

Radio Act (2022/2023 amendments (including amendments that are not yet in effect) (Tentative translation))

(Act No. 131 of May 2, 1950)

Contents

Chapter I General Provisions (Articles 1 through 3)

Chapter II Licenses for Radio Stations

Section 1 Licenses for Radio Stations (Articles 4 through 27-20)

Section 2 Registration for Radio Stations (Articles 27-21 through 27-37)

Section 3 Mediation Concerning Establishment of Radio Stations (Articles 27-38 through 27-39)

Chapter III Radio Equipment (Articles 28 through 38-2)

Chapter III-2 Technical Regulations Conformity Certification of Specified Radio Equipment

Section 1 Technical Regulations Conformity Certification and Construction Design Certification of Specified Radio Equipment (Articles 38-2-2 through 38-32)

Section 2 Self-Confirmation of Technical Regulations Conformity of Special Specified Radio Equipment (Articles 38-33 through 38-38)

Section 3 Registered Repairers (Articles 38-39 through 38-48)

Chapter IV Radio Operators (Articles 39 through 51)

Chapter V Operation

Section 1 General Rules (Articles 52 through 61)

Section 2 Operation of Coastal Stations (Articles 62 through 70)

Section 3 Operation of Aeronautical Stations (Articles 70-2 through 70-6)

Section 4 Special Cases of Operating Radio Stations (Articles 70-7 through 70-9)

Chapter VI Supervision (Articles 71 through 82)

Chapter VII Filing an Objection and Lawsuits (Articles 83 through 99)

Chapter VII-2 The Radio Regulatory Council (Articles 99-2 through 99-15)

Chapter VIII Miscellaneous Provisions (Articles 100 through 104-5)

Chapter IX Penal Provisions (Articles 105 and 116)

Supplementary Provisions

Chapter I General Provisions

(Purpose)

Article 1 The purpose of this Act is to promote the public welfare by ensuring the

fair and efficient utilization of radio waves.

(Definitions)

Article 2 This Act and the orders pursuant to this Act are to be interpreted in accordance with the following definitions:

- (i) "radio waves" means electronic or magnetic waves of frequencies not exceeding 3,000,000 MHz.
- (ii) "radiotelegraphy" means communication equipment devoted to transmitting or receiving codes utilizing radio waves.
- (iii) "radiotelephony" means communication equipment devoted to transmitting or receiving voices and other sounds utilizing radio waves.
- (iv) "radio equipment" means radiotelegraphy, radiotelephony, or any other electric equipment used for the transmission or reception of radio waves.
- (v) "radio station" means a unit of radio equipment using a person to operate the radio equipment. However, this does not include those used solely for receiving purposes.
- (vi) "radio operator" means a person who operates radio equipment or supervises that operation, and holds a license granted by the Minister of Internal Affairs and Communications.

(Conventions Related to Radio Waves)

Article 3 If any convention provides otherwise for radio waves, the provisions are to prevail.

Chapter II Licenses for Radio Stations

Section 1 Licenses for Radio Stations

(Establishment of Radio Stations)

Article 4 Any person that intends to establish a radio station must obtain a license from the Minister of Internal Affairs and Communications; provided, however, that this does not apply to the following radio stations:

- (i) radio stations operating with extremely low power of emission and specified by Order of the Ministry of Internal Affairs and Communications;
- (ii) radio stations that operate in the frequency band of 26.9 through 27.2 MHz with antenna power of 0.5 watts or less and are specified by Order of the Ministry of Internal Affairs and Communications, and which exclusively use radio equipment attached with a mark as prescribed in Article 38-7 paragraph (1) (including cases where applied mutatis mutandis pursuant to Article 38-31 paragraph (4)), Article 38-26 (including cases where applied mutatis mutandis pursuant to Article 38-31 paragraph (6)), Article 38-35 or Article 38-44 paragraph (3) (hereinafter referred to as "radio equipment with

a conformity mark"; except one deemed having no mark as prescribed in Article 38-23 paragraph (1) (including cases where applied mutatis mutandis pursuant to Article 38-29, Article 38-31 paragraphs (4) and (6), and Article 38-38));

- (iii) radio stations with antenna power of 1 watt or less as specified by Order of the Ministry of Internal Affairs and Communications, which are equipped with the functions of automatically transmitting or receiving call signs or call names designated pursuant to the provisions of Article 4-3 and other functions specified by Order of the Ministry of Internal Affairs and Communications and can thereby operate without causing interference or obstruction that impairs the operation of other radio stations, and which exclusively use radio equipment with a conformity mark; and
- (iv) radio stations established by obtaining the registration prescribed in Article 27-21 paragraph (1) (hereinafter referred to as a "registered station").

Article 4-2 (1) If a person entering Japan intends to establish a radio station (from among the radio stations as specified by Order of the Ministry of Internal Affairs and Communications referred to in item (iii) of the preceding Article, limited to that which is specified by Order of the Ministry of Internal Affairs and Communications in consideration of conditions such as usage and frequency) using radio equipment which the person brings (limited to that which conforms to the technical regulations designated by the Minister of Internal Affairs and Communications as those corresponding to the technical regulations prescribed in the following Chapter), the radio equipment, even if it is not radio equipment with a conformity mark, is deemed to be radio equipment with a conformity mark with respect to the application of the provisions of item (iii) of the preceding Article, only during the period from the day of the person's entry to Japan until the day on which a period specified by Order of the Ministry of Internal Affairs and Communications not exceeding 90 days from that day elapses. In this case, the provisions of the same Chapter do not apply to that radio equipment.

- (2) A person that intends to establish an experimental radio station (referring to a radio station used exclusively for experimentation aimed at scientific or technological development, for tests on the efficiency of radio spectrum utilization, or for surveying the demand for radio spectrum utilization; the same applies hereinafter) (from among the radio stations as specified by Order of the Ministry of Internal Affairs and Communications referred to in item (iii) of the preceding Article, limited to that which is specified by Order of the Ministry of Internal Affairs and Communications in consideration of conditions such as usage and frequency) using radio equipment which conforms to the technical regulations designated by the Minister of Internal Affairs and

Communications as those corresponding to the technical regulations prescribed in the following Chapter, may notify the Minister of Internal Affairs and Communications of the following matters, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications; provided, however, that this does not apply to a person that has previously made notification under the provisions of this paragraph (limited to notification with the same contents for the matters set forth in items (ii) and (iii)):

- (i) name and address of the person, and if the person is a corporation, name of the representative;
 - (ii) purpose of the experimentation, tests, or survey;
 - (iii) standards of the radio equipment;
 - (iv) location of the radio equipment (in the case of a mobile radio station, operating area thereof);
 - (v) expected date of commencement of operation; and
 - (vi) other matters specified by Order of the Ministry of Internal Affairs and Communications.
- (3) When a notification under the provisions of the preceding paragraph has been made, the radio equipment referred to in the same paragraph used for the experimental radio station referred to in the same paragraph to which the notification pertains, even if it is not radio equipment with a conformity mark, is deemed to be radio equipment with a conformity mark with respect to the application of the provisions of item (iii) of the preceding Article, only during the period from the day of the notification until the day on which a period specified by Order of the Ministry of Internal Affairs and Communications not exceeding 180 days from that day elapses or the day on which the experimental radio station is abolished, whichever is earlier. In this case, the provisions of the following Chapter are not applied to the radio equipment, and with respect to the application of the provisions of Article 82, the term "cause" in paragraph (1) of the same Article is deemed to be replaced with "cause or are likely to cause," the phrase "the person who holds or occupies the equipment" in the same paragraph is deemed to be replaced with "the person that has made notification under the provisions of Article 4-2, paragraph (2)," the term "eliminate" in the same paragraph is deemed to be replaced with "eliminate or prevent the occurrence of," and the term "the preceding paragraph" in paragraphs (2) and (3) of the same Article is deemed to be replaced with "the preceding paragraph, as applied mutatis mutandis pursuant to Article 4-2, paragraph (3) following the deemed replacement of terms."
- (4) If there has been any change in the matters set forth in paragraph (2), item (i), a person that has made notification under the same paragraph must notify the Minister of Internal Affairs and Communications to that effect without delay, and if a person that has made notification under the same paragraph

intends to make a change (except a minor change specified by Order of the Ministry of Internal Affairs and Communications) to any of the matters set forth in items (iv) through (vi) of the same paragraph, the person must notify the Minister of Internal Affairs and Communications to that effect in advance, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

- (5) The provisions of Article 38-20 and Article 38-21, paragraph (1) apply mutatis mutandis to a person that has made notification under the provisions of paragraph (2) and the radio equipment to which the notification pertains, and the provisions of Article 78 apply mutatis mutandis to a case in which the person that has made the notification abolishes the experimental radio station to which the notification pertains. In this case, the phrase "that was the licensee, etc." in Article 78 is deemed to be replaced with "that has made notification under the provisions of Article 4-2, paragraph (2)."
- (6) If a person that has made notification under the provisions of paragraph (2) abolishes the experimental radio station to which the notification pertains, the person must notify the Minister of Internal Affairs and Communications to that effect without delay.
- (7) The designation of technical regulations under the provisions of paragraphs (1) and (2) must be made by issuing a public notice.

(Designation of Call Signs or Call Names)

Article 4-3 When an application is submitted by a person who seeks the designation of a call sign or a call name of a radio station with regard to the radio equipment used for a radio station set forth in Article 4, item (iii) or (iv), the Minister of Internal Affairs and Communications designates such a call sign or a call name, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

(Disqualification)

Article 5 (1) No radio station license is granted to any person who falls under any of the following items:

- (i) a person who does not have Japanese nationality
 - (ii) a foreign government or its representative
 - (iii) a foreign corporation or organization
 - (iv) A corporation or organization, which is represented by any person set forth in the preceding three items, or one third or more officers of which are those persons, or one third or more voting rights of which are made up of the aggregate of voting rights held by those persons
- (2) The provisions of the preceding paragraph do not apply to the following radio stations:

- (i) experimental radio stations;
 - (ii) amateur radio stations (referring to radio stations established for conducting radio communications as a hobby; the same applies hereinafter);
 - (iii) radio stations on board a ship (referring to radio stations established on board a ship (except experimental radio stations and amateur radio stations), for which the purpose is anything other than conducting telecommunications services (referring to telecommunications services prescribed in Article 2, item (vi) of the Telecommunications Business Act (Act No. 86 of 1984); the same applies hereinafter); the same applies hereinafter);
 - (iv) radio stations on board an aircraft (referring to radio stations established on board an aircraft (except experimental radio stations and amateur radio stations) for which the purpose is anything other than conducting telecommunications services; the same applies hereinafter);
 - (v) radio stations transmitting radio communications between specific fixed points (except experimental radio stations, amateur radio stations, radio stations which are established for the purpose of official service in an embassy, legation, or consulate and radio stations whose purpose is to conduct telecommunications services);
 - (vi) radio stations (exclusively used for radio communications services between specific fixed points) which are established for the purpose of official service, in an embassy, legation, or consulate and which are established by the government of a country or its representative that permits the Government of Japan or its representative to establish radio stations of a similar kind within the territory of that country;
 - (vii) radio stations that are established on mobile objects on land including automobiles or for portable use, or fixed radio stations (except those for the purpose of conducting telecommunications services) established on land for the purpose of communicating with those mobile radio stations or receiving equipment for portable use;
 - (viii) radio stations established for the purpose of conducting telecommunications services; and
 - (ix) radio stations established on land for the purpose of controlling the position, attitude, etc. of an artificial satellite equipped with radio equipment of a radio station for the purpose of conducting telecommunications services.
- (3) A radio station license may not be granted to a person who falls under any of the following items:
- (i) any person who has been sentenced to a fine or severer penalty for a crime prescribed in this Act or the Broadcasting Act (Act No. 132 of 1950), and two years have not yet elapsed since the day of the person's sentence or suspended sentence was served out;
 - (ii) any person whose radio station license was revoked pursuant to the

- provisions of Article 75 paragraph (1) or Article 76 paragraph (4) (except item (iv)) or paragraph (5) (except item (v)), and two years have not yet elapsed since that day of revocation;
- (iii) any person whose approval was revoked pursuant to the provisions of Article 27-16, paragraph (1) (except item (i)) or paragraph (6) (except items (iv) and (v)), and two years have not yet elapsed since that day of revocation;
or
 - (iv) any person whose registration of Article 27-21, paragraph (1) was revoked pursuant to the provisions of Article 76, paragraph (6) (except item (iii)), and two years have not yet elapsed since that day of revocation.
- (4) With respect to radio stations that transmit radio communications intended to be received directly by the general public (hereinafter referred to as "broadcasting" except in Article 99-2) and use the radio frequencies set forth in Article 26, paragraph (2), item (v) (a) (referred to as the "frequencies assignable to basic broadcasting" in Article 7, paragraphs (3) and (4)) (such broadcasting is hereinafter referred to as "basic broadcasting") (except radio stations that broadcast relay-broadcasting for preventing reception obstructions, satellite basic broadcasting (referring to the "satellite basic broadcasting" prescribed in Article 2, item (xiii) of the Broadcasting Act; the same applies in paragraph (2), item (ix), (a) of the following Article and Article 80-2), and terrestrial basic broadcasting for mobile reception (referring to the terrestrial basic broadcasting for mobile reception prescribed in Article 2, item (xiv) of the same Act; the same applies hereinafter)), notwithstanding the provisions of paragraph (1) and the preceding paragraph, a radio license is not granted to any person that falls under any of the following items (except item (iii) with regard to radio stations that transmit community broadcasting (referring to the community broadcasting prescribed in Article 93, paragraph (1), item (vii) of the same Act; the same applies in paragraph (2), item (ix), (c) of the following Article and Article 80-2, item (i))):
- (i) any person set forth in paragraph (1), items (i) through (iii) or in each item of the preceding paragraph, or a person who has become subject to the revocation of certification provided for in Article 103, paragraph (1) or Article 104 (except for item (v)) of the Broadcasting Act or subject to revocation of registration pursuant to Article 131 of the same Act, and two years have not yet elapsed since the day of that revocation;
 - (ii) a corporation or organization, of which any person set forth in paragraph (1), items (i) through (iii) is a specified officer (referring to the specified officer prescribed in Article 2, item (xxxi) of the Broadcasting Act; the same applies in paragraph (2), item (ix), (a) of the following Article), or in which any persons set forth in paragraph (1), items (i) through (iii) hold one fifth or more of its total voting rights;

- (iii) a corporation or organization, in which the aggregate of the proportion of voting rights possessed directly by the persons set forth in (a) (hereinafter referred to as the "proportion of voting rights possessed directly by a foreign national, etc.") and the proportion of voting rights specified by Order of the Ministry of Internal Affairs and Communications as the proportion of voting rights possessed indirectly by the persons set forth in (a) through those set forth in (b) (hereinafter referred to as the "proportion of voting rights possessed indirectly by a foreign national, etc.") accounts for one fifth or more of the total (except cases that fall under the preceding item):
 - (a) any person set forth in paragraph (1), items (i) through (iii); and
 - (b) a corporation or organization, in which the proportion of voting rights possessed directly by a foreign national, etc. is not less than the proportion specified by Order of the Ministry of Internal Affairs and Communications;or
 - (iv) a corporation or organization, whose officer falls under any item in the preceding paragraph.
- (5) Relay broadcasting for preventing reception interferences as prescribed in the preceding paragraph means basic broadcasting which receives transmission of terrestrial basic broadcasting (referring to the terrestrial basic broadcasting prescribed in Article 2, item (xv) of the Broadcasting Act; the same applies hereinafter) and multiplex broadcasts multiplexed on the radio waves of that terrestrial basic broadcasting (referring to the multiplex broadcasting prescribed in item (xix) of the same Article; the same applies hereinafter) with a receiving obstruction zone to a great extent and retransmits all the broadcast programs intact and simultaneously for reception in the obstruction zone, except such basic broadcasting originated by a person that has been granted a license for a radio station that transmits the terrestrial basic broadcasting to which that obstruction pertains or the multiplex broadcasts multiplexed on the radio waves of that terrestrial basic broadcasting.
- (6) If a person was granted the approval referred to in Article 27-14, paragraph (1) but has not paid the specified base station establishment fee prescribed in Article 27-12, paragraph (3), item (vi) by the time limit for payment specified by the establishment guidelines prescribed in paragraph (1) of the same Article, the Minister of Internal Affairs and Communications may choose not to grant a license for the specified base station prescribed in paragraph (1) of the same Article to that person until the specified base station establishment fee is paid.

(Application for a License)

Article 6 (1) Any person that intends to obtain a radio station license must submit a written application to the Minister of Internal Affairs and Communications along with a document in which the following matters (except

the matter set forth in item (x) in the case of a person that intends to obtain a license for the radio station set forth in any of the items of paragraph (2) of the preceding Article) are entered:

- (i) purpose (if the radio station has two or more purposes and the purposes are categorized into a main and subordinate purpose, including the differentiation between the main and subordinate purposes);
- (ii) necessity for establishing the radio station;
- (iii) persons with which radio communications are conducted and communication information;
- (iv) location of radio equipment (in the case of the mobile radio stations set forth in (a) or (b) below, the matters set forth in (a) or (b), respectively; hereinafter the same applies except in Article 18, paragraph (1)):
 - (a) radio stations for artificial satellites (hereinafter referred to as "artificial satellite stations"): the orbit or the position of the artificial satellite; and
 - (b) radio stations other than artificial satellite stations, radio stations on board a ship (except those which conduct radio communications solely via artificial satellite stations; the same applies in paragraph (3)), ship earth stations (referring to radio stations established on board a ship which conduct radio communications solely via artificial satellite stations (except experimental radio stations and amateur radio stations); the same applies hereinafter), radio stations on board aircraft (except those which conduct radio communications solely via artificial satellite stations; the same applies in paragraph (5)), and aircraft earth stations (referring to radio stations established on board aircraft which conduct radio communications solely via artificial satellite stations (except experimental radio stations and amateur radio stations); the same applies hereinafter): the operating area;
- (v) type of radio waves, and desirable frequency range and antenna power;
- (vi) desirable permitted operating hours (referring to hours during which operation is possible; the same applies hereinafter);
- (vii) construction design and scheduled completion date of the construction of the radio equipment (including equipment that is to be installed pursuant to the provisions of Articles 30 and 32; the same applies to item (iii) of the following paragraph, Article 10, paragraph (1), Article 12, Article 17, Article 18, Article 24-2, paragraph (4), Article 27-14, paragraph (2), item (x), Article 38-2, paragraph (1), Article 70-5-2, paragraph (1), Article 71-5, the proviso to Article 73, paragraph (1), Article 73, paragraphs (3) and (6), and Article 102-18, paragraph (1));
- (viii) expected date of commencement of operation;
- (ix) when a contract is made with the licensee of another radio station under Article 14, paragraph (2), item (ii) or the registrant of another radio station

under Article 27-26, paragraph (1) (hereinafter referred to as "licensee, etc.") on measures necessary to prevent obstruction including interference, the details of the contract; and

(x) in the case of a corporation or organization, the following matters:

(a) the name of the representative and the proportion of the persons set forth in paragraph (1), items (i) through (iii) of the preceding Article in the total number of officers; and

(b) proportion of voting rights possessed directly by a foreign national, etc.

(2) Any person who intends to obtain a license for a basic broadcast station (referring to a radio station which transmits basic broadcasting, including that which transmits, in addition to the basic broadcasting, radio communications other than basic broadcasting; the same applies hereinafter) notwithstanding the provisions of the preceding paragraph, must submit a written application to the Minister of Internal Affairs and Communications along with a document in which the following matters are entered:

(i) purpose;

(ii) matters set forth in items (ii) through (ix) of the preceding paragraph

(except item (iii), in the case of a person that intends to obtain a license for a radio station that only transmits basic broadcasting);

(iii) methods for sharing the expenses constructing the radio equipment and operating the radio station;

(iv) business plan, and estimated revenue and expenditure;

(v) service area;

(vi) an outline of the telecommunications equipment to be used in the operations of the basic broadcasting (referring to the telecommunications equipment prescribed in Article 2, item (ii) of the Telecommunications Business Act; the same applies hereinafter) and, in the case of intending to entrust operation of equipment (except radio equipment) constituting a part of the telecommunications equipment to another person, an outline of that equipment and the name of the entrusted person;

(vii) in the case of a person that intends to obtain a license for a radio station to be used in the operations of the person's own terrestrial basic broadcasting (hereinafter referred to as a "specified terrestrial basic broadcast station"), the broadcasting matters;

(viii) in the case of a person that intends to obtain a license for a radio station to be used in the operations of another person's terrestrial basic broadcasting, the name of that other person; and

(ix) in the case of a corporation or organization, the following matters:

(a) the names of specified officers (in the case of a person that intends to obtain a license for a radio station to be used in the operations of the relay-broadcasting for preventing reception obstructions, satellite basic

- broadcasting, or terrestrial basic broadcasting for mobile reception prescribed in paragraph (5) of the preceding Article, the name of the representative and the proportion of the persons set forth in paragraph (1), items (i) through (iii) of the preceding Article in the total number of officers);
- (b) proportion of voting rights possessed directly by a foreign national, etc.;
 - and
 - (c) in the case of a person that intends to obtain a license for a radio station to be used in the operations of terrestrial basic broadcasting (except the relay-broadcasting for preventing reception obstructions and community broadcasting prescribed in paragraph (5) of the preceding Article), the aggregate of the proportion of voting rights possessed directly by a foreign national, etc. and the proportion of voting rights possessed indirectly by a foreign national, etc.
- (3) Any person who wishes to obtain a license for a ship station (referring to radio stations on board ship other than those whose equipment is only an emergency position-indication radio beacon device or radar; the same applies hereinafter) must enter the following information on the document in paragraph (1), beyond the information set forth in the same paragraph:
- (i) the following particulars related to the ship:
 - (a) owner;
 - (b) usage;
 - (c) gross tonnage;
 - (d) navigation area;
 - (e) principal mooring port;
 - (f) identification code letters;
 - (g) passenger capacity in case of a passenger ship;
 - (h) whether the ship is engaged in international voyages; and
 - (i) whether the ship is exempted from installing radiotelegraphy or radiotelephony pursuant to the provisions of the proviso to Article 4, paragraph (1) of the Act for Safety of Vessels (Act No. 11 of 1933); and
 - (ii) measures to be taken in the case of a ship station that is to take measures pursuant to the provisions of Article 35.
- (4) A person that intends to obtain a license for a ship earth station (except that used for the purpose of conducting telecommunications services) must enter, in the document referred to in paragraph (1), the matters set forth in item (i), (a) through (h) of the preceding paragraph related to the ship, in addition to the matters set forth in paragraph (1).
- (5) A person that intends to obtain a license for an aircraft station (referring to radio stations on board an aircraft other than those whose equipment is only radar; the same applies hereinafter) must enter, in the document referred to in

paragraph (1), the following matters related to the aircraft, in addition to the matters set forth in the same paragraph:

- (i) owner;
 - (ii) usage;
 - (iii) type;
 - (iv) aviation area;
 - (v) usual ground location;
 - (vi) registered mark; and
 - (vii) whether the aircraft is required to be equipped with radio equipment pursuant to the provisions of Article 60 of the Civil Aeronautics Act (Act No. 231 of 1952).
- (6) A person that intends to obtain a license for an aircraft earth station (except that used for the purpose of conducting telecommunications services) must enter, in the document referred to in paragraph (1), the matters set forth in items (i) through (vi) of the preceding paragraph related to the aircraft, in addition to the matters set forth in paragraph (1).
- (7) A person that intends to obtain a license for an artificial satellite station must state, in the document referred to in paragraph (1) or (2), the scheduled launching time, term of normal operation, and area of position enabling its station to fulfill the mission, in addition to the matters set forth in the same paragraphs.
- (8) Any application for a radio station (except those specified by Order of the Ministry of Internal Affairs and Communication) that falls under any of the following items and uses a frequency for which the Minister issues a public notice, must be submitted within the period specified by the public notice of the Minister of Internal Affairs and Communications:
- (i) a mobile radio station established on land for the purpose of conducting telecommunications services (limited to those with the operating area that covers the entire area of one or more prefectures);
 - (ii) a fixed radio station established on land for the purpose of conducting telecommunications services, which communicates with the radio station set forth in the preceding item (hereinafter referred to as a "base station for telecommunications services");
 - (iii) an artificial satellite station established for the purpose of conducting telecommunications services; and
 - (iv) a basic broadcast station.
- (9) The period under the preceding paragraph is to be a period stipulated as one month or longer for each frequency band, and the public notice of the period pursuant to the provisions of the same paragraph is to also include the zone area where the applicant for a radio station license may install radio equipment for the radio station, and other matters for the convenience of a

license application.

(Examination of Applications)

Article 7 (1) When receiving an application pursuant to paragraph (1) of the preceding Article, the Minister of Internal Affairs and Communications must examine without delay whether it conforms to all of the following items:

- (i) the conformity of the construction design to the technical regulations prescribed in the following Chapter;
- (ii) frequency allocation is possible;
- (iii) if the radio station has a main purpose and subordinate purpose, the fulfillment of the subordinate purpose is not likely to hinder the fulfillment of the main purpose; and
- (iv) beyond the particulars set forth in the preceding two items, conformity to the essential standards for the establishment of radio stations (except basic broadcast stations).

(2) When receiving an application pursuant to paragraph (2) of the preceding Article, the Minister of Internal Affairs and Communications must examine without delay whether it conforms to the following items:

- (i) the conformity of the construction design to the technical regulations prescribed in the following Chapter and conformity of the telecommunications equipment to be used in the operations of the basic broadcasting to the standards prescribed by Order of the Ministry of Internal Affairs and Communication set forth under Article 121, paragraph (1) of the Broadcasting Act;
- (ii) frequency allocation is possible based on the plan for the usage of frequencies allocated to basic broadcasting (referring to a plan that specifies available frequencies usable for basic broadcast stations and other information necessary for the use of the frequencies; the same applies hereinafter) established by the Minister of Internal Affairs and Communications;
- (iii) a sufficient financial basis and technical capability to maintain the service;
- (iv) in case of a specified terrestrial basic broadcast station, conformity to all of the following:
 - (a) conformity of the telecommunications equipment to be used in the operations of basic broadcasting to the standards prescribed by Order of the Ministry of Internal Affairs and Communication set forth under Article 111, paragraph (1) of the Broadcasting Act;
 - (b) the person that intends to obtain a license meets the requirements given in Article 93, paragraph (1), item (v) of the Broadcasting Act; and
 - (c) granting the license is in conformity to the plan to disseminate basic broadcasting set forth under Article 91, paragraph (1) of the Broadcasting

- Act and is otherwise appropriate for the dissemination and sound development of broadcasting;
- (v) in the case of a radio station to be used in the operations of another person's terrestrial basic broadcasting, which is to be used in the operations of a person that intends to obtain approval pursuant to the provision of Article 93, paragraph (1) of the Broadcasting Act with regard to conducting the operations of terrestrial basic broadcasting, the person that intends to obtain that approval meets all of the requirements given in the items (except item (iv)) of the same paragraph;
 - (vi) in the case of a radio station to be used in the operations of another person's terrestrial basic broadcasting, which is to be used in the operations of a person that intends to conduct the operations of terrestrial basic broadcasting by obtaining a license for a specified terrestrial basic broadcast station, conformity to both of the following:
 - (a) the person that intends to obtain the license does not fall under any of the items of Article 5, paragraph (4); and
 - (b) the application submitted by the person that intends to obtain the license conforms to all of items (i) through (iv), the following item, and item (viii);
 - (vii) in the case of a radio station which transmits, in addition to basic broadcasting, radio communications other than basic broadcasting, conformity to all of the following:
 - (a) frequency assignment is possible with regard to the transmission of radio communications other than basic broadcasting;
 - (b) conformity to the essential standards for the establishment of the radio station (except for basic broadcast stations) specified by Order of the Ministry of Internal Affairs and Communication set forth under item (iv) of the preceding paragraph with regard to the transmission of radio communications other than basic broadcasting; and
 - (c) the transmission of radio communications other than basic broadcasting is in conformity to the standards prescribed by Order of the Ministry of Internal Affairs and Communication as not likely to hinder the appropriate and steady transmission of basic broadcasting;
 - (viii) beyond the matters set forth in the preceding items, conformity to the essential standards for the establishment of the basic broadcast stations specified by Order of the Ministry of Internal Affairs and Communication.
- (3) The plan for the usage of frequencies allocated to basic broadcasting is to be established taking into consideration the prevention of interference and other matters necessary for ensuring the fair and efficient utilization of radio waves, in order to contribute to achieving the target number of broadcasting systems pursuant to Article 91 paragraph (2) item (iii) prescribed in the plan to disseminate basic broadcasting under Article 91 paragraph (1) of the

Broadcasting Act (referred to as "the target number of broadcasting systems" in the following paragraph), within the limits of assignable frequencies for basic broadcasting.

- (4) When deemed necessary due to a change in the target number of broadcasting systems, the frequencies assignable for basic broadcasting and the prevention of interference and other matters necessary for ensuring the fair and efficient utilization of radio waves prescribed in the preceding paragraph, the Minister of Internal Affairs and Communications may change the plan for the usage of frequencies allocated to basic broadcasting.
- (5) When establishing or changing the plan for the usage of frequencies allocated to basic broadcasting, the Minister of Internal Affairs and Communications must issue a public notice without delay.
- (6) When deemed necessary in examining an application, the Minister of Internal Affairs and Communications may request the applicant to appear in person or submit any additional information.

(Provisional License)

Article 8 (1) When determining, as a result of the examination pursuant to the provisions of the preceding Article, that the application conforms to each item of paragraph (1) or each item of paragraph (2) of the same Article, the Minister of Internal Affairs and Communications is to issue a provisional license for the radio station to the applicant, designating the following matters:

- (i) completion date of the construction work
 - (ii) type of radio waves and frequency
 - (iii) call sign (including beacon sign), call name, and identification signal specified by Order of the Ministry of the Internal Affairs and Communications (hereinafter referred to as "identification signal")
 - (iv) antenna power
 - (v) permitted operating hours
- (2) Upon receipt of an application from a person who has obtained a provisional license, the Minister of Internal Affairs and Communications, when deemed appropriate, may extend the completion date of item (i) in the preceding paragraph.

(Changes in Construction Design)

Article 9 (1) When intending to make changes in the construction design, a person that has obtained a provisional license pursuant to the preceding Article must obtain the permission of the Minister of Internal Affairs and Communications in advance; provided, however, that this does not apply to minor matters specified by Order of the Ministry of Internal Affairs and Communications.

- (2) A person that has made changes in the construction design related to the minor matters specified by Order of the Ministry of Internal Affairs and Communications referred to in the proviso to the preceding paragraph must notify the Minister of Internal Affairs and Communications to that effect without delay.
- (3) Any change in paragraph (1) must not cause any changes to the frequencies, type of radio waves, or antenna power, and must comply with the technical regulations (limited to those prescribed in the following Chapter) in Article 7, paragraph (1), item (i) or paragraph (2), item (i).
- (4) A person that has obtained a provisional license pursuant to the preceding Article and intends to make changes to the purpose of the radio station, the persons with which the communications are conducted, communications matters, broadcasting matters, service area, or the location of the radio equipment, or changes to any of the matters set forth in Article 6, paragraph (2), item (vi) (except the minor changes specified by Order of the Ministry of Internal Affairs and Communications) must obtain permission from the Minister of Internal Affairs and Communications in advance; provided, however, that changes may not be made to the purpose of a radio station which contains the following matters:
- (i) to have a radio station other than a basic broadcast station transmit the basic broadcasting; or
 - (ii) to have the basic broadcast station not transmit basic broadcasting.
- (5) A person that has obtained the provisional license referred to in the preceding Article for the radio station set forth in any of the following items must, if there has been any of the changes specified respectively in those items, notify the Minister of Internal Affairs and Communications to that effect without delay:
- (i) a radio station other than a basic broadcast station (except the radio stations set forth in the items of Article 5, paragraph (2)): a change in the matters set forth in Article 6, paragraph (1), item (x) (except a change specified by Order of the Ministry of Internal Affairs and Communications as being one that is unlikely to cause the person to fall under Article 5, paragraph (1), item (iv)); or
 - (ii) a basic broadcast station: a change in any of the matters set forth in Article 6, paragraph (2), item (iii), (iv) (vi), (viii), or (ix) (in the case of the matters set forth in item (vi) of the same paragraph, limited to the minor change specified by Order of the Ministry of Internal Affairs and Communications referred to in the preceding paragraph (except a change specified by Order of the Ministry of Internal Affairs and Communications as being particularly minor), and in the case of the matters set forth in paragraph (2), item (ix) of the same Article, except a change specified by Order of the Ministry of

Internal Affairs and Communications as being one that is unlikely to cause the person to fall under Article 5, paragraph (4), item (ii) or (iii)).

- (6) The provisions of Article 5 paragraphs (1) through (3) apply mutatis mutandis to the permission set forth under paragraph (4) pertaining to a change in the purpose of the radio station.

(Inspection after Completion of Construction Work)

Article 10 (1) When the construction work has been completed, a person who has obtained a provisional license under Article 8, must submit a notification to the Minister of Internal Affairs and Communications and submit themselves to inspection of the radio equipment, the qualifications (including those related to requirements of radio operators in full charge prescribed in Article 39 paragraph (3), a ship station radio operator certificate in Article 48-2 paragraph (1), and distress traffic operators in charge prescribed in Article 50 paragraph (1); the same applies to Article 12 and Article 73 paragraph (3)) and number of radio operators, timepieces and documents (hereinafter referred to as "radio equipment, etc.").

- (2) A part of the inspection in the preceding paragraph may be omitted when a person who wishes to obtain inspection under the same paragraph submits a notification pursuant to the preceding paragraph to the Minister of Internal Affairs and Communications along with documents on which the results of an inspection pertaining to the registration of the radio equipment subject to the inspection, conducted prescribed by Order of the Ministry of Internal Affairs and Communications by the person registered under Article 24-2 paragraph (1) or Article 24-13 paragraph (1) are entered.

(Denial of License)

Article 11 The Minister of Internal Affairs and Communications must deny the granting of a radio station license when a notification pursuant to the provisions of the preceding Article is not submitted within two weeks after expiration of the completion date under Article 8 paragraph (1) item (i) (the completion date, when the completion date has been extended pursuant to the provisions of paragraph (2) of the same Article).

(Licensing)

Article 12 The Minister of Internal Affairs and Communications must grant a license to the applicant without delay when determining, as a result of the inspection pursuant to the provisions of Article 10, that the radio equipment satisfies the construction design prescribed in Article 6 paragraph (1) item (vii) or paragraph (2) item (ii) of the same Article (the construction design, when the construction design has been changed pursuant to the provisions of Article

9 paragraph (1)), and that the qualifications or the number of radio operators are not contrary to the provisions of Articles 39 or Article 39-13, Article 40, and Article 50, and the timepiece or documents are not contrary to the provisions of Article 60.

(Validity Period of License)

- Article 13 (1) The validity period of licenses for radio stations must be specified by Order of the Ministry of Internal Affairs and Communication, not exceeding five years from the day the license is granted. However, renewal may be allowed.
- (2) The validity period of a license is indefinite, notwithstanding the provisions of the preceding paragraph, for ship stations on board ships as prescribed in Article 4 of the Act for Safety of Vessels (including cases where applied *mutatis mutandis* pursuant to the provisions of a Cabinet Order pursuant to the provisions of Article 29-7 of the same Act; the same applies hereinafter) (hereinafter referred to as "compulsory ship stations") and for aircraft stations on board an aircraft that is to be equipped with radio equipment pursuant to the provisions of Article 60 of the Civil Aeronautics Act (hereinafter referred to as "compulsory aircraft stations").

(Validity of License for Multiplex Broadcasting Radio Stations)

Article 13-2 When the license for a radio station conducting FM broadcasting (referring to FM broadcasting under Article 2 item (xvii) of the Broadcasting Act) or television broadcasting (referring to the television broadcasting set forth under item (xviii) of the same Article; the same applies hereinafter) ceases to be valid, the license for a radio station transmitting multiplex broadcast multiplexed on the radio waves of the broadcast is to automatically lose its validity.

