

Enforcement Regulation of the Act on Ensuring Appropriate Handling of Satellite Remote Sensing Data

(Cabinet Office Order No. 41 of August 9, 2017)

Pursuant to the provisions of the Act on Ensuring Appropriate Handling of Satellite Remote Sensing Data (Act No. 77 of 2016), and for the purpose of the enforcement of the Act, the Enforcement Regulation of the Act on Ensuring Appropriate Handling of Satellite Remote Sensing Data is provided as follows:

(Definitions)

Article 1 The terms used in this Cabinet Office Order are governed by the definitions in the Act on Ensuring Appropriate Handling of Satellite Remote Sensing Data (hereinafter referred to as the "Act"), and the meanings of the terms set forth in the following items are as prescribed respectively in those items:

- (i) optical sensor: a sensor that detects electromagnetic waves in the ultraviolet, visible light, near-infrared, or mid-wavelength infrared regions, excluding a hyperspectral sensor;
- (ii) SAR sensor (Synthetic-Aperture Radar sensor): a sensor that detects electromagnetic waves in the radio region and which obtains images by emitting radio waves to the observation target and receiving the scattered radio waves, and then performing range compression processing (meaning processing for improving target distinguishing accuracy along the range direction (meaning the direction to which electromagnetic waves are emitted) by correlating the received signal and the reference signal obtained from the transmitted signal; the same applies hereinafter) and azimuth compression processing (meaning processing for improving target distinguishing accuracy along the azimuth direction (meaning the pitch direction of a satellite orbiting earth) by performing synthetic aperture processing (meaning processing for obtaining the same level of target distinguishing accuracy as a large-aperture sensor by using the Doppler effect of the received signal observed along the trace of the satellite orbiting earth) on the received signal; the same applies hereinafter);
- (iii) hyperspectral sensor: a sensor that detects electromagnetic waves with a wavelength band of 49 or more, in the ultraviolet, visible light, near-infrared and mid-wavelength infrared regions;
- (iv) thermal infrared sensor: a sensor that detects electromagnetic waves in the thermal infrared region.

- (v) raw data: the following electronic or magnetic records:
 - (a) electromagnetic data recording detected information obtained by an optical sensor, hyperspectral sensor or thermal infrared sensor, on which no radiometric correction (meaning processing for correcting the sensor sensitivity characteristics (including long term deterioration), which in the case of an optical sensor and hyperspectral sensor, includes processing for correcting radiometric error caused by the effect of the position and angle of the sun and by atmospheric conditions; the same applies hereinafter) and geometric correction (meaning correcting geometric distortion of image caused by the movement of the satellite orbiting earth, the rotation and curvature of the Earth, alignment of detectors, and the position, attitude, vibration, and heat of the satellite orbiting earth sensor at observation; the same applies hereinafter) has been performed; and
 - (b) electromagnetic data recording detected information obtained by a SAR sensor, on which no range compression processing, azimuth compression processing, and geometric correction has been performed; and
- (vi) standard data: the following electronic or magnetic records:
 - (a) electromagnetic data recording detected information referred to in (a) of the preceding item, on which radiometric or geometric correction has been performed; provided, however, that the following are excluded:
 - 1. records without any metadata (meaning the name of the satellite orbiting earth, name of sensors, date and time of recording, position of satellite orbiting earth at recording, observation mode, pointing angle or any other general information on the satellite orbiting earth; the same applies in (b)1.);
 - 2. records which have become to be reconstructed no longer to the condition after the radiometric or geometric correction, by performing contour definition of an object or any other advanced information processing.
 - (b) electromagnetic data recording detected information referred to in (b) of the preceding item, on which the range compression processing and azimuth compression processing or geometric correction has been performed; provided, however, that the following are excluded:
 - 1. data without any metadata;
 - 2. data which have become to be reconstructed no longer to the condition after range compression processing and azimuth compression processing or geometric correction, by performing contour definition of an object or any other advanced information processing.
- (vii) satellite remote sensing instrument constellation: two or more satellite remote sensing instruments that have the same sensor categories listed in Article 2, have similar structure and performance, and are operated in an integrated manner.

(Requirements Specified by Cabinet Office Order referred to in Article 2, item (ii) of the Act)

Article 2 The requirements specified by Cabinet Office Order referred to in Article 2, item (ii) of the Act, are as specified in the following items, in accordance with the categories of sensors respectively provided for in those items.

- (i) optical sensor: an optical sensor with a target distinguishing accuracy not exceeding 2 meters.
- (ii) SAR sensor: a SAR sensor with a target distinguishing accuracy not exceeding 3 meters.
- (iii) hyperspectral sensor: a hyperspectral sensor with a target distinguishing accuracy not exceeding 10 meters, and with a detectable wavelength band exceeding 49.
- (iv) thermal infrared sensor: a thermal infrared sensor with a target distinguishing accuracy not exceeding 5 meters.

