corporations that provides a system for creating and storing contracts by transmitting data from users to the server, where multiple users can electronically stamp and sign on the server to complete the contract.

Since it involves communications between oneself (service provider) and others (users) without intermediating other persons' communications, **no registration or notification is required** for this telecommunications business (item (iii) business).

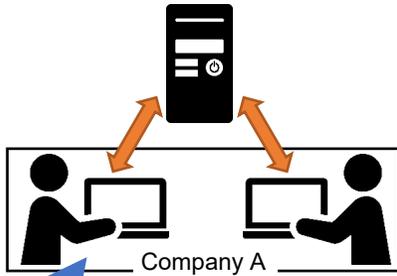
- If the system provides email functions or the like between the user (corporation) and their trading partners.

Registration or notification is **required** as a telecommunications business because it intermediates other persons' communications.

- If the system provides a function that generates and automatically sends update notification emails or the like to trading partners when contract data is updated.

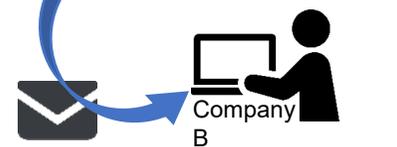
Since it involves communications between oneself (service provider) and others (users) without intermediating other persons' communications, **no registration or notification is required** for this telecommunications business (item (iii) business).

Customer management system



- A cloud service for corporations that provides a business support system through server-based data processing, such as managing customer information (contact details, contact history, etc.) by transmitting data from users to the server.

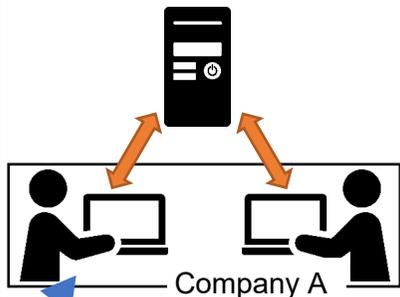
Since it involves communications between **oneself** (service provider) and **others** (users) without intermediating other persons' communications, **no registration or notification is required** for this telecommunications business (**item (iii) business**).



- If the system provides email functions or chat functions between the user (corporation) and customers.

Registration or notification is **required** as a telecommunications business because it intermediates other persons' communications.

Recruitment management system



- A cloud service for corporations that sends information on each stage, such as “job listings”, “applicant information management”, “selection”, etc., to the server for centralized information management.

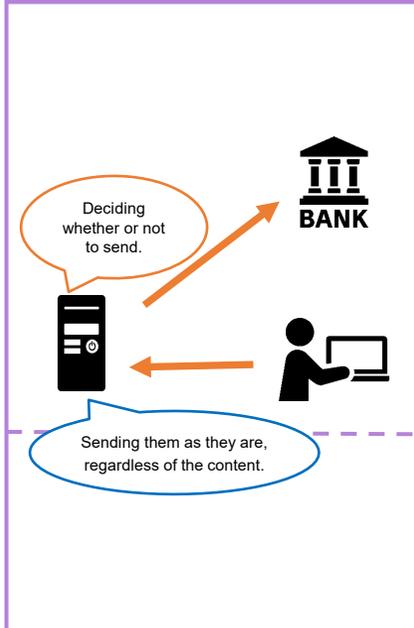
Since it involves communications between **oneself** (service provider) and **others** (users) without intermediating other persons' communications, **no registration or notification is required** for this telecommunications business (**item (iii) business**).



- If the system provides email functions or online interview functions between the user (corporation) and their applicants.

Registration or notification is **required** as a telecommunications business because it intermediates other persons' communications.

Online transmission of transfer requests, etc. (Electronic payment intermediate services, etc.)



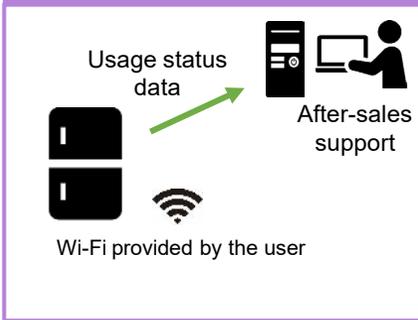
- A service that sends bank transfer requests created by users on an app or in the cloud on behalf of the users to banks, etc., after conducting an examination based on predetermined conditions and making a decision on whether or not to send the requests to the banks, etc.

Being in the business of transmitting information qualifies as a **telecommunications business**. However, reviewing the eligibility for transmission involves engagement with the essential content of the information, corresponding to processing and editing information. It is, therefore, considered not to intermediate other persons' communications. Thus, **no registration or notification is required** for this telecommunications business (**item (iii) business**).