(Certificates for Radio Station Licenses)

- Article 14 (1) When granting a license, the Minister of Internal Affairs and Communications is to issue a certificate for the radio station license.
- (2) The following particulars must be recorded on the certificate for a radio station license:
- (i) date and reference number of the license
 - (ii) name and address of the licensee (referring to the person who has obtained the radio station license; the same applies hereinafter)
 - (iii) classification of the radio station
 - (iv) purpose of the radio station (if the radio station has a main purpose and subordinate purpose, including the categories of the main and subordinate purposes)

- (v) person with which radio communications are conducted and communications subjects
 - (vi) location of the radio equipment
 - (vii) validity period of the license
 - (viii) identification signal
 - (ix) type of radio waves and frequencies
 - (x) antenna power
 - (xi) permitted operating hours
- (3) On the certificate for a license for a basic broadcast station, the following information must be entered, notwithstanding the provisions of the preceding paragraph:
- (i) information set forth in each of the items of the preceding paragraph (except for item (v) in the case of the certificate for a license for a radio station transmitting only basic broadcasting);
 - (ii) service area;
 - (iii) in the case of the certificate for a license for a specified terrestrial basic broadcast station, the broadcasting matters; and
 - (iv) in the case of the certificate for a license for a radio station to be used in the operations of another person's terrestrial basic broadcasting, the name of that other person.

(Simplified Licensing Procedures)

Article 15 Notwithstanding the provisions of Article 6 (except paragraphs (8) and (9)) and Articles 8 through 12, the simplified procedures may apply, as specified by Order of the Ministry of Internal Affairs and Communications, to renewing a license pursuant to the proviso to Article 13, paragraph (1), to a license for a radio station that solely uses radio equipment with a conformity mark, and to a license for other radio stations specified by Order of the Ministry of Internal Affairs and Communications.

(Notification on Commencement and Suspension of Operation)

Article 16 (1) When obtaining a license, the licensee without delay, is to notify the Minister of Internal Affairs and Communications of the commencement date of operation of the radio station. However, this does not apply to radio stations specified by Order of the Ministry of Internal Affairs and Communications.

(2) When suspending operation of a radio station that has been notified pursuant to the provisions of the preceding paragraph for at least one month, the licensee must notify the Minister of Internal Affairs and Communications of the suspension period. The same applies to changes to the suspension period.

(Changes to Permission)

Article 17 (1) A licensee that intends to make changes to the purpose of the radio station, the persons with which the communications are conducted, communications matters, broadcasting matters, service area, or the location of the radio equipment, make changes to any of the matters set forth in Article 6, paragraph (2), item (vi) (except the minor changes specified by Order of the Ministry of Internal Affairs and Communications), or carry out construction work to change the radio equipment must obtain the permission of the Minister of Internal Affairs and Communications in advance; provided, however, that the changes may not be made to the purpose of a radio station which contains the following matters:

(i) to have a radio station other than a basic broadcast station transmit the basic broadcasting; or

(ii) to have the basic broadcast station not transmit basic broadcasting.

(2) A licensee of the radio station set forth in any of the following items must, if there has been any of the changes specified respectively in those items, notify the Minister of Internal Affairs and Communications to that effect without delay:

(i) a radio station other than a basic broadcast station (except the radio stations set forth in the items of Article 5, paragraph (2)): a change in any of the matters set forth in Article 6, paragraph (1), item (x) (except a change specified by Order of the Ministry of Internal Affairs and Communications as being one that is unlikely to cause the person to fall under Article 5, paragraph (1), item (iv)); or

(ii) a basic broadcast station: a change in any of the matters set forth in Article 6, paragraph (2), item (iii), (iv) (vi), (viii), or (ix) (in the case of the matters set forth in item (vi) of the same paragraph, limited to the minor change specified by Order of the Ministry of Internal Affairs and Communications referred to in the preceding paragraph (except a change specified by Order of the Ministry of Internal Affairs and Communications as being particularly minor), and in the case of the matters set forth in paragraph (2), item (ix) of the same Article, except a change specified by Order of the Ministry of Internal Affairs and Communications as being one that is unlikely to cause the person to fall under Article 5, paragraph (4), item (ii) or (iii)).

(3) The provisions of Article 5 paragraphs (1) through (3) apply mutatis mutandis to the permission set forth under paragraph (1) pertaining to a change in the purpose of the radio station and the provisions of the proviso to Article 9 paragraph (1), Article 9 paragraphs (2) and (3) apply mutatis mutandis to cases where construction work is carried out to change the radio equipment pursuant to the provision of paragraph (1) respectively.

(Inspection after Change)

Article 18 (1) A licensee who has obtained, pursuant to the provisions of paragraph (1) of the preceding Article, permission to change the location of the radio equipment or for construction work to change the radio equipment must not operate that radio equipment until after the Minister of Internal Affairs and Communications conducts an inspection thereof and determines that the results of the change or construction work conform to the matters requiring permission in the same paragraph. However, this does not apply to cases specified by Order of the Ministry of Internal Affairs and Communications.

(2) A part of the inspection of the preceding paragraph may be omitted when a person who wishes to obtain the inspection prescribed in the same paragraph submits to the Minister of Internal Affairs and Communications documents on which the results of an inspection pertaining to the registration of the radio equipment subject to inspection, conducted prescribed by Order of the Ministry of Internal Affairs and Communications by the person registered under Article 24-2 paragraph (1) or Article 24-13 paragraph (1) are entered.

(Applying for Changes to Frequencies)

Article 19 When a licensee or a person who has obtained a provisional license pursuant to Article 8 applies for a change in the designation of the identification signal, type of radio waves, frequencies, antenna power, or permitted operating hours, the Minister of Internal Affairs and Communications may change the designation, when determining that that change is particularly necessary for the elimination of interference, etc.

(Transfer of a License)

Article 20 (1) When a licensee is involved in inheritance, the inheritor is to assume the status of the licensee.

(2) When a corporation as a licensee (except the licensees of radio stations under paragraphs (7) and (8), the same applies through this and the following paragraphs) merges or divides (limited to cases where the entire business using radio stations is transferred), the surviving corporation after the company merger or a new corporation to be established by the company merger, or a corporation to assume the entire business by company split may assume the status of the licensee with the permission of the Minister of Internal Affairs and Communications.

(3) When a licensee transfers the entire business that the radio station is used for, the transferee, with the permission of the Minister of Internal Affairs and Communications, may assume the status of licensee.

(4) If a corporation which is the licensee of a specified terrestrial basic broadcast station has been split, and the corporation, which assumed the relevant basic

broadcast station and intends to conduct the operations of providing that specified terrestrial basic broadcast station for use in the operations of some other corporation which has assumed the operations of terrestrial basic broadcasting through the company split, has obtained permission from the Minister of Internal Affairs and Communications, that corporation is deemed to have inherited the position of licensee of the basic broadcast station pertaining to those operations from the licensee of that specified terrestrial basic broadcast station. The same applies if the licensee of a specified terrestrial basic broadcast station has assigned that basic broadcast station and the assignee intending to conduct the operations of providing that basic broadcast station for use in the operations of terrestrial basic broadcasting of the assigner has obtained permission from the Minister of Internal Affairs and Communications, or to cases where the licensee of a specified terrestrial basic broadcast station has assigned the operations of terrestrial basic broadcasting, and the assigner intending to conduct the operations of providing that basic broadcast station for use in the operations of terrestrial basic broadcasting of the assignee has obtained permission from the Minister of Internal Affairs and Communications.

- (5) If a licensee of a basic broadcast station provided for use in the operations of another person's terrestrial basic broadcasting has merged with an approved basic broadcasting operator (referring to the approved basic broadcasting operator referred to in Article 2, item (xxi) of the Broadcasting Act; hereinafter the same applies in this paragraph and Article 75, paragraph (1), item (ii)) or a licensee of a specified terrestrial basic broadcast station conducting the operations of that terrestrial basic broadcasting or has been assigned the business of conducting the operations of that terrestrial basic broadcasting and the corporation, which continues to exist after a company merger or the corporation formed through a company merger or the assignee has obtained permission from the Minister of Internal Affairs and Communications, that corporation or assignee is deemed to have assumed the position of the licensee of the specified terrestrial basic broadcast station from the licensee of that basic broadcast station. The same applies if an approved basic broadcasting operator or a licensee of a specified terrestrial basic broadcast station conducting the operations of terrestrial basic broadcasting has been assigned the business of the basic broadcast station provided for use in the operations of that terrestrial basic broadcasting and has obtained permission from the Minister of Internal Affairs and Communications.
- (6) The provisions of Article 5 and Article 7 apply *mutatis mutandis* to the permission set forth under paragraph (2) through the preceding paragraph.
- (7) When a person that operates a ship equipped with a ship station or a ship earth station (except that for the purpose of conducting telecommunications

services) or a ship equipped solely with an emergency position-indication radio beacon device or radar is changed due to the transfer of ownership of the ship or for other reasons, the person that operates the ship after the change succeeds to the status of the licensee.

- (8) The provisions of the preceding paragraph apply mutatis mutandis to aircraft equipped with an aircraft station or an aircraft earth station (except those which purpose is to conduct telecommunications services), or to aircraft equipped solely with radar.
- (9) A person who has assumed the status of a licensee pursuant to the provisions of paragraph (1) and the preceding two paragraphs, must notify the Minister of Internal Affairs and Communications to that effect along with documents that verify it without delay.
- (10) The provisions of the preceding seven paragraphs apply mutatis mutandis to a person who has obtained a provisional license under Article 8.

(Correction to a Certificate for a Radio Station License)

Article 21 If there is a change to particulars entered on a certificate for a radio station license, the licensee must submit the certificate for correction along with the radio station license to the Minister of Internal Affairs and Communications.

(Abolition of Radio Stations)

Article 22 When abolishing a radio station, the licensee must notify the Minister of Internal Affairs and Communications to that effect.

Article 23 When a licensee has abolished a radio station, the license thereof ceases to be valid.

(Return of a Certificate for a Radio Station License)

Article 24 When a license ceases to be valid, the person who holds the certificate for the radio station license must return it within one month.

(Registration of Inspectors)

Article 24-2 (1) A person who performs the business of conducting inspections and maintenance checks of radio equipment, etc. may obtain registration from the Minister of Internal Affairs and Communications.

- (2) Any person who wishes to obtain the registration under the preceding paragraph, specified by Order of the Ministry of Internal Affairs and Communications, must submit to the Minister of Internal Affairs and Communications an application in which the following particulars are described:

- (i) name and address of the applicant, or if the applicant is a corporation, name of the representative
 - (ii) name and address of the office
 - (iii) outline of measuring instruments and other equipment used for maintenance checks
 - (iv) if the person is only performing the business of conducting maintenance checks of radio equipment, etc., details to that effect.
- (3) The application under the preceding paragraph must be accompanied by a document defining the method of performing the business of conducting maintenance checks and any other documents as specified by Order of the Ministry of Internal Affairs and Communications.
- (4) The Minister of Internal Affairs and Communications must grant registration to an applicant who has applied for registration under paragraph (1), when the applicant conforms to all of the following items (items (i), (ii) and (iv) if the person is only performing the business of maintenance checks of radio equipment, etc.):
- (i) the maintenance checks of radio equipment, etc. must be conducted by a person with knowledge and experience conforming to any of the conditions set forth in the appended table No. 1.;
 - (ii) the maintenance checks of radio equipment, etc. is to be conducted by using the measuring instruments or other equipment set forth in Appended Table No. 2, which have been given any type of calibration or correction (hereinafter in this item, and in Article 38-3, paragraph (1), item (ii) and Article 38-8, paragraph (2) referred to as "calibration, etc.") set forth below (limited to those being calibrated, etc. within one year (in the case of those that correspond to the instruments or other equipment specified by Order of the Ministry of Internal Affairs and Communications as instruments or other equipment with excellent performance for conducting maintenance checks of radio equipment, a period specified by Order of the Ministry of Internal Affairs and Communications within a range exceeding one year but not exceeding three years according to the category of the instruments or other equipment) from the first day of the month following the month in which the day of calibration, etc. takes place):
 - (a) calibration conducted by the National Institute of Information and Communications Technology (NICT) (hereinafter referred to as "NICT") or a designated calibration agency under Article 102-18 paragraph (1);
 - (b) correction conducted pursuant to the provisions of Article 135 or Article 144 of the Measurement Act (Act No. 51 of 1992);
 - (c) calibration conducted in foreign countries, which is equivalent to the calibration conducted by the NICT or a designated calibration agency under Article 102-18 paragraph (1); or

- (d) calibration, etc. conducted by using measuring instruments and other equipment set forth in the right column of appended table No. 3, which is to have been given any type of calibration, etc. set forth above from (a) through (c);
 - (iii) a person with knowledge and experience conforming to all of the conditions set forth in appended table No. 4 is to perform the inspections of the radio equipment, etc. (except for the part pertaining to maintenance checks); and
 - (iv) the methods of executing the operations necessary for conducting the appropriate inspection and maintenance checks of radio equipment, etc. are those which are prescribed (if the person is only conducting the operation of maintenance checks of radio equipment, etc., limited to the methods of executing the operations necessary for conducting the appropriate maintenance checks of radio equipment, etc.).
- (5) Any person who falls under any of the following items is not to be given registration under paragraph (1) of this Article:
- (i) any person who has been sentenced for a crime pursuant to the provisions of this Act, within a period of two years since the day the person's sentence or suspended sentence was served out
 - (ii) any person whose registration was revoked pursuant to the provisions of Article 24-10 or Article 24-13 paragraph (3), within a period of two years since the day of revocation
 - (iii) when the applicant is a corporation, any of whose officers fall under any of the preceding two items
- (6) Beyond the provisions prescribed in the preceding paragraphs, the necessary matters related to registration as prescribed in paragraph (1) is specified by Order of the Ministry of Internal Affairs and Communications.

(Renewal of Registration)

- Article 24-2-2 (1) The registration set forth under paragraph (1) of the preceding Article (except pertaining to persons only conducting the operation of maintenance checks of radio equipment, etc.), unless renewed within every five- to ten-year period as specified by the applicable Cabinet Order, ceases to be effective once that period has elapsed.
- (2) The provisions from paragraph (2) through paragraph (6) of the preceding Article apply mutatis mutandis to the renewal of the registration under the preceding paragraph.

(Registry)

- Article 24-3 The Minister of Internal Affairs and Communications must prepare a registry of registered inspectors and register the following matters pertaining to a person registered pursuant to paragraph (1) of Article 24-2 (hereinafter

referred to as a "registered inspector") in the relevant registry of registered inspectors:

- (i) date of the registration and renewals and reference number of registration
- (ii) particulars set forth in items (i), (ii) and (iv) of paragraph (2) of Article 24-2

(Registration Certificate)

Article 24-4 (1) When the Minister of Internal Affairs and Communications performs registration or a renewal under Article 24-2 paragraph (1), the Minister of Internal Affairs and Communications is to issue a registration certificate.

- (2) The registration certificate as prescribed in the preceding paragraph must state the following particulars:
 - (i) date of the registration and renewals and reference number of registration
 - (ii) name and address of the person who was granted registration
 - (iii) if the person is only performing the business of maintenance checks of radio equipment, etc., details to that effect
- (3) All registered inspectors must display the registration certificate in a place accessible to the public at their place of business.

(Notification of Change)

Article 24-5 (1) If there has been any change in the matters set forth in Article 24-2 paragraph (2) items (i) or (ii), the registered inspector must, without delay, submit a notification to that effect to the Minister of Internal Affairs and Communications.

- (2) In the case of the preceding paragraph, any registered inspector who has experienced any change in the information entered on their registration certificate must submit the certificate together with the notification under the same paragraph to obtain corrections to the certificate.

(Transfer)

Article 24-6 (1) When the registered inspector transfers the entire business pertaining to the registration, or is involved in inheritance, company merger or company split (limited to cases where the entire business pertaining to the registration is transferred), the transferee of the entire business pertaining to the registration or the inheritor thereof, the surviving corporation after the company merger or the new corporation to be established by the company merger, or a corporation who will assume the entire business pertaining to the registration by company split may assume the status of registered inspector.

- (2) A person who has assumed the status of registered inspector pursuant to the provisions of the preceding paragraph, must submit a notification to that effect to the Minister of Internal Affairs and Communications along with documents

that verify this fact without delay.

(Order for Compliance)

Article 24-7 (1) When the Minister of Internal Affairs and Communications determines that a registered inspector has failed to comply with any of the items in Article 24-2 paragraph (4) (item (i), (ii) or (iv), if the person is only conducting the business of maintenance checks of radio equipment, etc.), the Minister of Internal Affairs and Communications may order the relevant registered inspector to take the necessary measures for compliance with all those provisions.

(2) When the Minister of Internal Affairs and Communications determines that a registered inspector has performed the business of inspections or maintenance checks pertaining to the registration through a method other than the method of executing operations pertaining to the registration, the Minister of Internal Affairs and Communications may order the relevant registered inspector to take the necessary measures to improve the method of performing the inspection or maintenance checks of radio equipment, etc. or other method of operations.

(Reports and On-Site Inspection)

Article 24-8 (1) When deemed necessary to enforce this Act, the Minister of Internal Affairs and Communications may order the registered inspector to report on the status quo of the operations pertaining to registration, or the ministerial staff to enter the place of business of the registered inspector and inspect the status quo of the services, equipment, account books, documents and other articles pertaining to the registration.

(2) Any ministerial staff who conducts an on-site inspection pursuant to the provisions of the preceding paragraph must carry identification and upon request, present it to the persons concerned.

(3) The authority of an on-site inspection pursuant to the provisions of paragraph (1), must not be interpreted as having been authorized for the purpose of a criminal investigation.

(Notification of Abolition)

Article 24-9 (1) When abolishing the business pertaining to the registration, the registered inspector must submit a notification to that effect to the Minister of Internal Affairs and Communications without delay.

(2) When a notification has been made pursuant to the provisions of the preceding paragraph, the registration under Article 24-2 paragraph (1) ceases to be valid.

(Revocation of Registration)

Article 24-10 If a registered inspector falls under any of the following items, the Minister of Internal Affairs and Communications may revoke the registration or order the suspension of all or part of the business of the inspection or maintenance check pertaining to that registration for a period specified by the Minister of Internal Affairs and Communications:

- (i) when the registered inspector has come to fall under any of the items (except item (ii)) in Article 24-2 paragraph (5)
- (ii) when the registered inspector has violated the provisions of Article 24-5 paragraph (1) or Article 24-6 paragraph (2)
- (iii) when the registered inspector has violated the order pursuant to the provisions of Article 24-7 paragraphs (1) or (2)
- (iv) when it turns out that the registered inspector has notified false results of a maintenance check pertaining to a registration to a person who has undergone the inspection under Article 10 paragraph (1), Article 18 paragraph (1), or Article 73 paragraph (1) or has made a false entry in the certificate prescribed in paragraph (3) of the same Article
- (v) when the registered inspector has conducted the business of the inspection or maintenance check pertaining to a registration without using methods of business that pertain to their registration in implementing the business
- (vi) when the registered inspector obtains registration or renewal under Article 24-2 paragraph (1) by unlawful means

(Deletion of Registration)

Article 24-11 When the registration has lost its validity pursuant to the provisions of Article 24-2-2 paragraph (1) or Article 24-9 paragraph (2) or the Minister of Internal Affairs and Communications has revoked the registration pursuant to the provisions of the preceding Article, the Minister of Internal Affairs and Communications must delete the registration of the relevant registered inspector.

(Return of Registration Certificate)

Article 24-12 When the registration ceases to be valid pursuant to the provisions of Article 24-2-2 paragraph (1) or Article 24-9 paragraph (2), or when the registration has been revoked pursuant to the provisions of Article 24-10, the person who was a registered inspector must return the registration certificate within one month.

(Registration of Foreign Inspectors)

Article 24-13 (1) Any person who conducts the business of carrying out inspections of radio equipment, etc. in foreign countries may obtain

registration from the Minister of Internal Affairs and Communications.

(2) The provisions of Article 24-2-2 paragraph (2) (except for item (iv)), paragraph (3), paragraph (4) (except for item (iii)) and paragraph (5), Article 24-3, Article 24-4 paragraphs (1) and (2) (except for item (iii)), Article 24-9 paragraph (2), and Article 24-11 apply mutatis mutandis to the registration under the preceding paragraph; and the provisions of Article 24-4 paragraph (3), Articles 24-5 through 24-8, Article 24-9 paragraph (1), and the preceding Article applies mutatis mutandis to those who obtained registration (hereinafter referred to as a "registered foreign inspector") under the preceding Article. In these cases, " any of the following items (items (i), (ii) and (iv) if the person is only performing the business of maintenance checks of radio equipment, etc.)" in Article 24-2, paragraph (4) is deemed to be replaced with "items (i), (ii) and (iv)"; the "inspection or maintenance check" is deemed to be replaced with "maintenance check"; the "method ... (limited to the method of executing the operations necessary for conducting the appropriate maintenance check of radio equipment, etc. if the person is only conducting the operation of maintenance checks of radio equipment, etc.)." is deemed to be replaced with "method"; the "person registered... (hereinafter referred to as a "registered inspector") in the relevant registry of registered inspectors" in Article 24-3 is deemed to be replaced with "person registered"; the "registry of registered inspectors" is deemed to be replaced with "registry of registered foreign inspectors"; the "date of the registration and renewals" is deemed to be replaced with "date of ... and"; "Article 24-2 paragraph (2) items (i), (ii) and (iv)" is deemed to be replaced with "Article 24-2 paragraph (2) items (i) and (ii)"; the "or performs a renewal" in Article 24-4 paragraph (1) is deemed to be replaced with "performs"; the "date of ... and the renewals" in paragraph (2), item (i) of the same Article is deemed to be replaced with "date of"; "order" in Article 24-7 is deemed to be replaced with "request"; "any of the items in Article 24-2 paragraph (4) (items (i), (ii) or (iv) if the person is only conducting the business of maintenance checks of radio equipment, etc.)" in paragraph (1) of the same Article is deemed to be replaced with "Article 24-2 paragraph (4) items (i), (ii) or (iv)"; "inspections or maintenance checks" in paragraph (2) of the same Article is deemed to be replaced with "maintenance checks"; "Article 24-2-2 paragraph (1) or Article 24-9 paragraph (2)" in Article 24-11 is deemed to be replaced with "Article 24-9 paragraph (2)"; "the preceding Article" in Article 24-11 is deemed to be replaced with "Article 24-13 paragraph (3)"; "Article 24-2-2 paragraph (1) or Article 24-9 paragraph (2)" in the preceding article is deemed to be replaced with "Article 24-9 paragraph (2)"; and "Article 24-10" in the preceding Article is deemed to be replaced with "paragraph (3) of the following Article."

(3) When a registered foreign inspector falls under any of the following items, the

Minister of Internal Affairs and Communications may revoke that registration:

- (i) when the registered foreign inspector has come to fall under any of items (except item (ii)) in Article 24-2 paragraph (5), as is applied mutatis mutandis pursuant to the preceding paragraph
 - (ii) when the registered foreign inspector has violated the provisions of Article 24-5 paragraph (1) or Article 24-6 paragraph (2), as applied mutatis mutandis pursuant to the preceding paragraph
 - (iii) when the registered foreign inspector has failed to meet the request under the provisions of Article 24-7 paragraphs (1) or paragraph (2), as applied mutatis mutandis pursuant to the preceding paragraph
 - (iv) when it is found that the registered foreign inspector has made a false notification of the results of an inspection pertaining to their registration to a person who has undergone the inspection under Article 10 paragraph (1), Article 18 paragraph (1), or Article 73 paragraph (1)
 - (v) when the registered foreign inspector conducted the business of inspection pertaining to their registration without using methods of business that pertain to their registration in implementing the business
 - (vi) when the registered foreign inspector has obtained the registration under paragraph (1) of this Article by unlawful means
 - (vii) when a report is not submitted or a false report is submitted, when the Minister of Internal Affairs and Communications makes the registered foreign inspector report pursuant to the provisions of Article 24-8 paragraph (1), as applied mutatis mutandis pursuant to the preceding paragraph
 - (viii) when the registered foreign inspector refuses, hinders, or evades the inspection, when the Minister of Internal Affairs and Communications delegates ministerial staff to inspect their place of business pursuant to the provisions of Article 24-8 paragraph (1), as applied mutatis mutandis pursuant to the preceding paragraph
- (4) Beyond those prescribed in the preceding three paragraphs, the necessary matters pertaining to registration under paragraph (1) is specified by Order of the Ministry of Internal Affairs and Communications.

(Publication of Information Concerning Radio Stations)

Article 25 (1) Whenever granting licenses or registration under Article 27-21, paragraph (1) (hereinafter referred to as "licenses, etc."), except radio stations specified by Order of the Ministry of Internal Affairs and Communications, the Minister of Internal Affairs and Communications is to make public, the information entered on the certificate for the radio station license or the information notified pursuant to the provisions of Article 27-6, paragraph (3) (limited to the information equivalent to those set forth in each item of Article 14, paragraph (2)) or the information entered on the registration certificate

under Article 27-25, paragraph (1) or the information notified pursuant to the provisions of Article 27-34 (limited to the information equivalent to those provided for in Article 27-25, paragraph (2)) which are specified by Order of the Ministry of Internal Affairs and Communications on the internet or using other methods.

- (2) Beyond the information to be made public pursuant to the provisions of the preceding paragraph, the Minister of Internal Affairs and Communications, at the request of a person intending to examine interference or traffic congestion or to take the termination promotion measures prescribed in Article 27-12, paragraph (3), item (vii) necessary when the person in question establishes the person's own radio station or changes frequencies, or when specified by Order of the Ministry of Internal Affairs and Communications, to the extent necessary for the relevant examinations or the relevant termination promotion measures, may provide the relevant persons with information specified by Order of the Internal Affairs and Communications on the construction design of the radio equipment and other matters related to the radio stations.
- (3) Persons who have obtained information pursuant to the provisions of the preceding paragraph must not utilize or provide the relevant information for purposes other than the purpose of examination of the interference or the termination promotion measures under the preceding paragraph.

(Frequency Assignment Plan)

Article 26 (1) The Minister of Internal Affairs and Communications must prepare and offer for public perusal a list of available frequencies (hereinafter referred to as the "frequency assignment plan") and is to issue a public notice of the frequency assignment plan. The same applies when the frequency assignment plan is revised.

- (2) In the frequency assignment plan, the following information is entered for each available frequency, in order to clarify the range of radio stations eligible to be allocated.
 - (i) mode of radio communications conducted by the radio station
 - (ii) purpose of the radio station
 - (iii) requirements for using frequencies, including the validity period for using frequencies
 - (iv) whether the frequency is designated pursuant to the provision in Article 27-14, paragraph (6)
 - (v) in case of the frequencies pertaining to the radio station transmitting broadcasts, by the following frequency classifications:
 - (a) Frequencies allocated either exclusively or preferentially to radio stations transmitting broadcasts
 - (b) Frequencies other than those given in (a)

(Survey of Actual Radio Spectrum Utilization)

Article 26-2 (1) The Minister of Internal Affairs and Communications, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, is to conduct a survey on the matters specified by Order of the Ministry of Internal Affairs and Communications as those necessary in assessing actual radio spectrum utilization, such as the number of radio stations, the traffic of radio communications operated by radio stations, and the usage modes of the radio equipment at the radio stations (hereinafter referred to as "actual utilization survey" in this Article and paragraph (1) of the following Article) for each survey category (referring to the category by the matters specified in the following items for the respective types of radio stations set forth in those items for frequencies not exceeding 3,000,000 MHz; the same applies in paragraphs (1) and (3) of the following Article), in order to comprehensively and systematically establish or change the frequency assignment plan and promote other measures that contribute to the effective utilization of the radio spectrum:

- (i) a base station for telecommunications services: the frequency band (referring to each range of frequencies resulting from dividing the frequencies not exceeding 3,000,000 MHz into the frequency ranges specified by the Minister of Internal Affairs and Communications in consideration of the radio wave characteristics and other matters; the same applies in the following item and Article 27-12, paragraph (2), item (iii)), the licensee of the base station for telecommunications services, and other matters specified by Order of the Ministry of Internal Affairs and Communications; and
 - (ii) a radio station other than a base station for telecommunications services: the frequency band and other matters specified by Order of the Ministry of Internal Affairs and Communications.
- (2) When the Minister of Internal Affairs and Communications has conducted an actual utilization survey, the minister is to report the survey results to the Radio Regulatory Council and, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, make public an outline of the survey results without delay.
- (3) To the extent necessary for conducting an actual utilization survey, the Minister of Internal Affairs and Communications may request licensees, etc. to report on necessary matters.

(Assessment of the Degree of Effective Utilization of Radio Waves)

Article 26-3 (1) When the Radio Regulatory Council receives the results of an actual utilization survey pursuant to the provisions of paragraph (2) of the preceding Article, it conducts an assessment of the degree of effective

utilization of radio waves (hereinafter referred to as an "effective utilization assessment") with regard to the following matters (referred to as "assessment matters" in paragraph (3)) for each survey category based on the survey results by taking into consideration trends in technological development and demand related to the radio spectrum, international trends concerning the frequency allocation, and other circumstances.

- (i) the number of radio stations;
 - (ii) the traffic of radio communications operated by radio stations;
 - (iii) the situation of introduction of technology to secure efficient utilization of radio waves pertaining to radio equipment for radio stations; and
 - (iv) other matters specified by Order of the Ministry of Internal Affairs and Communications.
- (2) The Radio Regulatory Council must establish the criteria for and the method of effective utilization assessments and other policies concerning the matters necessary for the implementation of effective utilization assessments and make them public in advance. The same applies when the Radio Regulatory Council intends to make changes to them.
 - (3) The method of effective utilization assessments prescribed in the preceding paragraph (limited to that pertaining to base stations for telecommunications services) must be one which attaches symbols indicating the assessment results of the respective assessment matters and also attaches a symbol indicating the overall comprehensive assessment result of these assessment matters for each survey category.
 - (4) When the Radio Regulatory Council has conducted an effective utilization assessment, it must report the assessment results to the Minister of Internal Affairs and Communications and, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, make public an outline of the assessment results without delay.
 - (5) To the extent necessary for conducting an effective utilization assessment, the Radio Regulatory Council may request licensees, etc. to make a report or submit materials or may conduct other necessary survey on licensees, etc.
 - (6) When deemed necessary in establishing or changing the frequency assignment plan, based on results of an effective utilization assessment, the Minister of Internal Affairs and Communications may conduct a survey on the technical and economic effects on licensees, etc. brought about by the establishment or change of the relevant frequency assignment plan, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.
 - (7) To the extent necessary for conducting a survey under the provisions of the preceding paragraph, the Minister of Internal Affairs and Communications may request licensees, etc. to report on necessary matters.

(License for a Special Case Regarding a Radio Station on Board a Ship or Aircraft Acquired from Foreign Countries)

Article 27 (1) The Minister of Internal Affairs and Communications may grant a license, not pursuant to the provisions of Articles 6 through 14, to a radio station established on board a ship or on board an aircraft that has been acquired from a foreign country.

(2) The license pursuant to the provisions of the preceding paragraph ceases to be valid its validity when the ship or aircraft arrives at its destination in Japan.

(Special Case of a License for a Specified Radio Station)

Article 27-2 A person who wishes to establish two or more radio stations set forth in any of the following items and those that use only radio equipment with a conformity mark of radio stations transmitting only radio waves at frequencies automatically selected by receiving the radio waves from the radio station with which radio communications are conducted (hereinafter referred to as "specified radio stations"), may apply for a blanket license for these specified radio stations pursuant to the provisions of the following Article through Article 27-11, if those specified radio stations share the same purpose, conduct radio communications with the same person, use the same type of radio waves and frequency, and the same standards of radio equipment (limited to standards specified by Order of the Ministry of Internal Affairs and Communications).

(i) a radio station established on a mobile object, which only emits radio wave frequencies which have been automatically selected by way of receiving frequencies from a radio station which is the other party with which the communications are conducted with, and which is specified by Order of the Ministry of Internal Affairs and Communications

(ii) a fixed radio station established on land for the purpose of conducting telecommunication services, which communicates with a radio station established on a mobile object as the other party taking into consideration the location of the radio equipment, the antenna power and other factors, and which is specified by Order of the Ministry of Internal Affairs and Communications

(Application for a License for a Specified Radio Station)

Article 27-3 (1) Any person who wishes to obtain the license prescribed in the preceding Article must submit an application to the Minister of Internal Affairs and Communications along with a document, on which the following information are entered (the information given in the following items (except

for the information given in item (vi)) and the area in which the radio equipment is to be installed in case of an application for a license which comprehensively covers specified radio stations (limited to those pertaining to the radio stations given in item (ii) of the same Article)):

- (i) purpose (if the radio station has two or more purposes and the purposes are categorized into a main purpose and subordinate purpose, including the categories of a main and subordinate purpose)
 - (ii) necessity for establishing the radio stations
 - (iii) persons with which radio communications are conducted
 - (iv) type of radio waves, and desirable frequency range and antenna power
 - (v) construction design of the radio equipment
 - (vi) maximum number of operational radio stations (referring to the maximum number of specified radio stations to be operated simultaneously during the period of validity of the license)
 - (vii) expected commencement date of operation (referring to the earliest expected commencement date of operation out of various specified radio stations)
 - (viii) if a contract is made with the licensees, etc. of other radio stations on measures necessary to prevent obstruction including interference, details of the contract
- (2) Any person who wishes to obtain the license as prescribed in the preceding Article, if radio communications are conducted with a foreign artificial satellite station, must enter on the document in the preceding paragraph such information as the orbit or position of the artificial satellite, information related to the radio station to be established on land for the purpose of controlling the position and attitude, etc. of the artificial satellite, and other information specified by Order of the Ministry of Internal Affairs and Communications beyond those information set forth in the same paragraph.

(Examination of Application)

Article 27-4 When receiving an application under the preceding Article paragraph (1), the Minister of Internal Affairs and Communications must examine without delay whether it conforms to the following items:

- (i) frequency assignment is possible
- (ii) if the specified radio station has a main purpose and subordinate purpose, the fulfillment of the subordinate purpose is not likely to hinder the fulfillment of the main purpose
- (iii) beyond the information set forth in the preceding two items, conformity to the essential standards for the establishment of the specified radio stations specified by Order of the Ministry of Internal Affairs and Communications

(Granting of a Blanket License)

Article 27-5 (1) When determining that the application conforms to each item in the same Article, as a result of the examination pursuant to the provisions of the preceding Article, the Minister of Internal Affairs and Communications must issue a license to the applicant, designating the following information (the information given in the following items (except for the information given in item (iii)) and the area in which the radio equipment is to be installed in case of an application for a license which comprehensively covers specified radio stations (limited to those pertaining to the radio stations given in Article 27-2 item (ii))):

(i) type of radio waves and frequencies

(ii) antenna power

(iii) designated number of radio stations (referring to the maximum number of specified radio stations operating simultaneously; the same applies hereinafter)

(iv) time limit for the commencement of operation (referring to the earliest commencement date of operation of one or more specified radio stations)

(2) When granting a license under the preceding paragraph (hereinafter referred to as a "blanket license"), the Minister of Internal Affairs and Communications is to issue a certificate for a radio station license on which the following particulars and designated information pursuant to the provisions of the same paragraph are entered:

(i) date and reference number of the blanket license

(ii) name and address of the blanket licensee (referring to the person who has obtained the blanket license; the same applies hereinafter)

(iii) classification of the specified radio station

(iv) purpose of the specified radio station (if the specified radio station has a main purpose and subordinate purposes, including the categories of the main and subordinate purposes)

(v) a person with which radio communications are conducted

(vi) validity period of the blanket license

(3) The validity period of the blanket license is specified by Order of the Ministry of Internal Affairs and Communications, not exceeding five years from the day the blanket license was granted. However, renewal may be allowed.

(Commencement of Operations of a Specified Radio Station)

Article 27-6 (1) The Minister of Internal Affairs and Communications may extend the time limit under the preceding Article paragraph (1) item (iv), when deemed appropriate, upon receipt of the application of a blanket licensee.

(2) When commencing operation of one or more specified radio stations pertaining to the blanket license, the blanket licensee of the specified radio

station (limited to those pertaining to the radio stations set forth in Article 27-2 item (i) (hereinafter referred to as "item (i) blanket licensee")) must notify the Minister of Internal Affairs and Communications to that effect without delay. However, this does not apply to cases specified by Order of the Ministry of Internal Affairs and Communications.