(Requirements Specified by Cabinet Office Order referred to in Article 2, item (vi) of the Act)

Article 3 (1) The requirements specified by Cabinet Office Order referred to in Article 2, item (vi) of the Act, are as specified in the lower column of the following table, in accordance with the categories of electronic or magnetic records respectively listed in the upper column of the table.

Categories	Requirements
(i) Raw data	(a) for data recorded by an optical sensor, data with target distinguishing accuracy not exceeding 2 meters, which is within five years of recording.
	(b) for data recorded by a SAR sensor, data with target distinguishing accuracy not exceeding 3 meters, which is within five years of recording.
	(c) for data recorded by a hyperspectral sensor, data with target distinguishing accuracy not exceeding 10 meters and detectable wavelength bands exceeding 49, which is within five years of recording.
	(d) for data recorded by a thermal infrared sensor, data with target distinguishing accuracy not exceeding 5 meters, which is within five years of recording.
(ii) Standard data	(a) for data recorded by an optical sensor, data with target distinguishing accuracy less than 25 centimeters.
	(b) for data recorded by a SAR sensor, data with target distinguishing accuracy less than 24 centimeters.

	(c) for data recorded by a hyperspectral sensor, data with target distinguishing accuracy not exceeding 5 meters and detectable wavelength bands exceeding 49.
	(d) for data recorded by a thermal infrared sensor, data with target distinguishing accuracy not exceeding 5 meters.

(2) Notwithstanding the provisions of the preceding paragraph, the requirements specified by Cabinet Office Order referred to in Article 2, item (vi) of the Act relating to satellite remote sensing data that is subject to an order prohibiting provision pursuant to the provisions of Article 19, paragraph (1) of the Act, are specified by the Prime Minister by public notice.

(Application for License)

Article 4 (1) A person who intends to obtain a license under Article 4, paragraph (1) of the Act must submit a written application using Form 1 (if the satellite remote sensing instrument for that license application is part of a satellite remote sensing instrument constellation, using Form 1-2) to the Prime Minister.

(2) The following documents must be attached to the written application under the preceding paragraph.

(i) the following documents relating to the applicant:

(a) if the applicant is an individual, the following documents:

1. a copy of a residence certificate or a alternate document (limited to a record containing the registered domicile (or, in the case of a foreign national, the person's nationality, etc. provided for in Article 30-45 of the Residential Basic Book Act (Act No. 81 of 1967); the same applies hereinafter);
2. a document pledging that the applicant does not fall under any of the items (i) through (iv) of Article 5 of the Act;
3. the following documents relating to the applicant's employees (meaning an employee provided for in Article 5; the same applies in this Article and Article 9, paragraph (3), item (i)) and successor:
 - a) a copy of a residence certificate or alternate document;
 - b) in the case of the employee, a document to pledge that the employee does not fall under any of the items (i) through (iv) of Article 5 of the Act, or, in the case of the successor, a document pledging that the successor does not fall under any of the items (i) through (vi) of Article 5 of the Act.

(b) if the applicant is a corporation, the following documents:

1. its articles of incorporation and certificate of registered information, or a document equivalent thereto;
2. a document pledging that the corporation does not fall under any of the

- items (i) through (iii) of Article 5 of the Act;
- 3. the following documents relating to its officers provided for in Article 5, item (v) of the Act (simply referred to as "officer" in Article 9, paragraph (3), item (i)) and employees;
 - a) a copy of a residence certificate or alternate document;
 - b) a document pledging that the relevant person does not fall under any of the items (i) through (iv) of Article 5 of the Act;
- (ii) A document stating the type, structure and capability of the satellite remote sensing instrument;
- (iii) the following documents relating to the command and control ground radio station;
 - (a) a document stating the location, structure and capability of the command and control ground radio station, as well as the method of management thereof;
 - (b) if a person other than the applicant is to manage the command and control ground radio station, the following documents relating to the manager:
 - 1. if the manager is an individual, the following documents:
 - a) a copy of a residence certificate or alternate document;
 - b) a document pledging that the manager does not fall under any of the items (i) through (iv) of Article 5 of the Act;
 - 2. if the manager is a corporation, the following documents:
 - a) its articles of incorporation and certificate of registered information, or a document equivalent thereto;
 - b) a document pledging that the corporation does not fall under any of the items (i) through (iii) of Article 5 of the Act;
- (iv) the following documents relating to the receiving station:
 - (a) a document stating the location, structure and capability of the receiving station, as well as the method of management thereof;
 - (b) if a person other than the applicant manages the receiving station, a copy of the accreditation certificate under Article 21, paragraph (4) of the Act relating to the manager;
- (v) a document relating to the measures provided for in Article 7; and
- (vi) any other document which the Prime Minister determines necessary.

(A Person Specified by Cabinet Office Order referred to in Article 5, item (iv) of the Act)

Article 4-2 The person specified by Cabinet Office Order referred to in Article 5, item (iv) of the Act is a person who is unable to properly carry out the cognition, decision making, and communication necessary for adequately performing business relating to the use of a satellite remote sensing instrument due to a

mental impairment.

