

# Outline of the Act Partially Amending the Telecommunications Business Act and the Act on Nippon Telegraph and Telephone Corporation, etc.

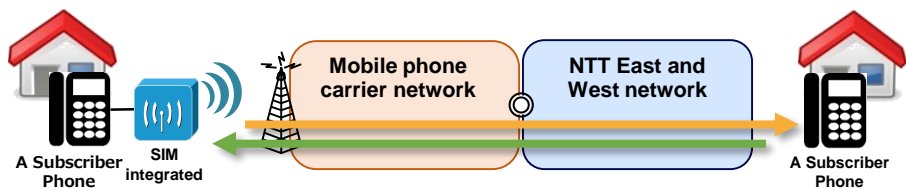
To respond to changes in social structures such as population decline and the globalization of the telecommunications market, and to secure the users' interests related to telecommunications services, the Act aims to (i) take measures to enable NTT East and West to provide telephone services by means of the telecommunications facilities of other telecommunications carriers, while (ii) develop regulations for telecommunications businesses operated by foreign corporations, etc. \*1

## 1. Introduction of the utilization of the facilities of other telecommunications carriers by NTT East and West to provide universal services (universal phone service)

- The subscription phone service provided by NTT East and West are obliged to be provided by in-house facilities, causing a deficit, indicating the possibility of further increasing economic burden due to the rapid progress of population decline.
  - ☞ The income and expenditure of NTT East and West subscription phone service were 36.1 billion yen in the red (FY 2018)
- Based on the recent disaster occurrences, the task at hand is the quick recovery of subscriber phones in the event of a disaster.

The Act improves the (telecommunications) system by **enabling NTT East and West to provide telephone services by means of the (wireless) facilities of other telecommunications carriers, only if the necessary conditions\*2 are met, and with the approval of the Minister for Internal Affairs and Communications.**

Conceptual Diagram of Wireless Phones



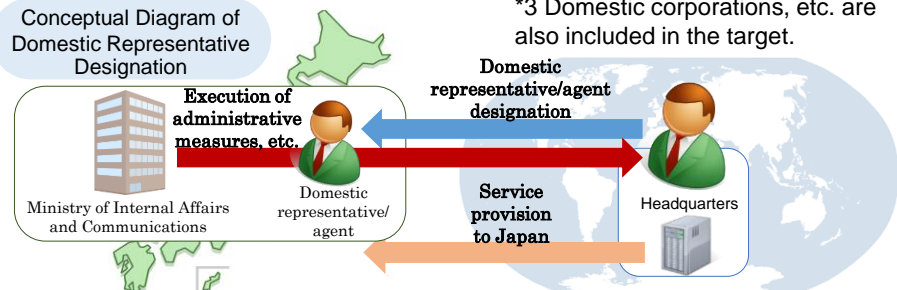
\*2 range of use, stable provisions of services fair procurement of facilities, etc.

## 2. Strengthening of the effectiveness of law enforcement for foreign corporations, etc.

- The domestic usage of platform services provided by foreign corporations, etc. has experienced a rapid expansion.
- The enforcement of the Telecommunications Business Act for foreign corporations, etc. is limited. Issues have become apparent such as;
  - Insufficient protection of Japanese users
  - Unfair competition among domestic and overseas businesses
- ☞ Occurrence of large leaks of user information or large-scale communication failure, etc. related to services provided by foreign corporations

**In order to strengthen the effectiveness of discipline** for foreign corporations, etc., the Act develops **regulations related to the obligation to designate domestic representatives, etc.** at the time of registration/notification (making it possible to issue business improvement orders, etc.), and **the publication system\*3 in the case of the Telecommunications Business Act violations.**

Conceptual Diagram of Domestic Representative Designation



\*3 Domestic corporations, etc. are also included in the target.

\*1 In addition to the above, in order to respond to globalization-related organizational restructuring, the Act proposes to revise the scope of regulations that allow for interlocking directorates within the telecommunications carriers that install Category I designated telecommunications facilities (NTT East and West).