- (3) When establishing specified radio stations pertaining to the blanket license (except when continuing to establish that radio stations upon renewal of the license), the blanket licensee of the specified radio station (limited to those pertaining to the radio stations set forth in Article 27-2 item (ii) (hereinafter referred to as "item (ii) blanket licensee")), within a given period not exceeding fifteen days specified by Order of the Ministry of Internal Affairs and Communications, must submit to the Minister of Internal Affairs and Communications a notification describing the date of commencement of operation, the location of the radio equipment and other matters specified by Order of the Ministry of Internal Affairs and Communications pertaining to each of the relevant specified radio stations. The same applies when making changes to these matters or when abolishing the relevant specified radio station.

(Prohibition on Establishing Specified Radio Stations Exceeding the Designated Number of Radio Stations)

Article 27-7 An item (i) blanket licensee must not establish specified radio stations exceeding the designated number of radio stations entered on the certificate for the radio station license.

(Permission for Changes)

- Article 27-8 (1) When changing the purpose of the specified radio station or the person with which radio communications are conducted, or when intending to conduct radio communications using radio equipment based on a different construction design from the one submitted pursuant to the provisions of Article 27-3 paragraph (1), a blanket licensee must obtain the permission of the Minister of Internal Affairs and Communications in advance; provided, however, that changes may not be made when the change in the purpose of the specified radio station includes the transmission of basic broadcasting.
- (2) The provisions from Article 5 paragraph (1) through paragraph (3) apply mutatis mutandis to the permission under the preceding paragraph pertaining to changing the purpose of the specified radio station.

(Changes in Frequencies, Designated Number of Radio Stations upon Application)

Article 27-9 When a blanket licensee applies for a change in the type of radio

waves, frequencies, antenna power, the number of specified radio stations or the area where radio equipment may be installed, the Minister of Internal Affairs and Communications may change the designation when determining that the changes are particularly necessary to ensure the efficient utilization of the radio waves and for the elimination of interference, etc.

(Discontinuation of a Specified Radio Station)

- Article 27-10 (1) When abolishing all the specified radio stations covered by a blanket license, the item (i) blanket licensee must notify the Minister of Internal Affairs and Communications to that effect.
- (2) When a blanket licensee abolishes all the specified radio stations covered by the blanket license, the blanket license ceases to be valid.

(Exemptions Related to a Specified Radio Station and Blanket Licensee)

- Article 27-11 (1) A specified radio station whose license has been obtained pursuant to the provisions of Article 27-5 paragraph (1), is to be exempted from the application under the provisions of Article 15 and that blanket licensee is to be exempted from the application under the provisions of Articles 16, 17, 19, 22, and 23.
- (2) With regard to an application under the provision of Article 20 paragraph (6) related to transfer of the status of blanket licensee, "Article 7" in the same paragraph is deemed to be replaced with "Article 27-4."

(Establishment Guidelines for Specified Base Stations)

Article 27-12 (1) For fixed radio stations established on land that are required to be established in a large number by one person in order to secure the information given in any of the following items, and when the Minister of Internal Affairs and Communications determines that it is necessary to promote their smooth establishment to secure fair and efficient utilization of radio waves (hereinafter referred to as "specified base stations"), the Minister of Internal Affairs and Communications may specify guidelines concerning the establishment of specified base stations (hereinafter referred to as "establishment guidelines"):

- (i) radio communications for telecommunications services in the mobile operating area of a mobile radio station established on land for the purpose of conducting the relevant telecommunications services (limited to those with an operating area that covers the entire area of one or more prefectures); or
- (ii) reception of terrestrial basic broadcasting for mobile reception in the target broadcast district pertaining to the terrestrial basic broadcasting for mobile reception (referring to the target broadcast district provided for in Article 91, paragraph (2), item (ii) of the Broadcasting Act; the same applies in Article

27-14, paragraph (2), item (iii)).

(2) In the case referred to in the preceding paragraph, with regard to a base station for telecommunications services which is to use frequencies that are currently used by a base station for telecommunications services that is already established (hereinafter referred to as an "already established base station for telecommunications services") (such frequencies are limited to those pertaining to the area specified by the Minister of Internal Affairs and Communications as the area of the location of the radio equipment for that already established base station for telecommunications services; hereinafter the same applies in this paragraph and paragraph (1) (except item (iii)) of the following Article), the Minister of Internal Affairs and Communications may treat such base station for telecommunications services as a specified base station only if it is one of the base stations specified in the following items for the categories of cases respectively set forth in those items:

- (i) if the Minister has received a report of the results of an effective utilization assessment pursuant to the provisions of Article 26-3, paragraph (4), and deems that the results pertaining to the frequencies currently used by an already established base station for telecommunications services (except one established according to the approved plan prescribed in Article 27-15, paragraph (3) for which the validity period of the approval for that approved plan has yet to expire; the same applies in item (iii) and Article 27-20) do not satisfy the criterion specified by Order of the Ministry of Internal Affairs and Communications: a base station for telecommunications services which is to use those frequencies;
- (ii) if the Minister decides that it is necessary to establish the establishment guidelines to which a proposal under the provisions of paragraph (1) of the following Article pertains pursuant to the provisions of paragraph (2) of the same Article: a base station for telecommunications services which is to use the frequencies to which that decision pertains; or
- (iii) if, by taking into consideration the technological development, trends in demand, and other circumstances related to radio waves, it is deemed necessary for securing fair and efficient utilization of radio waves to conduct reorganization (referring to subdividing a single frequency category (referring to a category of frequencies that belong to the same frequency band and that are currently used by radio stations established by the same licensee; hereinafter the same applies in this item) or consolidating, or consolidating and then dividing, two or more frequency categories; hereinafter the same applies in this item) of the frequencies currently used by an already established base station for telecommunications services and to establish a base station for telecommunications services that is to use the frequencies newly categorized through the reorganization of the frequencies:

that base station for telecommunications services.

- (3) Establishment guidelines are to specify the following matters (except the matters set forth in items (iii) and (viii) in the case of the establishment guidelines pertaining to specified base stations transmitting terrestrial basic broadcasting for mobile reception):
- (i) matters concerning the coverage of specified base stations subject to establishment guidelines;
 - (ii) matters concerning the frequencies allocated to the relevant specified base stations from among the available frequencies shown in the frequency assignment plan and the use of those frequencies, such as the area in which those frequencies are to be used (hereinafter referred to as the "frequency usage area") (in the case set forth in (a) or (b) below, including the matters respectively specified in (a) or (b)):
 - (a) if all or part of the frequencies are currently used by any radio station other than those specified base stations, and a period of use of those frequencies is specified in the frequency assignment plan (except the case set forth in (b)): those frequencies and the day of expiration of that period; or
 - (b) if all or part of the frequencies are currently used by any already established base station for telecommunications services in that frequency usage area: those frequencies and the frequencies currently used by mobile radio stations with which that already established base station for telecommunications services communicates as well as the days of expiration of the period of use of these frequencies;
 - (iii) matters concerning measures for securing fair utilization of radio waves pertaining to the radio equipment for those specified base stations, such as the matters set forth in (a) or (b) below:
 - (a) for each category of the persons that intend to establish those specified base stations (referring to the category specified by taking into consideration matters such as whether the persons are licensees of already established base stations for telecommunications services and the total of the frequency bandwidths currently used by already established base stations for telecommunications services calculated for each of the licensees), matters concerning the maximum frequency bandwidth which the specified base stations to be established by persons that belong to that category will be allowed to be used; and
 - (b) matters concerning promotion of the provision of interconnection/wholesale services (referring to the provision of interconnection between telecommunications equipment of another telecommunications carrier (referring to the telecommunications carrier prescribed in Article 2, item (v) of the Telecommunications Business Act)

- and telecommunications equipment provided for use in telecommunications services pertaining to those specified base stations and the provision of wholesale telecommunications services (referring to the wholesale telecommunications services prescribed in Article 29, paragraph (1), item (x) of the same Act) using that telecommunications equipment; the same applies in Article 27-14, paragraph (2), item (v));
- (iv) matters concerning the locations and the schedule for commencement of operation of the specified base stations;
 - (v) matters concerning the introduction of technology to secure efficient utilization of radio waves pertaining to radio equipment for the relevant specified base stations;
 - (vi) the amount of money to be paid by a person that was granted the approval referred to in Article 27-14, paragraph (1) (hereinafter referred to as the "specified base station establishment fee"), the method and time limit for the payment thereof, and other matters concerning the specified base station establishment fee;
 - (vii) in the cases set forth in item (ii), (a) or (b), when it is deemed that establishing the relevant specified base station before the date respectively specified in (a) or (b) of the same item will contribute to the effective utilization of the radio waves, matters concerning the costs to be borne and other measures to be taken by the person that intends to establish the relevant specified base station in order to terminate use of the frequencies respectively specified in (a) or (b) by the radio station which is currently using the frequencies respectively specified in (a) or (b) before the dates respectively specified in (a) or (b) (hereinafter referred to as the "termination promotion measures");
 - (viii) if, in order to secure the radio communications set forth in paragraph (1), item (i) pertaining to those specified base stations, it is deemed that adding a function for securing those radio communications to the radio equipment for already established specified base stations and operating those stations contribute to the effective utilization of the radio waves, matters concerning the coverage, the locations, and the time of the commencement of operation of the advanced, already established specified base stations (referring to already established specified base stations with that function added to their radio equipment; the same applies hereinafter);
 - (ix) the assessment criteria for granting the approval referred to in Article 27-14, paragraph (1); and
 - (x) beyond the matters set forth in the preceding items, matters concerning the smooth establishment of the relevant specified base stations and other necessary matters.
- (4) When the Minister of Internal Affairs and Communications intends to

establish establishment guidelines that treat the base stations for telecommunications services specified in paragraph (2), item (i) or (iii) as specified base stations, the Minister must hear the opinions of licensees of already established base stations for telecommunications services that are currently using the frequencies pertaining to the establishment guidelines within the relevant frequency usage area, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

- (5) When the Minister of Internal Affairs and Communications intends to establish establishment guidelines that treat the base stations for telecommunications services specified in the items of paragraph (2) as specified base stations, and if deemed necessary, the Minister may conduct a survey on the technical and economic effects on licensees of already established base stations for telecommunications services that are currently using the frequencies pertaining to the establishment guidelines within the relevant frequency usage area, brought about by the establishment of those establishment guidelines, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.
- (6) To the extent necessary for conducting a survey under the provisions of the preceding paragraph, the Minister of Internal Affairs and Communications may request licensees referred to in the same paragraph (if the survey is necessary for establishing establishment guidelines that treat the base stations for telecommunications services specified in paragraph (2), item (ii) as specified base stations, the licensees referred to in the preceding paragraph and the proposer pertaining to the establishment guidelines) to report on necessary matters.
- (7) In the case set forth in paragraph (2), item (i), if the Minister of Internal Affairs and Communications deems that there is no need to establish the establishment guidelines in consideration of the circumstances such as the results of the hearing of opinions under the provisions of paragraph (4) and the results of a survey under the provisions of paragraph (5), the Minister must make a report to that effect to the Radio Regulatory Council accompanied by the reasons therefor.
- (8) The Minister of Internal Affairs and Communications must issue a public notice on the guidelines without delay when establishing or amending establishment guidelines for the specified base stations.

(Proposal for Establishment of Establishment Guidelines)

Article 27-13 (1) A person that intends to establish, as specified base stations, base stations for telecommunications services that use frequencies that are currently used by already established base stations for telecommunications services (except a licensee of the already established base stations for

telecommunications services) may make a proposal to the Minister of Internal Affairs and Communications that establishment guidelines for those specified base stations should be established, accompanied by a document describing the following matters, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications; provided, however, that this does not apply to a person that falls under any of the items of Article 5, paragraph (3) or a person specified by Order of the Ministry of Internal Affairs and Communications:

- (i) name and address of the person, and if the person is a corporation, name of the representative;
 - (ii) operating area of the mobile radio stations with which the specified base stations communicate;
 - (iii) frequencies used by the specified base stations;
 - (iv) total number of the specified base stations included in the communications system prescribed in paragraph (1) of the following Article to which the proposal pertains and the location of radio equipment for and the time of establishment of each specified base station;
 - (v) technology to secure efficient utilization of radio waves that is planned to be used in the radio equipment for the specified base stations; and
 - (vi) other matters specified by Order of the Ministry of Internal Affairs and Communications.
- (2) If the Minister of Internal Affairs and Communications receives a proposal under the provisions of the preceding paragraph, the Minister is to decide whether it is necessary to establish the establishment guidelines to which the proposal pertains, by taking into consideration the results of the effective utilization assessments relating to the frequencies to which the proposal pertains, the expected degree of effective utilization of radio waves of those frequencies by the specified base stations which the proposer wishes to establish, and other matters specified by Order of the Ministry of Internal Affairs and Communications.
- (3) When the Minister of Internal Affairs and Communications intends to make a decision under the provisions of the preceding paragraph, the Minister must hear the opinions of the proposer to whom that decision pertains and licensees of already established base stations for telecommunications services, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.
- (4) When the Minister of Internal Affairs and Communications makes a decision pursuant to the provisions of paragraph (2), the Minister must notify the proposer to whom that decision pertains and licensees of already established base stations for telecommunications services to that effect, accompanied by the reasons therefor, and also make it public, without delay.

(Approval of an Establishment Plan for Specified Base Stations)

- Article 27-14 (1) Any person that intends to establish specified base stations may formulate a plan concerning the establishment of the specified base stations (hereinafter referred to as an "establishment plan") for each communications system (referring to a unit of the specified base stations established by one person to communicate with the same parties; the same applies to item (vi) of the following paragraph and paragraph (4), item (iii)) or each broadcasting system (referring to the broadcasting system prescribed in Article 91 paragraph (2) item (iii) of the Broadcasting Act; the same applies in items (vi) and (x) of the following paragraph and item (iii) of paragraph (4)), may submit the plan to the Minister of Internal Affairs and Communications, along with a written application describing the following matters (except the matters set forth in item (ii) in the case of a person that intends to establish specified base stations for the purpose of conducting telecommunications services), and be granted approval that the establishment plan is appropriate:
- (i) name and address;
 - (ii) in the case of a corporation or organization, the following matters:
 - (a) name of the representative and the proportion of the persons set forth in Article 5, paragraph (1), items (i) through (iii) in the total number of officers; and
 - (b) proportion of voting rights possessed directly by a foreign national, etc.; and
 - (iii) other matters specified by Order of the Ministry of Internal Affairs and Communications.
- (2) The establishment plan for specified base stations must contain the following matters (except the matters set forth in items (x) and (xi) in the case of an establishment plan pertaining to specified base stations for the purpose of conducting telecommunications services and the matters set forth in items (v), (ix), and (xiii) in the case of an establishment plan pertaining to specified base stations transmitting terrestrial basic broadcasting for mobile reception):
- (i) classification as to whether the specified base station is one which will secure either the matters set forth in Article 27-12, paragraph (1), item (i) or the matters set forth in item (ii) of that paragraph;
 - (ii) reason for establishing the specified base stations;
 - (iii) operating area for the mobile radio stations with which the specified base stations communicate or the target broadcast district pertaining to the terrestrial basic broadcasting for mobile reception to be conducted by the specified base stations;
 - (iv) desirable frequency range;
 - (v) measures for securing fair utilization of radio waves, such as measures for

- promoting the provision of interconnection/wholesale services, which are planned to be implemented;
- (vi) total number of specified base stations included in the relevant communications system and the relevant broadcasting system, locations of radio equipment at each specified base station, and expected commencement date of operations;
 - (vii) technology for securing efficient utilization of radio waves, which is planned to be used for radio equipment at the specified base stations;
 - (viii) amount of the specified base station establishment fee;
 - (ix) if the person that intends to establish specified base stations has obtained the registration referred to in Article 9 of the Telecommunications Business Act, the date of the registration and the registration number (if the person has obtained the renewal of registration referred to in Article 12-2, paragraph (1) of the same Act, the dates of the registration and the renewal thereof and the registration number), and if the person has not obtained the registration referred to in Article 9 of the same Act, matters concerning the application for the registration referred to in the same Article;
 - (x) methods for sharing the expenses of constructing the radio equipment and operating the radio station pertaining to all specified base stations included in the relevant broadcasting system;
 - (xi) business plan, and estimated revenue and expenses;
 - (xii) if conducting the termination promotion measures, the contents of the relevant termination promotion measures and methods for sharing the expenses required for the termination promotion measures;
 - (xiii) in the case of operating advanced, already established specified base stations, the reason for the need to operate the advanced, already established specified base stations, the total number of the advanced, already established specified base stations, and the locations of the radio equipment for and the times of the commencement of operation of the advanced, already established specified base stations for each frequency used; and
 - (xiv) other matters prescribed by Order of the Ministry of Internal Affairs and Communications.
- (3) The application for approval under paragraph (1) must be filed within a period not shorter than one month as fixed in the public notices of the Minister of Internal Affairs and Communications.
- (4) Upon receipt of an application for the approval referred to in paragraph (1), the Minister of Internal Affairs and Communications must examine whether the application conforms to all of the following items (except item (v) in the case of an establishment plan pertaining to specified base stations that transmit terrestrial basic broadcasting for mobile reception):
- (i) the establishment plan is adequate in the light of the establishment

- guidelines;
- (ii) the establishment plan is deemed to be assuredly implemented;
 - (iii) the frequencies are currently available or are deemed to certainly become available at an early date for all of the specified base stations included in the communications system or the broadcasting system pertaining to the establishment plan;
 - (iv) the person that intends to establish the specified base stations to which the establishment plan pertains does not fall under any of the items of Article 5 paragraph (3) (any of the items of paragraph (1) or any of the items of paragraph (3) of the same Article in the case of a person that intends to establish specified base stations transmitting terrestrial basic broadcasting for mobile reception); and
 - (v) the person that intends to establish the specified base stations pertaining to the establishment plan has obtained or is sufficiently likely to obtain the registration referred to in Article 9 of the Telecommunications Business Act.
- (5) If, as a result of conducting examinations pursuant to the provisions of the preceding paragraph, the Minister of Internal Affairs and Communications deems that applications conform to all of the items of the same paragraph (except item (v) in the case of an establishment plan pertaining to specified base stations that transmit terrestrial basic broadcasting for mobile reception), the Minister is to conduct an assessment of all applications that were deemed to be in conformity, according to the assessment criteria referred to in Article 27-12, paragraph (3), item (ix).
- (6) The Minister of Internal Affairs and Communications is to grant the approval referred to in paragraph (1), while designating frequencies, for the establishment plan relating to the application that is deemed to be the most appropriate for securing fair and efficient utilization of radio waves according to the assessment referred to in the preceding paragraph.
- (7) The validity periods of the approval under paragraph (1) are specified by Order of the Ministry of Internal Affairs and Communications and do not exceed ten years (20 years in case of the approval of the establishment plan for specified base stations using the frequencies specified in Article 27-12, paragraph (3), item (ii), (a) or (b)) from the day of approval.
- (8) A person that was granted the approval referred to in paragraph (1) must pay to the State the specified base station establishment fee in cash (including a check that may be used for the payment of national taxes, which is issued and guaranteed by a bank) by the time limit for payment specified in the establishment guidelines.
- (9) When granting approval under paragraph (1), the Minister of Internal Affairs and Communications is to issue a public notice of the date of that approval, the validity period of approval, designated frequencies pursuant to the provisions

under paragraph (6), and other matters specified by Order of the Ministry of Internal Affairs and Communications.

(Changes to an Establishment Plan)

Article 27-15 (1) Any person who was granted approval under paragraph (1) of the preceding Article, when changing the establishment plan pertaining to the approval (except the matters set forth in paragraph (2) items (i),(iv), and (viii) of the same Article), must obtain approval from the Minister of Internal Affairs and Communications.

(2) Upon receipt of an application for the approval referred to in the preceding paragraph, if the Minister of Internal Affairs and Communications deems that the application conforms to all of the items (except item (v) in the case of an establishment plan pertaining to specified base stations that transmit terrestrial basic broadcasting for mobile reception) of paragraph (4) of the preceding Article, the Minister is to grant the approval referred to in the preceding paragraph.

(3) When the person who establishes specified base stations pertaining to the establishment plan that was granted approval under paragraph (1) of the preceding Article (when the change of the establishment plan is attested, the changed plan; hereinafter referred to as "the attested plan") (the person is hereinafter referred to as "the attested establisher") files with the Minister of Internal Affairs and Communications an application for a change in the designated frequency, when determining that the change is particularly necessary for eliminating interference and other matters, the Minister of Internal Affairs and Communications may change the designation.

(4) When the approved establisher applies for an extension of the validity periods of the approval, the Minister of Internal Affairs and Communications may extend the terms not exceeding one year, when deemed particularly necessary,

(5) An approved establisher must, if there has been any change (except any of the following changes) in the matters set forth in the items of paragraph (1) of the preceding Article (except the matters set forth in item (ii) of the same paragraph in the case of an approved establisher pertaining to specified base stations for the purpose of conducting telecommunications services), notify the Minister of Internal Affairs and Communications to that effect without delay:

(i) any change in the matters set forth in paragraph (1), item (ii) of the preceding Article, which is a change specified by Order of the Ministry of Internal Affairs and Communications as being one that is unlikely to cause the approved establisher to fall under Article 5, paragraph (1), item (iv); or

(ii) any change in the matters set forth in paragraph (1), item (iii) of the preceding Article, which is a minor change specified by Order of the Ministry of Internal Affairs and Communications.

(6) When granting approval under paragraph (1) (limited to approval pertaining to changes in matters specified by Order of the Ministry of Internal Affairs and Communications under paragraph (9) of the preceding Article), when changing the designation of frequencies pursuant to the provisions of paragraph (3), or when extending the validity period of approval pursuant to the provisions of paragraph (4), the Minister of Internal Affairs and Communications is to issue a public notice to that effect.

(Revocation of Approval)

Article 27-16 (1) When an approved establisher falls under any of the following items, the Minister of Internal Affairs and Communications must revoke the approval:

- (i) when the registration referred to in Article 9 of the Telecommunications Business Act for an approved establisher pertaining to specified base stations for the purpose of conducting telecommunications services has been revoked pursuant to the provisions of Article 14, paragraph (1) of the same Act; or
 - (ii) when an approved establisher pertaining to specified base stations that transmit terrestrial basic broadcasting for mobile reception has come to fall under any of the items of Article 5, paragraph (1).
- (2) Notwithstanding the provisions of the preceding paragraph, when an approved establisher (limited to one pertaining to specified base stations that transmit terrestrial basic broadcasting for mobile reception; hereinafter the same applies until paragraph (5)) has come to fall under Article 5, paragraph (1), item (iv), the Minister of Internal Affairs and Communications, if deemed necessary in consideration of the following matters, may choose not to revoke the approval for a specified period limited to the period within the remainder of the period of validity of the approval for the approved establisher:
- (i) the situation of coming to fall under Article 5, paragraph (1), item (iv);
 - (ii) the effects on the interests of the recipients of the terrestrial basic broadcasting for mobile reception to which the approval pertains brought about by the revocation of the approval pursuant to the provisions of the preceding paragraph or the non-revocation of the approval pursuant to the provisions of this paragraph; and
 - (iii) other matters specified by Order of the Ministry of Internal Affairs and Communications.
- (3) When the Minister of Internal Affairs and Communications deems that an approved establisher has come to fall under Article 5, paragraph (1), item (iv), the Minister must decide whether to choose not to revoke the approval for the approved establisher pursuant to the provisions of the preceding paragraph.
- (4) When the Minister of Internal Affairs and Communications intends to make

the decision referred to in the preceding paragraph, the Minister must hear the opinions of the approved establisher to which the decision pertains.

- (5) When the Minister of Internal Affairs and Communications has made the decision referred to in paragraph (3), the Minister must notify the approved establisher to which the decision pertains to that effect, accompanied by the reasons therefor, (if the decision is one of not revoking the approval for the approved establisher pursuant to the provisions of paragraph (2), a notice to that effect and the period specified pursuant to the provisions of the same paragraph) without delay.
- (6) When an approved establisher falls under one of the following items, the Minister of Internal Affairs and Communications may revoke the approval:
- (i) when the Minister of Internal Affairs and Communications determines that the approved establisher has not established the specified base stations to which the approved plan pertains according to the relevant approved plan or has not operated the advanced, already established specified base stations to which the approved plan pertains according to the relevant approved plan without due reason;
 - (ii) when the approved establisher has not paid the specified base station establishment fee by the time limit for payment specified in the establishment guidelines pertaining to the approved plan without due reason;
 - (iii) when the approved establisher is granted approval under Article 27-14, paragraph (1) or paragraph (1) of the preceding Article, or has the Minister of Internal Affairs and Communications change the designation pursuant to the provisions of paragraph (3) of the preceding Article through unlawful means;
 - (iv) when the approved establisher has come to fall under Article 5, paragraph (3), item (i);
 - (v) when the approved establisher pertaining to specified base stations for the purpose of conducting telecommunications services falls under any of the following:
 - (a) when the registration referred to in Article 9 of the Telecommunications Business Act has been refused pursuant to the provisions of Article 12, paragraph (1) of the same Act;
 - (b) when the registration referred to in Article 9 of the Telecommunications Business Act ceases to be valid pursuant to the provisions of Article 12-2, paragraph (1) of the same Act; or
 - (c) when the registration of a change referred to in Article 13, paragraph (1) of the Telecommunications Business Act has been refused pursuant to the provisions of Article 12, paragraph (1) of the same Act as applied *mutatis mutandis* pursuant to Article 13, paragraph (4) of the same Act (limited to

the case in which the registration of a change relates to a change in a matter concerning specified base stations or advanced, already established specified base stations to which the approved plan pertains); or

(d) when there has been notification of discontinuation of the entire telecommunications business of the approved establisher or dissolution of the approved establisher pursuant to the provisions of Article 18 of the Telecommunications Business Act.

(7) Upon revocation of approval pursuant to the provisions of the preceding paragraph (except items (iv) and (v)), the Minister of Internal Affairs and Communications may revoke the approval of other establishment plans of the revoked attested establisher under Article 27-14 paragraph (1), or revoke the licenses, etc. for the radio stations.

(8) Upon revocation pursuant to the provisions of paragraph (1) or the preceding two paragraphs, the Minister of Internal Affairs and Communications must send to the attested establisher a notification with statement of reasons.

(Application Mutatis Mutandis of the Provisions Concerning Company Mergers)

Article 27-17 The provisions of Article 20, paragraphs (1) through (3), paragraph (6), and paragraph (9) apply mutatis mutandis to the attested establisher. In this case, "Article 5 and Article 7" in paragraph (6) of the same Article is deemed to be replaced with "Article 27-14, paragraph (4)"; "paragraph (2) through the preceding paragraph" is deemed to be replaced with "paragraph (2) and paragraph (3)"; and "paragraph (1) and the preceding two paragraphs" in paragraph (9) of the same Article is deemed to be replaced with "paragraph (1), as applied mutatis mutandis pursuant to Article 27-17."

(Special Case of License Application Periods for Specified Base Stations to Which Approved Plans Pertain)

Article 27-18 The provisions of Article 6, paragraph (8) do not apply to the application for a license for specified base stations that an approved establisher establishes according to the approved plan and mobile radio stations with which those specified base stations communicate.

(Responsibility of Approved Establishers of Specified Base Stations)

Article 27-19 An approved establisher of specified base stations for the purpose of conducting telecommunications services must, in order to secure the radio communications set forth in Article 27-12, paragraph (1), item (i) and to contribute to the effective utilization of radio waves of the frequencies used by the specified base stations, endeavor to establish the specified base stations also in places other than the locations of radio equipment for the specified base

stations described in the approved plan (such places are limited to those within the frequency usage area to which the approved plan pertains).

(Special Case of License Renewal Application Periods for Already Established Base Stations for Telecommunications Services)

Article 27-20 When the Minister of Internal Affairs and Communications approves an establishment plan that treats the base stations for telecommunications services specified in the items of Article 27-12, paragraph (2) as specified base stations, the provisions of Article 6, paragraph (8) do not apply to an application for renewal of a license for already established base stations for telecommunications services that are currently using the frequencies to which the approval pertains within the frequency usage area or mobile radio stations with which those already established base stations for telecommunications services communicate, during the period from the day of the approval to the day of expiration of the period of use of the frequencies currently used by these radio stations specified in the establishment guidelines to which the approval pertains.

Section 2 Registration for Radio Stations

(Registration)

Article 27-21 (1) Any person who wishes to establish a radio station having a function that ensures that, in the case where it is going to transmit radio waves, it will stop its transmission for a given period of time when receiving radio waves at the same frequency as its own, or to establish any other type of radio station that can be operated without causing interference or obstruction that impairs the operation of other radio stations having the same standards for their radio equipment as those for the radio equipment of the relevant radio station (limited to standards specified by Order of the Ministry of Internal Affairs and Communications; the same applies hereinafter), and which is one of the radio stations specified by Order of the Ministry of Internal Affairs and Communications and exclusively uses radio equipment with a conformity mark, within areas specified by Order of the Ministry of Internal Affairs and Communications, must obtain registration from the Minister of Internal Affairs and Communications.

(2) Any person who wishes to obtain registration under the preceding paragraph must, specified by Order of the Ministry of Internal Affairs and Communications, submit an application form describing the following particulars:

(i) name and address of the applicant, and if the applicant is a corporation, name of the representative

- (ii) standards for radio equipment of radio stations to be established
 - (iii) location of the radio equipment
 - (iv) frequencies and antenna power
- (3) Application under the preceding paragraph must be accompanied by a document describing the purpose of establishment and any other particulars specified by Order of the Ministry of Internal Affairs and Communications (including details of the contract if a contract is made with the licensees, etc. of other radio stations on measures necessary to prevent interference and other obstruction; the same applies to Article 27-32,, paragraph (3)).

(Implementation of Registration)

Article 27-22 The Minister of Internal Affairs and Communications, if an application for registration under paragraph (1) of the preceding Article is submitted, except if registration is denied pursuant to the provisions of the following Article, must implement registration of the following particulars in the comprehensive radio station management file prescribed in Article 103-2 paragraph (4) item (ii).

- (i) particulars set forth in each item of paragraph (2) of the preceding Article
- (ii) date of registration and reference number of registration

(Denial of Registration)

Article 27-23 (1) The Minister of Internal Affairs and Communications, if the application for registration under Article 27-21, paragraph (1) falls under any of the following items, must deny the registration:

- (i) when the locations of the radio equipment pertaining to the application are in areas other than those specified by Order of the Ministry of Internal Affairs and Communications under Article 27-21, paragraph (1)
 - (ii) when the application form or documents attached thereto contain any false description on important particulars or lack descriptions of important particulars
- (2) If the application for registration under Article 27-21, paragraph (1) falls under any of the following items, the Minister of Internal Affairs and Communications may deny the relevant registration:
- (i) when the applicant falls under any item of Article 5 paragraph (3)
 - (ii) when radio stations pertaining to the registration that use the same frequency as radio stations pertaining to the application are prohibited from being established pursuant to the provisions of Article 76-2-2, or when the operation of the registered stations is restricted
 - (iii) beyond the conditions set forth in the preceding two items, when the establishment of radio stations pertaining to the application does not conform to the frequency assignment plan, or where the establishment of

those radio stations is likely to impair proper utilization of radio waves

(Validity Period of Registration)

Article 27-24 The validity period of registration in Article 27-21, paragraph (1) is specified by Order of the Ministry of Internal Affairs and Communications and not exceeding five years from the day of registration. However, registration renewal may be allowed.

(Registration Certificate)

Article 27-25 (1) When granting registration under Article 27-21, paragraph (1), the Minister of Internal Affairs and Communications is to issue a registration certificate.

(2) The matters set forth in each item under Article 27-22 must be entered on the registration certificate in the preceding paragraph.

(Changes to the Registration Certificate)

Article 27-26 (1) Any registrant (referring to a person who is registered under Article 27-21, paragraph (1); the same applies hereinafter), intending to change matters set forth in item (iii) or (iv) of paragraph (2) of the same Article, must obtain a registration of change from the Minister of Internal Affairs and Communications. However, this does not apply to minor changes specified by Order of the Ministry of Internal Affairs and Communications.

(2) Any person who wishes to obtain a registration of change as prescribed in the preceding paragraph must, prescribed by Order of the Ministry of Internal Affairs and Communications, submit an application form describing matters pertaining to the change to the Minister of Internal Affairs and Communications.

(3) The provisions of Article 27-22 and Article 27-23, paragraph (1) apply mutatis mutandis to the registration of change in paragraph (1). In this case, "the following Article" in Article 27-22 is deemed to be replaced with "paragraph (1) of the following Article"; "the following matters" in Article 27-22 is deemed to be replaced with "the matters pertaining to the change"; and "the application form or documents attached thereto" in Article 27-23 paragraph (1) is deemed to be replaced with "the application form."

(4) Any registrant, after changing matters set forth in Article 27-21, paragraph (2), item (i), or after implementing minor changes specified by Order of the Ministry of Internal Affairs and Communications under the proviso to paragraph (1), must submit a notification to that effect to the Minister of Internal Affairs and Communications without delay. Upon receiving the notification, the Minister of Internal Affairs and Communications must change the relevant registration without delay.

(Transfer)

Article 27-27 (1) When the transfer of the entire business using registered stations, or inheritance, company merger, or company split (limited to those transferring the entire business using registered stations) for a registrant has been completed, the transferee who has taken over the entire business using registered stations or the inheritor thereof, the surviving corporation after the company merger or the new corporation to be established by the company merger, or the corporation which is to acquire the entire business using registered stations after the company split, assume the status of registrant. Provided, however, that this does not apply when the transferee which has taken over the relevant entire business or the inheritor thereof, the surviving corporation after the company merger or the new corporation to be established by the company merger, or a corporation who is to acquire the relevant entire business after the company split falls under any of the items of Article 27-23, paragraph (2) (except item (ii)).

(2) Any person who has assumed the status of registrant pursuant to the provisions of the preceding paragraph must notify the Minister of Internal Affairs and Communications to that effect along with documents that verify the fact without delay.

(Correction of Registration Certificate)

Article 27-28 After changing the particulars entered on the registration certificate, all registrants must submit the registration certificate to the Minister of Internal Affairs and Communications and obtain amendments.

(Notification of Abolition of Radio Stations)

Article 27-29 (1) After abolishing a registered station, all registrants must submit a notification to that effect to the Minister of Internal Affairs and Communications without delay.

(2) Having submitted the notification pursuant to the provisions of the preceding paragraph, the registration in Article 27-21, paragraph (1) ceases to be valid.

(Deletion of Registration Record)

Article 27-30 The Minister of Internal Affairs and Communications, having revoked a registration pursuant to the provisions of Article 27-16, paragraph (7), Article 76, paragraphs (6) through (8), or Article 76-3, paragraph (1), when the validity period of the registration in Article 27-21, paragraph (1) has expired, or when registration under Article 27-21, paragraph (1) has lost its validity pursuant to the provisions of paragraph (2) of the preceding Article, must delete the relevant registration.

(Return of Registration Certificates)

Article 27-31 Any person who was a registrant, having had their registration pursuant to the provisions of Article 27-16, paragraph (7), Article 76, paragraphs (6) through (8), or Article 76-3, paragraph (1) revoked, when the validity period of the registration under Article 27-21, paragraph (1) has expired, or when registration under Article 27-21, paragraph (1) has lost its validity pursuant to the provisions of Article 27-29, paragraph (2), must return the registration certificate to the Minister of Internal Affairs and Communications within one month.

(Special Case of Registration)

Article 27-32 (1) A person who intends to establish two or more radio stations to be registered under Article 27-21, paragraph (1) within areas specified by Order of the Ministry of Internal Affairs and Communications under the same paragraph, insofar as the radio stations have the same frequencies and the same standards for radio equipment, as prescribed in this Article through Article 27-37, may obtain registration under the same paragraph governing blanket registration for those radio stations.