(Employees)

Article 5 The employees specified by Cabinet Office Order referred to in Article 5, items (v) and (vi) of the Act, are employees of the applicant having authority and responsibilities for the business relating to the use of the applicant's satellite remote sensing instrument.

(Requirements Specified by Cabinet Office Order referred to in Article 6, item (i) of the Act)

Article 6 The requirements specified by Cabinet Office Order referred to in Article 6, item (i) of the Act, are as follows:

- (i) that it is determined that the applicant is capable of implementing the following measures in an appropriate manner so as to prevent any person other than the applicant from using the satellite remote sensing instrument;
 - (a) measures to prevent unauthorized use of the satellite remote sensing instrument provided for in Article 8 of the Act; and
 - (b) termination measures provided for in Article 15 of the Act.
- (ii) that the command and control ground radio station and receiving station are not located in the following countries or regions.
 - (a) the regions listed in Appended Table 3-2 or 4 of the Export Trade Control Order (Cabinet Order No. 378 of 1949; hereinafter referred to as the "Export Order");
 - (b) the countries or regions determined by a resolution of the United Nations General Assembly or Security Council as being responsible for the occurrence of situations threatening the peace and security of the international community; and
- (iii) it is determined that the applicant is capable of implementing the suspension of function provided for in Article 9 of the Act in an appropriate manner.

(Measures Specified by Cabinet Office Order referred to in Article 6, item (ii) of the Act)

Article 7 (1) The measures specified by Cabinet Office Order referred to in Article 6, item (ii) and Article 20 of the Act, are as specified in the lower column of the following table, in accordance with the categories of satellite remote sensing data respectively listed in the upper column of the table.

Categories of Satellite Remote Sensing Data	Measures
i) Raw data	(a) Organizational safety management measures

(i) that a basic policy for safe management of the satellite remote sensing data is established.
(ii) that the responsibilities and authority as well as duties of persons in charge of handling satellite remote sensing data are made clear.
(iii) that a system for handling matters in case of leaking or loss of or damage to satellite remote sensing data is established.
(iv) that regulations on safe management measures have been established and implemented, and operation of such regulations is being assessed and improved.
(b) Human safety management measures
(i) that it is confirmed that the person in charge of handling satellite remote sensing data does not fall under any of Article 5, items (i) through (iv) and Article 21, paragraph (3), item (i)(a) through (d) of the Act.
(ii) that the person in charge of handling satellite remote sensing data has taken measures to ensure that information on the satellite remote sensing data handled by such person in the course of their duties and any other special confidential information (meaning unpublished information which such person may learn in the course of their duties) will not be used for any purpose other than for the ensuring of appropriately carrying out those duties or any other purpose found to be necessary.
(iii) that necessary education and training are provided to a person in charge of handling satellite remote sensing data.
(c) Physical safety management measures
(i) that facilities for handling satellite remote sensing data are clearly distinguished.
(ii) that measures have been taken to restrict entry into and bringing devices into facilities for handling satellite remote sensing data.
(iii) that for a computer and portable memory device for handling satellite remote sensing data (meaning a portable media or device capable of being inserted into or connected to a computer or its peripheral equipment to store information; hereinafter the same applies in this paragraph), in order to prevent theft, loss or any other accident, securing the computer terminal with a cable or other necessary physical measures have been taken.
(d) Technical safety management measures

	(i) that appropriate measures have been taken for facilities for handling satellite remote sensing data so as to prevent unauthorized access (meaning unauthorized access as provided in Article 2, paragraph (4) of the Act on Prohibition of Unauthorized Computer Access (Act No. 128 of 1999).
	(ii) that measures have been taken to restrict a portable memory device from being connected with a computer or its peripheral equipment.
	(iii) that operations of computers and terminals relating to the handling of satellite remote sensing data have been recorded.
	(iv) that when there is a transfer or telecommunications transmission of satellite remote sensing data, encryption or any other necessary measures for the appropriate protection of the satellite remote sensing data have been taken.
	(v) that when satellite remote sensing data is processed, necessary measures have been taken to ensure that that processing is implemented in an appropriate manner.
(ii) Standard data	(a) Organizational safety management measures
	Same as (a) for the paragraph of raw data.
	(b) Human safety management measures
	Same as (b) for the paragraph of raw data.
	(c) Physical safety management measures
	Same as (d) for the paragraph of raw data.

(2) If a satellite remote sensing instrument user and satellite remote sensing data holder manages the business of handling satellite remote sensing data, in whole or in part, using an external storage service through telecommunication lines, it is to expressly provide for the following particulars in a contract with the business providing the service (hereinafter referred to as a "service provider" in this paragraph) relating to the use of the service.