- A service that sends transfer requests to banks, etc., without involving examination (regardless of the content) and sends them as they are.

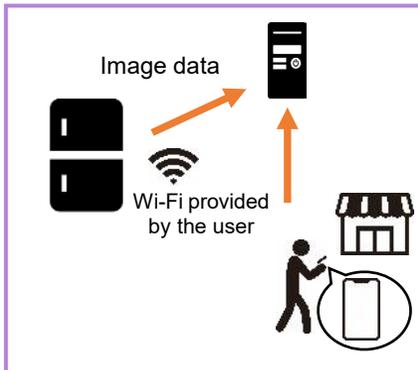
Registration or notification is **required** as a telecommunications business because it intermediates other persons' communications.

IoT services provided by manufacturers, etc.



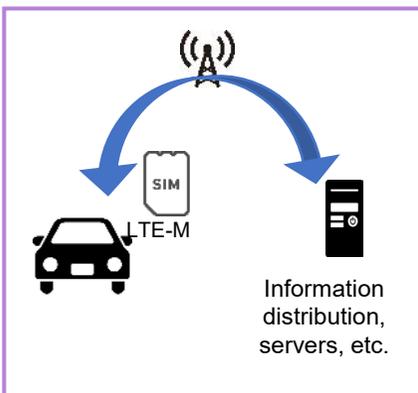
- Home appliance manufacturers receive data from IoT sensors installed in their products via Wi-Fi provided by the users to determine the product's usage status and whether it is properly functioning. They use this information for after-sales support.

Providing telecommunications services as a means of product maintenance does **not fall under the category of a telecommunications business**. Therefore, **no registration or notification is required**.



- Home appliance manufacturers provide an online service that allows users to check images from outside by receiving and storing image data from IoT cameras installed in products via Wi-Fi prepared by users.

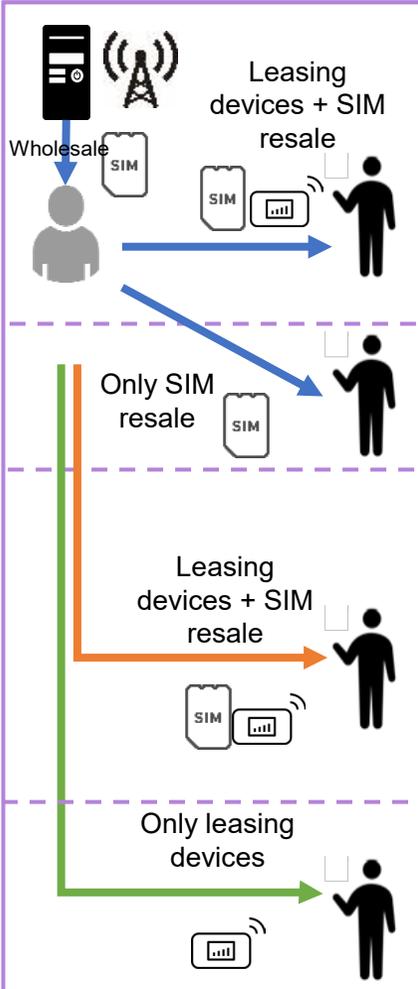
It is a business different from the manufacture and sale of home appliances and constitutes a telecommunications business. Since it involves communications between oneself (service provider) and others (users) without intermediating other persons' communications, **no registration or notification is required** for this telecommunications business (**item (iii) business**).



- Automakers provide a distribution service of traffic information, etc., through communication services using communication modules and SIM cards. (When receiving the wholesale provision of SIM cards, etc., from other telecommunications carriers, and setting communication fees and providing conditions by themselves (acting as the provider) to provide (resell) communication services.)

It is a business different from the manufacture and sale of vehicles and constitutes a telecommunications business. It is a telecommunications business **requiring** registration or notification because it provides telecommunications services intermediating other persons' communications (reselling telecommunications services) as the principal party.

Leasing mobile routers and providing telecommunications services (SIM)



- Receiving telecommunications services (SIM) that intermediate other persons' communications from another telecommunications carrier and proactively providing users with devices (mobile routers) for using the service, along with telecommunications services (SIM) by changing the service conditions or prices.

Since it is providing telecommunications services as the principal provider* (reselling telecommunications services), registration or notification is **required** as a telecommunications business.

- Reselling telecommunications services (only SIM resale) without lending devices.

Similarly, it **requires** registration or notification as a telecommunications business.

- Using another telecommunications carrier's telecommunications services (SIMs) to intermediate other persons' communications, then leasing devices (mobile routers), along with the provision of telecommunications services (SIMs) to users without changing the prices or terms and conditions of the services.