(2) Any person who wishes to obtain registration under the preceding paragraph, specified by Order of the Ministry of Internal Affairs and Communications, must submit an application form describing the following particulars to the Minister of Internal Affairs and Communications:

- (i) name and address of the applicant and, if the applicant is a corporation, name of the representative
- (ii) standards for radio equipment of radio stations to be established
- (iii) areas in which the radio equipment is to be installed (in the case of mobile radio stations, operating areas thereof)
- (iv) frequencies and antenna power

(3) Application under the preceding paragraph must be accompanied by a document describing the purpose of establishment and any other matters as specified by Order of the Ministry of Internal Affairs and Communications.

(Registration of Change Concerning Blanket Registrants)

Article 27-33 (1) Any person who has obtained registration pursuant to the provisions of paragraph (1) of the preceding Article (hereinafter referred to as a "blanket registrant"), when intending to change particulars set forth in item (iii) or item (iv) of paragraph (2) of the same Article, must obtain registration of change from the Minister of Internal Affairs and Communications. However, this does not apply to minor changes specified by Order of the Ministry of Internal Affairs and Communications.

- (2) Any person who wishes to obtain registration of change under the preceding paragraph, specified by Order of the Ministry of Internal Affairs and Communications, must submit an application form describing matters pertaining to the change to the Minister of Internal Affairs and Communications.
- (3) The provisions of Article 27-22 and Article 27-23, paragraph (1) apply mutatis mutandis to registration of change under paragraph (1). In this case, "the following article" in Article 27-22 is deemed to be replaced with "paragraph (1) of the following Article"; "the following matters" in Article 27-22 is deemed to be replaced with "matters pertaining to the change"; "the locations of the radio equipment" in Article 27-23, paragraph (1) is deemed to be replaced with "areas in which the radio equipment is to be installed (in the cases of mobile radio stations, operating areas thereof)"; and "the application form or documents attached thereto" in Article 27-23, paragraph (1) is deemed to be replaced with "the application form."
- (4) Any blanket registrant, having changed matters set forth in paragraph (2) item (i) of the preceding Article or having implemented minor changes specified by Order of the Ministry of Internal Affairs and Communications under the proviso to paragraph (1) must submit a notification to that effect to the Minister of Internal Affairs and Communications without delay. Upon receiving the notification, the Minister of Internal Affairs and Communications is to change the relevant registration without delay.

(Notification of the Establishment of Radio Stations)

Article 27-34 After establishing radio stations pertaining to its registration (except when continuing to establish the relevant radio stations upon renewal of registration), within a given period not exceeding fifteen days specified by Order of the Ministry of Internal Affairs and Communications a blanket registrant must submit to the Minister of Internal Affairs and Communications a notification describing the date of commencement of operation, the location of the radio equipment and other matters specified by Order of the Ministry of Internal Affairs and Communications pertaining to each of the relevant radio stations.

(Notification of Change)

Article 27-35 Any blanket registrant, having changed matters submitted pursuant to the provisions of the preceding Article, must submit a notification to that effect to the Minister of Internal Affairs and Communications without delay.

(Loss of Validity of Registration)

Article 27-36 When a blanket registrant has abolished all radio stations pertaining to its registration, the relevant registration ceases to be valid.

(Exemptions Concerning Blanket Registrants)

Article 27-37 (1) Blanket registrants are exempted from the application of the provisions in Article 27-26 and Article 27-29, paragraph (2).

(2) With respect to the application of the provisions of Article 27-22, Article 27-23, Article 27-25, paragraph (2), Article 27-27, Article 27-30, and Article 27-31 concerning registration pursuant to the provisions of Article 27-32, paragraph (1), "under paragraph (1) of the preceding article" in Article 27-22 is deemed to be replaced with "pursuant to the provisions of Article 27-32, paragraph (1)"; "the following Article" in Article 27-22 is deemed to be replaced with "the following Article that is deemed to be replaced otherwise and applied in Article 27-37, paragraph (2)"; "each item of paragraph (2) of the preceding article" in Article 27-22 is deemed to be replaced with "each item of Article 27-32, paragraph (2)"; "registration under Article 27-21, paragraph (1)" in Article 27-23 is deemed to be replaced with "registration pursuant to the provisions of Article 27-32, paragraph (1)"; "the locations of the radio equipment" in paragraph (1), item (i) of the same Article is deemed to be replaced with "areas in which the radio equipment is to be installed (in the case of mobile radio stations, operating areas thereof)"; "are in areas" in paragraph (1), item (i) of the same Article is deemed to be replaced with "include areas"; "each item under Article 27-22" in Article 27-25, paragraph (2) is deemed to be replaced with "each item under Article 27-22 that is deemed to be replaced otherwise and applied in Article 27-37, paragraph (2)"; "any of the items of Article 27-23, paragraph (2)" in Article 27-27, paragraph (1) is deemed to be replaced with "each of the items of Article 27-23, paragraph (2) that is deemed to be replaced otherwise and applied in Article 27-37, paragraph (2)"; "the preceding paragraph" in paragraph (2) of the same Article is deemed to be replaced with "the preceding paragraph that is deemed to be replaced otherwise and applied in Article 27-37, paragraph (2)"; and "paragraph (2) of the preceding Article" in Article 27-30 and "Article 27-29, paragraph (2)" in Article 27-31 is deemed to be replaced with "Article 27-36."

Section 3 Mediation Concerning Establishment of Radio Stations

(Mediation and Arbitration by the Telecommunications Dispute Resolution Committee)

Article 27-38 (1) If a person that was granted a license, etc. and has established a radio station (limited to those with the purpose of conducting telecommunications services and other business specified by Order of the

Ministry of Internal Affairs and Communications; the same applies in this Article) or that intends to make changes to frequencies and other matters specified by Order of the Ministry of Internal Affairs and Communications concerning the radio station that was granted a license, etc. makes an offer of consultation to the licensee, etc. of any other radio station, for which the establishment of the relevant radio station or the changes in matters concerning the relevant radio station are likely to cause interference with or other obstruction to, on entering into a contract concerning the measures necessary to prevent obstruction, but the licensee, etc. of the relevant other radio station refuses to hold consultation or the consultation fails, the concerned parties may file an application for mediation with the Telecommunications Dispute Settlement Commission (hereinafter referred to as the "commission" in this Article); provided, however, that this does not apply after the parties have filed an application for arbitration pursuant to the provisions of paragraph (4).

- (2) If an approved establisher makes an offer of consultation to the licensee, etc. of a radio station that is currently using the frequencies to which an approved plan pertains on entering into a contract concerning termination promotion measures to which the approved plan pertains, but the licensee, etc. refuses to hold consultation or the consultation fails, the concerned parties may file an application for mediation with the commission; provided, however, that this does not apply after the parties have filed an application for arbitration pursuant to the provisions of paragraph (4).
- (3) The provisions of Article 154, paragraphs (2) through (6) of the Telecommunications Business Act apply mutatis mutandis to the mediation in the preceding two paragraphs. In this case, "the parties file a petition under Article 35, paragraph (1) or (2), apply for an award for arbitration pursuant to the provisions of Article 35, paragraph (3), or apply for arbitration in accordance with paragraph (1) of the following paragraph" in paragraph (6) of the same Article is deemed to be replaced with "the parties apply for arbitration in accordance with Article 27-38, paragraph (4) of the Radio Act."
- (4) If the consultation pursuant to the provisions of paragraph (1) or (2) fails, either of the concerned parties may file an application for arbitration with the commission.
- (5) The provisions of Article 155 paragraphs (2) through (4) of the Telecommunications Business Act apply mutatis mutandis to the mediation prescribed under the previous paragraph.
- (6) Pursuant to the provisions of paragraph (1) or (2) or paragraph (4), the application for mediation or arbitration must be filed with the commission via the Minister of Internal Affairs and Communications.

(Entrustment to Cabinet Order)

Article 27-39 Beyond matters prescribed in the preceding Article, matters necessary for procedures for mediation and arbitration are to be specified by Cabinet Order.

Chapter III Radio Equipment

(Quality of Radio Waves)

Article 28 The quality of radio waves from transmitting equipment, including the tolerance and bandwidth of frequencies and the intensity of harmonics, must satisfy the requirements specified by Order of the Ministry of Internal Affairs and Communications.

(Requirements for Receiving Equipment)

Article 29 The radio waves or the high frequency current incidentally emitted from receiving equipment must not disturb the function of other radio equipment in excess of the limits specified by Order of the Ministry of Internal Affairs and Communications.

(Safety Devices)

Article 30 In order to mitigate the risk of causing physical injury or property damage to other objects, the radio equipment must be installed with safety devices as specified by Order of the Ministry of Internal Affairs and Communications.

(Installation of a Frequency Measuring Instrument)

Article 31 Any transmitting equipment specified by Order of the Ministry of Internal Affairs and Communications must be installed with a frequency measuring instrument that has an error of one half or less of the permissible deviation from the emitting frequencies.

(Installation of Meters and Spare Components)

Article 32 Radio equipment for a ship station must be installed with the meters and spare components required for operating the radio equipment, as specified by Order of the Ministry of Internal Affairs and Communications.

(Apparatus for Radio Equipment on Compulsory Ship Stations)

Article 33 Radio equipment on a compulsory ship station, according to the classification of ships and navigating areas specified by Order of the Ministry of Internal Affairs and Communications, must be installed with apparatus for transmitting equipment and receiving equipment, apparatus for emergency

position-indicating radio beacon equipment, apparatus for receiving information on safe navigation, and other apparatus specified by Order of the Ministry of Internal Affairs and Communications.

(Requirements for Radio Equipment on Compulsory Ship Stations)

Article 34 Radio equipment on a compulsory ship station and a ship earth station specified by Order of the Ministry of Internal Affairs and Communications which is established on a ship with a compulsory ship station (hereinafter referred to as a "compulsory ship station, etc.") must be installed at a location that satisfies the requirements set out in the following items. However, this does not apply to radio equipment specified by Order of the Ministry of Internal Affairs and Communications.

- (i) a place where the operation of the radio equipment is not interfered with by mechanical, electrical, or other causes
- (ii) a place on the ship as high as is practically possible to ensure its safety to the radio equipment concerned
- (iii) a place that is not affected by water, temperature, or other environmental conditions that are likely to cause damage to the functioning of that radio equipment

Article 35 One or two of the following measures must be taken for radio equipment on a compulsory ship station, etc. specified by Order of the Ministry of Internal Affairs and Communications. However this does not apply to the radio equipment specified by Order of the Ministry of Internal Affairs and Communications.

- (i) installation of spare equipment
- (ii) regular inspection of the ship in port and installation of necessary meters and spare components for maintenance in a mooring port
- (iii) installation of necessary meters and spare components for maintenance while the ship is navigating

(Requirements for Compulsory Aircraft Stations)

Article 36 Transmitting equipment for compulsory aircraft stations must have an effective coverage as specified by Order of the Ministry of Internal Affairs and Communications.

(Requirements for Artificial Satellite Stations)

Article 36-2 (1) Radio equipment on artificial satellite stations must be capable of ceasing radio wave emissions immediately by remote control.

(2) The radio equipment on artificial satellite stations must be capable of being remotely controlled to change its location. However, this does not apply to the

artificial satellite stations specified by Order of the Ministry of Internal Affairs and Transportation.

(Examination of Apparatus for Radio Equipment)

- Article 37 The following radio equipment must not be installed unless it has passed an examination conducted by the Minister of Internal Affairs and Communications. However, this does not apply to installation of the apparatus that has passed a type examination equivalent to the one conducted by the Minister of Internal Affairs and Communications or installation of apparatus specified by Order of the Ministry of Internal Affairs and Communications:
- (i) frequency measuring instruments to be installed pursuant to the provisions of Article 31
 - (ii) radar to be installed on ships based on the order pursuant to the provisions of Article 2 of the Act for Safety of Vessels (including cases where applied *mutatis mutandis* to Cabinet Order pursuant to the provisions of Article 29-7 of the same Act)
 - (iii) apparatus for life-saving radio equipment installed on ships, which is specified by Order of the Ministry of Internal Affairs and Communications
 - (iv) apparatus for radio equipment to be installed pursuant to the provisions of Article 33 (except apparatus referred to in the preceding item)
 - (v) apparatus for radio equipment on a ship earth station prescribed in the main clause of Article 34
 - (vi) apparatus for radio equipment installed on aircraft, which is specified by Order of the Ministry of Internal Affairs and Communications

(Other Technical Regulations)

Article 38 Radio equipment (except those used exclusively for broadcast receiving purpose) must conform to the technical regulations specified by Order of the Ministry of Internal Affairs and Communications beyond those prescribed in this Chapter.

(Proposal of the Formulation of the Technical Standards for Radio Equipment)

- Article 38-2 (1) Specified by Order of the Ministry of Internal Affairs and Communications, an interested party showing the original proposal may propose to the Minister of Internal Affairs and Communications that the technical standards for the radio equipment to be prescribed by Order of the Ministry of Internal Affairs and Communications pursuant to the provisions of Article 28 through Article 32 or the preceding Article be formulated or changed.
- (2) If the Minister of Internal Affairs and Communications has received the proposal pursuant to the provision of the preceding paragraph and deems that there is no need to formulate or change the technical standards pertaining to

that proposal, the Minister of Internal Affairs and Communications must notify the proposer to that effect accompanied by the reasons therefor.

**Chapter III-2 Technical Regulations Conformity Certification of Specified
Radio Equipment**
**Section 1 Technical Regulations Conformity Certification and
Construction Design Certification of Specified Radio Equipment**

(Registration of Registered Certification Bodies)

Article 38-2-2 (1) With respect to radio equipment to be used for small-scale radio stations as specified by Order of the Ministry of Internal Affairs and Communications (hereinafter referred to as "specified radio equipment"), a person who wishes to conduct the business of certifying that radio equipment's conformity to the technical regulations prescribed in the preceding chapter (hereinafter referred to as a "technical regulations conformity certification") may obtain registration from the Minister of Internal Affairs and Communications according to each of the following classifications of business (in the following paragraph, Article 38-5 paragraph (1), Article 38-10, Article 38-31 paragraph (1) and the appended table No. 3, referred to simply as "classification of business").

- (i) business to conduct the technical regulations conformity certification service for specified radio equipment pertaining to a radio station prescribed in Article 4 item (ii) or (iii)
 - (ii) business to conduct the technical regulations conformity certification service for specified radio equipment pertaining to a specified radio station (limited to those pertaining to the radio stations set forth in Article 27-2 item (i))
 - (iii) business to conduct the technical regulations conformity certification service for specified radio equipment other than those set forth in the preceding two items
- (2) A person who wishes to obtain registration under the preceding paragraph, specified by Order of the Ministry of Internal Affairs and Communications, must submit to the Minister of Internal Affairs and Communications an application in which the following particulars are described:
- (i) name and address of the applicant, and if the applicant is a corporation, name of the representative
 - (ii) classification of business
 - (iii) name and address of the office
 - (iv) outline of measuring instruments and other equipment used for the examination of the technical regulations conformity certification
 - (v) matters related to the appointment of certification examiners under Article

38-8 paragraph (2)

(vi) planned commencement date of operation

- (3) The application under the preceding paragraph must be accompanied by a document describing the plan for conducting the business of the technical regulations conformity certification service and other documents specified by Order of the Ministry of Internal Affairs and Communications.
- (4) When intending to establish, revise or abolish Order of the Minister of Internal Affairs and Communications under paragraph (1), the Minister of Internal Affairs and Communications must consult with the Minister of Economy, Trade and Industry.

(Criteria for Registration)

Article 38-3 (1) The Minister of Internal Affairs and Communications must grant registration to any person who has applied for registration under paragraph (1) of the preceding Article (hereinafter in this paragraph, referred to as "the applicant for registration"), if the registration applicant conforms to all of the following items:

- (i) the technical regulations conformity certification service is to be conducted by a person with knowledge and experience conforming to any of the conditions in appended table No. 4.;
- (ii) the technical regulations conformity certification service is to be conducted by using measuring instruments and other equipment which are set forth in the right column of appended table No. 3 according to the classification of business in the left column thereof, and which have been given any type of calibration, etc. as set forth in Article 24-2, paragraph (4), item (ii), (a) through (d) (limited to those calibrated, etc. within one year (in the case of those that correspond to the instruments or other equipment specified by Order of the Ministry of Internal Affairs and Communications as instruments or other equipment with excellent performance for conducting technical regulations conformity certification, a period specified by Order of the Ministry of Internal Affairs and Communications within a range exceeding one year but not exceeding three years according to the category of the instruments or other equipment) from the first day of the month following the month containing the day of calibration, etc.);
- (iii) the applicant for registration does not fall under any of the following sub-items as someone controlled by a manufacturer, importer, or seller of specified radio equipment (hereinafter in this item referred to as "a specified manufacturer, etc."):
- (a) if the applicant for registration is a stock company, where a specified manufacturer, etc. is the parent company (referring to a "parent company" as prescribed in Article 879 paragraph (1) of the Companies Act (Act No. 86

- of 2005); the same applies in Article 71-3-2 paragraph (4) item (iv) (a)) of the relevant applicant; or
- (b) where officers or staff members of a specified manufacturer, etc. (including those who were officers or staff members of the relevant specified manufacturer, etc. in the past two years) account for more than half the number of officers of the applicant for registration (in the case of a partnership corporation (referring to a "partnership corporation" as prescribed in Article 575 paragraph (1) of the Companies Act; the same applies in Article 71-3-2 paragraph (4) item (iv) (b)), the employees executing the business); and
 - (c) the applicant for registration (if the relevant applicant is a corporation, its representative officer) is an officer or a staff member of a specified manufacturer, etc. (including someone who was an officer or a staff member of the relevant specified manufacturer, etc. in the past two years).
- (2) The provisions of Article 24-2 paragraphs (5) and (6) apply mutatis mutandis to the registration under paragraph (1) of the preceding article. In this case, "Article 24-10 or Article 24-13 paragraph (3)" in Article 24-2 paragraph (5) item (ii) is deemed to be replaced with "Article 38-17 paragraph (1) or (2) (including cases where applied mutatis mutandis pursuant to Article 38-24 paragraph (3))"; and "the preceding paragraphs" in paragraph (6) of the same Article is deemed to be replaced with "the preceding paragraph, Article 38-2-2 paragraphs (1) through (3), and Article 38-3 paragraph (1)."

(Renewal of Registration)

- Article 38-4 (1) The registration under Article 38-2-2 paragraph (1), unless renewed within every period of five to ten years specified by Cabinet Order, ceases to be valid with the elapse of that period.
- (2) The provisions of Article 24-2 paragraphs (5) and (6), Article 38-2-2 paragraphs (2) and (3), and paragraph (1) of the preceding article apply mutatis mutandis to the renewal of registration under the preceding paragraph. In this case, "Article 24-10 or Article 24-13 paragraph (3)" in Article 24-2 paragraph (5) item (ii) is deemed to be replaced with "Article 38-17 paragraph (1) or (2) (including cases where applied mutatis mutandis pursuant to Article 38-24 paragraph (3))," and "the preceding paragraphs" in paragraph (6) of the same Article is deemed to be replaced with "the preceding paragraph, Article 38-2-2 paragraphs (1) through (3), and Article 38-3 paragraph (1)."

(Public Notice of Registration)

- Article 38-5 (1) The Minister of Internal Affairs and Communications, upon granting registration under Article 38-2-2 paragraph (1), issue a public notice of the name and address of the person who has obtained registration under the

same paragraph (hereinafter referred to as a "registered certification body"), as well as the classification of business pertaining to its registration, the address of the office where the technical regulations conformity certification service is conducted, and the commencement date of the technical regulations conformity certification service.

- (2) A registered certification body, when intending to change the matters set forth in Article 38-2-2 paragraph (2) item (i) or (iii), must notify the Minister of Internal Affairs and Communications to that effect at least two weeks prior to the date of the change.
- (3) The Minister of Internal Affairs and Communications, when receiving a notification pursuant to the provisions of the preceding paragraph (limited to the notification pertaining to the change of name or appellation or address of the person who has obtained registration or the address of the office where the technical regulations conformity certification service is conducted), must issue a public notice to that effect.

(Technical Regulations Conformity Certification)

Article 38-6 (1) A registered certification body, when requested by a person who wishes to obtain the technical regulations conformity certification pertaining to its registration, is to conduct examinations specified by Order of the Ministry of Internal Affairs and Communications and conduct the technical regulations conformity certification service only when the specified radio equipment pertaining to the relevant request is deemed to conform to the technical regulations prescribed in the preceding chapter.

- (2) A registered certification body, upon granting the technical regulations conformity certification pertaining to its registration, must notify the Minister of Internal Affairs and Communications of the following particulars specified by Order of the Ministry of Internal Affairs and Communications:
 - (i) the name and address of the person receiving the technical regulations conformity certification or in the case of a corporation, the name of its representative
 - (ii) the classification of the specified radio equipment that received the technical regulations conformity certification
 - (iii) other particulars prescribed by Order of the Ministry of Internal Affairs and Communications
- (3) When a change has been made to the particular given in item (i) of the preceding paragraph, the person receiving the technical regulations conformity certification must notify the Minister of Internal Affairs and Communications to that effect without delay specified by Order of the Ministry of Internal Affairs and Communications.
- (4) The Minister of Internal Affairs and Communications, when receiving the

notification pursuant to the provision of paragraph (2), must issue a public notice to that effect specified by Order of the Ministry of Internal Affairs and Communications. The same applies when a change has been made to the particulars publicly notified if the notification pursuant to the provision of the preceding paragraph has been made.

- (5) The Minister of Internal Affairs and Communications, when intending to establish, revise, or abolish Order of the Ministry of Internal Affairs and Communications prescribed in paragraph (1) of this Article, must consult with the Minister of Economy, Trade and Industry.

(Mark)

Article 38-7 (1) The registered certification body, upon giving the technical regulations conformity certification pertaining to its registration, must affix a mark indicating a technical regulations conformity certification to the specified radio equipment specified by Order of the Ministry of Internal Affairs and Communications.

- (2) A person who performs the business of dealing in products incorporating radio equipment with a conformity mark may, specified by Order of Ministry of Internal Affairs and Communications, may affix to the relevant products the same mark as the one affixed to the radio equipment with a conformity mark incorporated in the relevant products.

- (3) Except in the case of affixing a mark pursuant to the provisions of paragraph (1) (including cases where applied *mutatis mutandis* pursuant to Article 38-31 paragraph (4)), the preceding paragraph, Article 38-26 (including cases where applied *mutatis mutandis* pursuant to Article 38-31 paragraph (6)), Article 38-35 or Article 38-44 paragraph (3), no person must affix the mark or a misleadingly similar mark to a radio equipment or product incorporating radio equipment in Japan.

- (4) A person who has changed the specified radio equipment affixed with the mark pursuant to the provisions of paragraph (1) of this Article (including cases where applied *mutatis mutandis* pursuant to Article 38-31 paragraph (4)), Article 38-26 (including cases where applied *mutatis mutandis* pursuant to Article 38-31 paragraph (6)), or Article 38-35, or Article 38-44 paragraph(3) is to remove the mark (including the marks affixed to the products incorporating radio equipment with a conformity mark pursuant to the provisions of paragraph (2)) by means specified by Order of the Ministry of Internal Affairs and Communications.

(Obligation Related to Technical Regulations Conformity Certification)

Article 38-8 (1) When requested to grant a technical regulations conformity certification pertaining to its registration, a registered certification body must

conduct examinations for the technical regulations conformity certification without delay unless there is valid reason not to do so.

- (2) When conducting the examinations under the preceding paragraph, a registered certification body must use measuring instruments and other equipment set forth in the right column of appended table No. 3 which have been given a type of calibration, etc. as set forth in Article 24-2 paragraph (4) item (ii) (a) through (d) (limited to those that have been calibrated, etc. within one year (in the case of those that correspond to the measuring instruments and other equipment specified by Order of the Ministry of Internal Affairs and Communications referred to in Article 38-3, paragraph (1), item (ii), the period specified by Order of the Ministry of Internal Affairs and Communications referred to in the same item) from the first day of the following month of the month to which the day of calibration, etc. was applied), and instruct a person who has knowledge and experience conforming to the conditions set forth in appended table No. 4 (hereinafter referred to as "certification examiner") to conduct the examination.

(Appointment and Dismissal of Officers)

Article 38-9 When appointing or dismissing its officer or certification examiner, a registered certification body must notify the Minister of Internal Affairs and Communications to that effect without delay.

(Operational Regulations)

Article 38-10 A registered certification body must establish its operational regulations for the classification of business pertaining to its registration, the methods of conducting the technical regulations conformity certification service, and other matters specified by Order of the Ministry of Internal Affairs and Communications, and must notify the Minister of Internal Affairs and Communications of the operational regulations prior to the commencement of the relevant service. The same applies when those regulations are to be revised.

(Preparation of Financial Statements and Access)

Article 38-11 (1) Within three months after the end of each business year, a registered certification body must prepare a list of property, balance sheet, a profit and loss statement or income and expenditure statement, and a business report of the business year (including the electronic or magnetic records (any records that are produced by electronic, magnetic, or any other form that cannot be perceived by human senses, and are used for data-processing by a computer; the same applies in this Article) if electronic or magnetic records are produced instead of those paper documents; referred to as "financial statements, etc." in the following paragraph and Article 116, item (xxiii)) and

retain thereof for a five-year period at its office.

(2) Interested parties including a person who performs the business of dealing in specified radio equipment may make the following requests at any time during the business hours of a registered certification body. However, in order to make a request in item (ii) or item (iv), the fees set forth by the registered certification body must be paid.

(i) when financial statements, etc. are prepared in writing, a request for access to the relevant documents or a copy thereof

(ii) a request for a certified copy or an abridged copy of the documents under the preceding item

(iii) when financial statements, etc. are produced as electronic or magnetic records, a request for access to or a copy of matters recorded on the relevant electronic or magnetic records, which are displayed in a manner specified by Order of the Ministry of Internal Affairs and Communications

(iv) a request for provision of the matters recorded on the relevant electronic or magnetic records under the preceding item in an electronic or magnetic manner specified by Order of the Ministry of Internal Affairs and Communications or a request for delivery of written documents containing relevant matters

(Preparation of Record Book)

Article 38-12 A registered certification body, specified by Order of the Ministry of Internal Affairs and Communications, must prepare and maintain a record book, in which matters related to the technical regulations conformity certification service and specified by Order of the Ministry of Internal Affairs and Communications, are entered.

(Order to Improve Business Activities for Registered Certification Bodies)

Article 38-13 (1) When a registered certification body is determined not to fall under any of the items in Article 38-3 paragraph (1), the Minister of Internal Affairs and Communications may order the relevant registered certification body to take the measures necessary for conformation to the provisions of those items.

(2) When a registered certification body is determined to have violated the provisions of Article 38-6 paragraph (1) or Article 38-8, the Minister of Internal Affairs and Communications may order the relevant registered certification body to conduct examinations for a technical regulations conformity certification or to take the necessary measures for improvements to its methods of business including examination methods for the technical regulations conformity certification.

(Application Concerning Technical Regulations Conformity Certification and Order of the Minister of Internal Affairs and Communications)

- Article 38-14 (1) When a registered certification body does not conduct examinations for the technical regulations conformity certification or when the person has objections to the results of the technical regulations conformity certification conducted by the registered certification body with regard to the specified radio equipment pertaining to its request, a person who has requested a technical regulations conformity certification pursuant to the provisions of Article 38-6 paragraph (1) may file an application with the Minister of Internal Affairs and Communications requesting to order that the registered certification body conduct examinations for the technical regulations conformity certification or that the registered certification body conduct the examinations for the technical regulations conformity certification again.
- (2) If an application under the preceding paragraph is filed and when the registered certification body pertaining to the relevant application is determined to have violated the provisions of Article 38-6 paragraph (1) or Article 38-8, the Minister of Internal Affairs and Communications must issue an order pursuant to the provisions of paragraph (2) of the preceding Article to the registered certification body pertaining to the relevant application.
- (3) The Minister of Internal Affairs and Communications, in the case of the preceding paragraph, upon deciding whether to issue or not to issue an order pursuant to the provisions of paragraph (2) of the preceding Article, must notify the person who filed the relevant application of that decision without delay.

(On-Site Inspection of Registered Certification Bodies)

- Article 38-15 (1) When deemed necessary to enforce this Act, the Minister of Internal Affairs and Communications may order a registered certification body to report on the situation of its technical regulations conformity certification service pertaining to its registration, or delegate ministerial staff to enter the place of business of the relevant registered certification body to inspect the state of the technical regulations conformity certification service pertaining to its registration or facilities, record books, documents and other articles.
- (2) The provisions of Article 24-8 paragraphs (2) and (3) apply mutatis mutandis to the on-site inspection pursuant to the provisions of the preceding paragraph.

(Suspension and Discontinuation of Service)

- Article 38-16 (1) A registered certification body, when intending to suspend or discontinue its technical regulations conformity certification service pertaining to its registration, must notify the Minister of Internal Affairs and Communications to that effect in advance, specified by Order of the Ministry of

Internal Affairs and Communications.

- (2) When a registered certification body discontinues its entire technical regulations conformity certification service, the registration of the relevant registered certification body ceases to be valid.
- (3) When notified pursuant to the provisions of paragraph (1) of this Article, the Minister of Internal Affairs and Communications must issue a public notice to that effect.

(Revocation of Registration)

- Article 38-17 (1) When a registered certification body has come to fall under any of the items (except item (ii)) of Article 24-2 paragraph (5), as applied mutatis mutandis pursuant to Article 38-3 paragraph (2), the Minister of Internal Affairs and Communications must revoke its registration.
- (2) If a registered certification body falls under any of the following items, the Minister of Internal Affairs and Communications may revoke its registration or order it to suspend all or part of its technical regulations conformity certification service for a period specified by the Minister of Internal Affairs and Communications:
 - (i) when violating the provisions of this Section
 - (ii) when violating the orders pursuant to the provisions of Article 38-13 paragraph (1) or (2)
 - (iii) when obtaining the registration or renewal thereof under Article 38-2-2 paragraph (1) through unlawful means
 - (3) When revoking the registration pursuant to the provisions of paragraph (1) or the preceding paragraph, or ordering the registration body to suspend all or part of the technical regulations conformity certification service pursuant to the provisions of the same paragraph, the Minister of Internal Affairs and Communications must issue a public notice to that effect.

(Execution of Technical Regulations Conformity Certification Service by the Minister of Internal Affairs and Communications)

- Article 38-18 (1) When there is no one who has obtained registration under Article 38-2-2 paragraph (1), or when the Minister of Internal Affairs and Communications determines it necessary when a registered certification body has suspended or discontinued its technical regulations conformity certification service pursuant to the provisions of Article 38-16 paragraph (1), when the Minister of Internal Affairs and Communications has revoked the registration pursuant to the provisions of paragraphs (1) or (2) of the preceding Article, when the Minister of Internal Affairs and Communications has ordered a registered certification body to suspend all or part of the technical regulations conformity certification service pursuant to the provisions of the same

paragraph, or when a registered certification body has fallen into difficulties in executing all or part of the technical regulations conformity certification service pertaining to its registration due to a natural disaster or any other reason, the Minister of Internal Affairs and Communications is to conduct all or part of the technical regulations conformity certification service.

- (2) The Minister of Internal Affairs and Communications is to conduct the technical regulations conformity certification service pursuant to the provisions of the preceding paragraph or, when discontinuing conducting the technical regulations conformity certification service pursuant to the provisions of the same paragraph, must issue a public notice to that effect in advance.
- (3) When the Minister of Internal Affairs and Communications has determined to conduct the technical regulations conformity certification service pursuant to the provisions of paragraph (1) of this Article, the transfer of the technical regulations conformity certification service and other necessary matters are specified by Order of the Ministry of Internal Affairs and Communications.

(Application Mutatis Mutandis)

Article 38-19 The provisions of Article 24-3 and Article 24-11 apply mutatis mutandis to the registration of registered certification bodies. In this case, "a person registered pursuant to paragraph (1) of the preceding Article (hereinafter referred to as a "registered inspector")" in Article 24-3 is deemed to be replaced with "the person who has obtained the registration"; "registry of registered inspectors" in the same Article is deemed to be replaced with "registry of registered certification bodies"; "Article 24-2, paragraph (2) items (i), (ii) and (iv)" is deemed to be replaced with "Article 38-2-2 paragraph (2) items (i) through (iii)"; "Article 24-2-2 paragraph (1) or Article 24-9 paragraph (2)" in Article 24-11 is deemed to be replaced with "Article 38-4 paragraph (1) or Article 38-16 paragraph (2)"; and "the preceding Article" in the same Article is deemed to be replaced with "Article 38-17 paragraphs (1) or (2)."

(On-site Inspection of Bodies Who Have Been Given a Technical Regulations Conformity Certification)

Article 38-20 (1) The Minister of Internal Affairs and Communications, when deemed necessary to enforce of this Act, may order those who have been given the technical regulations conformity certification by a registered certification body to report on the specified radio equipment pertaining to the relevant technical regulations conformity certification, or delegate the ministerial staff to enter the place of business of those who have been given the technical regulations conformity certification and check the relevant specified radio equipment and other articles.

(2) The provisions of Article 24-8 paragraphs (2) and (3) apply mutatis mutandis to the on-site inspection pursuant to the provisions of the preceding paragraph.

(Submission of Specified Radio Equipment)

Article 38-21 (1) When the Minister of Internal Affairs and Communications has ordered the delegated ministerial staff to conduct an on-site inspection pursuant to the provisions of paragraph (1) of the preceding Article, and when there is specified radio equipment on-site inspection of which is determined extremely difficult or when particular articles are necessary for inspecting that specified radio equipment, the Minister of Internal Affairs and Communications may order the person who has received the technical regulations conformity certification from a registered certification body to submit the relevant specified radio equipment or the relevant articles within a period specified by the Minister of Internal Affairs and Communications.

(2) The State must compensate the person who has received the relevant technical regulations conformity certification for the loss caused by the order issued pursuant to the provisions of the preceding paragraph.

(3) The loss to be compensated pursuant to the provisions of the preceding paragraph is to be the ordinary loss incurred by the order under paragraph (1) of this Article.

(Order for Prevention of Obstruction)

Article 38-22 (1) When the Minister of Internal Affairs and Communications determines that specified radio equipment given a technical regulations conformity certification by a registered certification body and affixed with the mark under Article 38-7 paragraph (1) or Article 38-44 paragraph(3) does not conform to the technical regulations prescribed in the preceding chapter and that the use of the relevant specified radio equipment is likely to induce interference and other obstruction that will impair other radio stations' operation or cause bodily injury , the Minister, when deemed particularly necessary to prevent the relevant [obstruction] or harm from expanding, may order the relevant person who was given the relevant technical regulations conformity certification to take measures necessary for preventing the relevant [obstruction] or harm caused by the relevant specified radio equipment from expanding.

(2) The Minister of Internal Affairs and Communications , when intending to issue the order pursuant to the provisions of the preceding paragraph, must consult with the Minister of Economy, Trade and Industry.

(Cases Where No Mark is Deemed to be Affixed)

Article 38-23 (1) When the specified radio equipment that received the technical

regulations conformity certification by a registered certification body, and was affixed with the mark pursuant to the provisions of Article 38-7 paragraph (1) or Article 38-44 paragraph (3) does not conform to the technical regulations prescribed in the preceding Chapter, and when it is deemed particularly necessary by the Minister of Internal Affairs and Communications to prevent the occurrence of interference and other [obstruction] that will impair other radio stations' operation or cause bodily harm, the relevant specified radio equipment is deemed not to be affixed with the mark pursuant to the provisions of the same paragraph.

- (2) When the specified radio equipment is deemed not to be affixed with the mark pursuant to the provisions of the preceding paragraph, the Minister of Internal Affairs and Communications must issue a public notice to that effect.

(Certification for a Construction Design of a Specified Radio Equipment)

Article 38-24 (1) A registered certification body, upon request from a person who conducts the business of dealing in specified radio equipment, certifies that the construction design of the relevant specified radio equipment (including the method to verify that each equipment conforms to that design) (hereinafter referred to as "construction design certification") conforms to the technical regulations prescribed in the preceding chapter.

- (2) A registered certification body, upon request for the construction design certification pertaining to its registration, may conduct an examination specified by Order of the Ministry of Internal Affairs and Communications, and is to perform the construction design certification only when it is determined that the construction design conforms to the technical regulations prescribed in the preceding chapter and that any and all specified radio equipment based on the relevant construction type is ensured to conform to the relevant construction design.