- (i) that the measures equivalent to those provided for in the preceding paragraph are to be taken; and
- (ii) the satellite remote sensing data is not to be stored on a computer located in any of the following countries or regions:
 - (a) the regions listed in Appended Table 3-2 or 4 of the Export Order; or
 - (b) the countries or regions determined by a resolution of the United Nations General Assembly or Security Council as being responsible for the occurrence of situations threatening the peace and security of the international community;
- (iii) that, upon the cancellation or expiration of the contract, deletion or return of satellite remote sensing data or any other necessary measures are to be

taken; and

- (iv) that, if the service provider entrusts all or part of its business to a third party, a contract for the business entrustment provides for a condition that the entrusted party must comply with the particulars listed in the preceding three items and that the entrusted party must take any other measures to perform the business in an appropriate and reliable manner.
- (3) The measures provided for in the preceding two paragraphs do not apply to satellite remote sensing data to be provided for necessary purposes in view of public interest or for the urgent necessity for rescuing human lives, disaster relief or any other emergencies, as provided for in Article 18, paragraph (3) of the Act.

(Issuance of License Certificate)

Article 8 When the Prime Minister grants a license under Article 4, paragraph (1) of the Act, the Prime Minister is to notify the applicant to that effect and issue a license certificate using Form 2.

(Application for Permission for Change)

- Article 9 (1) When a satellite remote sensing instrument user intends to change any of the particulars listed in Article 4, paragraph (2), items (ii) through (viii) of the Act, it must obtain a permission concerning the change from the Prime Minister by submitting a written application using Form 3 (if the satellite remote sensing instrument for that license application is part of a satellite remote sensing instrument constellation, using Form 1-2), attaching a document relating to the changed items contained in the documents provided for in Article 4, paragraph (2) as well as the license certificate provided for in the preceding paragraph relating to the satellite remote sensing instrument.
- (2) When the Prime Minister has granted a license under Article 7, paragraph (1) of the Act, the Prime Minister is to notify the applicant to that effect and issue a revised license certificate.
 - (3) The minor changes specified by Cabinet Office Order referred to in the proviso to Article 7, paragraph (1) of the Act, are changes which fall under any of the following items:
 - (i) a change in the name of an officer or employee engaged in the business relating to the use of a satellite remote sensing instrument, which is not accompanied by a change of officer or employee;
 - (ii) if the management of the command and control ground radio station or receiving station is to be implemented by a person other than the applicant, a change in the name or title of a manager, which is not accompanied by a change in the manager;
 - (iii) beyond what is set forth in the preceding two items, changes not involving

any substantial change to the particulars set forth in Article 4, paragraph (2), items (ii) through (viii) of the Act.

- (4) When a satellite remote sensing instrument user intends to make a notification under Article 7, paragraph (2) of the Act, the user must submit a written notification to the Prime Minister using Form 4, attaching a document relating to the changed particulars, and a copy of the license certificate referred to in the preceding Article relating to the relevant satellite remote sensing instrument.

(Measures Specified by Cabinet Office Order referred to in Article 8, paragraph (1) of the Act)

Article 10 (1) The measures specified by Cabinet Office Order referred to in Article 8, paragraphs (1) and (2) of the Act, are any of the measures specified in the following items:

- (i) making it impossible to reconstruct codes without the use of corresponding conversion codes or corresponding data conversion codes;
 - (ii) obtaining two or more frequencies and using them accordingly to communicate; and
 - (iii) taking measures such that only a person authorized to use the satellite remote sensing instrument can operate the operational radio station.
- (2) The provisions of Article 7, paragraphs (1) and (2) apply mutatis mutandis to the measures specified by Cabinet Office Order as those necessary and appropriate for the safe management of conversion codes, etc. under Article 8, paragraph (5) of the Act.

(Measures Specified by Cabinet Office Order referred to in Article 10, paragraph (3) of the Act)

Article 11 The measures specified by Cabinet Office Order referred to in Article 10, paragraph (3) of the Act, are any of the measures specified in the following items:

- (i) to ensure that electromagnetic data recording detected information is not transmitted to a receiving station provided for in Article 10, paragraph (2) of the Act; and
- (ii) to change data conversion codes.

(Notification Made in an Event of a Failure)

Article 12 When a satellite remote sensing instrument user intends to make a notification under Article 11 of the Act, it must submit a written notification to the Prime Minister using Form 5.

(Particulars to be Stated in Log)

- Article 13 (1) The particulars specified by Cabinet Office Order referred to in Article 12, paragraph (1) of the Act, are as set forth in the following items:
- (i) the date and time of transmitting signals for operation of a satellite remote sensing instrument, its contents and the place of the command and control ground radio station, etc. used for transmitting those signals;
 - (ii) the date and time of recording the electromagnetic data recording detected information, the scope of coverage, and letters, numbers, signs or any other codes for identification of these information (hereinafter referred to as "identification codes");
 - (iii) the date and time of ground transmission of electromagnetic data recording detected information and the location of the receiving station used for receiving the data;
 - (iv) status of processing or deleting the electromagnetic data recording detected information; and
 - (v) if any satellite remote sensing data is to be provided to a third party, the identification code, category, date and time of provision of the satellite remote sensing data, the name of the recipient, and, the certificate number of the recipient if the recipient has obtained an accreditation certificate under Article 21, paragraph (4) of the Act.
- (2) When a satellite remote sensing instrument user creates electronic or magnetic records for logs under Article 12, paragraph (1) of the Act, it must do so by a method of recording the created electronic or magnetic records on a file stored in a computer used by the relevant satellite remote sensing instrument user, or by a method of preparing the records using the media which can securely record certain information by means of a magnetic disk, CD-ROM or any other means equivalent thereto (hereinafter referred to as "magnetic disks, etc.")
- (3) A satellite remote sensing instrument user must record in a log the particulars set forth in the items of paragraph (1) without delay, for each instance of transmission of signals for operation of a satellite remote sensing instrument, recording electromagnetic data recording detected information, ground transmission of electromagnetic data recording detected information, processing or deletion electromagnetic data recording detected information, or provision of satellite remote sensing data, for each satellite remote sensing instrument, and must keep the record for five years from the entry of the information.

