

Regulations for Enforcement of the Act Establishing Special Provisions on Performance Agreements That Are Meant to Help Prevent the Harm Associated with Performing in Sexually Explicit Videos and to Contribute to Remedies for Performers in Order to Contribute to the Formation of a Society in Which Individuals' Sexual Dignity Is Respected

(Cabinet Office Order No. 41 of June 22, 2022)

Pursuant to the provisions of Article 4, paragraph (3), item (viii), Article 5, paragraph (1), item (v), and Article 13, paragraph (1) of the Act Establishing Special Provisions on Performance Agreements That Are Meant to Help Prevent the Harm Associated with Performing in Sexually Explicit Videos and to Contribute to Remedies for Performers in Order to Contribute to the Formation of a Society in Which Individuals' Sexual Dignity Is Respected (Act No. 78 of 2022), these Regulations for Enforcement of the Act Establishing Special Provisions on Performance Agreements That Are Meant to Help Prevent the Harm Associated with Performing in Sexually Explicit Videos and to Contribute to Remedies for Performers in Order to Contribute to the Formation of a Society in Which Individuals' Sexual Dignity Is Respected are established as follows.

(Definitions)

Article 1 The terms used in this Cabinet Office Order have the same meanings as the terms used in the Act Establishing Special Provisions on Performance Agreements That Are Meant to Help Prevent the Harm Associated with Performing in Sexually Explicit Videos and to Contribute to Remedies for Performers in Order to Contribute to the Formation of a Society in Which Individuals' Sexual Dignity Is Respected (Act No. 78 of 2022; hereinafter referred to as "the Act").

(Content of Performance Agreements)

Article 2 The "information specified by Cabinet Office Order" that is provided for in Article 4, paragraph (3), item (viii) of the Act means the name of the country or region in which the sexually explicit video will be distributed or shown on a screen (if it will be distributed or shown on a screen domestically in part of the country, the name of the prefecture), and the name of the country or region in which the sexually explicit video will be transmitted to the public (if an automatic public transmission server (meaning an automatic public

transmission server provided for in Article 2, paragraph (1), item (ix)-5, (a) of the Copyright Act (Act No. 48 of 1970) will be used, the name of the person managing the automatic public transmission server and the name of the country or region in which that person is domiciled).

(Details of the Obligation to Explain)

Article 3 The "information specified by Cabinet Office Order" that is provided for in Article 5, paragraph (1), item (v) of the Act means:

- (i) information on the implementation of sexually transmitted infection testing for the other parties participating in the positions involving sex acts;
- (ii) a translation of the information given in the draft performance contract and the explanatory document (excluding the information set forth in this item) in the language that the performer designates (but only if the language in which the draft performance contract and the explanatory document has been rendered differs from the languages that the performer understands).

(Delivering a Document After Hindering an At-Will Cancellation or Withdrawal)

Article 4 (1) The document that a producer or releaser or a member of production or release staff delivers pursuant to the provisions of Article 13, paragraph (1) of the Act (referred to simply as "the document" in paragraphs (2) through (5)) must contain the following information:

- (i) that, pursuant to the provisions of Article 13, paragraph (1) of the Act, the performer may withdraw their offer to enter into a performance agreement or cancel the performance agreement by giving notice in the form of a written document or electronic or magnetic record before the expiration of one year from the date the performer receives the document;
 - (ii) information on the provisions of Article 13, paragraphs (2) and (3) of the Act;
 - (iii) the name, address, and telephone number of the producer or releaser;
 - (iv) the date of the offer to enter into, or the date of entry into, the performance agreement; and
 - (v) the content of the performance agreement.
- (2) The person preparing the document must use characters and numbers with a font size of 12 points or larger as prescribed in Japanese Industrial Standard Z 8305 in it.
- (3) When preparing the document, the person preparing it must include the content of the information set forth in paragraph (1), items (i) and (ii) in red characters within a red border.
- (4) The language in which the document is rendered must be one that the performer understands.

- (5) Once the document has been delivered to the performer and after immediately confirming that the performer has seen it, the producer or releaser must explain to the performer the content of the information set forth in paragraph (1), items (i) and (ii).

Supplementary Provisions

- (1) This Cabinet Office Order comes into effect on the effective date of the Act.
- (2) To apply the provisions of Article 4, paragraph (1), item (i) to a document delivered pursuant to the provisions of Article 13, paragraph (1) of the Act in connection with a performance agreement provided for in Article 3, paragraph (1) of the Supplementary Provisions, the phrase "one year" in that item is deemed to read "two years"; and to apply the provisions of Article 4, paragraph (1), item (i) to a document delivered pursuant to the provisions of Article 13, paragraph (1) of the Act in connection with a performance agreement provided for in Article 3, paragraph (2) of the Supplementary Provisions, the phrase "before the expiration of one year" in that item is deemed to read "before the expiration of one year, and also before the expiration of four years and six months counting from the effective date of the Act".