- (3) The provisions of Article 38-6 paragraphs (2) and (4), Article 38-8, Article 38-9, Article 38-12, Article 38-13 paragraph (2), and Article 38-14 applies mutatis mutandis to cases where a registered certification body performs the construction design certification; the provisions of Article 38-10, Article 38-15, Article 38-16, Article 38-17 paragraphs (2) and (3), and Article 38-18 applies mutatis mutandis to cases where a registered certification body conducts the technical regulations conformity certification service and the construction design certification service. In these cases, "that received" in Article 38-6 paragraph (2) item (ii) is deemed to be replaced with "based on a construction design pertaining to"; "the preceding paragraph" in paragraph (4) of the same Article is deemed to be replaced with "the preceding paragraph to be applied mutatis mutandis pursuant to Article 38-29"; "the relevant service" in Article 38-10 is deemed to be replaced with "these services"; "Article 38-6 paragraph

(1) or Article 38-8" in Article 38-13 paragraph (2) is deemed to be replaced with "Article 38-8 or Article 38-24 paragraph (2)"; "Article 38-6 paragraph (1)" in Article 38-14 paragraph (1) is deemed to be replaced with "Article 38-24 paragraph (2)"; "the specified radio equipment" in Article 38-14 paragraph (1) is deemed to be replaced with "the construction design (including the method to verify the conformity to the relevant construction design)"; and "Article 38-6 paragraph (1) or Article 38-8" in Article 38-14 paragraph (2) is deemed to be replaced with "Article 38-8 or Article 38-24 paragraph (2)."

(Obligations to Conform to Construction Designs)

Article 38-25 (1) A person who has received a construction design certification (hereinafter referred to as a "certified dealer") from a registered certification body, when dealing with a specified radio equipment based on the construction design pertaining to the relevant construction type certification (hereinafter referred to as "certified construction design") must ensure that the relevant specified radio equipment conforms to the relevant certified construction design.

(2) A certified dealer must inspect the specified radio equipment that it deals in under the preceding paragraph, in accordance with the method for verification pertaining to the construction design certification, and prepare and maintain the inspection records specified by Order of the Ministry of Internal Affairs and Communications.

(Displaying a Mark of a Specified Radio Equipment Based on the Certified Construction Design)

Article 38-26 A certified dealer, upon performing the obligations pursuant to the provisions of paragraph (2) of the preceding article with regard to specified radio equipment based on a certified construction design, may affix to the relevant specified radio equipment the mark specified by Order of Internal Affairs and Communications.

(Order for Certified Dealers to Take Improvement Measures)

Article 38-27 When the Minister of Internal Affairs and Communications determines that a certified dealer has violated the provisions of Article 38-25 paragraph (1), the Minister of Internal Affairs and Communications may order the relevant certified dealer to take measures to improve the method of verification pertaining to the construction design certification.

(Prohibiting from Affixing a Mark)

Article 38-28 (1) The Minister of Internal Affairs and Communications, in the cases set forth in each of the following items, may prohibit a certified dealer

from affixing the mark prescribed in Article 38-26 to the specified radio equipment based on the certified construction design or the construction type prescribed in the following items for a period specified by the Minister of Internal Affairs and Communications not exceeding two years:

- (i) when a specified radio equipment based on the certified construction design does not conform to the technical regulations prescribed in the preceding chapter, and when deemed particularly necessary by the Minister of Internal Affairs and Communications to prevent the occurrence of interference and other obstruction that impair other radio stations' operation or cause bodily harm (except in the case of item (vi)): Certified construction design of the relevant specified radio equipment
 - (ii) when a certified dealer has violated the provisions of Article 38-25 paragraph (2): Certified construction design of the specified radio equipment pertaining to the relevant violation
 - (iii) when a certified dealer has violated the order pursuant to the provisions of the preceding article: Certified construction design of the specified radio equipment pertaining to the relevant violation
 - (iv) when a certified dealer has received the construction design certification from a registered certification body through unlawful means: Construction design pertaining to the relevant construction design certification
 - (v) when a registered certification body has conducted the construction design certification in violation of the provisions of Article 38-24 paragraph (2), or the provisions of Article 38-8 paragraph (2), which are applied mutatis mutandis pursuant to Article 38-24 paragraph (3): Construction design pertaining to the relevant construction design certification
 - (vi) when the technical regulations prescribed in the preceding chapter are revised, and when it is determined that the construction design that received the construction design certification prior to that revision does not conform to the revised technical regulations: The relevant construction type
- (2) The Minister of Internal Affairs and Communications, when prohibiting the affixing of the mark pursuant to the provisions of the preceding paragraph, must issue a public notice to that effect.

(Application Mutatis Mutandis)

Article 38-29 The provisions of Article 38-6 paragraph (3) and Article 38-20 through Article 38-22 apply mutatis mutandis to certified dealers, and the provisions of Article 38-23 apply mutatis mutandis to the specified radio equipment based on the certified construction design. In these cases, "item (i) of the preceding paragraph" in Article 38-6 paragraph (3) is deemed to be replaced with "item (i) or item (iii) of the preceding paragraph to be applied mutatis mutandis pursuant to Article 38-24 paragraph (3)"; "technical

regulations conformity certification" in Article 38-20 paragraph (1) is deemed to be replaced with "construction design certification which the certified dealer received"; "given a technical regulations conformity certification by a registered certification body" in Article 38-22 paragraph (1) is deemed to be replaced with "based on the certified construction design"; "Article 38-7 paragraph (1)" in the same paragraph and Article 38-23 paragraph (1) and Article 38-23 paragraph (1) is deemed to be replaced with "Article 38-26"; "said" in Article 38-22 paragraph (1) is deemed to be replaced with "pertaining to the relevant certified construction design"; and "the same paragraph" in Article 38-23 paragraph (1) is deemed to be replaced with "the same Article."

(Foreign Dealers)

Article 38-30 (1) If a person who received a technical regulations conformity certification from a registered certification body is a foreign dealer (referring to a person whose business is to deal in foreign countries in specified radio equipment to be used in Japan; hereinafter the same applies.) and when the provisions of Article 38-21 and Article 38-22 are applied to that foreign dealer, "order" in Article 38-21 paragraph (1) and Article 38-22 paragraph (1) is deemed to be replaced with "request," and "order" in Article 38-21 paragraphs (2) and (3) and Article 38-22 paragraph (2) is deemed to be replaced with "request."

(2) If a certified dealer is a foreign dealer, and in applying to that foreign dealer the provisions of Article 38-27 and Article 38-28 paragraph (1) item (iii) as well as the provisions of Article 38-21 and Article 38-22, which are applied mutatis mutandis pursuant to the preceding Article, "order" in Article 38-27, and Article 38-21 paragraph (1) and Article 38-22 paragraph (1), which are applied mutatis mutandis pursuant to the preceding Article, is deemed to be replaced with "request"; "has violated the order" in Article 38-28 paragraph (1) item (iii) is deemed to be replaced with "has neglected the request"; and "the relevant violation" in the same paragraph and item is deemed to be replaced with "the relevant request"; and "order" in Article 38-21 paragraphs (2) and (3) and Article 38-22 paragraph (2), as applied mutatis mutandis pursuant to the preceding Article, is deemed to be replaced with "request."

(3) Beyond the case of the provisions of Article 38-28 paragraph (1), the Minister of Internal Affairs and Communications, in the cases set forth in each of the following items, may prohibit a foreign dealer who received the construction design certification conducted by a registered certification body from affixing the mark prescribed in Article 38-26 to a specified radio equipment based on the certified construction design prescribed in the following items for a period specified by the Minister of Internal Affairs and Communications not exceeding two years:

- (i) when the relevant foreign dealer in violation of the provisions of Article 38-6 paragraph (3) to be applied mutatis mutandis pursuant to the preceding Article has not made the notification or has made a false notification: Certified construction design of the specified radio equipment pertaining to the relevant notification
 - (ii) when the relevant foreign dealer has failed to submit a report or has submitted a false report upon a request by the Minister of Internal Affairs and Communications pursuant to the provisions of Article 38-20 paragraph (1), as applied mutatis mutandis pursuant to the preceding Article: Certified construction design of the specified radio equipment pertaining to the relevant report
 - (iii) when the Minister of Internal Affairs and Communications delegates ministerial staff to inspect the place of business of a foreign dealer pursuant to the provisions of Article 38-20 paragraph (1), as applied mutatis mutandis pursuant to the preceding Article, when the foreign dealer refuses, hinders, or evades the inspection: Certified construction design of the specified radio equipment pertaining to the relevant inspection
 - (iv) when the relevant foreign dealer has neglected the request pursuant to the provisions of Article 38-21 paragraph (1), as applied mutatis mutandis pursuant to the preceding Article, where "order" is deemed to be replaced with "request" pursuant to the provisions of the preceding paragraph: Certified construction design of the specified radio equipment pertaining to the relevant request
- (4) The Minister of Internal Affairs and Communications, when prohibiting the affixing of the mark pursuant to the provisions of the preceding paragraph, must issue a public notice to that effect.

(Approved Certification Body)

- Article 38-31 (1) When an application is filed by any person who conducts inspection and testing, etc. of radio equipment in foreign countries based on a radio inspection system under foreign laws and regulations which are similar to the technical regulations conformity certification system, and who wishes to conduct the technical regulations conformity certification service prescribed in the preceding chapter on the specified radio equipment dealt with in the foreign countries by a foreign dealer and to be used in Japan, the Minister of Internal Affairs and Communications may approve it according to the classification of business.
- (2) A person who was approved pursuant to the provisions of the preceding paragraph (hereinafter referred to as an "approved certification body") , when suspending or discontinuing the technical regulations conformity certification service pertaining to its approval, must notify the Minister of Internal Affairs

and Communications to that effect without delay.

- (3) The Minister of Internal Affairs and Communications must issue a public notice to that effect upon receipt of the notification pursuant to the provisions of the preceding paragraph.
- (4) The provisions of Article 24-2 paragraphs (5) and (6), Article 38-2-2 paragraphs (2) and (3), Article 38-3 paragraph (1), and Article 38-5 paragraph (1) apply mutatis mutandis to the approval by the Minister of Internal Affairs and Communications of paragraph (1); the provisions of paragraphs (2) and (3) of the same article, Article 38-6 paragraphs (1), (2) and the first sentence of paragraph (4), Article 38-7 paragraph (1), Article 38-8, Article 38-10, Articles 38-12 through 38-15, and Article 38-23 apply mutatis mutandis to an approved certification body; and the provisions of Article 38-6 paragraph (3) and the second sentence of paragraph (4) and Article 38-20 through Article 38-22 apply mutatis mutandis to a person who received the technical regulations conformity certification by an approved certification body. In these cases, "Article 24-10 or Article 24-13 paragraph (3)" in Article 24-2 paragraph (5) item (ii) is deemed to be replaced with "Article 38-32 paragraph (1) or (2)"; "the preceding paragraphs" in paragraph (6) of the same Article is deemed to be replaced with "the preceding paragraph, Article 38-2-2 paragraphs (2) and (3), Article 38-3 paragraph (1), and Article 38-31 paragraph (1)"; "applicant for registration" in Article 38-3 paragraph (1) is deemed to be replaced with "applicant for approval"; "if the registration applicant conforms to" in the same article and paragraph is deemed to be replaced with "unless the registration applicant conforms to"; "shall" in the same Article and paragraph is deemed to be replaced with "must not"; "Companies Act" in the same paragraph item (iii) (a) is deemed to be replaced with "Companies Act in the foreign country"; "parent company" in the same paragraph and item (a) is deemed to be replaced with "an equivalent of parent company"; "person who has obtained registration under the same paragraph (hereinafter referred to as a "registered certification body")" in Article 38-5 paragraph (1) and "registered certification body" in Article 38-22 paragraph (1) is deemed to be replaced with "approved certification body"; "registration" in Article 38-6 paragraphs (1) and (2), Article 38-7 paragraph (1), Article 38-8 paragraph (1), Article 38-10, and Article 38-15 paragraph (1) is deemed to be replaced with "approval"; "order" in Article 38-13, Article 38-21 paragraph (1), and Article 38-22 paragraph (1) is deemed to be replaced with "request"; "to order" in Article 38-14 paragraph (1) is deemed to be replaced with "to request"; and "order" in paragraphs (2) and (3) in the same Article, Article 38-21 paragraphs (2) and (3), and Article 38-22 paragraph (2) is deemed to be replaced with "request."
- (5) An approved certification body, upon the request of a foreign dealer, may conduct the construction design certification service for the specified radio

equipment that will be used in Japan.

(6) The provisions of Article 38-6 paragraphs (2) and (4), Article 38-8, Article 38-12, Article 38-13 paragraph (2), Article 38-14, Article 38-23, and Article 38-24 paragraph (2) apply mutatis mutandis to the construction design certification by an approved certification body; the provisions of Article 38-10, Article 38-15, and paragraphs (2) and (3) apply mutatis mutandis to the services of technical regulations conformity certification and construction design certification by an approved certification body; the provisions of Article 38-6 paragraph (3), Articles 38-20 through 38-22, Articles 38-25 through 38-28, and paragraphs (3) and (4) of the preceding Article apply mutatis mutandis to a person who received the construction design certification by an approved certification body. In these cases, "registration" in Article 38-6 paragraph (2), Article 38-8 paragraph (1), Article 38-10, Article 38-15 paragraph (1), and Article 38-24 paragraph (2) is deemed to be replaced with "approval"; "that received" in Article 38-6 paragraph (2) item (ii) and Article 38-23 paragraph (1) is deemed to be replaced with "based on the construction design pertaining to"; "item (i) of the preceding paragraph" in Article 38-6 paragraph (3) is deemed to be replaced with "item (i) or item (iii) of the preceding paragraph," "the relevant service" in Article 38-10 is deemed to be replaced with "these services"; "Article 38-6 paragraph (1) or Article 38-8" in Article 38-13 paragraph (2) and Article 38-14 paragraph (2) is deemed to be replaced with "Article 38-8 or Article 38-24 paragraph (2)"; "order" in Article 38-13 paragraph (2), Article 38-21 paragraph (1), Article 38-22 paragraph (1), and Article 38-27 is deemed to be replaced with "request"; "Article 38-6 paragraph (1)" in Article 38-14 paragraph (1) is deemed to be replaced with "Article 38-24 paragraph (2)"; "specified radio equipment" in the same Article and paragraph is deemed to be replaced with "construction design (including the methods to verify the conformity to the relevant construction type)"; "to order" in the same article and paragraph is deemed to be replaced with "to request"; "order" in paragraphs (2) and (3) in the same Article, Article 38-21 paragraphs (2) and (3) and Article 38-22 paragraph (2) is deemed to be replaced with "request"; "pertaining to said technical regulations conformity certification" in Article 38-20 paragraph (1) is deemed to be replaced with "pertaining to the relevant construction type certification"; "given a technical regulations conformity certification by a registered certification body" in Article 38-22 paragraph (1) is deemed to be replaced with "based on the certified construction design"; "Article 38-7 paragraph (1)" in the same Article and Article 38-23 paragraph (1) is deemed to be replaced with "Article 38-26"; "given the relevant technical regulations conformity certification" in Article 38-22 paragraph (1) is deemed to be replaced with "given a technical regulations conformity certification pertaining to the relevant certified construction design"; "the same paragraph" in Article

38-23 paragraph (1) is deemed to be replaced with "the same Article"; "has violated the order" in Article 38-28 paragraph (1) item (iii) is deemed to be replaced with "has neglected the request"; "to said violation" in the same Article and paragraph is deemed to be replaced with " the relevant request"; "registered certification body" in item (iv) of the same paragraph is deemed to be replaced with "approved certification body"; "registered certification body has conducted the construction design certification in violation of the provisions of Article 38-24 paragraph (2), or the provisions of Article 38-8 paragraph (2), which are applied mutatis mutandis pursuant to Article 38-24 paragraph (3)" in the same paragraph item (v) is deemed to be replaced with "approved certification body has conducted the construction design certification in violation of the provisions of Article 38-8 paragraph (2) or Article 38-24 paragraph (2)"; "the preceding Article" in paragraph (3) items (i) through (iii) in the preceding Article, and "the preceding Article, where "order" is deemed to be replaced with "request" pursuant to the provisions of the preceding paragraph" in item (iv) of the same paragraph is deemed to be replaced with "paragraph (6) of the following Article."

(Revocation of Approval)

Article 38-32 (1) The Minister of Internal Affairs and Communications must revoke the approval when the approved certification body has lost its status in its own country pursuant to the provisions of paragraph (1) of the preceding Article, or when it has come to fall under any of the items (except item (ii)) of Article 24-2 paragraph (5), as applied mutatis mutandis pursuant to paragraph (4) of the same Article.

(2) The Minister of Internal Affairs and Communications may revoke the approval when the approved certification body falls under any of the following items:

(i) when the body has violated the provisions of paragraph (2) of the preceding Article (including cases where applied mutatis mutandis pursuant to paragraph (6) of the same Article), the provisions of Article 38-5 paragraph (2), Article 38-6 paragraph (2), Article 38-8, Article 38-10, or Article 38-12, as applied mutatis mutandis pursuant to paragraph (4) of Article 38-31, or the provisions of Article 38-6 paragraph (2), Article 38-8, Article 38-10, or Article 38-12, as applied mutatis mutandis pursuant to paragraph (6) of Article 38-31

(ii) when the body has neglected the request pursuant to the provisions of Article 38-13 paragraph (1) or (2), as applied mutatis mutandis pursuant to paragraph (4) of the preceding Article, or the provisions of Article 38-13 paragraph (2), as applied mutatis mutandis pursuant to paragraph (6) of the preceding Article

- (iii) when the body has obtained the certification through unlawful means
 - (iv) when the Minister of Internal Affairs and Communications requests the approved certification body to report pursuant to the provisions of Article 38-15 paragraph (1), as applied mutatis mutandis pursuant to paragraphs (4) or (6) of the preceding Article, the body fails to make a report or a false report is submitted
 - (v) when the Minister of Internal Affairs and Communications delegates ministerial staff to inspect the place of business of the approved certification body pursuant to the provisions of Article 38-15 paragraph (1), as applied mutatis mutandis pursuant to paragraphs (4) or (6) of the preceding Article, when the approved certification body refuses, hinders, or evades an inspection
- (3) The Minister of Internal Affairs and Communications, when revoking the approval pursuant to the provisions of the preceding two paragraphs, must issue a public notice to that effect.

Section 2 Self-Confirmation of Technical Regulations Conformity of Special Specified Radio Equipment

(Self-Confirmation of Technical Regulations Conformity)

- Article 38-33 (1) A manufacturer or an importer of the specified radio equipment that is, from the viewpoints of the technical regulations or usage modes, etc. of the radio equipment, specified by Order of the Ministry of Internal Affairs and Communications as not likely to cause the occurrence of interference and other obstruction that significantly impair other radio stations' operation (hereinafter referred to as "special specified radio equipment") may confirm that the construction design (including the methods to verify the conformity to the relevant construction design) of the special specified radio equipment conforms to the technical regulations prescribed in the preceding chapter.
- (2) Any manufacturer or importer is to conduct verification specified by Order of the Ministry of Internal Affairs and Communications, and is to confirm those facts pursuant to the provisions of the preceding paragraph (referred to as "self-confirmation of technical regulations conformity" in the following paragraph) only when the construction design of the special specified radio equipment conforms to the technical regulations prescribed in the preceding chapter, and when it is determined that any special specified radio equipment based on those types are ensured to conform to the relevant construction design.
- (3) Upon self-confirmation of the conformity of technical regulations, a manufacturer or an importer may, specified by Order of the Ministry of Internal Affairs and Communications, notify the Minister of Internal Affairs

and Communications of the following items:

- (i) name and address of the manufacturer or importer, and if the manufacturer or importer is a corporation, the name of the representative
 - (ii) classification and construction design of the special specified radio equipment on which self-confirmation of the conformity of technical regulations was made
 - (iii) outline of the verification results under the preceding paragraph
 - (iv) method to confirm that any special specified radio equipment based on the construction design in item (ii) conforms to the relevant construction design
 - (v) other matters concerning the methods, etc. of self-confirmation of the conformity of technical regulations, which are specified by Order of the Ministry of Internal Affairs and Communications
- (4) A person who has submitted a notification pursuant to the provisions of the preceding paragraph (hereinafter referred to as a "notifying supplier") must prepare and maintain record books pertaining to the confirmation under paragraph (2) of this Article pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.
- (5) A notifying supplier, when changing any of the matters set forth in the items (except items (ii) and (iii)) of paragraph (3) of this Article, must notify the Minister of Internal Affairs and Communications to that effect without delay, specified by Order of the Ministry of Internal Affairs and Communications.
- (6) When a notification pursuant to the provisions of paragraph (3) of this Article is filed, the Minister of Internal Affairs and Communications must issue a public notice to that effect specified by Order of the Ministry of Internal Affairs and Communications. The same applies when a notification was filed pursuant to the provisions of the preceding paragraph and any change was made in the matters included in the public notice.
- (7) When intending to establish, revise, or abolish Order of the Ministry of Internal Affairs and Communications as prescribed in paragraph (1) of this Article, the Minister of Internal Affairs and Communications must consult with the Minister of Economy, Trade and Industry.

(Obligation to Conform to the Construction Design)

- Article 38-34 (1) When manufacturing or importing the special specified radio equipment based on the construction design pertaining to the notification pursuant to the provisions of paragraph (3) of the preceding Article (hereinafter referred to simply as "notified construction design"), the notifying supplier must make that special specified radio equipment conform to the relevant notified construction design.
- (2) A notifying supplier must inspect the special specified radio equipment of the preceding paragraph pertaining to the manufacture or import in accordance

with the confirmation methods pertaining to the notification pursuant to the provisions of paragraph (3) of the preceding Article, and prepare and maintain the inspection records specified by Order of the Ministry of Internal Affairs and Communications.

(Mark)

Article 38-35 A notifying supplier may, upon performing the obligation pursuant to the provisions of paragraph (2) of the preceding Article with regard to the special specified radio equipment based on the notified construction design, affix to the relevant special specified radio equipment the mark specified by Order of Ministry of Internal Affairs and Communications.

(Prohibition on Affixing a Mark)

Article 38-36 (1) The Minister of Internal Affairs and Communications, in the cases set out in each of the following items, may prohibit a notifying supplier from affixing the mark under the preceding Article to the special specified radio equipment based on the notified construction design or construction design prescribed in each relevant item for a period specified by the Minister of Internal Affairs and Communications not exceeding two years:

- (i) when the special specified radio equipment based on the notified construction design does not conform to the technical regulations prescribed in the preceding chapter, and when deemed particularly necessary by the Minister of Internal Affairs and Communications to prevent the occurrence of interference and other obstructions that impair other radio stations' operation or cause bodily harm (except in item (v) of this paragraph):
Notified construction design of the relevant special specified radio equipment
- (ii) when a notifying supplier filed a false notification in notifying pursuant to the provisions of Article 38-33 paragraph (3): Construction design pertaining to the relevant false notification
- (iii) when a notifying supplier has violated the provisions of Article 38-33 paragraph (4) or Article 38-34 paragraph (2): Notified construction design of the special specified radio equipment pertaining to the relevant violation
- (iv) when a notifying supplier has violated the order pursuant to the provisions of Article 38-27, as applied mutatis mutandis pursuant to Article 38-38: Notified construction design of the special specified radio equipment pertaining to the relevant violation
- (v) when the technical regulations prescribed in the preceding chapter are revised, and when it is determined that the construction design notified prior to that revision pursuant to the provisions of Article 38-33 paragraph (3) does not conform to the technical regulations after the relevant revision: The relevant construction design

(2) The Minister of Internal Affairs and Communications, when prohibiting the affixing of the mark pursuant to the provisions of the preceding paragraph, must issue a public notice to that effect.

Article 38-37 (1) When a notifying supplier has fallen under any of paragraph (1) items (ii) through (iv) of the preceding Article and when the Minister of Internal Affairs and Communications determines that the notifying supplier is likely to fall under any of items (ii) through (iv) of the same paragraph again, the Minister of Internal Affairs and Communications may prohibit the relevant notifying supplier from affixing the mark under Article 38-35 to the special specified radio equipment for a period specified by the Minister of Internal Affairs and Communications not exceeding two years.

(2) The Minister of Internal Affairs and Communications, when prohibiting the affixing of the mark pursuant to the provisions of the preceding paragraph, must issue a public notice to that effect.

(Application Mutatis Mutandis)

Article 38-38 The provisions of Article 38-20 through Article 38-22 and Article 38-27 apply mutatis mutandis to a notifying supplier and the special specified radio equipment, and the provisions of Article 38-23 apply mutatis mutandis to the special specified radio equipment based on the notified construction design. In these cases, "to the relevant technical regulations conformity certification" in Article 38-20 paragraph (1) is deemed to be replaced with "to its notification"; "given a technical regulations conformity certification by a registered certification body" in Article 38-22 paragraph (1) is deemed to be replaced with "based on the notified construction design"; "Article 38-7 paragraph (1)" in the same Article and Article 38-23 paragraph (1) is deemed to be replaced with "Article 38-35"; "the relevant technical regulations conformity certification" in Article 38-22 paragraph (1) is deemed to be replaced with "technical regulations conformity certification pertaining to the relevant notified construction design"; "the same paragraph" in Article 38-23 paragraph (1) is deemed to be replaced with "the same Article"; "Article 38-25 paragraph (1)" in Article 38-27 is deemed to be replaced with "Article 38-34 paragraph (1)"; and "construction design certification" in the same Article is deemed to be replaced with "notification pursuant to the provisions of Article 38-33 paragraph (3)."

Section 3 Registered Repairer

(Registration of a Repairer)

Article 38-39 (1) A person who performs the business of repairing the special

specified radio equipment (limited to radio equipment with a conformity mark; hereinafter the same applies in this section) may obtain registration from the Minister of Internal Affairs and Communications.

- (2) Any person who wishes to obtain registration under the preceding paragraph, specified by Order of the Ministry of Internal Affairs and Communications, must submit to the Minister an application in which the following particulars are described:
- (i) name and address of the applicant, and if the applicant is a corporation, name of the representative;
 - (ii) name and address of the office;
 - (iii) scope of the special specified radio equipment to be repaired;
 - (iv) outline of the methods for repairing the special specified radio equipment; and
 - (v) outline of the methods to confirm that the special specified radio equipment as repaired conforms to the technical regulations prescribed in the preceding chapter (hereinafter referred to as the "repair confirmation" in this section).
- (3) The application under the preceding paragraph, specified by Order of the Ministry of Internal Affairs and Communications, must be accompanied by the written repair rules describing the methods for repairing the special specified radio equipment and the methods for repair confirmation and any other documents as specified by Order of the Ministry of Internal Affairs and Communications.

(Criteria for Registration)

- Article 38-40 (1) The Minister of Internal Affairs and Communications must grant registration to any person who has applied for registration under paragraph (1) of the preceding Article, if the registration applicant conforms to all of the following items.
- (i) the methods for repairing the special specified radio equipment conform to the standards specified by Order of the Ministry of Internal Affairs and Communications as not likely to cause the interference or other obstruction that significantly impairs the other radio stations' operation by the use of the special specified radio equipment as repaired.
 - (ii) the method of confirming the repair can verify that the special specified radio equipment repaired, conforms to the technical regulations prescribed in the preceding chapter.
- (2) The provisions of Article 24-2 paragraph (5) (except item (i)) and paragraph (6) apply mutatis mutandis to the registration under paragraph (1) of the preceding article. In this case, "Article 24-10 or Article 24-13 paragraph (3)" in Article 24-2 paragraph (5) item (ii) is deemed to be replaced with "Article 38-47," "any of the preceding two items" in item (iii) of the same paragraph is

deemed to be replaced with "the preceding item," and "the preceding paragraphs" in paragraph (6) of the same Article is deemed to be replaced with "the preceding paragraph, Article 38-39 and Article 38-40 paragraph (1)."

(Registry)

Article 38-41 The Minister of Internal Affairs and Communications must prepare a registry of registered repairers and register the following particulars pertaining to a person registered pursuant to Article 38-39 paragraph (1) (hereinafter referred to as a "registered repairer") in the relevant registry of registered repairers.

(i) date of the registration and reference number of registration

(ii) particulars set forth in each item of paragraph (2) of Article 38-39

(Registration of Change)

Article 38-42 (1) Any registered repairer, when intending to change particulars set forth in Article 38-39 paragraph (2) items (iii) through (v), obtain registration of change from the Minister of Internal Affairs and Communications. However, this does not apply to minor changes specified by Order of the Ministry of Internal Affairs and Communications.

(2) Any person who wishes to obtain registration of change as prescribed in the preceding paragraph must, specified by Order of the Ministry of Internal Affairs and Communications, submit an application form describing particulars pertaining to the change to the Minister.

(3) The provisions of Article 24-2 paragraph (5) (except item (i)) and paragraph (6), Article 38-39 paragraph (3) and Article 38-40 paragraph (1) apply mutatis mutandis to the registration of change in paragraph (1). In this case, "Article 24-10 or Article 24-13 paragraph (3)" in Article 24-2 paragraph (5) item (ii) is deemed to be replaced with "Article 38-47," "any of the preceding two items" in item (iii) of the same paragraph is deemed to be replaced with "the preceding item," and "the preceding paragraphs" in paragraph (6) of the same Article is deemed to be replaced with "the preceding paragraph, Article 38-39 and Article 38-40 paragraph (1)."

(4) Any registered repairer, after changing matters set forth in Article 38-39 paragraph (2) item (i) or (ii), after modifying the repair rules (except when obtaining the registration of change under paragraph (1)) or after implementing minor changes specified by Order of the Ministry of Internal Affairs and Communications under the proviso to paragraph (1), must submit a notification to that effect to the Minister without delay.

(Obligations of a Registered Repairer)

Article 38-43 (1) When a registered repairer repairs any special specified radio

equipment pertaining to its registration, it must conduct the repair and the repair confirmation according to the repair rules.

- (2) When a registered repairer repairs any special specified radio equipment pertaining to its registration, it must prepare and maintain records of the repair and the repair confirmation specified by Order of the Ministry of Internal Affairs and Communications.

(Marks)

Article 38-44 (1) When a registered repairer has repaired any special specified radio equipment pertaining to its registration, it must affix a mark indicating that the relevant special specified radio equipment has been repaired specified by Order of the Ministry of Internal Affairs and Communications

- (2) Except in the case of affixing a mark pursuant to the provisions of the preceding paragraph, no person is affix the mark under the same paragraph or a misleadingly similar mark to radio equipment in Japan.
- (3) When a registered repairer has conducted the repair and the repair confirmation of any special specified radio equipment pertaining to its registration according to the repair rules, it may, specified by Order of the Ministry of Internal Affairs and Communications, affix to the relevant special specified radio equipment the same mark as the one affixed to the relevant special specified radio equipment pursuant to the provisions of Article 38-7 paragraph (1) (including cases where applied mutatis mutandis pursuant to Article 38-31 paragraph (4)), Article 38-26 (including cases where applied mutatis mutandis pursuant to Article 38-31 paragraph (6)), Article 38-35 or this paragraph.

(Order to Improve Business Activities for a Registered Repairer)

Article 38-45 (1) When a registered repairer is determined not to comply with any of the items in Article 38-40 paragraph (1), the Ministry of Internal Affairs and Communications may order the relevant registered repairer to take the necessary measures to comply with these provisions.

- (2) When a registered repairer is determined to have violated the provisions of Article 38-43, the Minister of Internal Affairs and Communications may order the registered repairer to improve its repair methods or its method of confirmation of repair, or take other measures.
- (3) When determining that a special specified radio equipment repaired by a registered repairer pertaining to its registration does not conform to the technical regulations prescribed in the preceding chapter and is likely to cause interference or other obstruction that impairs the other radio stations' operation or cause bodily harm by the use of the relevant special specified radio equipment, and when deemed particularly necessary to prevent the

relevant obstruction or harm from spreading, the Minister of Internal Affairs and Communications may order the relevant registered repairer to take necessary measures to prevent the relevant obstruction or harm caused by the relevant special specified radio equipment from expanding.

(Notification of Abolition)

Article 38-46 (1) When abolishing the business pertaining to the registration, the registered repairer, without delay, must submit a notification to that effect to the Minister of Internal Affairs and Communications.

(2) When a notification has been made pursuant to the provisions of the preceding paragraph, the registration under Article 38-39 paragraph (1) ceases to be valid.

(Revocation of Registration)

Article 38-47 (1) When a registered repairer has come to fall under Article 24-2 paragraph (5) item (iii), as applied mutatis mutandis pursuant to Article 38-40 paragraph (2), the Minister of Internal Affairs and Communications must revoke its registration.

(2) When a registered repairer falls under any of the following items, the Minister of Internal Affairs and Communications may revoke its registration:

(i) when the registered repairer has violated the provisions of this Section;

(ii) when the registered repairer has violated the orders under Article 38-45 paragraphs (1) through (3); or

(iii) when the registered repairer has obtained the registration under Article 38-39 paragraph (1) or has obtained the registration of change under Article 38-42 paragraph (1) by unlawful means.

(Application Mutatis Mutandis)

Article 38-48 The provisions of Article 24-11 apply mutatis mutandis to the registration of a registered repairer, and the provisions Article 38-20 and Article 38-21 apply mutatis mutandis to the registered repairer and the special specified radio equipment. In this case, "Article 24-2-2 paragraph (1) or Article 24-9 paragraph (2)" in Article 24-11 is deemed to be replaced with "Article 38-46 paragraph (2)," "the preceding Article" in the same Article is deemed to be replaced with "Article 38-47," and "specified radio equipment pertaining to the relevant technical regulations conformity certification" in Article 38-20 paragraph (1) is deemed to be replaced with "specified radio equipment as repaired by the relevant registered repairer pertaining to its registration."

Chapter IV Radio Operators

(Operation of Radio Equipment)

Article 39 (1) No person other than a radio operator who is permitted to engage in the operation of radio equipment pursuant to the provisions of Article 40 (referring to radio operators who hold the ship station radio operator certificate prescribed in Article 48-2 paragraph (1) in the case of the operation of radio equipment on a compulsory ship station, etc. which is specified by Order of the Ministry of Internal Affairs and Communications; the same applies in this Article) may operate radio equipment in a radio station (except easy-to-operate radio equipment specified by Order of the Ministry of Internal Affairs and Communications) unless the person is under the control of someone who is appointed as a supervisor (hereinafter referred to as a "radio operator in full charge") to operate radio equipment in a radio station (except amateur radio stations; the same applies in this Article) and whose appointment has been notified pursuant to the provisions of paragraph (4). However, this does not apply when no radio operator can be supplemented because the ship or aircraft is navigating, or when specified by Order of the Ministry of Internal Affairs and Communications.

- (2) The operation of radio telegraphy that transmits or receives Morse code signals and the operation of radio equipment specified by Order of the Ministry of Internal Affairs and Communications must only be conducted by a radio operator pursuant to the provisions of Article 40, notwithstanding the provisions of the main clause of the preceding paragraph.
- (3) The radio operator in full charge is a radio operator who is capable of supervising the operation of radio equipment pursuant to the provisions of Article 40, and who does not fall under matters specified by Order of the Ministry of Internal Affairs and Communications.
- (4) Any licensee, etc. of a radio station, when the licensee, etc. has appointed a radio operator in full charge, must notify the Minister of Internal Affairs and Communications to that effect without delay. The same is to apply to cases where the licensee, etc. has dismissed the radio operator in full charge.
- (5) Any radio operator in full charge whose appointment has been notified pursuant to the provisions of the preceding paragraph must perform with integrity the duties specified by Order of the Ministry of Internal Affairs and Communications, with respect to supervising the operation of radio equipment.
- (6) Any person who is engaged in operating radio equipment under the supervision of a radio operator in full charge, whose appointment has been notified pursuant to the provisions of paragraph (4), must obey any instructions of the radio operator in full charge which are determined necessary to perform the duties of the preceding paragraph.
- (7) The licensee, etc. of a radio station (except those specified by Order of the Ministry of Internal Affairs and Communications) must order the radio

operator in full charge, whose appointment has been notified pursuant to the provisions of paragraph (4), to take a training course administered by the Minister of Internal Affairs and Communications for supervision of the operation of radio equipment every certain period as specified by Order of the Ministry of Internal Affairs and Communications.