(Application for Permission for Succession)

Article 14 (1) A person who intends to obtain an authorization under Article 13, paragraph (1) of the Act must submit a written application to the Prime Minister using Form 6, attaching the following documents and a copy of the

Article 8 license certificate relating to the transferor.

- (i) a document stating the transfer and acquisition price;
 - (ii) a document set forth in Article 4, paragraph (2), item (i) in relation to the transferee;
 - (iii) a document pledging that the transferee complies with the requirements set forth in Article 6, item (iii) of the Act;
 - (iv) a copy of the transfer and acquisition contract;
 - (v) if the transferee is a corporation, its latest profit and loss statement, balance sheet and business report; and
 - (vi) if the transferor or the transferee is a corporation, the minutes of resolution of a general meeting of shareholders or general meeting of members, or a written consent of members with unlimited liability or all members on the transfer or acquisition, or a document evidencing the decision concerning the transfer or acquisition.
- (2) When a satellite remote sensing instrument user intends to make a notification under Article 13, paragraph (2) of the Act, it must submit a written notification to the Prime Minister using Form 7, attaching the documents set forth in the items of the preceding paragraph and a copy of the Article 8 license certificate relating to the transferor.
- (3) A person who intends to obtain authorization under Article 13, paragraph (3) of the Act must submit a written application to the Prime Minister using Form 8, attaching the following documents and a copy of the Article 8 license certificate for the transferor.
- (i) a document stating the method and conditions of the merger;
 - (ii) a document set forth in Article 4, paragraph (2), item (i)(b) relating to the corporation surviving the merger or corporation to be incorporated through the merger;
 - (iii) a document pledging that the corporation surviving the merger or corporation to be incorporated through the merger complies with the requirements set forth in Article 6, item (iii) of the Act;
 - (iv) a copy of the merger contract and an explanation statement of the merger ratio;
 - (v) if a corporation is to be established through the merger, a fund plan statement stating the total amount, breakdown and method of procurement of funds necessary for the management of business of the corporation;
 - (vi) if the corporation surviving the merger is not presently engaged in business relating to the use of a satellite remote sensing instrument, its latest profit and loss statement, balance sheet and business report.
 - (vii) the minutes of resolution of a general meeting of shareholders or general meeting of members or a written consent of members with unlimited liability or all members on the merger, or a document evidencing the decision

concerning the merger.

- (4) A person who intends to obtain an authorization under Article 13, paragraph (4) of the Act must submit a written application to the Prime Minister using Form 9, attaching the following documents and a copy of the Article 8 license certificate for the transferor.
- (i) a document stating the method and conditions of the company split;
 - (ii) a document set forth in Article 4, paragraph (2), item (i)(b) relating to the corporation succeeding to the business relating to the use of a satellite remote sensing instrument through the company split;
 - (iii) a document pledging that the corporation succeeding to the business relating to the use of a satellite remote sensing instrument through the company split complies with the requirements set forth in Article 6, item (iii) of the Act;
 - (iv) a copy of the company split contract (for the incorporation-type company split, a company split plan) and an explanation statement of the split ratio;
 - (v) if a corporation is to be established through the company split, a fund plan statement stating the total amount, breakdown and method of procurement of funds necessary for the management of business of the corporation;
 - (vi) if the corporation succeeding to the business relating to the use of a satellite remote sensing instrument through an absorption-type company split is not currently operating a business relating to the use of a satellite remote sensing instrument, its latest balance sheet, profit and loss statement and business report;
 - (vii) the minutes of a resolution of a general meeting of shareholders or a general meeting of members or the written consent of members with unlimited liability or all members concerning the company split, or a document evidencing the decision concerning the company split.

(Notification of Death)

Article 15 When an heir makes a notification under Article 14, paragraph (1) of the Act, the heir must submit a written notification to the Prime Minister using Form 10.

(Notification of Implementation of Termination Measures)

Article 16 When a satellite remote sensing instrument user intends to make a notification under Article 15, paragraph (2) of the Act, it must submit a written notification to the Prime Minister using Form 11.