Since it provides telecommunications services without changing prices or terms and conditions and is **not recognized as the principal provider** of telecommunications services, **no registration or notification is required** as a telecommunications business.

When only leasing devices (mobile routers) (not providing telecommunications services)

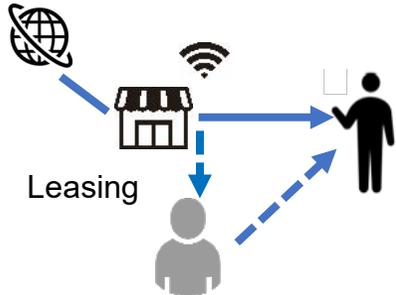
Since it does **not provide telecommunications services**, **no registration or notification is required**.

* "Providing telecommunications services as the "principal provider" applies when changing prices or terms and conditions of the wholesaler and handling customer services as the provider of the services.

If acting merely as an agent for the procedures of telecommunications service contracts without being the principal provider of telecommunications services, it falls under the registration of sales agents (Notification of Intermediation, etc.).

For details, please check the sales agent notification system (https://www.soumu.go.jp/main_sosiki/joho_tsusin/d_syohi/135414.html).

Public wireless LAN



- Those who install access points (or use others' access points) to provide paid public wireless LAN services. (This includes cases where profit is sought virtually from the provision of telecommunications services, such as earning advertising revenue.)

Registration or notification is **required** as a telecommunications business because it uses telecommunications facilities to intermediate other persons' communications.



- Facility managers of commercial facilities, tourist attractions, etc., who install access points within the facility to provide public wireless LAN services for visitors.

Since the provision of telecommunications services cannot be recognized as an independent business, it does **not fall under the category of telecommunications business**. Therefore, **no registration or notification is required**.

Local public entities do not fall under the category of “Persons that Conduct Telecommunications Business” when providing public wireless LAN services, but a notification is required in the following case.



- Public wireless LAN services provided by local public entities that install access points in parks, public facilities, etc., for unspecified and numerous individuals.

A notification for a non-profit telecommunications business is **required** (Article 165 of the Telecommunications Business Act).

Q: What is required for a foreign corporation to provide services in Japan?

A If a foreign corporation falls under the category of “conducting a telecommunications business” by providing telecommunications services “aimed at Japan,” it is necessary to designate a representative or agent in Japan, and registration or notification as a telecommunications business is required. Compliance with the key rules in P12 is also required, as with the Japanese corporations.

For details on what constitutes “aimed at Japan,” please refer to the “Guideline Concerning the Application of the Telecommunications Business Act to Foreign Corporations, etc. that Operate Telecommunications Businesses.”

(https://www.soumu.go.jp/main_content/000737212.pdf)

Q: Is a notification required even when chat or direct messages are provided as part of a paid online service without an additional fee?

A A notification is required. It aims to profit by offering a service including chat, etc., regardless of whether its function is the primary service or a part of it. Similarly, a notification is required even if the service is free, and profit is sought through advertising revenue.

Q: What procedures are necessary when discontinuing a business?

A After discontinuing the business, it is necessary to submit a notification of business discontinuation to the jurisdictional Regional Bureau of Telecommunications. Check the Guidance on Procedures for Entry and Changes in Telecommunications Business. (https://www.soumu.go.jp/menu_seisaku/ictseisaku/denkitsushin_suishin/tetsuzuki/) Also, when intending to discontinue all or part of the telecommunications services, it is generally required to inform the users in advance. For details, refer to Chapter 8 of the Guidelines for Consumer Protection Rules for the Telecommunications Business Act, which is available at the URL below in the Relevant Laws, Notifications, Guidelines, etc. (https://www.soumu.go.jp/main_sosiki/joho_tsusin/d_syohi/shohi.htm)