(Designation of a Training Agency)

- Article 39-2 (1) The Minister of Internal Affairs and Communications may designate a person (hereinafter referred to as "designated training agency") to conduct the training courses prescribed in paragraph (7) of the preceding Article (hereinafter referred to simply as "training courses").
- (2) A training agency is designated upon application by the person who wishes to conduct the training courses for each of the classifications specified by Order of the Ministry of Internal Affairs and Communications.
- (3) Upon designating a training agency, the Minister of Internal Affairs and Communications does not conduct training courses in the classification pertaining to the designation.
- (4) The Minister of Internal Affairs and Communications must not designate a training agency unless the Minister recognizes that the application under paragraph (2) conforms to all of the following items:
- (i) plans to execute a training course service, with respect to the staff, equipment, methods for executing the training course service, and other issues, are suitable for the proper and sure execution of the training course service.
 - (ii) the applicant has a sufficient financial base for the proper and sure execution of the plans to execute the training course service prescribed in the preceding item.
 - (iii) when a training agency is conducting services other than training course services, the relevant business is not likely to result in unfairness to the training courses.
 - (iv) the designation does not impair the proper or sure execution of the training course service in the classification pertaining to the application.
- (5) The Minister of Internal Affairs and Communications must not designate a training agency if those who filed an application under paragraph (2) fall under any of the following items:
- (i) any person other than a general incorporated association or general incorporated foundation
 - (ii) any person who has been sentenced for a crime prescribed by this Act, within a period of two years since the day on which the person's sentence or suspended sentence was served out
 - (iii) any person whose designation was revoked pursuant to the provisions of

Article 39-11 paragraph (1) or paragraph (2), within a period of two years since the day on which the revocation was made
(iv) any person who has an officer who falls under item (ii)

(Public Notice of Designation)

- Article 39-3 (1) The Minister of Internal Affairs and Communications, upon designating a training agency, must issue a public notice of the name and address of the designated training agency, the classification pertaining to its designation, the location of the office where the training course service is conducted, and the day of commencement of the training course service.
- (2) A designated training agency, when intending to change its name, address or the location of the office where the training course service is conducted, must notify the Minister of Internal Affairs and Communications to that effect at least two weeks prior to the date of the change.
- (3) When receiving a notification pursuant to the provisions of the preceding paragraph, the Minister of Internal Affairs and Communications must issue a public notice to that effect.

(Status of Officers and Staff Members as Public Employees)

Article 39-4 Any officer or staff member of a designated training agency engaged in the training course service is deemed to be engaged in public service under laws and regulations with respect to the application of the Criminal Code (Act No. 45 of 1907) and other penal provisions.

(Operational Regulations)

- Article 39-5 (1) A designated training agency must establish operational regulations for matters related to the implementation of the training course service specified by Order of the Ministry of Internal Affairs and Communications, and must obtain authorization of the regulations from the Minister of Internal Affairs and Communications. The same applies when a designated training agency intends to change the regulations.
- (2) When the Minister of Internal Affairs and Communications determines that the operational regulations that received authorization under the preceding paragraph have become inappropriate for proper and sure implementation of the training course service, the Minister of Internal Affairs and Communications may order a designated training agency to change the operational regulations.

(Business Plan of a Designated Training Agency)

Article 39-6 (1) A designated training agency must formulate its business plan and revenues and expenditures budget for each business year, and must

submit them to the Minister of Internal Affairs and Communications prior to the commencement of the relevant business year (for the business year during which the training agency is designated, without delay after designation). The same applies to the case where the designated examination agency intends to change its business plan or revenues and expenditures budget.

- (2) A designated training agency must formulate its annual business report and financial settlement report for each business year, and must submit them to the Minister of Internal Affairs and Communications within three months after the end of the relevant business year.

(Keeping of Books)

Article 39-7 A registered training agency, specified by Order of the Ministry of Internal Affairs and Communication, must prepare and maintain a record book, in which matters related to the training courses and specified by Order of the Ministry of Internal Affairs and Communications.

(Supervisory Orders)

Article 39-8 When deemed necessary to enforce this Act, the Minister of Internal Affairs and Communications may give a designated training agency orders necessary for supervision with respect to the training course service.

(Reporting and On-site Inspection)

Article 39-9 (1) When deemed necessary to enforce this Act, the Minister of Internal Affairs and Communications may order a designated training agency to report on the state of the training course service, or delegate ministerial staff to enter the place of business of the designated training agency to inspect the state of the training course service, or equipment, record books, documents, and other articles.

- (2) All ministerial staff who conducts an on-site inspection pursuant to the provisions of the preceding paragraph must carry an identification card and show it to persons concerned upon request.
- (3) The authority for inspection pursuant to the provisions of paragraph (1) must not be construed as one that is authorized for a criminal investigation.

(Suspension and Discontinuation of Service)

Article 39-10 (1) A designated training agency must not suspend or discontinue all or part of its training course services unless it has obtained permission from the Minister of Internal Affairs and Communications.

- (2) When granting the permission referred to in the preceding paragraph, the Minister of Internal Affairs and Communications must issue a public notice to that effect.

(Revocation of Designation)

- Article 39-11 (1) When a designated training agency has come to fall under any of the items (except item (iii)) of Article 39-2 paragraph (5), the Minister of Internal Affairs and Communications must revoke its designation.
- (2) If a designated training agency falls under any of the following items, the Minister of Internal Affairs and Communications may revoke its designation or order the relevant designated training agency to suspend all or part of its training courses for a period specified by the Minister of Internal Affairs and Communications:
- (i) when violating the provisions of Article 39-3 paragraph (2), Article 39-5 paragraph (1), Article 39-6, Article 39-7, or paragraph (1) of the preceding Article
 - (ii) when it is determined as not conforming to one or more of the items (except item (iv)) of Article 39-2 paragraph (4)
 - (iii) when violating the order pursuant to the provisions of Article 39-5 paragraph (2) or Article 39-8
 - (iv) when conducting the training courses without following the operational regulations authorized pursuant to the provisions of Article 39-5 paragraph (1)
 - (v) when obtaining the designation through unlawful means
- (3) When revoking the designation pursuant to the provisions of paragraph (1) or the preceding paragraph, or ordering suspension of all or part of the training courses pursuant to the provisions of the preceding paragraph the Minister of Internal Affairs and Communications must issue a public notice to that effect.

(Implementation of Training Courses by the Minister of Internal Affairs and Communications)

- Article 39-12 (1) When a designated training agency has suspended all or part of the training course service pursuant to the provisions of Article 39-10 paragraph (1), or the Minister of Internal Affairs and Communications has ordered a designated training agency to suspend all or part of the training course service pursuant to the provisions of paragraph (2) of the preceding Article, or a designated training agency has fallen into difficulties in conducting all or part of the training course service due to a natural disaster or for any other reason, and if the Minister of Internal Affairs and Communications determines it necessary, the Minister of Internal Affairs and Communications is to conduct all or part of the training course service personally, notwithstanding the provisions of Article 39-2 paragraph (3).
- (2) When the Minister of Internal Affairs and Communications has determined it necessary to conduct the training course service pursuant to the provisions of

the preceding paragraph or to discontinue that training course service being conducted pursuant to the provisions of the same paragraph, the Minister of Internal Affairs and Communications must issue a public notice to that effect.

- (3) When the Minister of Internal Affairs and Communications has determined it necessary to conduct the training course service pursuant to the provisions of paragraph (1), or the Minister of Internal Affairs and Communications has permitted a designated training agency to discontinue the training course service pursuant to the provisions of Article 39-10 paragraph (1), or the Minister of Internal Affairs and Communications has revoked the designation pursuant to the provisions of paragraphs (1) or (2) of the preceding Article, necessary matters including the succession of the training course service must be prescribed by Order of the Ministry of Internal Affairs and Communications.

(Operation of Radio Equipment in Amateur Radio Stations)

Article 39-13 The operation of radio equipment in amateur radio stations is to be conducted by a radio operator pursuant to the provisions of the following article. However, this does not apply to cases where the operation of radio equipment in an amateur radio station is conducted prescribed by Order of the Ministry of Internal Affairs and Communications by someone who holds a qualification in a foreign country, which is specified by Order of the Ministry of Internal Affairs and Communications as equivalent to the qualifications specified under paragraph (1) item (v) of the same Article, or to other cases specified by Order of the Ministry of Internal Affairs and Communications.

(Qualifications of Radio Operators)

Article 40 (1) The qualifications of radio operators are to be as set forth in each of the following items corresponding to the classification set forth in each of the following items.

(i) qualifications of Radio Operators for General Services:

- (a) First-Class Radio Operator for General Services
- (b) Second-Class Radio Operator for General Services
- (c) Third-Class Radio Operator for General Services

(ii) qualifications for Maritime Radio Operators:

- (a) Maritime First-Class Radio Operator
- (b) Maritime Second-Class Radio Operator
- (c) Maritime Third-Class Radio Operator
- (d) Maritime Fourth-Class Radio Operator
- (e) Maritime Special Radio Operators specified by Cabinet Order

(iii) qualifications for Aeronautical Radio Operators:

- (a) Aeronautical Radio Operator
- (b) Aeronautical Special Radio Operators specified by Cabinet Order

- (iv) qualifications for Technical Radio Operators for On-the-Ground Services:
 - (a) First-Class Technical Radio Operator for On-the-Ground Services
 - (b) Second-Class Technical Radio Operator for On-the-Ground Services
 - (c) On-the-Ground Special Radio Operators specified by Cabinet Order
 - (v) qualifications for Radio Operators for Amateur Services:
 - (a) Amateur First-Class Radio Operator
 - (b) Amateur Second-Class Radio Operator
 - (c) Amateur Third-Class Radio Operator
 - (d) Amateur Fourth-Class Radio Operator
- (2) The scope of operations of or the scope of supervision of radio equipment by radio operators with the qualifications set forth in items (i) through (iv) of the preceding paragraph, and the scope of the operation of radio equipment by a radio operator with the qualification set forth in item (v) of the same paragraph are specified by Cabinet Order for each qualification.

(License)

Article 41 (1) Any person who wishes to be a radio operator must obtain a license from the Minister of Internal Affairs and Communications.

- (2) No license for a radio operator must be granted to a person unless the person falls under one or more of the following items (if the person falls under items (ii) through (iv), except those who are prohibited from taking an examination for the period specified pursuant to the provisions of the second sentence of Article 48 paragraph (1) and yet are within the period):
- (i) a person who has passed the state examination to become a radio operator which is held for each of the qualifications of paragraph (1) of the preceding Article;
 - (ii) a person who has completed a training course to develop radio operators with the qualifications (limited to those specified by Order of the Ministry of Internal Affairs and Communications) of paragraph (1) of the preceding Article, which is attested by the Minister of Internal Affairs and Communications to conform to the regulations specified by Order of the Ministry of Internal Affairs and Communications;
 - (iii) a person who has graduated from a school under the School Education Act (Act No. 26 of 1947) having completed the subjects related to radio communications specified by Order of the Ministry of Internal Affairs and Communications for each of the qualifications (limited to those specified by Order of the Ministry of Internal Affairs and Communications) referred to in paragraph (1) of the preceding Article according to the category of the school set forth below (in the case of the first half of a professional university course under the same Act, a person that has completed the first half of that course):

- (a) a university or a college (except a junior college);
- (b) a junior college (including the first half of a professional university course under the School Education Act) or a technical college; or
- (c) a senior high school or a junior high school; or
- (iv) A person who satisfies the requirements specified by Order of the Ministry of Internal Affairs and Communications, including the qualification of paragraph (1) of the preceding Article and a career in service, as a person possessing the knowledge and skills equivalent to or exceeding those of the persons set forth in the preceding three items, for each of the qualifications of paragraph (1) of the preceding Article (limited to those specified by Order of the Ministry of Internal Affairs and Communications).

(Cases in which Licenses are not Granted)

Article 42 The Minister of Internal Affairs and Communications may not grant a radio operator license to a person who falls under any of the following items:

- (i) a person who has been sentenced to a fine or heavier punishment for any crime detailed in Chapter IX, and for which two years have not yet passed since the date on which the person finished serving the sentence, or to be subject to its enforcement
- (ii) a person whose radio operator license has been revoked pursuant to the provisions of Article 79 paragraph (1) item (i) or item (ii), within a period of two years since the day of the revocation
- (iii) a person who is not suitable as a radio operator due to a serious physical or mental deficiency

(Registry of Radio Operators)

Article 43 The Minister of Internal Affairs and Communications is to prepare and maintain a registry of radio operators and enter therein particulars related to licenses.

(State Examinations for Radio Operators)

Article 44 State examinations for radio operators are to be held with regard to the knowledge and skills necessary for the operation of radio equipment.

Article 45 The Minister of Internal Affairs and Communications is to hold state examinations for radio operators at least once a year for each of the qualification classifications of Article 40.

(Designation of an Examination Agency)

Article 46 (1) The Minister of Internal Affairs and Communications may designate a person (hereinafter referred to as a "designated examination

agency") and order the person to conduct all or part of operations related to the holding of state examinations for radio operators (hereinafter referred to as the "examination service").

- (2) The designation of a person as a designated examination agency is to be made upon application by a person who wishes to conduct the examination service, to only one agency for each of the classifications specified by Order of the Ministry of Internal Affairs and Communications.
- (3) After designating a designated examination agency, the Minister of Internal Affairs and Communications is not to conduct an examination service related to the classification for which the designation was made.
- (4) The Minister of Internal Affairs and Communications must not designate as a designated examination agency, a person who filed an application under paragraph (2) if they fall under any of the following items:
 - (i) any person other than a general incorporated association or general incorporated foundation
 - (ii) any person who has committed a crime prescribed in this Act and has been sentenced to a penalty, and for which two years have not yet passed since the date on which the person finished serving the sentence or to be subject to its enforcement
 - (iii) any person whose designation was revoked pursuant to the provisions of Article 39-11 paragraphs (1) or (2), as applied mutatis mutandis pursuant to Article 47-5, within a period of two years since the day of the revocation
 - (iv) any person, any of whose officers fall under any of the following items:
 - (a) A person who falls under item (ii)
 - (b) A person who was dismissed by an order pursuant to the provisions of Article 47-2 paragraph (3), within a period of two years since the day of the dismissal

(Conducting an Examination Service)

Article 47 In conducting the examination service, a designated examination agency must order a person who satisfies the requirements specified by Order of the Ministry of Internal Affairs and Communications (hereinafter referred to as an "examination executor") to conduct the service to determine examinees' knowledge and skills required for radio operators.

(Appointment and Dismissal of Officers)

- Article 47-2 (1) The appointment or dismissal of officers of a designated examination agency is not valid without the approval of the Minister of Internal Affairs and Communications.
- (2) A designated examination agency, upon the appointment or dismissal of an examination executor, must notify the Minister of Internal Affairs and

Communications to that effect without delay.

- (3) If the officers or examination executors of a designated examination agency violate this Act, orders based on this Act or administrative dispositions based thereon, or operational regulations under Article 39-5 paragraph (1), as applied mutatis mutandis pursuant to Article 47-5, the Minister of Internal Affairs and Communications may order the designated examination agency to dismiss those officers or examination executors.

(Confidentiality)

Article 47-3 (1) Any officer or staff member (including an examination executor; the same applies to the following paragraph) of a designated examination agency, or any person who was in that a position, must not disclose any confidential information that comes to their knowledge in connection with the examination service.

- (2) All officers and staff members of a designated examination agency engaged in the examination service is deemed to be persons engaged in public service pursuant to laws and regulations with respect to the application of the Criminal Code and other penal provisions.

(Business Plan of a Designated Examination Agency)

Article 47-4 A designated examination agency, for each business year, must formulate its business plan and revenues and expenditures budget, and obtain approval from the Minister of Internal Affairs and Communications prior to the commencement of the relevant business year (in the business year to which the day of the designation belongs, after designation without delay). The same applies to the case where the designated examination agency intends to change its business plan or revenues and expenditures budget.

(Application Mutatis Mutandis)

Article 47-5 The provisions of Article 39-2 paragraph (4) (except item (iv)), Article 39-3, Article 39-5, Article 39-6 paragraph (2), and Article 39-7 through Article 39-12 apply mutatis mutandis to designated examination agencies. In these cases, "paragraph (2)" in Article 39-2 paragraph (4) is deemed to be replaced with "Article 46 paragraph (2)"; "training course service" in the same paragraph, Article 39-3 paragraphs (1) and (2), Article 39-5, Article 39-8, Article 39-9 paragraph (1), Article 39-10 paragraph (1), Article 39-11 paragraphs (2) and (3), and Article 39-12, and "training courses" in Article 39-7 is deemed to be replaced with "examination service under Article 46 paragraph (1)"; "unfairness to the training courses" in Article 39-2 paragraph (4) item (iii) is deemed to be replaced with "unfairness to the examination service under Article 46 paragraph (1)"; "Article 39-2 paragraph (5)" in Article 39-11

paragraph (1) is deemed to be replaced with "Article 46 paragraph (4)"; "Article 39-6, Article 39-7, or paragraph (1) of the preceding Article" in Article 39-11 paragraph (2) item (i) is deemed to be replaced with "Article 39-6 paragraph (2), Article 39-7, paragraph (1) of the preceding Article, or Articles 47 through Article 47-4"; " or Article 39-8" in Article 39-11 paragraph (2) item (iii) is deemed to be replaced with "Article 39-8, or Article 47-2 paragraph (3)"; and "Article 39-2 paragraph (3)" in Article 39-12 paragraph (1) is deemed to be replaced with "Article 46 paragraph (3)."

(Suspension of Examinations)

Article 48 (1) In the event that an illegal act is committed with respect to the state examinations for radio operators, the Minister of Internal Affairs and Communications may suspend an examinee related to the illegal act from taking the examinations or may regard the examination as invalid. In this case, the Minister of Internal Affairs and Communications may prohibit the relevant examinee from taking further examinations for a specified period.

(2) The designated examination agency may execute the authority of the Minister of Internal Affairs and Communications prescribed in the first sentence of the preceding paragraph with respect to conducting the examination service.

(Ship Station Radio Operator Authorization)

Article 48-2 (1) Anyone who wishes to operate or supervise the operation of radio equipment on a compulsory ship station, etc. which is specified by Order of the Ministry of Internal Affairs and Communications in the main clause of Article 39 paragraph (1), may receive a ship station radio operator certificate upon application to the Minister of Internal Affairs and Communications.

(2) The Minister of Internal Affairs and Communications must designate as a ship station radio operator, anyone who applies for a ship station radio operator certificate if they hold an appropriate qualification as a radio operator as specified by Order of the Ministry of Internal Affairs and Communications as long as they fall under any of the following items:

(i) when an applicant has completed the training course for operation, or supervision of operation, of radio equipment on compulsory ship stations, etc., which the Minister of Internal Affairs and Communications organizes for the relevant applicant

(ii) when an applicant has completed a training course which has been attested by the Minister of Internal Affairs and Communications that has contents equivalent to those of the training course in the preceding item, within a period of five years since the day of completion

(3) The provisions of Article 42 (except item (iii)) apply mutatis mutandis to approval as a ship station radio operator. In this case, "Article 79 paragraph

(1) item (i)" in item (ii) of the same Article is deemed to be replaced with "Article 79 paragraph (1) item (i), as applied mutatis mutandis pursuant to Article 79 paragraph (2)."

(Loss of Validity of a Certification as a Ship Station Radio Operator)

Article 48-3 Certification as a ship station radio operator ceases to be valid when the person in question falls under any of the following items after the date of receiving it.

- (i) when a person is not engaged in operation or supervision of operation of radio equipment on a compulsory ship station, etc. which is specified by Order of the Ministry of Internal Affairs and Communications in the main clause of Article 39 paragraph (1), or in other radio stations specified by Order of the Ministry of Internal Affairs and Communications during a period of five years starting on the day of completion of the training course pertaining to the certification as a ship station radio operator and does not complete either the training course which the Minister of Internal Affairs and Communications organizes for operation, or supervision of operation, of radio equipment on compulsory ship stations, etc. for those receiving certification as a ship station radio operator, or a training course which the Minister certifies as having the equivalent contents
- (ii) when a person who has not been engaged in the operation of the preceding item for an uninterrupted period of five years and has not completed any of the training courses under the preceding item during that period
- (iii) when a person is no longer qualified as a radio operator under paragraph (2) of the preceding Article
- (iv) when a person whose certification as a ship station radio operator has been suspended pursuant to the provisions of Article 79-2 paragraph (1) and the period of suspension has exceeded five years

(Entrustment to Order of the Ministry of Internal Affairs and Communications)

Article 49 Beyond the matters prescribed in Articles 39 and 41 through the preceding Article, matters related to conducting the training course service including subjects of training courses; procedural matters related to radio operator licenses including application for a license, the issuance, reissuance, and return of licenses; matters related to certification in Article 41 paragraph (2) item (ii); and detailed matters for holding state examinations for radio operators including examination subjects and procedures for examinations; as well as matters related to giving certification for ship station radio operators including applications for certification as ship station radio operators, the issuance, reissuance, and return of certificates of certification as ship station

radio operators, training courses which the Minister of Internal Affairs and Communications organizes pursuant to the provisions of Article 48-2 paragraph (2) item (i), and item (i) of the preceding Article, and certification under Article 48-2 paragraph (2) item (ii), and item (i) of the preceding Article is specified by Order of the Ministry of Internal Affairs and Communications.

(Stationing of a Distress Traffic Operator in Charge)

Article 50 (1) A person who is a radio operator specified by Order of the Ministry of Internal Affairs and Communications and holds a certificate as a ship station radio operator must be stationed as a distress traffic operator in charge (referring to a person who controls and manages the matters related to communications on board set forth in Article 52 item (i) through item (iii)) at a compulsory ship station on a passenger ship or a ship of 300 gross tons or more engaged on international voyages.

(2) Beyond the requirements prescribed in the preceding paragraph, the Minister of Internal Affairs and Communications may, when deemed necessary to enforce this Act, specify, specified by Order of the Ministry of Internal Affairs and Communications, the number of radio operators for each classification of the qualifications (including qualifications pertaining to radio operators in full charge and approval as a ship station radio operator) to be stationed at radio stations.

(Notification on Appointment and Discharge)

Article 51 The provisions of Article 39 paragraph (4) apply mutatis mutandis to the appointment or discharge of radio operators other than radio operators in full charge.

Chapter V Operation

Section 1 General Rules

(Prohibition on Utilizing Radio Stations beyond Their Purpose)

Article 52 No radio station is to be operated beyond the scope of the purpose, the persons with which radio communications are being conducted, or the subject of communications (broadcast items for specified terrestrial basic broadcast stations), which are entered on the radio station license. However, this does not apply to the following types of communication:

(i) distress traffic (referring to radio communication conducted by a method where communication starts with a distress signal or other method specified by Order of the Ministry of Internal Affairs and Communications, when a ship or aircraft is in grave and imminent danger; hereinafter the same applies)

- (ii) urgency traffic (referring to radio communication conducted by a method where communication starts with an urgency signal or other method specified by Order of the Ministry of Internal Affairs and Communications, when a ship or aircraft is potentially in grave and imminent danger, or at a time of urgency; hereinafter the same applies)
- (iii) safety traffic (referring to radio communication conducted by a method where communication starts with a safety signal or other method specified by Order of the Ministry of Internal Affairs and Communications, for the purpose of preventing grave danger to the navigation of a ship or aircraft; hereinafter the same applies)
- (iv) emergency traffic (referring to radio communication conducted to save lives, provide disaster relief, ensure telecommunications for transportation, or maintain public order, when it is impossible or extremely difficult to rely upon wired communications, when an emergency situation, including earthquakes, typhoons, floods, tidal waves, snow damage, conflagration, and riots, has occurred or is anticipated to occur; hereinafter the same applies)
- (v) receiving broadcasts
- (vi) other communications specified by Order of the Ministry of Internal Affairs and Communications

Article 53 When operating a radio station, the location of its radio equipment, identification signal, type of radio waves, and frequencies must observe the terms of the radio station license of the relevant radio station or the registration certificate under Article 27-25, paragraph (1) (referred to as a "radio station license, etc." in item (i) of the following Article and in Article 103-2, paragraph (4) item (ii)). However, this does not apply to distress traffic.

Article 54 In operating a radio station, its antenna power must be pursuant to the provisions of each of the following items. However, this does not apply to distress traffic:

- (i) the antenna power is within the range entered on the radio station license, etc.
- (ii) the antenna power is the lowest possible level required for conducting communications.

Article 55 A radio station must not be operated beyond the permitted operating hours entered on the radio station license. However, this does not apply when conducting any of the communication types set forth in the items of Article 52 or which is specified by Order of the Ministry of Internal Affairs and Communications.

(Prevention of Radio Interference)

Article 56 (1) A radio station must be operated in such a way as not to cause interference or any other obstruction that impairs the operation of other radio stations, receiving equipment that is used for radio astronomy (referring to a service to receive radio waves from outer space), or other receiving equipment specified by Order of the Ministry of Internal Affairs and Communications (except equipment in radio stations), which is designated by the Minister of Internal Affairs and Communications. However, this does not apply to the communications set forth in Article 52 items (i) through (iv).

(2) The designation prescribed in the preceding paragraph is made upon an application by a person who has installed receiving equipment pertaining to the relevant designation.

(3) The Minister of Internal Affairs and Communications, upon making a designation prescribed in paragraph (1), must issue a public notice of the matters specified by Order of the Ministry of Internal Affairs and Communications, for the receiving equipment pertaining to the relevant designation.

(4) Beyond the matters prescribed in the preceding two paragraphs, application procedures for the designation, standards for the designation, revocation of the designation, and other matters necessary for the designation prescribed in paragraph (1) are specified by Order of the Ministry of Internal Affairs and Communications.

(Use of Dummy Antenna Circuits)

Article 57 In the following cases, a radio station must use a dummy antenna circuit to the extent practicable:

- (i) when operating a radio station for testing or adjusting an apparatus for radio equipment
- (ii) when operating an experimental radio station

(Communications by Amateur Radio Stations)

Article 58 No amateur radio stations are to use encryption in their communications.

(Protection of Secrecy)

Article 59 Unless otherwise specified by law, no one must intercept, and divulge or take advantage of the existence or contents of radio communications that are conducted to a specific person (except communications under Article 4, paragraph (1) or Article 164, paragraph (3) of the Telecommunications Business Act; the same applies to Article 109 and Article 109-2, paragraphs (2) and (3)).

(Provision of a Timepiece and Service Documents)

Article 60 A radio station must be provided with an accurate timepiece, a radio inspection book, a radio service log, and other documents specified by Order of the Ministry of Internal Affairs and Communications. However, all or part of this provision may be omitted for radio stations specified by Order of the Ministry of Internal Affairs and Communications.

(Methods of Communication)

Article 61 The calling or answering method and other communication methods for radio stations, as well as details on the matters necessary for maintaining the function of radio equipment, including the collation of timepieces and the adjustment of radio equipment on lifeboats and direction-finding apparatus, are specified by Order of the Ministry of Internal Affairs and Communications.

Section 2 Operation of Coastal Stations

(Operation of Ship Stations)

Article 62 (1) The operation of a ship station is allowed only while the ship is navigating. However, this does not apply to cases where only receiving equipment is operated, or when the communication types set forth in individual items of Article 52 are being conducted, or to cases which are specified by Order of the Ministry of Internal Affairs and Communications.

(2) A coastal station (referring to a radio station established on land to communicate with ship stations; hereinafter the same applies), when receiving any obstruction to its operation from a ship station, may request the ship station causing the obstruction to take the measures necessary to eliminate it.

(3) When communicating with a coastal station, if a ship station receives instructions from the coastal station related to the order or time of communication, or the type or frequency of the radio waves, the ship station must observe those instructions.

(Operation of Coastal Stations)

Article 63 Coastal stations and coastal earth stations (referring to radio stations established on land, which communicate with ship earth stations via a relay from an artificial satellite station; hereinafter the same applies) must operate all the time. However, this does not apply to coastal stations and the coastal earth stations specified by Order of the Ministry of Internal Affairs and Communications.

Article 64 (Deleted)

(Watchkeeping Obligations)

Article 65 The radio stations set forth in the left column of the following table and specified by Order of the Ministry of Internal Affairs and Communications must keep watch on the frequencies set forth in the right column; consecutively for those set forth in rows 1 and 2 of the Table, during the hours specified by Order of the Ministry of Internal Affairs and Communications for those set forth in row 3, and during the obligated operating hours (referring to the hours during which radio stations are obliged to operate; hereinafter the same applies) for those set forth in row 4. However, this does not apply when specified by Order of the Ministry of Internal Affairs and Communications.

Radio Stations	Frequency
(i) Ship stations and coastal stations equipped with a digital selective-calling system	Frequency specified by Order of the Ministry of Internal Affairs and Communications
(ii) Ship earth stations and coastal earth stations	Frequency specified by Order of the Ministry of Internal Affairs and Communications
(iii) Ship stations	156.65 MHz, 156.8 MHz and frequency specified by the applicable MIC ordinance
(iv) Coastal stations	Frequency specified by Order of the Ministry of Internal Affairs and Communications

(Distress Traffic)

Article 66 (1) Any coastal station, coastal earth station, ship station or ship earth station (referred to as "coastal station, etc." in the following Article and Article 68), when receiving distress traffic, must reply immediately, giving absolute priority over all other radio communications, and take the best measures for communications related to the rescue, such as informing the radio station that is in the most convenient position to help save the ship or aircraft in distress, specified by Order of the Ministry of Internal Affairs and Communications.

(2) Any radio station, when receiving distress traffic or radio communications conducted by the methods specified by Order of the Ministry of Internal Affairs and Communications under Article 52 item (i), must immediately stop transmitting radio waves that are likely to interfere with the distress traffic.

(Urgency Traffic)

Article 67 (1) Any coastal station, etc. must give distress traffic priority, second only to distress traffic.

(2) Any coastal station, etc., when receiving urgency signals or radio communications conducted by the methods specified by Order of the Ministry of Internal Affairs and Communications, under Article 52 item (ii), must receive the urgency traffic consecutively until that communication is confirmed to have no relation to the station itself (at least for three minutes in the case specified by the Order of the Ministry of Internal Affairs and Communications), unless this occurs while receiving distress traffic.

(Safety Traffic)

Article 68 (1) Any coastal station, etc. must deal with safety traffic promptly and with certainty.

(2) Any coastal station, etc., when receiving safety signals or radio communications conducted by the methods specified by Order of the Ministry of Internal Affairs and Communications under Article 52 item (iii), must receive the safety traffic until that communication is confirmed to have no relation to the station itself.

(Communications to Adjust the Ship Station Radio Equipment)

Article 69 Any coastal or ship station, requested by any other ship station to communicate to adjust their radio equipment, must accept the request as best as possible.

Article 70 (Deleted)

Section 3 Operation of Aeronautical Stations

(Operation of Aircraft Stations)

Article 70-2 (1) The operation of an aircraft radio station is only allowed during flight or preparation for flight. However, this does not apply to cases when only receiving equipment or the communication types set out in individual items under Article 52 are being conducted, or to cases which are specified by Order of the Ministry of Internal Affairs and Communications.

(2) An aeronautical station (referring to a radio station established on land to communicate with aircraft stations; hereinafter the same applies) or a coastal station, when receiving any obstruction to its operation from an aircraft station, may request the aircraft station causing the obstruction to take the necessary measures to eliminate it.

(3) When communicating with an aeronautical station, if an aircraft station receives instructions from the aeronautical station related to the order or time of communication, or the type or frequency of radio waves, the aircraft station must observe those instructions.

(Obligatory Operating Hours)

Article 70-3 (1) Compulsory aircraft stations and aircraft earth stations must operate during the hours specified by Order of the Ministry of Internal Affairs and Communications.

(2) Aeronautical stations and aeronautical earth stations (referring to radio stations established on land, which communicate with aircraft earth stations via an artificial satellite station relay; the same applies to the following Article) must operate all the time. However, this does not apply to cases specified by Order of the Ministry of Internal Affairs and Communications.

(Watchkeeping Obligations)

Article 70-4 Aeronautical stations, aeronautical earth stations, aircraft stations, and aircraft earth stations (referred to as "aeronautical stations, etc." in Article 70-6 paragraph (2)) must keep watch during obligatory operating hours on the frequencies specified by Order of the Ministry of Internal Affairs and Communications. However, this does not apply to cases specified by Order of the Ministry of Internal Affairs and Communications.

(Communications for Aircraft Stations)

Article 70-5 During flight, an aircraft station must communicate with an aeronautical station specified by Order of the Ministry of Internal Affairs and Communications by methods specified by Order of the Ministry of Internal Affairs and Communications.

(Approval for Radio Equipment, etc. Maintenance Regulations)

Article 70-5-2 (1) A licensee of an aircraft station, etc. (referring to an aircraft station or aircraft earth station (except that for the purpose of conducting telecommunications services); hereinafter the same applies in this Article) may, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, prepare regulations concerning maintenance, such as inspection, of radio equipment, etc. for ensuring conformity to standards (referring to the state in which the radio equipment for the radio station conforms to its construction design and that the qualifications of its radio operators (including those pertaining to the requirements for a radio operator in full charge prescribed in Article 39, paragraph (3)) and the number of radio operators are not in violation of the provisions of Articles 39 and 40 and its timepiece and documents are not in violation of the provisions of Article 60; the same applies in the following paragraph) of the radio station pertaining to that aircraft station, etc. (such regulations are hereinafter referred to as "radio equipment, etc. maintenance regulations"), submit the regulations to the

Minister of Internal Affairs and Communications, and obtain the Minister's approval.

- (2) Upon receipt of an application for the approval referred to in the preceding paragraph, if the Minister of Internal Affairs and Communications deems that the radio equipment, etc. maintenance regulations to which the application pertains conform to all of the following items, the Minister is to grant the approval referred to in the same paragraph:
 - (i) the regulations provide for the checking of the conformity to standards of the radio station pertaining to the aircraft station, etc. for which the application was filed, at intervals specified by Order of the Ministry of Internal Affairs and Communications in consideration of the intervals specified by Order of the Ministry of Internal Affairs and Communications referred to in Article 73, paragraph (1); and
 - (ii) the regulations are sufficient for ensuring the conformity to standards of the radio station pertaining to the aircraft station, etc. for which the application was filed.
- (3) When a licensee that was granted the approval referred to in paragraph (1) (hereinafter referred to as an "approved licensee" in this Article) intends to make a change to radio equipment, etc. maintenance regulations for which the approval was granted, the approved licensee must obtain the approval of the Minister of Internal Affairs and Communications, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications; provided, however, that this does not apply to a minor change specified by Order of the Ministry of Internal Affairs and Communications.
- (4) The provisions of paragraph (2) apply mutatis mutandis to the approval for the change referred to in the preceding paragraph.
- (5) If an approved licensee has made the minor change specified by Order of the Ministry of Internal Affairs and Communications referred to in the proviso to paragraph (3), the approved licensee must notify the Minister of Internal Affairs and Communications to that effect without delay.
- (6) Every year, an approved licensee must report to the Minister of Internal Affairs and Communications the implementation status of the maintenance, such as inspection, of radio equipment, etc. for the aircraft station, etc. to which the approval pertains conducted in accordance with the radio equipment, etc. maintenance regulations for which the approval referred to in paragraph (1) was granted (if there was the approval for a change referred to in paragraph (3) or the notification of a change referred to in the preceding paragraph, the regulations after the change; the same applies in the following paragraph), pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications
- (7) If any of the following items applies, the Minister of Internal Affairs and

- Communications may revoke the approval referred to in paragraph (1):
- (i) if it is deemed that the radio equipment, etc. maintenance regulations for which the approval referred to in paragraph (1) was granted no longer conform to any of the items of paragraph (2);
 - (ii) if it is deemed that an approved licensee is not conducting maintenance, such as inspection, of radio equipment, etc. for the aircraft station, etc. to which the approval referred to in paragraph (1) pertains in accordance with the radio equipment, etc. maintenance regulations for which the approval was granted; or
 - (iii) if an approved licensee has obtained the approval referred to in paragraph (1) or the approval for a change referred to in paragraph (3) by unlawful means.
- (8) When the Minister of Internal Affairs and Communications revokes the approval referred to in paragraph (1) pursuant to the provisions of the preceding paragraph (except item (i)), the Minister may revoke the approval referred to in the same paragraph for any other radio equipment, etc. maintenance regulations that has been granted to the person that was the approved licensee.
- (9) The provisions of Article 20, paragraphs (1), (7), and (9) apply mutatis mutandis to an approved licensee. In this case, the phrase "a ship equipped with a ship station or a ship earth station (except that for the purpose of conducting telecommunications services) or a ship equipped solely with an emergency position-indication radio beacon device or radar" in paragraph (7) of the same Article is deemed to be replaced with "aircraft equipped with the aircraft station, etc. prescribed in Article 70-5-2, paragraph (1) to which the approval referred to in the same paragraph pertains," the phrase "of the ship" in the same paragraph is deemed to be replaced with "of the aircraft," the phrase "operates the ship" in the same paragraph is deemed to be replaced with "operates the aircraft," and the phrase "the preceding two paragraphs" in paragraph (9) of the same Article is deemed to be replaced with "paragraph (7)."
- (10) The provisions of Article 73, paragraph (1) do not apply to an aircraft station, etc. to which the approval referred to in paragraph (1) pertains established by an approved licensee.