(Measures Specified by Cabinet Office Order referred to in Article 15, paragraph (2), item (i) of the Act)

Article 17 (1) The measures specified by Cabinet Office Order referred to in

Article 15, paragraph (2), item (i) of the Act, are any of the measures specified in the following items:

- (i) transmitting signals from a command and control ground radio station to the satellite remote sensing instrument that is subject to the measures to cease the function of detecting ground emitted electromagnetic waves, etc.; or
- (ii) transmitting signals from a command and control ground radio station to not supply power to the satellite remote sensing instrument that is subject to the measures.

(2) The measures specified by Cabinet Office Order referred to in Article 15, paragraph (2), item (ii) of the Act are the measures to transmit the signals from a command and control ground radio station to the satellite remote sensing instrument that is subject to the relevant measures to cease the function to detect the ground emitted electromagnetic waves, etc. until a restart signal is received, as well as to notify the Prime Minister of the information concerning the restart signal and the creation method thereof.

(Notification of Dissolution)

Article 18 When a liquidator or bankruptcy trustee makes a notification under Article 16, paragraph (1) of the Act, the liquidator or bankruptcy trustee must submit a written notification to the Prime Minister using Form 12.

(Procedure for Rescinding a License)

Article 19 When the Prime Minister rescinds a license under Article 4, paragraph (1) of the Act or orders suspension of use of a satellite remote sensing instrument designating a period not exceeding one year, pursuant to the provisions of Article 17, paragraph (1) of the Act, the Prime Minister is to notify the satellite remote sensing instrument user to that effect in writing and order the return of the Article 8 license certificate relating to the satellite remote sensing instrument.

(Method of Provision of Satellite Remote Sensing Data)

Article 20 (1) The method specified by Cabinet Office Order as those necessary and appropriate for prevention of acquisition and use of the satellite remote sensing data by any person other than the recipient of the satellite remote sensing data, referred to in Article 18, paragraph (1) of the Act, is any of the methods listed in the following items:

- (i) cryptography or any other method of communication whereby it is not easy to reconstruct the contents thereof; or
- (ii) a method of encrypting satellite remote sensing data and recording it on the magnetic disks, etc., and providing it on the magnetic disks, etc.

(2) When a satellite remote sensing data holder provides satellite remote sensing

data pursuant to the provisions of Article 18, paragraph (1) of the Act, it is to require the recipient to present an accreditation certificate under Article 21, paragraph (4) of the Act in advance, and to clearly indicate the category of the satellite remote sensing data provided for in Article 22.

- (3) When a satellite remote sensing data holder provides the satellite remote sensing data to a satellite remote sensing instrument user provided for in Article 18, paragraph (2) of the Act pursuant to the provision of that paragraph, it is to confirm the name of the satellite remote sensing instrument user and the type of the satellite remote sensing instrument in advance, and to clearly indicate the category of the satellite remote sensing data provided for in Article 22.
- (4) The provisions of the preceding paragraph apply mutatis mutandis to the case of provision of satellite remote sensing data to a specified data handling organization pursuant to the provisions of Article 18, paragraph (2) of the Act. In this case, the phrase "the name of the satellite remote sensing instrument user and the type of the satellite remote sensing instrument" is deemed to be replaced with "the name of the satellite remote sensing instrument."

(Procedures for Provision of Satellite Remote Sensing Data Due to Urgent Necessity)

Article 21 (1) When a satellite remote sensing data holder provided satellite remote sensing data due to urgent necessity for rescuing human lives, disaster relief or any other response to emergent situations (including the case of response through international cooperation) if a disaster (meaning a disaster provided for in Article 2, item (i) of the Basic Act on Disaster Control Measures (Act No. 223 of 1958) occurred or is likely to occur, the satellite remote sensing data holder is to submit a document stating the following particulars to the Prime Minister without delay.

- (i) the details of the situation;
- (ii) the background of provision of the satellite remote sensing data;
- (iii) the category of the satellite remote sensing data;
- (iv) the scope and period of the satellite remote sensing data; and
- (v) the name of the recipient to the provision (including the other recipient to whom the data is further provided from the recipient).

- (2) When submitting the document set forth in the preceding paragraph, a document clearly specifying the particulars set forth in items (i) and (ii) of that paragraph and any other necessary documents are to be attached.

(Categories of Satellite Remote Sensing Data)

Article 22 The categories of satellite remote sensing data specified by Cabinet Office Order referred to in Article 21, paragraph (1) of the Act, are as set forth

in the following table:

Categories of Satellite Remote Sensing Data	Details of Satellite Remote Sensing Data
(i)	Raw data recorded by an optical sensor.
(ii)	Raw data recorded by a SAR sensor.
(iii)	Raw data recorded by a hyperspectral sensor.
(iv)	Raw data recorded by a thermal infrared sensor.
(v)	Standard data recorded by an optical sensor.
(vi)	Standard data recorded by a SAR sensor.
(vii)	Standard data recorded by a hyperspectral sensor.
(viii)	Standard data recorded by a thermal infrared sensor.