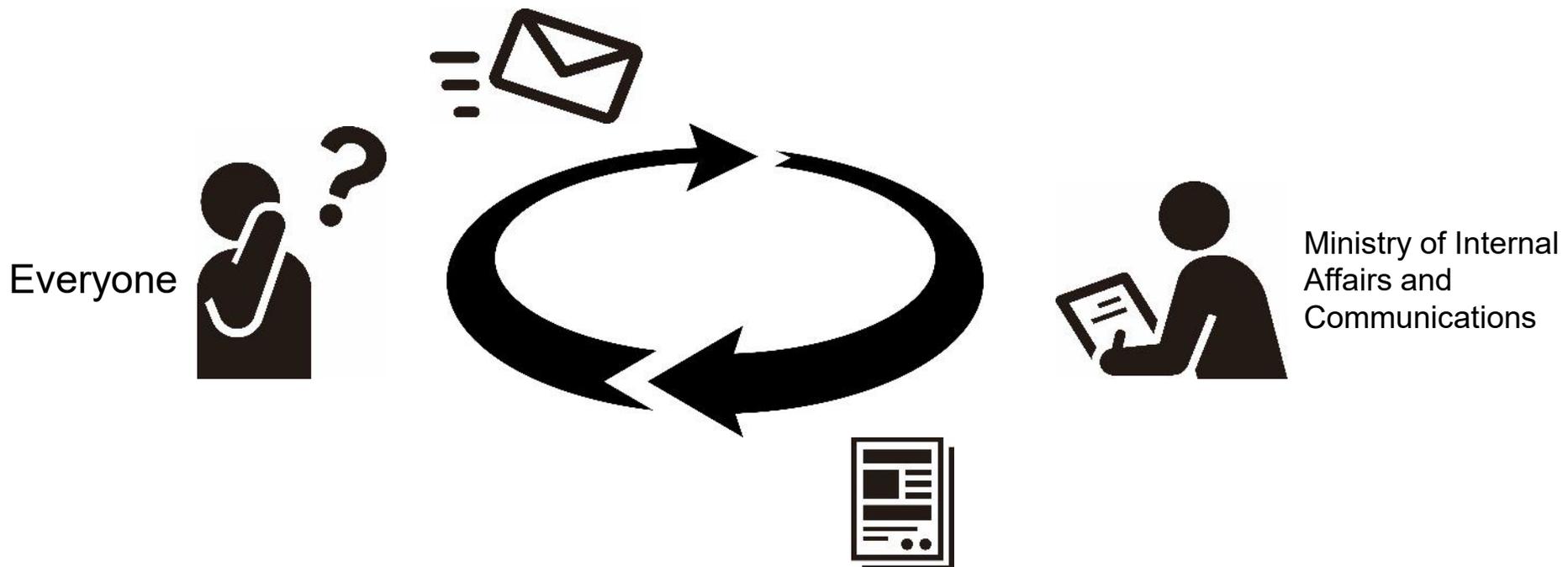
MIC is currently seeking examples to add to the services and Q&A included in the guidebook.

Marketentry_TBA_atmark_soumu.go.jp*

Please send your requests to the email address above.

Based on your requests, MIC will update this guidebook.

When sending an email, please replace “atmark” with “@.”



 This guidebook provides an easy-to-understand explanation of the application of the Telecommunications Business Act.

*The service models of each company are diverse, and different interpretations may apply.

 For detailed interpretations, please check the *Manual for Market Entry into Japanese Telecommunications Business* (supplementary edition) on MIC’s website.

https://www.soumu.go.jp/main_content/000838068.pdf

 For entry procedures, check the Guidance on Procedures for Entry and Changes in Telecommunications Business at MIC’s website.

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

 If you have any questions, please contact the Ministry of Internal Affairs and Communications or the jurisdictional Regional Bureau of Telecommunications.

(Contact)

Computer Communications Division/Telecommunications Policy Division, Telecommunications Business Department, Telecommunications Bureau, Ministry of Internal Affairs and Communications
 Email: Marketentry_TBA_atmark_soumu.go.jp **Please replace “atmark” with “@.”**



Hokkaido Regional Bureau of Telecommunications	Telecommunications Business Division	011-709-2311 (ext. 4705)	Tokai Regional Bureau of Telecommunications	Telecommunications Business Division	052-971-9403
Tohoku Regional Bureau of Telecommunications	Telecommunications Business Division	022-221-0630	Kinki Bureau of Telecommunications	Telecommunications Business Division	06-6942-8518
Kanto Regional Bureau of Telecommunications	Telecommunications Business Division	03-6238-1675 (for matters related to lines not installed) 03-6238-1679 (for other than the above)	Chugoku Regional Bureau of Telecommunications	Telecommunications Business Division	082-222-3378
			Shikoku Regional Bureau of Telecommunications	Telecommunications Business Division	089-936-5042
Shinetsu Regional Bureau of Telecommunications	Telecommunications Business Division	026-234-9948	Kyushu Regional Bureau of Telecommunications	Telecommunications Business Division	096-326-7824
Hokuriku Regional Bureau of Telecommunications	Telecommunications Business Division	076-233-4422	Okinawa Office of Telecommunications	Information Communications Division	098-865-2302

 For details and contact information regarding regulations on user information (regulations concerning the external transmission of user-related information), please refer to the following:

Telecommunications Consumer Policy Division, Telecommunications Business Department, Telecommunications Bureau, Ministry of Internal Affairs and Communications 03-5253-5847