# 電気通信事業法及びNTT法の一部を改正する法律(概要)

人口減少等の社会構造の変化、電気通信市場のグローバル化等に対応し、電気通信サービスに係る利用者利益等を確保するため、① NTT東西による他の電気通信事業者の電気通信設備を用いた電話の役務の提供を可能とするための措置を講ずるとともに、② 外国法人等が電気通信事業を営む場合の規定の整備等※<sup>1</sup>を行う。

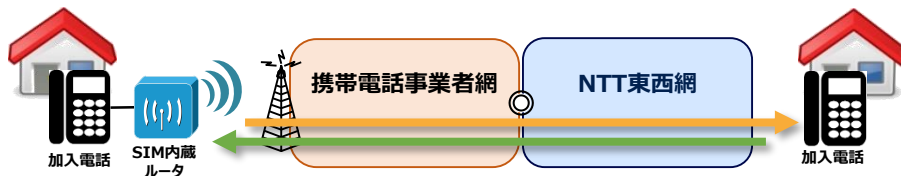
## ① NTT東西によるユニバーサルサービス(あまねく電話)の提供における他者設備利用の導入

- NTT東西が提供する加入電話は、自社設備による提供が義務付けられ、赤字が発生しており、人口減少の急速な進展に伴い経済的負担が更に膨らむおそれ。
  - ☞ 加入電話の収支はNTT東西で361億円の赤字(2018年度)
- 昨今の災害発生状況を踏まえ、災害時の加入電話の迅速な復旧が課題。

NTT東西が、**所要の要件※<sup>2</sup>を満たす場合に限って、総務大臣の認可により、他の電気通信事業者の設備(無線設備)を用いて電話を提供することを可能とする等の制度整備を行う。**

※<sup>2</sup> 利用範囲、安定的な提供体制、公正な設備調達等

### ワイヤレス電話のイメージ



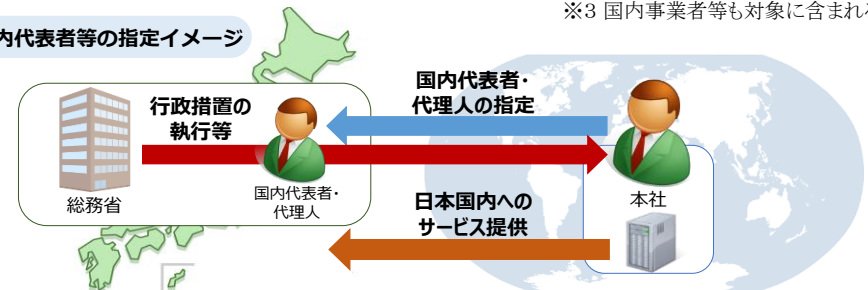
## ② 外国法人等に対する法執行の実効性の強化

- 外国法人等が提供するプラットフォームサービス等の国内における利用は急速に拡大。
- 外国法人等に対する電気通信事業法の執行には限界があり、
  - 我が国利用者の保護が十分に図られていない
  - 国内外事業者の間で競争上の不公平が生じている等の課題が顕在化。
  - ☞ 外国事業者の提供するサービスにおいて利用者情報の大量漏えいや大規模な通信障害等が発生

外国法人等に対する**規律の実効性を強化するため、登録・届出の際の国内代表者等の指定義務(業務改善命令等が可能となる。)**、**電気通信事業法違反の場合の公表制度※<sup>3</sup>**等に係る規定を整備する。

※<sup>3</sup> 国内事業者等も対象に含まれる。

### 国内代表者等の指定イメージ



※<sup>1</sup> 上記のほか、グローバル化等に伴うグループ再編等に対応するため、第一種指定電気通信設備を設置する電気通信事業者(NTT東西)の役員兼任規制の対象範囲の見直し等を行う。