(Application Mutatis Mutandis)

- Article 70-6 (1) The provisions of Article 69 (Communications to Adjust the Ship Station Radio Equipment) must apply mutatis mutandis to the operation of aeronautical and aircraft stations.
- (2) The provisions of Article 66 (Distress Traffic) and Article 67 (Urgency Traffic) apply mutatis mutandis to the operation of aeronautical stations, etc.

Section 4 Special Cases of Operating Radio Stations

(Operation of Radio Stations by an Emergency Operator)

Article 70-7 (1) When an emergency situation, including earthquakes, typhoons, floods, tidal waves, snow damage, conflagration, and riots, has occurred or is anticipated to occur and when conducting radio communications to save lives, provide disaster relief, ensure telecommunications for transportation, or maintain public order, the licensee of a radio station (limited to an easy-to-operate (referred to in paragraph (1) of the following Article simply as "easy operations") station exclusively specified by Order of the Ministry of Internal Affairs and Communications in the main clause of Article 39 paragraph (1)) may, during the period of validity of the license, etc. of the relevant radio station, appoint a person other than the emergency operator to operate the relevant radio station.

(2) Any licensee, etc. who has appointed a person other than the emergency operator to operate the radio station pursuant to the preceding paragraph (hereinafter referred to as an "emergency operator" in this Article) must notify the Minister of Internal Affairs and Communications without delay of the name of the emergency operator, the relevant period of operation, and other matters specified by Order of the Ministry of Internal Affairs and Communications.

(3) The licensee, etc. prescribed in the preceding paragraph must supervise the emergency operator as necessary and appropriately specified by Order of the Ministry of Internal Affairs and Communications so that the relevant radio station is operated properly.

(4) The provisions of Article 74-2 paragraph (2), Article 76 paragraphs (1) and (3), Article 76-2-2, and Article 81 apply mutatis mutandis to an emergency operator. In this case, the technical terms in those Articles and paragraphs that need to be replaced are specified by Cabinet Order.

(Operation through Easy Operations of a Specific Radio Station by a Person Other Than the Licensee)

Article 70-8 (1) If the operation (limited to that through easy operations; the same must apply hereinafter in this Article) of the radio station by a person other than the licensee contributes to the efficient utilization of the radio waves, the licensee of the radio station established for the purpose of conducting telecommunications services (limited to that which is specified by Order of the Ministry of Internal Affairs and Communications as being able to operate through easy operations without causing interference or some other obstruction that impairs the operation of other radio stations taking into

consideration the location of the radio equipment, antenna power and other factors) may have a person other than the operator, operate the relevant radio station during the valid period of the license for the radio station. However, this does not apply if the person other than the licensee falls under any of the items of Article 5 paragraph (3).

- (2) The provisions of paragraphs (2) and (3) of the preceding Article applies mutatis mutandis to a licensee who has had a person other than the operator to operate the radio station pursuant to the provisions of the preceding paragraph.
- (3) The provisions of Article 74-2 paragraph (2), Article 76 paragraph (1) and Article 81 apply mutatis mutandis to the person other than the licensee of the relevant radio station who operates the radio station pursuant to the provisions of paragraph (1).
- (4) The technical terms in the preceding two paragraphs that need to be replaced are specified by Cabinet Order.

(Operation of a Registered Station by Other than the Registrant)

Article 70-9 (1) The registrant of a registered station, when determining that the operation of the registered station by a person other than the registrant contributes to the efficient utilization of the radio spectrum and is not likely to cause interference or other obstruction to other radio stations, may appoint another person to operate the registered station during the period of validity of their registration. However, this does not apply when the appointed person falls under any of the items (except item (ii)) in Article 27-23, paragraph (2).

- (2) The provisions of paragraphs (2) and (3) of Article 70-7 apply mutatis mutandis to a registrant who has appointed a person other than that registrant to operate a registered station pursuant to the provisions of the preceding paragraph.
- (3) The provisions of Article 39 paragraphs (4) and (7), Article 51, Article 74-2 paragraph (2), Article 76 paragraphs (1) and (3), Article 76-2-2, and Article 81 applies mutatis mutandis to a person other than the registrant of the relevant registered station who operates the registered station pursuant to the provisions of paragraph (1).
- (4) In the cases under the preceding two paragraphs, the technical terms in those Articles and paragraphs that need to be replaced are specified by Cabinet Order.

Chapter VI Supervision

(Change of Frequencies)

Article 71 (1) When deemed necessary for the purpose of regulating radio waves

or in the public interest, the Minister of Internal Affairs and Communications may change the designation for the frequency or antenna power of radio stations (except registered stations), or order a change in the frequency or antenna power of registered stations or the location of radio equipment on artificial satellite stations, only within a range that does not hinder the fulfillment of the purpose of the relevant radio stations.

- (2) The State must compensate the licensee, etc. of a radio station for any losses resulting from ordering the change, pursuant to the provisions of the preceding paragraph, in the designation of the frequency or antenna power of a radio station, the frequency or antenna power of a registered station, or the location of radio equipment on an artificial satellite station.
- (3) The losses to be compensated pursuant to the provisions of the preceding paragraph are the losses which normally result from the administrative disposition under the same paragraph.
- (4) Any person who is dissatisfied with the amount of compensation under paragraph (2) may bring an action in a court to demand an increase in the compensation amount within six months from the day of receiving notification of the amount of compensation.
- (5) The State is to be the defendant in the action under the preceding paragraph.
- (6) A licensee who receives an order to change the location of radio equipment on an artificial satellite station, after implementing the measures related to the order, must notify the Minister of Internal Affairs and Communications to that effect without delay.

(Specific Frequency Change Support Service and Specific Frequency Termination Support Service)

- Article 71-2 (1) When changing the frequency assignment plan or the plan for the available frequencies allocated to broadcasting or the plan for the usage of frequencies allocated to basic broadcasting (hereinafter referred to as the "frequency assignment plan, etc.") that fall under the requirements set forth in the following items, when deemed necessary for ensuring the proper utilization of radio waves, the Minister of Internal Affairs and Communications may compensate the licensees or other establishers of radio equipment who will carry out the work to modify the radio equipment concerning the change of the frequency or antenna power prescribed in item (iii) for the cost of the relevant work and other necessary support (hereinafter referred to as the "specific frequency change support service") within the extent of the available budget.
- (i) with regard to the conditions concerning the use of frequencies by a specific radio station classification (referring to the classification of radio stations specified by Order of the Ministry of Internal Affairs and Communications in line with the technical requirements prescribed in Chapter III concerning

modes of radio communications, the purpose of the radio stations, and the radio equipment; the same applies hereinafter), the time limit on the use of frequencies is determined as not exceeding ten years from the day public notice of the change in the frequency assignment plan, etc., is given and the frequencies assignable (hereinafter referred to as the "newly assignable frequencies" in this Article) to the relevant radio station classification (hereinafter referred to as the "old assignment classification" in this Article) is assigned to radio station classifications other than the old assignment classification.

- (ii) Among the radio station classifications to which the newly assignable frequencies can be assigned, if there is a radio station classification that has the same radio communications mode and the same radio station purpose (hereinafter referred to as "classification with the same purpose" in this item) in a classification other than the old assignment classification (referred to as "new assignment classification" in the following item), the ratio of frequencies that can be assigned to the classification with the same purpose as the newly assignable frequencies is not to exceed three fourths.
 - (iii) in response to an application for a license for a radio station for which the Minister of Internal Affairs and Communications issues a public notice along with the public notice on the change in the frequency assignment plan, etc. (hereinafter referred to as a "newly established specific radio station"), for those radio stations in the new assignment classification, the newly assignable frequencies are to be assignable within five years from the day that public notice of the change in the relevant frequency assignment plan, etc. is given. In this case, it is possible to change in advance the frequencies or antenna power of existing established radio stations (limited to the extent that the change does not disturb the implementation of the purpose of existing established stations; in the case of a change of frequency, limited to the extent that the change is within the range of the newly assignable frequencies), so that those radio stations in the old assignment classification, which have already been assigned newly assignable frequencies upon public notice of the relevant change in the relevant frequency assignment plan, etc. (hereinafter referred to as "existing established radio stations"), is not to cause interference or other obstruction that significantly impairs the operation of the newly established specific radio station.
- (2) In order to facilitate the establishment of radio stations notified to the public by the Minister of Internal Affairs and Communications (hereinafter referred to as "notified specified stations"), when the Minister of Internal Affairs and Communications changes the frequency assignment plan based on the results of the effective utilization assessment, and when the Minister of Internal Affairs and Communications specifies the period for using all or part of the

frequencies (hereinafter referred to as the "old assignment period") that can be assigned to radio station classifications other than those pertaining to the relevant notified specified stations not exceeding five years (or ten years if it is deemed especially necessary in consideration of the financial impact of the relevant change in the frequency assignment plan on licensees, etc.; hereinafter in this paragraph referred to as the "standard period") from the day public notice on the relevant change in the frequency assignment plan is given (except for cases prescribed in part other than those prescribed in the individual items of the preceding paragraph), the Minister of Internal Affairs and Communications may compensate licensees, etc. who apply for a change in the designation of frequencies (in the cases of registered stations, registration of change in frequencies), or who intend to abolish the radio station before the day of expiry of the old assignment period in response to the establishment of the relevant old assignment period, for the ordinary costs arising from the establishment of the relevant old assignment period as shorter than the standard period and other necessary support (hereinafter referred to as the "specific frequency termination support service") within the extent of the available budget.

(Designated Frequency Change Support Agency)

- Article 71-3 (1) The Minister of Internal Affairs and Communications may designate a person (hereinafter referred to as a "designated frequency change support agency") to conduct the specific frequency change support service.
- (2) A person who wishes to conduct a specific frequency change support service is designated to a frequency change support agency upon application, limited to only one agency for each change in the frequency assignment plan, etc. accompanying the specific frequency change support service.
- (3) If the Minister of Internal Affairs and Communications designates a frequency change support agency, the Minister of Internal Affairs and Communications is not to conduct a specific frequency change support service pertaining to the relevant designation.
- (4) Standards concerning the provision of benefits pertaining to the specific frequency change support service conducted by a designated frequency change support agency pursuant to the provisions of paragraph (1) are specified by Order of the Ministry of Internal Affairs and Communications.
- (5) A designated frequency change support agency, specified by Order of the Ministry of Internal Affairs and Communications, and when approved by the Minister of Internal Affairs and Communications, may commission other parties to conduct part of the specific frequency change support service (except for decision-making on the delivery of benefits).
- (6) A designated frequency change support agency may require the person that

- received the benefits to produce and provide reports on necessary matters, when deemed necessary for the specific frequency change support service,.
- (7) A designated frequency change support agency must formulate an annual business report, balance sheet, financial settlement report, and list of property each business year and submit them to the Minister of Internal Affairs and Communications within three months after the end of the relevant business year for approval by the Minister of Internal Affairs and Communications.
- (8) A designated frequency change support agency, when also conducting services other than the specific frequency change support service, must separate the accounts pertaining to the relevant services from the accounts pertaining to the specific frequency change support service.
- (9) Within the extent of the available budget, the Minister of Internal Affairs and Communications may provide a designated frequency change support agency with an amount of money equivalent to all or part of the costs required to conduct the specific frequency change support service.
- (10) Beyond the matters prescribed in this Article, matters necessary for the financial affairs and accounts of a designated frequency change support agency are specified by Order of the Ministry of Internal Affairs and Communications.
- (11) The provisions of Article 39-2 paragraph (4) (except item (iv)), Article 39-3, Article 39-5, Articles 39-7 through 39-12, Article 46 paragraph (4), Article 47-2 paragraphs (1) and (3), Article 47-3, and Article 47-4 apply mutatis mutandis to designated frequency change support agencies. In these cases, "application under paragraph (2)" in Article 39-2 paragraph (4) and Article 46 paragraph (4) is deemed to be replaced with "application under Article 71-3 paragraph (2)"; "training course service" in Article 39-2 paragraph (4), Article 39-3 paragraph (2), Article 39-5, Article 39-8, Article 39-9 paragraph (1), Article 39-10 paragraph (1), Article 39-11 paragraphs (2) and (3), and Article 39-12, "training courses" in Article 39-7, and "examination service" in Article 47-3 is deemed to be replaced with "specific frequency change support service"; "to the training courses" in Article 39-2 paragraph (4) item (iii) is deemed to be replaced with "to the specific frequency change support service"; "classification pertaining to its designation, the location of the office where the training course service is conducted, and the date of commencing the training course service" in Article 39-3 is deemed to be replaced with "address of the office where the specific frequency change support service is conducted, and the date of commencing the specific frequency change support service"; "Article 39-2 paragraph (5)" in Article 39-11 paragraph (1) is deemed to be replaced with "Article 46 paragraph (4)"; "Article 39-6, Article 39-7, or paragraph (1) of the preceding Article" in Article 39-11 paragraph (2) item (i) is deemed to be replaced with "Article 39-7, paragraph (1) of the preceding article, Article 47-4, or Article 71-3 paragraph (5), (7), or (8)"; "or Article 39-8" in Article 39-11

paragraph (2) item (iii) is deemed to be replaced with ", Article 39-8, or Article 47-2 paragraph (3)"; "Article 39-2 paragraph (3)" in Article 39-12 paragraph (1) is deemed to be replaced with "Article 71-3 paragraph (3)"; "Article 47-5" in Article 46 paragraph (4) item (iii) and Article 47-2 paragraph (3) is deemed to be replaced with "Article 71-3 paragraph (11)"; "officers or examination executors" in Article 47-2 paragraph (3) is deemed to be replaced with "officers"; and "staff member (including an examination executor; the same applies in the following paragraph)" in Article 47-3 is deemed to be replaced with "staff member."

(Registered Frequency Termination Support Agency)

- Article 71-3-2 (1) The Minister of Internal Affairs and Communications may appoint a person who is registered by the Minister of Internal Affairs and Communications (hereinafter referred to as a "registered frequency termination support agency") to conduct all or part of the specific frequency termination support service.
- (2) After appointing a registered frequency termination support agency to conduct the specific frequency termination support service pursuant to the provisions of the preceding paragraph, the Minister of Internal Affairs and Communications is not to conduct the relevant specific frequency termination support service himself.
- (3) A person who wishes to conduct the specific frequency termination support service is to apply to be registered as prescribed in paragraph (1), specified by Order of the Ministry of Internal Affairs and Communications.
- (4) The Minister of Internal Affairs and Communications must register a person who has submitted an application for registration pursuant to the provisions of the preceding paragraph (hereinafter in this paragraph referred to as an "applicant for registration") provided they conform to all of the following items:
- (i) staff working for the applicant for registration who possess knowledge and experience conforming to any of the conditions set forth in the appended Table No. 5 may take part in decision-making on the delivery of compensation pertaining to the specific frequency termination support service.
 - (ii) the liabilities of the applicant for registration are not to exceed their assets.
 - (iii) the applicant for registration is not to be a person who has established radio stations using radio frequencies pertaining to the old assignment period.
 - (iv) the applicant for registration does not fall under any of the following sub-items as being under the control of a specified person:
 - (a) If the applicant for registration is a stock company, and any other stock company is the parent company of the relevant applicant.

- (b) If officers or staff members of the specified person (including those who were officers or staff members of the relevant specified person within the past two years) account for more than half the number of officers (in the case of a partnership corporation, the employees executing the business) of the applicant for registration.
- (5) The provisions of Article 24-2 paragraphs (5) and (6) apply mutatis mutandis to the registration under paragraph (1). In this case, "Article 24-10 or Article 24-13 paragraph (3)" in paragraph (5) item (ii) of the same Article is deemed to be replaced with "Article 38-17 paragraph (1) or (2) as applied mutatis mutandis pursuant to Article 71-3-2 paragraph (11)"; and "preceding paragraphs" in paragraph (6) of the same Article is deemed to be replaced with "preceding paragraph and Article 71-3-2 paragraphs (1) through (4) and paragraph (6)."
- (6) The registration under paragraph (1) is made by entering the following particulars in the registration book of the registered frequency termination support agency:
- (i) date of registration and reference number of registration
 - (ii) name and address of the person who has obtained registration and, in the case where the person is a corporation, name of the representative
 - (iii) name and address of the office where the person who has obtained registration conducts the specific frequency termination support service
- (7) Unless renewed every three years or longer period specified by Cabinet Order, the registration under paragraph (1) must lose validity with the passage of the period.
- (8) The provisions of paragraphs (3) through (6) must apply mutatis mutandis to the renewal of registration under the preceding paragraph.
- (9) After the Minister of Internal Affairs and Communications has requested a registered frequency termination support agency to conduct a specific frequency termination support service, the agency must start the specific frequency termination support service without delay unless there is due reason not to do so.
- (10) When determining that a registered frequency termination support agency violates the provisions of the preceding paragraph, or when it is deemed necessary to ensure proper implementation of its specific frequency termination support service, the Minister of Internal Affairs and Communications may order the relevant registered frequency termination support agency to conduct its specific frequency termination support service, or take the necessary measures to improve its methods of operation, including the method of operating its specific frequency termination support service.
- (11) The provisions of Article 24-7, paragraph (1), Article 24-11, Article 38-5, Article 38-9, Article 38-11, Article 38-12, Article 38-15, Article 38-17, Article

38-18, Article 39-5, Article 39-10, Article 47-3, and paragraphs (4) through (6) and paragraphs (8) and (9) of the preceding article applies mutatis mutandis to the registered frequency termination support agency. In these cases, the words and phrases set forth in the middle column of the following table for the provisions set forth in the left column of the same table are deemed to be replaced with the words and phrases set forth in the right column of the same table.

Article 24-7 paragraph (1)	any of the items in Article 24-2 paragraph (4) (in cases where the person is only performing the business of maintenance checks of radio equipment, etc., items (i), (ii) or (iv))	any of the items in Article 71-3-2 paragraph (4)
Article 24-11	Article 24-2-2 paragraph (1) or Article 24-9 paragraph (2)	Article 71-3-2 paragraph (7)
	has lost its validity pursuant to the provisions of Article 24-9 paragraph (2),	has lost its validity pursuant to the provisions of Article 71-3-2 paragraph (7), when the registered frequency termination support agency has terminated all of its specific frequency termination support service pursuant to the provisions of Article 39-10 paragraph (1), as applied mutatis mutandis pursuant to Article 71-3-2 paragraph (11),
	the preceding article	Article 38-17 paragraph (1) or (2), as applied mutatis mutandis pursuant to Article 71-3-2 paragraph (11)
Article 38-5 paragraph (1)	Article 38-2-2 paragraph (1)	Article 71-3-2 paragraph (1)

	the person who has obtained registration under the same paragraph (hereinafter referred to as a "registered certification body")	the person who has obtained registration under the same paragraph
	the classification of business pertaining to its registration, the address of the office where the technical regulations conformity certification service	the address of the office where the specific frequency termination support service
	date of the technical regulations conformity certification service	date of the specific frequency termination support service
Article 38-5 paragraph (2)	Article 38-2-2 paragraph (2) item (i) or (iii)	Article 71-3-2 paragraph (6) item (ii) or (iii)
Article 38-5 paragraph (3), Article 36-15 paragraph (1), part other than those listed in the individual items of Article 38-17 paragraph (2), paragraph (3), Article 38-18 paragraph (2) and paragraph (3)	date of the technical regulations conformity certification service	specific frequency termination support service
Article 38-9	officer or certification examiner	officer or person who has knowledge and experience conforming to the conditions set forth in appended Table No. 5
Article 38-11 paragraph (2)	person who performs the business of dealing in specified radio equipment	licensee who has applied for the provision of compensation pertaining to the specific frequency termination support service
Article 38-12	technical regulations conformity certification	specific frequency termination support service
Article 38-17 paragraph (1)	Article 38-3 paragraph (2)	Article 71-3-2 paragraph (5)

Article 38-17 paragraph (2) item (iii)	Article 38-2-2 paragraph (1)	Article 38-5 paragraph (2), Article 38-9, Article 38-11 paragraph (1), Article 38-12, Article 39-5 paragraph (1), Article 39-10 paragraph (1), or Article 71-3 paragraph (5) or (8), as applied mutatis mutandis, in Article 71-3-2 paragraph (11)
Article 38-17 paragraph (2) item (ii)	Article 38-13 paragraph (1) or (2)	Article 24-7 paragraph (1) or Article 39-5 paragraph (2), as applied mutatis mutandis pursuant to Article 71-3-2 paragraph (10) or paragraph (11) of the same Article
Article 38-17 paragraph (2) item (iii)	Article 38-2-2 paragraph (1)	Article 71-3-2 paragraph (1)
Article 38-18 paragraph (1)	When there is no one who has obtained registration under Article 38-2-2 paragraph (1), or when the Minister of Internal Affairs and Communications	When the Minister of Internal Affairs and Communications
	Article 38-16 paragraph (1)	Article 39-10 paragraph (1), as applied mutatis mutandis pursuant to Article 71-3-2 paragraph (11)
	technical regulations conformity certification service	specific frequency termination support service
Article 39-5 and Article 39-10 paragraph (1)	training course service	specific frequency termination support service
Article 47-3 paragraph (1)	staff member (including an examination executor; the same applies to the following paragraph)	staff member
	examination service	specific frequency termination support service

Article 47-3 paragraph (2)	examination service	specific frequency termination support service
paragraph (4) of the preceding article	paragraph (1)	paragraph (1) of the following article
	specific frequency change support service	specific frequency termination support service
paragraphs (5), (6), (8) and (9) of the preceding Article	specific frequency change support service	specific frequency termination support service

(Obligation of Licensees, etc. to Which it is Decided to Deliver Benefits)

- Article 71-4 (1) A licensee that is subject to a decision to receive benefits pertaining to its specific frequency change support service, without delay, must apply to change the designation of the frequency or antenna power.
- (2) Any licensee, etc. that is subject to receive benefits pertaining to its specific frequency termination support service, without delay, must apply for a change in the designation of the frequency (in the cases of a registrant, registration of change in the frequency) or abolish the radio station.
- (3) The provisions of the preceding three Articles are not to hinder the Minister of Internal Affairs and Communications from changing the designation of the frequency or antenna power of existing established radio stations pursuant to the provisions of Article 71 paragraph (1); or pursuant to the provisions of Article 76-3 paragraph (1), from changing the designation of the frequency of radio stations using radio frequencies pertaining to the old assignment period under Article 71-2 paragraph (2), ordering a change in the frequencies of registered stations using the relevant radio frequencies, or revoking licenses, etc. of radio stations using the relevant radio frequencies.

(Technical Standards Conformity Order)

Article 71-5 On determining that the radio equipment does not conform to the technical standards provided for in Chapter III, the Minister of Internal Affairs and Communications may order the licensee of the radio station using the relevant radio equipment to take measures to repair the relevant radio station so that it conforms to the technical standards or to take other necessary measures.

(Suspension of Transmission of Radio Waves)

Article 72 (1) On determining that the quality of radio waves transmitted by a radio station does not satisfy the requirements specified by Order of the Minister of Internal Affairs under Article 28, the Minister of Internal Affairs and Communications may order the radio station to temporarily suspend the

transmission of radio waves.

- (2) After receiving a notification from the radio station that has received an order under the preceding paragraph that its radio waves satisfy the requirements specified by Order of the Ministry of Internal Affairs and Communications under Article 28, the Minister of Internal Affairs and Communications must require the radio station to carry out a trial transmission of radio waves.
- (3) When the radio waves transmitted pursuant to the provisions of the preceding paragraph satisfy the requirements specified by Order of the Minister of Internal Affairs and Communications under Article 28, the Minister of Internal Affairs and Communications must immediately terminate the suspension order under paragraph (1).

(Inspection)

- Article 73 (1) The Minister of Internal Affairs and Communications is to dispatch ministerial staff to radio stations (except those specified by Order of the Ministry of Internal Affairs and Communications) to inspect the radio equipment, etc. on a day notified in advance at regular intervals specified by Order of the Ministry of Internal Affairs and Communications. However, with respect to radio stations for which the Minister of Internal Affairs and Communications determines it unnecessary to inspect other matters involving its radio equipment other than those pertaining to the quality of the radio waves transmitted by or the antenna power of the radio station, the quality of the transmitted radio waves or antenna power is to be inspected by ordering the radio station to transmit radio waves.
- (2) The inspection under the preceding paragraph, notwithstanding the provisions of the same paragraph, may be postponed or omitted when inspection of the radio station is deemed unnecessary during the period specified by Order of the Ministry of Internal Affairs and Communications under the same paragraph or when a ship or aircraft with a radio station installed is on a voyage between foreign countries during the relevant period.
 - (3) The inspection under paragraph (1) may be omitted, notwithstanding the provisions of paragraph (1), when the licensee of the radio station (except for those specified by Order of the Ministry of Internal Affairs and Communications as radio stations for which it is necessary to ensure proper operation to ensure the safety of individuals' lives and bodies; the same applies hereinafter in this paragraph) submits, at least one month before the date notified by the Minister of Internal Affairs and Communications pursuant to the provisions of paragraph (1) a certificate describing to the effect that the person registered (except for persons conducting only the business of maintenance checks of radio equipment, etc.) under the provisions of Article 24-2 paragraph (1) has, with regard to the radio equipment, etc. of the radio

station, conducted the inspection pertaining to the relevant registration specified by Order of the Ministry of Internal Affairs and Communications and that the radio equipment of the relevant radio station conforms to the construction design, and in addition, the qualifications and number of radio operators are not in violation of the provisions of Article 39 or Article 39-13, Article 40 and Article 50, and the timepiece or documents are not in violation of the provisions of Article 60.

- (4) Part of the inspection under paragraph (1) may be omitted, notwithstanding the provisions of paragraph (1), when the licensee of the radio station submits, at least one month before the date notified by the Minister of Internal Affairs and Communications pursuant to the provisions of the same paragraph, documents on which are recorded the results of an inspection of the radio equipment, etc. in the radio station pertaining to the registration, conducted by a person registered under the provisions of Article 24-2 paragraph (1) or Article 24-13 paragraph (1) specified by Order of the Ministry of Internal Affairs and Communications.
- (5) When ordering the repair of a radio station under Article 71-5 or the implementation of other necessary measures, or ordering the suspension of transmission of radio waves under paragraph (1) of the preceding Article, receiving notification under paragraph (2) of the same Article, being notified of the fact that a ship or aircraft with a radio station installed is departing for a foreign country, or when deemed particularly necessary to enforce this Act, the Minister of Internal Affairs and Communications may dispatch ministerial staff to the radio station to inspect its radio equipment, etc.
- (6) When determining it necessary to inspect only the matters pertaining to the quality of the radio waves transmitted by or the antenna power of the radio station, when a ship or aircraft with a radio station installed is departing for a foreign country or when inspection is particularly necessary to enforce this Act, the Minister of Internal Affairs and Communications may order the radio station to transmit radio waves in order to inspect the quality of the transmitted radio waves or the antenna power of the radio station.
- (7) The provisions of Article 39-9 paragraphs (2) and (3) apply *mutatis mutandis* to the inspection pursuant to the provisions of the main clause of paragraph (1) or the provisions of paragraph (5).

(Radio Communications in Case of Emergencies)

Article 74 (1) When an emergency situation, including earthquakes, typhoons, floods, tidal waves, snow damage, conflagration, and riots, has occurred or is anticipated to occur, the Minister of Internal Affairs and Communications may order any radio station to conduct radio communications necessary for saving lives, for disaster relief, to ensure telecommunications for transportation, or to

maintain public order.

- (2) When the Minister of Internal Affairs and Communications has ordered a radio station to conduct radio communications pursuant to the provisions of the preceding paragraph, the State must compensate the radio station for the actual expenses required for the radio communications.

(Development of Telecommunications Systems in Case of Emergencies)

Article 74-2 (1) In case of emergency, the Minister of Internal Affairs and Communications must develop telecommunications plans, conduct telecommunications training, and take other necessary measures in order to maintain and improve the systems necessary, to ensure good communications as prescribed in paragraph (1) of the preceding Article.

- (2) The Minister of Internal Affairs and Communications may request the cooperation of licensees, etc. when taking measures as prescribed in the preceding paragraph.

(Revocation of a Radio Station License)

Article 75 (1) In the cases set forth in the following items, the Minister of Internal Affairs and Communications must revoke the radio station licenses respectively specified in those items:

- (i) when a licensee becomes a person that is unable to hold a license pursuant to the provisions of Article 5, paragraph (1), (2), or (4): the license of the licensee that becomes a person that is unable to hold a license;
 - (ii) when the approval for an approved basic broadcasting operator conducting the operations of terrestrial basic broadcasting ceases to be valid: the license for the radio station used for the operations of that terrestrial basic broadcasting; and
 - (iii) when the licenses held by a licensee of specified terrestrial basic broadcast stations for all specified terrestrial basic broadcast stations used for the operations of the licensee's terrestrial basic broadcasting cease to be valid: the licenses for radio stations used for the operations of that terrestrial basic broadcasting which are not specified terrestrial basic broadcast stations.
- (2) Notwithstanding the provisions of the preceding paragraph, when a licensee becomes a person that is unable to hold a license pursuant to the provisions of Article 5, paragraph (1) (limited to the part pertaining to item (iv); the same applies in the following paragraph) or paragraph (4) (limited to the part pertaining to item (ii) or (iii)), the Minister of Internal Affairs and Communications, if deemed necessary in consideration of the following matters, may choose not to revoke the license for a specified period limited to the period within the remainder of the period of validity of the license:
- (i) the situation of coming to fall under Article 5, paragraph (1), item (iv) or

- paragraph (4), item (ii) or (iii);
- (ii) the effects on the matter specified in (a) or (b) below according to the category of the radio station respectively set forth in (a) or (b) brought about by the revocation of the license pursuant to the provisions of the preceding paragraph or the non-revocation of the license pursuant to the provisions of this paragraph:
 - (a) a basic broadcast station: the interests of the recipients of the basic broadcasting to which the license pertains; and
 - (b) a radio station other than a basic broadcast station: public interests; and
 - (iii) other matters specified by Order of the Ministry of Internal Affairs and Communications.
- (3) When the Minister of Internal Affairs and Communications deems that a licensee has become a person that is unable to hold a license pursuant to the provisions of Article 5, paragraph (1) or (4), the Minister must decide whether to choose not to revoke the license of the licensee pursuant to the provisions of the preceding paragraph.
- (4) When the Minister of Internal Affairs and Communications intends to make the decision referred to in the preceding paragraph, the Minister must hear the opinions of the licensee to which the decision pertains.
- (5) When the Minister of Internal Affairs and Communications has made the decision referred to in paragraph (3), the Minister must notify the licensee to which the decision pertains to that effect, accompanied by the reasons therefor (if the decision is one of not revoking the license of the licensee pursuant to the provisions of paragraph (2), a notice to that effect and the period specified pursuant to the provisions of the same paragraph).

Article 76 (1) The Minister of Internal Affairs and Communications, when a licensee, etc. has violated the provisions of this Act or the Broadcasting Act, or any orders or administrative dispositions thereunder, may order the licensee, etc. to suspend operation of the radio station for a specified period not exceeding three months, or impose a limitation on the permitted operating hours, frequencies, or antenna power for a specified period.

- (2) The Minister of Internal Affairs and Communications, when a blanket licensee or a blanket registrant has violated the provisions of this Act or the Broadcasting Act, or any orders or administrative dispositions thereunder, may prohibit the new establishment of the radio station pertaining to the license or the registration pursuant to the provisions of Article 27-32, paragraph (1).
- (3) Beyond the provisions of the two preceding paragraphs, when a registrant is likely to cause harmful effects on the operation of other registered stations by using radio equipment not conforming to the technical regulations prescribed in Chapter III, or when the efficient utilization of radio waves is most likely to

be impeded due to the inappropriate operation of the registered station, the Minister of Internal Affairs and Communications may order the suspension of the operation of the radio station pertaining to that registration, or impose a limitation on the permitted operating hours, frequencies, or antenna power or prohibit the new establishment of a radio station for a specified period not exceeding three months.

(4) The Minister of Internal Affairs and Communications may revoke the license of a licensee (except a blanket licensee) who falls under any of the following items:

- (i) when suspending operation of the radio station for a period of six months or longer consecutively without due reason
- (ii) when obtaining a radio station license, receiving permission under Article 17, or changing the designated matters pursuant to the provisions of Article 19, through unlawful means
- (iii) when failing to observe any order or limitation pursuant to the provisions under paragraph (1)
- (iv) when the licensee now falls under Article 5 paragraph (3) item (i)
- (v) when the licensee of the specified terrestrial basic broadcast station no longer meets the requirements set forth under Article 7 paragraph (2) item (iv) (b).

(5) The Minister of Internal Affairs and Communications may revoke the blanket license of a licensee who falls under any of the following items:

- (i) when failing completely to commence the operation of a specified broadcast station by the deadline given in Article 27-5 paragraph (1) item (iv) (when there has been an extension of the deadline pursuant to the provisions of Article 27-6 paragraph (1), that deadline)
- (ii) when suspending operation of all the specified radio stations pertaining to a blanket license for a period of six months or longer consecutively without due reason
- (iii) when obtaining a blanket license, receiving permission under Article 27-8 paragraph (1), or changing the designated matters pursuant to the provisions of Article 27-9, through unlawful means
- (iv) when not complying with the order or limitation pursuant to the provisions of paragraph (1) or the prohibition pursuant to the provisions of paragraph (2)
- (v) when the blanket licensee now falls under Article 5 paragraph (3) item (i)

(6) The Minister of Internal Affairs and Communications may revoke the registration of a registrant who falls under any of the following items:

- (i) when obtaining the registration under Article 27-21, paragraph (1), or obtaining the registration of change under Article 27-26, paragraph (1) or Article 27-33, paragraph (1) through unlawful means

- (ii) when failing to observe an order or limitation pursuant to the provisions of paragraph (1) or a prohibition pursuant to the provisions of paragraph (2), or an order, limitation or prohibition pursuant to the provisions of paragraph (3)
 - (iii) when the registrant now falls under Article 5 paragraph (3) item (i)
- (7) Beyond the provisions of the preceding three paragraphs, when a licensee, etc. of a radio station for the purpose of conducting telecommunications services falls under any of the following items, the Minister of Internal Affairs and Communications may revoke the license, etc. thereof:
- (i) when the registration referred to in Article 9 of the Telecommunications Business Act has been refused pursuant to the provisions of Article 12, paragraph (1) of the same Act;
 - (ii) when the registration of a change referred to in Article 13, paragraph (1) of the Telecommunications Business Act has been refused pursuant to the provisions of Article 12, paragraph (1) of the same Act as applied mutatis mutandis pursuant to Article 13, paragraph (4) of the same Act (limited to the case in which the registration of a change relates to a change in a matter concerning the radio station); or
 - (iii) when the registration referred to in Article 9 of the Telecommunications Business Act is deleted pursuant to the provisions of Article 15 of the same Act.
- (8) When revoking a license pursuant to the provisions of paragraph (4) (except item (iv)) or paragraph (5) (except item (v)) or a registration pursuant to the provisions of paragraph (6) (except item (iii)), the Minister of Internal Affairs and Communications may revoke the licenses, etc. of the other radio stations granted to the person that was the licensee, etc. or the approval for the establishment plan or the radio equipment, etc. maintenance regulations of the relevant person.