(Application for Certification)

Article 23 (1) A person who intends to obtain a certification under Article 21, paragraph (1) of the Act must submit a written application to the Prime Minister using Form 13.

(2) The following documents must be attached to the written application under the preceding paragraph.

(i) the following documents relating to the applicant:

(a) if the applicant is an individual, the following documents:

1. a copy of a residence certificate or an alternate document;
2. a document pledging that the applicant does not fall under any of Article 21, paragraph (3), item (i)(a) through (d);
3. the following documents relating to the applicant's employees (meaning an employee provided for in Article 24; the same applies in this Article and Article 29, paragraph (3), item (i)):

a) a copy of a residence certificate or alternate document;

b) a document pledging that the employee does not fall under any of Article 21, paragraph (3), item (i)(a) through (d);

(b) if the applicant is a corporation, the following documents:

1. its articles of incorporation and certificate of registered information, or a document equivalent thereto;
2. a document pledging that it does not fall under any of Article 21, paragraph (3), item (i)(a) through (d);
3. the following documents relating to its officers provided for in Article 21, paragraph (3), item (i)(e) of the Act (simply referred to as "officer" in Article 29, paragraph (3), item (i)) and employees:

a) a copy of a residence record or alternate document;

b) a document pledging that the relevant person does not fall under any of Article 21, paragraph (3), item (i)(a) through (d);

- (ii) a document relating to the measures provided for in Article 7;
- (iii) the following documents relating to the receiving station:
 - (a) a document stating the location, structure and capability of the receiving station, as well as the method of management thereof;
 - (b) if a person other than the applicant manages the receiving station, a copy of the Article 8 license certificate or a copy of the accreditation certificate under Article 21, paragraph (4) of the Act for the manager; and
- (iv) any other document which the Prime Minister determines necessary.

(A Person Specified by Cabinet Office Order referred to in Article 21, paragraph (3), item (i)(d) of the Act)

Article 23-2 A person to be specified by Cabinet Office Order referred to in Article 21, paragraph (3), item (i)(d) of the Act is a person who is unable to adequately carry out the cognition, judgment, and communication necessary for properly performing business relating to the handling of satellite remote sensing data due to a mental impairment.

(Employees)

Article 24 An employee specified by Cabinet Office Order referred to in Article 21, paragraph (3), item (i)(e) and (f) of the Act, is an employee of the applicant having authority and responsibilities for the business relating to the handling of satellite remote sensing data of the applicant.

(Requirements Specified by Cabinet Office Order referred to in Article 21, paragraph (3), item (ii) of the Act)

Article 25 The requirements specified by Cabinet Office Order referred to in Article 21, paragraph (3), item (ii) of the Act, are as set forth in the following items:

- (i) that the purpose of use of the satellite remote sensing data is found to be not likely to adversely affect ensuring peace of the international community, etc.;
- (ii) that the applicant is considered to have abilities for analysis or processing of satellite remote sensing data which are necessary according to the purpose of use of the satellite remote sensing data;
- (iii) that the measures provided for in Article 7 have been taken;
- (iv) that the place for handling the satellite remote sensing data is not located in any of the following countries or regions:
 - (a) the regions listed in Appended Table 3-2 or 4 of the Export Order; or
 - (b) the countries or regions determined by a resolution of the United Nations General Assembly or Security Council as being responsible for the occurrence of situations threatening the peace and security of the

- international community;
- (v) that the receiving station is not located in the countries or regions listed in the preceding item; and
 - (vi) beyond what is set forth in the preceding items, the handling of the satellite remote sensing data is found to be not likely to adversely affect ensuring peace of the international community, etc.

(Issuance of Accreditation Certificate)

- Article 26 (1) When the Prime Minister grants a certification under Article 21, paragraph (1) of the Act, the Prime Minister is to notify the applicant to that effect and issue an accreditation certificate using Form 14.
- (2) The validity period of the accreditation certificate under the preceding paragraph is five years from the date of obtaining the certification.

(Application for Renewal of Certification)

- Article 27 (1) A person who intends to make an application for renewal of the certification under paragraph (1) of the preceding Article must submit a written application to the Prime Minister using Form 15, attaching the documents set forth in the items of Article 23, paragraph (2) and a copy of the accreditation certificate under Article 21, paragraph (4) of the Act.
- (2) The provisions of the preceding three Articles apply mutatis mutandis to the renewal of certification under the preceding paragraph.

(Application for Reissuance of Accreditation Certificate)

- Article 28 A person who intends to obtain a reissuance of the accreditation certificate pursuant to the provisions of Article 21, paragraph (5) of the Act must submit a written application to the Prime Minister using Form 16.

(Application for Authorization of Change)

- Article 29 (1) When a person who obtained a certification under Article 21, paragraph (1) of the Act intends to change the particulars set forth in the same Article, paragraph (2), items (iii) through (vi), the person must receive a authorization of the change from the Prime Minister, by submitting a written application using Form 17, attaching a document relating to the changed particulars in the documents provided for in Article 23, paragraph (2), and the accreditation certificate provided for in Article 21, paragraph (4) of the Act.
- (2) When the Prime Minister has granted a authorization under Article 22, paragraph (1) of the Act, the Prime Minister is to notify the applicant to that effect and issue a revised accreditation certificate.
- (3) The minor changes specified in Cabinet Office Order referred to in the proviso to Article 22, paragraph (1) of the Act, are the changes which fall under any of

the following items:

- (i) a change in the name of an officer or employee engaged in the business of handling satellite remote sensing data, that does not involve a change of the officer or employee;
 - (ii) if a person other than the applicant manages the receiving station, a change in the name of the person who manages the equipment, that does not involve a change of the person who manages the equipment; and
 - (iii) beyond what is set forth in the preceding item, changes not involving any substantial change to the particulars set forth in Article 21, paragraph (2), items (iii) through (vi) of the Act.
- (4) When a person who obtained a certification under Article 21, paragraph (1) of the Act intends to make a notification pursuant to the provisions of Article 22, paragraph (2) of the Act, the person must submit a written notification to the Prime Minister using Form 18. attaching a document relating to the changed particulars, and a copy of an accreditation certificate provided for in Article 21, paragraph (4).

(Particulars to be Stated in Log)

Article 30 (1) The particulars specified by Cabinet Office Order referred to in Article 23, paragraph (1) of the Act, are as set forth in the following items:

- (i) the identification codes of satellite remote sensing data for receiving or providing satellite remote sensing data;
 - (ii) the categories of satellite remote sensing data;
 - (iii) the date and time of receiving or providing the satellite remote sensing data;
 - (iv) the name of the recipient or provider, and, the certificate number of the recipient or provider if the recipient or provider has obtained an accreditation certificate under Article 21, paragraph (4) of the Act; and
 - (v) the status of processing or deleting the satellite remote sensing data.
- (2) When a person who obtained a certification under Article 21, paragraph (1) of the Act creates electronic or magnetic records for the log under Article 23, paragraph (1) of the Act, the person must do so by a method of recording the created electronic or magnetic records on a file stored in a computer used by the person who obtained certification under Article 21, paragraph (1) of the Act, or by a method of preparing the records using magnetic disks, etc.
- (3) A person who obtained a certification under Article 21, paragraph (1) of the Act must record in the log the particulars set forth in the items of paragraph (1) without delay for, each instance of receiving or providing the satellite remote sensing data, or processing or deleting of satellite remote sensing data, and must keep the record for five years from the entry of the information.

(Procedure for Rescission of Certification)

Article 31 When the Prime Minister rescinds a certification of a person who obtained the certification under Article 21, paragraph (1) of the Act or suspends the validity of the certification designating a period not exceeding one year, pursuant to the provisions of Article 25, paragraph (1) of the Act, the Prime Minister is to notify the person who obtained the certification to that effect in writing.

(Identification of Persons Conducting On-site Inspection)

Article 32 The form of identification of the official under Article 27, paragraph (2) of the Act is to comply with Form 19.

(Terms of Documents)

- Article 33 (1) Written applications, written notifications and documents under Article 21, paragraph (1) as provided for in this Cabinet Office Order must be prepared in Japanese; provided, however, that address, name and contact information may be written in a foreign language.
- (2) Documents to be attached to written applications, written notifications and documents under Article 21, paragraph (1) as provided for in this Cabinet Office Order are limited to those written in Japanese or English; provided, however, that the Japanese translations must be submitted for any documents written in English.
- (3) Due to special circumstances, if a person is unable to submit the documents under the preceding paragraph in a language provided for in that paragraph, notwithstanding the provisions of that paragraph, the person may submit the document together with its Japanese translations.

Supplementary Provisions

(Effective Date)

Article 1 This Cabinet Office Order takes effect as of the date on which the Act comes into effect; provided, however, that the provisions of the following Article come effect as of the date on which the provisions set forth in Article 1, item (ii) of the Supplementary Provisions to the Act come into effect.

(Preparatory Acts)

Article 2 A person who intends to obtain a license or certification set forth in Article 2 of the Supplementary Provisions to the Act may, even prior to the enforcement of this Cabinet Office Order, make the application pursuant to the provisions of Article 4, Article 23 and Article 33.

Supplementary Provisions [Cabinet Office Order No. 15 of June 27, 2019]

This Cabinet Order comes into effect as of the date of enforcement of the Act Partially Amending the Unfair Competition Prevention Act (July 1, 2019).

Supplementary Provisions [Cabinet Office Order No. 28 of September 13, 2019]

This Cabinet Order comes into effect as of the date of enforcement of the Act on the Establishment of Relevant Acts for the Purpose of Appropriateness of Measures relating to Restrictions on the Rights of Adult Wards (September 14, 2019).

Supplementary Provisions [Cabinet Office Order No. 84 of December 28, 2020]

This Order comes into effect as of the date of promulgation.

Supplementary Provisions [Cabinet Office Order No. 8 of February 22, 2022]

This Order comes into effect as of the date of promulgation.