Article 76-2 The Minister of Internal Affairs and Communications, with respect to specified radio stations (limited to those pertaining to the radio stations given in Article 27-2 item (i)), may reduce the designated number of radio stations when sufficient reasons are found to show that the maximum number of specified radio stations in operation simultaneously during the validity period of the blanket license is likely to fall far below the designated number of radio stations pertaining to the relevant blanket license. In this case, the Minister of Internal Affairs and Communications is to also change the frequency designation of the blanket license.

Article 76-2-2 When deemed necessary, in cases specified by Order of the Ministry of Internal Affairs and Communications, when there is a large

number of registered stations using a specific radio frequency among registered stations and a further increase in the number of registered stations using radio waves of the relevant specific frequency is likely to have serious effects on the operation of other radio stations, the Minister of Internal Affairs and Communications may prohibit the registrant using radio waves of the relevant specific frequency from establishing radio stations anew pertaining to the registration to the extent necessary to prevent those effects, or limit the operation of registered stations established by the relevant registrant.

Article 76-3 (1) Beyond cases involving changing the frequency designation pursuant to the provisions of Article 71, paragraph (1) or cases involving ordering a change of frequency, when having specified a period for using part or all of the frequencies assignable to a specific radio station classification after changing the frequency assignment plan based on the results of the effective utilization assessment or when having specified a period for using part or all of the frequencies prescribed in Article 27-12, paragraph (3), item (ii), (b) in the establishment guidelines, after the expiration of the relevant period, the Minister of Internal Affairs and Communications may change the designation of frequencies for radio stations (except registered stations) using radio waves of frequencies pertaining to the relevant period, order the registrant to change the frequencies of registered stations that are using radio waves of the relevant frequencies, or revoke the licenses, etc. of radio stations that are using radio waves of the relevant frequencies.

(2) The State must compensate the licensee, etc. of the radio station for losses resulting from the change in the frequency designation for the radio station, the order to change the frequency of the registered station, or revocation of the license, etc. of the radio station, pursuant to the provisions of the preceding paragraph.

(3) The provisions under Article 71 paragraphs (3) through (5) apply mutatis mutandis to the compensation for losses pursuant to the provisions of the preceding paragraph.

Article 77 When administrative dispositions have been taken pursuant to the provisions of Articles 75 through the preceding Article (except Article 75, paragraphs (2) through (5) and paragraphs (2) and (3) of the preceding Article), the Minister of Internal Affairs and Communications must send the licensee, etc. a notification with a statement of the reasons entered thereon.

(Prevention of the Transmission of Radio Waves)

Article 78 When the license, etc. of a radio station has lost its validity, the person who was the licensee, etc. of that radio station must without delay

dismantle the antennas and take other necessary measures as specified by Order of the Ministry of Internal Affairs and Communications to prevent the transmission of radio waves.

(Revocation of Radio Operators' Licenses)

Article 79 (1) The Minister of Internal Affairs and Communications may revoke a radio operator's license, or order a radio operator to cease engaging in that service for a specified period not exceeding three months, if the radio operator falls under any of the following items:

- (i) when violating the provisions of this Act or any orders under this Act, or administrative dispositions thereunder
- (ii) when obtaining the radio operator's license through unlawful means
- (iii) when the situation now falls under Article 42 item (iii)

(2) The provisions of the preceding paragraph (except item (iii)) apply mutatis mutandis to a person who holds a ship station radio operator certificate. In this case, "radio operator's license" in the same paragraph is deemed to be replaced with "ship station radio operator certificate."

(3) The provisions of Article 77 applies mutatis mutandis to revocation or suspension pursuant to the provisions of paragraph (1) (including cases where applied mutatis mutandis pursuant to the preceding paragraph).

(Suspension of Validity of Ship Station Radio Operator Certification)

Article 79-2 (1) When a person who has been required to submit a document pursuant to the provisions of Article 81-2 paragraph (2) fails to submit the document, the Minister of Internal Affairs and Communications may suspend the validity of the ship station radio operator certification.

(2) The Minister of Internal Affairs and Communications, upon the submission of the document as prescribed in the preceding paragraph after the validity of a ship station radio operator certification has been suspended pursuant to the preceding paragraph, may terminate the suspension without delay.

(3) The provisions of Article 77 apply mutatis mutandis to the suspension pursuant to the provisions of paragraph (1).

(Reporting)

Article 80 Any licensee, etc. of a radio station must report to the Minister of Internal Affairs and Communications by the procedures specified by Order of the Ministry of Internal Affairs and Communications in the following cases:

- (i) when conducting distress, urgency, safety, or emergency traffic (including cases where it is conducted by a person other than a licensee, etc., who is appointed to operate the radio station pursuant to the provisions of Article 70-7 paragraph (1), Article 70-8 paragraph (1) or Article 70-9 paragraph (1))

- (ii) when recognizing any other radio station operated in violation of the provisions of this Act or any orders thereunder
- (iii) when, in a foreign country, a radio station is restricted from operating beyond the scope of a public notice issued in advance by the Minister of Internal Affairs and Communications

Article 80-2 A licensee (limited to one that is a corporation or organization, and except one specified by Order of the Ministry of Internal Affairs and Communications) of a basic broadcast station (except a radio station that transmits the relay-broadcasting for preventing reception obstructions prescribed in Article 5, paragraph (5), satellite basic broadcasting, or terrestrial basic broadcasting for mobile reception) must, for each period specified by Order of the Ministry of Internal Affairs and Communications, report the following matters with regard to that period to the Minister of Internal Affairs and Communications, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications:

- (i) the implementation status of measures taken for not falling under Article 5, paragraph (4), item (ii) or (iii) (in the case of a licensee of a basic broadcast station that transmits community broadcasting, item (ii) of the same paragraph);
- (ii) if there was the change specified by Order of the Ministry of Internal Affairs and Communications referred to in Article 17, paragraph (2), item (ii) to the matters set forth in Article 6, paragraph (2), item (ix), the details of the change; and
- (iii) other matters specified by Order of the Ministry of Internal Affairs and Communications as matters concerning not falling under Article 5, paragraph (4), item (ii) or (iii).

Article 81 When deemed necessary for the purpose of maintaining order in radio communications or ensuring the proper operation of radio stations, the Minister of Internal Affairs and Communications may request a licensee, etc. to report on the radio station.

Article 81-2 (1) When deemed necessary to enforce this Act, the Minister of Internal Affairs and Communications may request a person who holds a ship station radio operator certification to report on the ship station radio operator certification.

(2) When it is suspected that a person holding a ship station radio operator certification falls under Article 48-3 item (i) or (ii), the Minister of Internal Affairs and Communications may, specified by Order of the Ministry of Internal Affairs and Communications, request the person to submit documents

specified by Order of the Ministry of Internal Affairs and Communications to determine the validity of the ship station radio operator certification.

(Supervision of Radio Stations Requiring No License, and Receiving Equipment)

Article 82 (1) When radio waves transmitted from radio equipment in the radio stations set forth in Article 4 items (i) through (iii) (hereinafter referred to as "radio stations requiring no license, etc.") or radio waves or high frequency currents incidentally transmitted from receiving equipment in the relevant radio stations cause successive and serious obstruction to the function of other radio equipment, the Minister of Internal Affairs and Communications may order the person who holds or occupies the equipment to take necessary measures to eliminate the obstruction.

(2) When deemed particularly necessary after issuing an order to take measures as prescribed in the preceding paragraph for radio equipment in any radio station requiring no license, etc. or for receiving equipment other than receiving equipment for the purpose of receiving broadcasts, the Minister of Internal Affairs and Communications may dispatch ministerial staff to the place where the equipment is located to inspect the equipment.

(3) The provisions of Article 39-9 paragraphs (2) and (3) apply mutatis mutandis to the inspection specified in the preceding paragraph.

Chapter VII Filing an Objection and Lawsuits

(Procedure for Filing an Objection)

Article 83 Any person who files an objection against an administrative disposition taken by the Minister of Internal Affairs and Communications pursuant to the provisions of this Act or any orders thereunder must submit one original and one copy of the written objection.

Article 84 (Deleted)

(Reference to the Radio Regulatory Council)

Article 85 When an objection is filed pursuant to the provisions of Article 83, the Minister of Internal Affairs and Communications, unless the objection is rejected, must submit it without delay to the Radio Regulatory Council.

(Commencement of Proceedings)

Article 86 The Radio Regulatory Council, within thirty days of the day on which it received the filing of an objection, must commence proceedings on the matter referred to the Council pursuant to the provisions of the preceding Article.

Article 87 The proceedings may be presided over by a proceedings officer whom the Radio Regulatory Council nominates on specifying the matter to be dealt with. However, this does not apply to cases where the Council nominates one of its members to preside over the proceedings when the matter is particularly important.

Article 88 (1) The proceedings commences with the delivery of a notice of the commencement of proceedings to the objector in the name of the proceedings officer (or the member of the Radio Regulatory Council, in the case of the proviso to the preceding Article; hereinafter the same applies), on which the purport, date and place of the proceedings and a request for an appearance by the objector are entered.

(2) When a notice of the commencement of proceedings has been sent out, the Minister must issue a public notice stating the purport of the matter and the date and place of the proceedings, and notify interested parties whose names and whereabouts are known.

(Participants)

Article 89 (1) The interested parties with the permission of the proceedings officer, may be involved in the procedures for the proceedings as participants.

(2) The proceedings officer may, when deemed necessary, request the interested parties to be involved in the procedures for the proceedings as participants.

(Proxy and Designated Officers)

Article 90 (1) The interested parties may appoint lawyers and other appropriate persons as their proxies.

(2) The Minister of Internal Affairs and Communications may appoint a ministerial staff member (hereinafter referred to as an "appointed officer") to be involved in the procedures for the proceedings.

(3) Any proxy under paragraph (1) may fully act in the proceedings on behalf of the objector, participants, or appointed officer.

(Expression of Opinions)

Article 91 (1) The objector, participants, or appointed officer may attend the proceedings and express their opinions.

(2) In the preceding paragraph, the objector and participants, with the permission of the proceedings officer, may attend the proceedings accompanied by their assistants.

(3) The proceedings officer, when deemed necessary for the proceedings, may request the objector, participants, or appointed officer, to state their opinions.

(Submission of Documents as Evidence)

Article 92 The objector, participants, or appointed officer may submit both documentary and physical evidence at the proceedings. However, when the proceedings officer specifies a reasonable period for submission of documentary or physical evidence, that evidence must be submitted within that specified period.

(Request for Statement and Appraisal by Witnesses)

Article 92-2 The proceedings officer may, at the request of the objector, participants, or appointed officer, or ex officio, require any person deemed appropriate to attend the proceedings as a witness to state the known facts or make an appraisal. In this case, the objector, participants, and appointed officer may also request the witness to make a statement.

(Request for Submission of Articles)

Article 92-3 The proceedings officer, at the request of the objector, participants, or appointed officer, or ex officio, may request the possessor of any relevant documents or other articles to submit them and may retain them.

(Inspection)

Article 92-4 (1) The proceedings officer may, at the request of the objector, participants, or appointed officer, or ex officio, conduct an on-the-spot inspection of a relevant place.

(2) When conducting an on-the-spot inspection under the preceding paragraph at the request of the objector, participants or appointed officer, the proceedings officer must notify in advance the person requesting the inspection of the date and place of the inspection to give them the opportunity to attend the inspection.

(Hearings Involving the Objector or Participants)

Article 92-5 The proceedings officer, at the request of the objector, participants, or appointed officer, or ex officio, may conduct hearings involving the objector or any of the participants. In this case, the provisions of the second sentence of Article 92-2 apply mutatis mutandis.

(Record and Written Opinion)

Article 93 (1) The proceedings officer must make a record of the proceedings.

(2) The proceedings officer must prepare a written opinion based on the record specified under the preceding paragraph, and submit the written opinion along with the relevant record to the Radio Regulatory Council.

(3) The Radio Regulatory Council is to offer certified copies of the record specified in paragraph (1) and of the written opinions specified in the preceding paragraph for public perusal.

(Return of Documents Submitted as Evidence)

Article 93-2 The proceedings officer, having submitted a written opinion pursuant to the provisions of paragraph (2) of the preceding Article, must return without delay the documentary or physical evidence submitted pursuant to the provisions of Article 92 and the documents or other articles submitted in response to the request pursuant to the provisions of Article 92-3, to the person who submitted them.

(Limitation of Appeal)

Article 93-3 No one may request for administrative review of an administrative disposition or its inaction which the proceedings officer has made in the procedures for the proceedings.

(Resolution)

Article 93-4 The Radio Regulatory Council must pass a resolution as a draft decision on the matter based on the record and written opinions specified in Article 93.

(Suspension of the Execution of an Administrative Disposition)

Article 93-5 When an appeal is filed pursuant to the provisions of Article 25 paragraph (2) of the Administrative Complaint Review Act (Act No. 68 of 2014), against a disposition pertaining to the matter referred to the Radio Regulatory Council pursuant to the provisions of Article 85, the Minister of Internal Affairs and Communications must take into account the opinions of the Radio Regulatory Council.

(Decision)

Article 94 (1) When the resolution specified in Article 93-4 is made, the Minister of Internal Affairs and Communications, based on the resolution, makes a final decision on the filing of the objection, within seven days of the passing of the resolution.

(2) The matter authorized by the Radio Regulatory Council through the proceedings must be entered in the written decision.

(3) When making a decision, the Minister of Internal Affairs and Communications must observe the provisions of Article 51 of the Administrative Complaint Review Act, and send a certified copy of the written decision to each of the participants pursuant to the provisions of Article 89.

(Traveling and Other Expenses for Witnesses)

Article 95 A witness requested to attend proceedings pursuant to the provisions of Article 92-2 is to receive the amounts for traveling expenses, daily allowance, and lodging charges specified by Cabinet Order.

(Entrustment to Order of the Ministry of Internal Affairs and Communications)

Article 96 Beyond the provisions in this Chapter, other procedures relating to the proceedings are specified by Order of the Ministry of Internal Affairs and Communications.

(Filing of an Action)

Article 96-2 Any person who is dissatisfied with an administrative disposition by the Minister of Internal Affairs and Communications pursuant to the provisions of this Act or orders thereunder, may only file litigation to rescind the decision on the filing of the objection against the administrative proposition.

(Exclusive Jurisdiction)

Article 97 The litigation (except litigation against a decision to reject the filing of an objection) under the preceding Article falls under the exclusive jurisdiction of the Tokyo High Court.

(Submission of Records)

Article 98 When litigation under the preceding article has been filed, the court must request the Minister of Internal Affairs and Communications to submit records related to the relevant case without delay.

(Binding Effect of Fact Finding)

Article 99 (1) With respect to the litigation under Article 97, the lawful findings of the Radio Regulatory Council are binding on the court when there is substantial evidence to prove that the fact exists.

(2) Evaluation of the evidence prescribed in the preceding paragraph is left to the discretion of the court.

Chapter VII-2 The Radio Regulatory Council

(Establishment)

Article 99-2 The Radio Regulatory Council is established in the Ministry of Internal Affairs and Communications, to ensure fair and efficient

administrative operation of matters relating to radio waves and the broadcasting provided for in Article 2 item (i) of the Broadcasting Act in order to handle the matters that are attributed to the authority of the Council pursuant to the provisions of this Act and the Broadcasting Act.

(Organization)

- Article 99-2-2 (1) The Radio Regulatory Council is composed of five members.
- (2) The Radio Regulatory Council has a chairperson, who is elected by a mutual vote among the members.
- (3) The chairperson presides over the operation of the Council.
- (4) The Radio Regulatory Council must nominate a vice-chairperson from the members, who is to act on behalf of the chairperson in the event that the chairperson is unable to fulfill their duties.

(Appointment of Members)

- Article 99-3 (1) The members of the Radio Regulatory Council are to be appointed by the Minister of Internal Affairs and Communications with the consent of both the House of Representatives and the House of Councillors from persons possessing the experience and knowledge necessary to make fair judgments from the standpoint of the public welfare.
- (2) When the term of office of a member expires or when there is a vacancy among the members, the Minister of Internal Affairs and Communications, notwithstanding the provisions of the preceding paragraph, may appoint a person as a member without the consent of both the House of Representatives and the House of Councillors when it is impossible to obtain the consent of both Houses for the appointment of the member due to the Diet being in the closed period or due to the House of Representatives being dissolved. In this case, the Minister of Internal Affairs and Communications must obtain the consent of both Houses during the first Diet session after the appointment.
- (3) Any person who falls under any of the following items is not eligible to become a member of the Radio Regulatory Council:
- (i) any person who has been sentenced to imprisonment or a severer penalty;
 - (ii) any person who has been subjected to disciplinary dismissal as a national public employee within a period of two years since the day of dismissal;
 - (iii) any person that is a broadcasting operator provided for in Article 2, item (xxvi) of the Broadcasting Act, a certified broadcasting holding company provided for in item (xxvii) of the same Article, a paid broadcasting management operator provided for in Article 152, paragraph (2) of the same Act, a telecommunications carrier prescribed in Article 2, item (v) of the Telecommunications Business Act (limited to a person who installs telecommunications circuit facilities (referring to transmission circuit

facilities connecting transmitting points with receiving points, switching facilities installed as inseparable units therefrom, and ancillary facilities of those facilities)), a manufacturer or a dealer in radio equipment, or an officer of a corporation, when the person is a corporation (referring to a person, whatever their title may be, who has authority or management power equal to or above that of the officer; the same applies in this Article), or a holder of one tenth or more of the voting rights in the corporation (including any person who falls under the categories above within a year prior to the day of appointment); or

(iv) any person who is an officer of any of the entities set forth in the preceding item (including any person who falls under any of the above within a year prior to the day of appointment).

(Service Regulations)

Article 99-4 The provisions of Articles 96, Articles 98 through 102, and Article 105 of the National Public Service Act (Act No. 120 of 1947) apply mutatis mutandis to the members of the Radio Regulatory Council.

(Term of Office)

Article 99-5 (1) A member's term of office is three years. However, a member who has been appointed to fill a vacancy holds the office for the remainder of the predecessor's term.

(2) Any member may be reappointed.

(Retirement)

Article 99-6 Any member of the Radio Regulatory Council naturally loses their membership if the appointment fails to obtain the consent of both the House of Representatives and the House of Councillors pursuant to the provisions of the second sentence in Article 99-3 paragraph (2).

(Dismissal)

Article 99-7 In the event that any member of the Radio Regulatory Council falls under any of the items of Article 99-3 paragraph (3), the Minister of Internal Affairs and Communications is to dismiss the member.

Article 99-8 When determining that a member is incapable of performing their duties due to a mental or physical deficiency, or that a member has committed nonfeasance of duties or any other misconduct not befitting membership of the Council, the Minister of Internal Affairs and Communications may dismiss the member with the consent of both the House of Representatives and the House of Councillors.

(Restrictions on Employment Following Retirement)

Article 99-9 No person who has been a member of the Radio Regulatory Council must obtain any post set forth in Article 99-3 paragraph (3) items (iii) and (iv) within a period of one year from the day of their retirement.

(Meetings and Procedures)

Article 99-10 (1) The Radio Regulatory Council may neither hold a meeting nor pass a resolution, unless three or more members, including the chairperson, attend the meeting.

(2) The Council is to decide on matters by a majority vote of the members present. If the voting is equal, the presiding chairperson has the final decision.

(Mandatory Consultation)

Article 99-11 (1) The Minister of Internal Affairs and Communications must consult with the Radio Regulatory Council in any of the following matters:

(i) establishment or abolition of Order of the Ministry of International Affairs and Communications pursuant to the provisions of Article 4, items (i) through (iii) (Radio Stations Requiring No License, etc.), Article 4-2, paragraph (1), paragraph (2) (limited to those pertaining to the specifying of a radio station in consideration of conditions such as usage and frequency), and paragraph (3) (Conditions for Deeming Radio Equipment as Radio Equipment with a Conformity Mark), Article 4-3 (Designation of Call Signs or Call Names), Article 6, paragraph (8) (Period of Application for a Radio Station License), Article 7, paragraph 1, item (iv) (Essential Standards for Establishment of Radio Stations Other Than Basic Broadcast Stations), paragraph (2), item (vii), (c) of the same Article (Standards for Radio Stations Transmitting Radio Communications Other Than Those of Basic Broadcasting in Addition to the Basic Broadcasting), item (viii) of the same paragraph (Essential Standards for Establishment of Basic Broadcast Stations), Article 8, paragraph (1), item (iii) (Identification Signal), the proviso to Article 9, paragraph (1) (Changes in Construction Designs Not Requiring Permission), paragraph (4) of the same Article, and Article 17, paragraph (1) (Changes to the Matters Set Forth in Article 6, Paragraph (2), Item (vi)), Article 13, paragraph (1) (Validity Period of Licenses for Radio Stations), Article 15 (Simplified Licensing Procedures), Article 24-2, paragraph (4), item (ii) (Registration of Inspectors), Article 26-2, paragraph (1) (Survey of Actual Radio Spectrum Utilization), Article 26-3, paragraph (1), item (iv) (Assessment Matters of Effective Utilization Assessment), Article 27-2 (Specified Radio Station), Article 27-4, item (iii) (Essential Standards for Establishment of Specified Radio Stations), Article 27-5, paragraph (3)

(Validity Period of the Blanket License), Article 27-6, paragraph (3) (Notification of the Establishment, etc. of Specified Radio Stations), Article 27-12, paragraph (2), item (i) (Standards on the Degree of Effective Utilization of Radio Waves), the proviso to Article 27-13, paragraph (1) (Matters Concerning Proposers), paragraph (2) of the same Article (Matters to Take into Consideration for Deciding Whether It Is Necessary to Establish Establishment Guidelines), Article 27-14, paragraph (7) (Validity Period of Establishment Plan Authorization), Article 27-16, paragraph (2), item (iii) (Matters to Take into Consideration for a Grace Period for Revocation of Approval for an Establishment Plan), Article 27-21, paragraph (1) (Registration), Article 27-24 (Validity Period of Registration), Article 27-26, paragraph (1) (Minor Changes Not Requiring Registration), Article 27-33, paragraph (1) (Minor Changes Concerning Blanket Registrants Not Requiring Registration), Article 27-34, (Notification of Establishment of Radio Stations), Article 27-38, paragraph (1) (Mediation and Arbitration by the Telecommunications Dispute Resolution Committee), Article 28 (including cases where applied mutatis mutandis pursuant to Article 100, paragraph (5)) (Quality of Radio Waves), Article 29 (Requirements for Receiving Equipment), Article 30 (including cases where applied mutatis mutandis pursuant to Article 100 paragraph (5)) (Safety Devices), Article 31 (Installation of a Frequency Measuring Instrument), Article 32 (Installation of Meters and Spare Components), Article 33 (Apparatus for Radio Equipment on Compulsory Ship Stations), Article 35 (Requirements for Radio Equipment on Compulsory Ship Stations, etc.), Article 36 (Requirements for Compulsory Aircraft Stations), Article 37 (Approval of Apparatus for Radio Equipment), Article 38 (including cases where applied mutatis mutandis pursuant to Article 100, paragraph (5)) (Technical Regulations), Article 38-2-2, paragraph (1) (Specified Radio Equipment), Article 38-3, paragraph (1), item (ii) (Criteria for Registration), Article 38-33, paragraph (1) (Special Specified Radio Equipment), Article 39, paragraphs (1) through (3), and paragraphs (5), and (7) (Operation of Radio Equipment), the proviso to Article 39-13 (Operation of Radio Equipment in Amateur Radio Stations), Article 41, paragraph (2), items (ii) through (iv) (Regulations for Authorization Related to Training Courses for Radio Operators, etc.), Article 47 (Conducting an Examination Service), Article 48-3, item (i) (Loss of Validity of Authorization as a Ship Station Radio Operator), Article 49 (Details of State Examinations, etc.), Article 50 (Stationing of a Distress Traffic Operator in Charge), Article 52, items (i) through (iii) and item (vi) (Utilization Beyond Purpose), Article 55 (Operation Beyond Permitted Operating Hours), Article 61 (Methods of Communication), Article 65 (Watchkeeping Obligations), Article 66, paragraph (1) (Distress Traffic),

- Article 67, paragraph (2) (Urgency Traffic), Article 70-4 (Watchkeeping Obligations), Article 70-5 (Communications for Aircraft Stations), Article 70-5-2, paragraph (2), item (i) and the proviso to paragraph (3) (Approval for Radio Equipment, etc. Maintenance Regulations), Article 70-8, paragraph (1) (Radio Stations Which May Allow Operation through Easy Operations by a Person Other Than the Licensee), Article 71-3, paragraph (4) (including cases where applied mutatis mutandis pursuant to Article 71-3-2, paragraph (11)) (Standards Concerning Provision of Compensation), Article 73, paragraph (1) (Inspection), paragraph (3) of the same Article (limited to those pertaining to the provisions of radio stations for which it is necessary to ensure proper operation to ensure the safety of individuals' lives and bodies) (Radio Stations Requiring a National Periodic Inspection), Article 75, paragraph (2), item (iii) (Matters to Take into Consideration for a Grace Period for Revocation of a Radio Station License), Article 78 (including cases where applied mutatis mutandis pursuant to Article 4-2, paragraph (5)) (Measures to Prevent the Transmission of Radio Waves), Article 100, paragraph (1), item (ii) (Equipment Utilizing High Frequency Current), Article 102-11, paragraph (4) (Radio Stations for Which It Is Necessary to Ensure Proper Operation), Article 102-13, paragraph (1) (Designation of Radio Equipment Using Specified Frequencies), Article 102-14, paragraph (1) (Notification in Sales of Designated Radio Equipment, etc.), Article 102-14-2 (Utilization of Information Communications Technology), Article 102-18, paragraph (1) (Measuring Instruments), paragraph (9) of the same article (Conducting a Calibration Service), and the proviso to Article 103-2, paragraph (7) and paragraph (11) (Collection of Spectrum User Fees);
- (ii) on establishing or changing the plan for the usage of frequencies allocated to basic broadcasting pursuant to the provisions of Article 7, paragraph (3) or paragraph (4), establishing or changing the frequency assignment plan under Article 26, paragraph (1) (except the part pertaining to paragraph (2), item (iv) of the same Article), establishing or changing the establishment guidelines under Article 27-12, paragraph (1), deciding whether it is necessary to establish establishment guidelines under Article 27-13, paragraph (2), and determining or changing notified specified stations under Article 71-2, paragraph (2);
- (iii) on revoking the approval of an establishment plan pursuant to the provisions of Article 27-16, paragraph (6) or (7), revoking a license, etc. of a radio station pursuant to the provisions of the same paragraph, revoking the designation of a designated training agency, a designated examination agency, a designated frequency change support agency, a center, or a designated calibration agency pursuant to the provisions of Article 39-11, paragraph (2) (including cases where applied mutatis mutandis pursuant to

Article 47-5, Article 71-3, paragraph (11), Article 102-17, paragraph (5), and Article 102-18, paragraph (13)), ordering the dismissal of officers of a designated examination agency or a designated frequency change support agency, or of examination executors at a designated examination agency or calibrators at a designated calibration agency pursuant to the provisions of Article 47-2, paragraph (3) (including cases where applied mutatis mutandis pursuant to Article 71-3, paragraph (11) and Article 102-18, paragraph (13)), revoking an approval for radio equipment, etc. maintenance regulations pursuant to the provisions of Article 70-5-2, paragraph (7) or (8), revoking a radio station license pursuant to the provisions of Article 76, paragraph (4), (5), (7), or (8), revoking an approval for an establishment plan or radio equipment, etc. maintenance regulations pursuant to the provisions of the same paragraphs, or revoking registration under Article 27-21, paragraph (1) pursuant to the provisions of paragraph (6), (7), or (8) of the same Article; or reducing the designated number of radio stations and changing the designation of frequencies pursuant to the provisions of Article 76-2, prohibiting the establishment of radio stations pertaining to registration or limitations on the operation of registered stations pursuant to the provisions of Article 76-2-2, or changing the designation of frequencies for radio stations, ordering a change in frequencies for registered stations, or revoking radio station licenses, etc., pursuant to the provisions of Article 76-3, paragraph (1); or revoking a radio operator license or ship station radio operator certificate pursuant to the provisions of Article 79, paragraph (1) (including cases where applied mutatis mutandis pursuant to Article 79, paragraph (2)); (iv) on issuing a license pursuant to the provisions of Article 4 (limited to the renewed license of a radio station transmitting terrestrial basic broadcasting), issuing a provisional license for a radio station pursuant to the provisions of Article 8, giving permission to make changes in construction design pursuant to the provisions of Article 9, paragraph (1), giving permission for making changes in the purpose of the radio station, broadcasting matters, or the matters set forth in Article 6, paragraph (2), item (vi) pursuant to the provisions of paragraph (4) of the same Article or Article 17, paragraph (1), issuing a blanket license pursuant to the provisions of Article 27-5, paragraph (1), giving permission for making changes in the purpose of the specified radio station pursuant to the provisions of Article 27-8, paragraph (1) or giving approval to an establishment plan pursuant to the provisions of Article 27-14, paragraph (1), designating a training agency pursuant to Article 39-2, paragraph (1), designating an examination agency pursuant to the provisions Article 46, paragraph (1), granting an approval for radio equipment, etc. maintenance regulations under the provisions of Article 70-5-2, paragraph (1), changing

- the designation of frequencies, etc. of radio stations or ordering a change in the frequencies, etc. for registered stations or the location of radio equipment on artificial satellite stations pursuant to the provisions of Article 71, paragraph (1), designating a frequency change support agency pursuant to the provisions of Article 71-3, paragraph (1), designating a radio propagation obstruction prevention area pursuant to the provisions of Article 102-2, paragraph (1), designating the center pursuant to the provisions of Article 102-17, paragraph (1), or designating a calibration agency pursuant to the provisions of Article 102-18, paragraph (1); and
- (v) notice pursuant to the provisions of Article 38-2, paragraph (2) (including cases as applied mutatis mutandis pursuant to Article 100, paragraph (5)).
- (2) Of the matters set forth in each of the items of the preceding paragraph (except for item (iii)), the Minister of Internal Affairs and Communications may take measures without consulting the Radio Regulatory Council for matters which the Council determines to be minor.

(Hearing)

- Article 99-12 (1) When consultation is requested pursuant to the provisions of item (iii) of paragraph (1) of the preceding Article, the Radio Regulatory Council must hold a hearing.
- (2) Beyond the provision of the preceding paragraph, the Radio Regulatory Council may hold a hearing when deemed necessary if the Minister requests consultation pursuant to the provisions of the items of paragraph (1) of the preceding Article (except for item (iii)).
- (3) The hearing provided for in the preceding two paragraphs commences with a public notice granted in the name of the proceedings officer (or a member of the Council in the case of the proviso to Article 87, as applied mutatis mutandis pursuant to paragraph (6); hereinafter the same applies) of the purport and the date and place of the hearing. However, if the matter involves an administrative disposition made to a particular person, a hearing commencement notification is sent to that person, indicating the purport and the date and place of the hearing, as well as a request that that person appears at the hearing.
- (4) As a proviso to the preceding paragraph, a public notice must be issued indicating the purport of the hearing and the date and place of the hearing.
- (5) Any person interested in the hearing as prescribed under paragraphs (1) and (2) (except matters pertaining to adverse dispositions prescribed in Article 2 item (iv) of the Administrative Procedure Act (Act No. 88 of 1993)), (referred to simply as "adverse dispositions" in paragraphs (6) and (8)), may attend on the day of the hearing and express their opinion, upon receipt of a permit from the proceedings officer.

- (6) The provisions of Article 87, Articles 90 through 93-3, and Article 96 applies mutatis mutandis to the hearing provided for under paragraphs (1) and (2), and the provisions of Article 89 and the Administrative Procedure Act Article 18 applies mutatis mutandis to the hearing provided for under paragraphs (1) and (2) pertaining to adverse dispositions. In these cases, "the objector" in Article 90 paragraph (3) is deemed to be replaced with "the persons who received a hearing commencement notification under the proviso to Article 99-12 paragraph (3) (where at the hearing pertaining to dispositions to order a designated examination agency to dismiss its officer or examination executor, or a designated frequency change support agency to dismiss its officer or a designated calibration agency to dismiss its calibrator pursuant to the provisions of Article 47-2 paragraph (3) (including cases where applied mutatis mutandis pursuant to Article 71-3 paragraph (11) and Article 102-18 paragraph (13)), persons who have received a hearing commencement notification under the proviso to Article 99-12 paragraph (3), and the relevant officer, the relevant examination executor, or the relevant calibrator; collectively referred to as "the party" hereinafter through Article 92-5)"; "the objector" in the provisions of Article 91 through 92-5 is deemed to be replaced with "the party"; "this Chapter" in Article 96 is deemed to be replaced with "Article 99-12"; and in Article 18 paragraph (1) of the Administrative Procedure Act, "the party" is deemed to be replaced with "the party under Article 90 paragraph (3) of the Radio Act replaced and applied mutatis mutandis pursuant to Article 99-12 paragraph (6) of the same Act"; "the participants" is deemed to be replaced with "the participants under Article 89 paragraphs (1) or (2) of the same Act, as applied mutatis mutandis pursuant to Article 99-12 paragraph (6) of the same Act"; and "the hearing notification" is deemed to be replaced with "sending to the person a hearing commencement notification as prescribed in the proviso to Article 99-12 paragraph (3) of the same Act."
- (7) The Radio Regulatory Council must resolve matters for which the Council has held a hearing pursuant to the provisions of paragraphs (1) or (2) based upon the record and written opinions of Article 93, as applied mutatis mutandis pursuant to the preceding paragraph.
- (8) The provisions of Chapter III (except Articles 12 and 14) of the Administrative Procedure Act do not apply to an administrative disposition made after proceeding with the hearings under the provisions of paragraph (1) or (2), which falls under adverse dispositions.

(Recommendations)

Article 99-13 (1) The Radio Regulatory Council may make necessary recommendations to the Minister of Internal Affairs and Communications with

respect to matters concerning effective utilization assessment and the matters set forth in the items of Article 99-11, paragraph (1).

- (2) Upon receipt of recommendations under the preceding paragraph, the Minister of Internal Affairs and Communications must make the content public.
- (3) The Minister of Internal Affairs and Communications must report to the Radio Regulatory Council on measures taken based on the recommendations referred to in paragraph (1).

(Proceedings Officers)

Article 99-14 (1) The Radio Regulatory Council appoints no more than five proceedings officers.

- (2) The proceedings officers presides over the proceedings prescribed in the preceding Chapter (including cases where applied mutatis mutandis pursuant to Article 180 of the Broadcasting Act), or the procedures for the hearings prescribed under Article 99-12 or Article 178 of this Act.
- (3) The proceedings officers are appointed by the Minister of Internal Affairs and Communications following a resolution of the Radio Regulatory Council.

(Entrustment to Cabinet Order)

Article 99-15 Beyond what is specified in this Chapter, the organization and members of the Radio Regulatory Council and other necessary matters concerning the Radio Regulatory Council are specified by Cabinet Order.

Chapter VIII Miscellaneous Provisions

(Equipment Utilizing High Frequency Current)

Article 100 (1) Any person who wishes to install the following equipment must obtain permission from the Minister of Internal Affairs and Communications:

- (i) telegraphy, telephony, or other communications equipment that conducts high frequency current at frequencies of 10 kHz or higher through electric lines (except cable carrier equipment, twin twisted wire balanced type carrier equipment, or other communications equipment specified by Order of the Ministry of Internal Affairs and Communications)
 - (ii) equipment other than radio equipment and the equipment in the preceding item, which utilizes electric current at a frequency of 10 kHz or higher and is specified by Order of the Ministry of Internal Affairs and Communications
- (2) Upon receipt of an application for permission under the preceding paragraph, the Minister of Internal Affairs and Communications must permit the construction in the application after determining that the application conforms to the technical regulations in Articles 28, 30, or 38, as applied mutatis mutandis pursuant to paragraph (5), and that the use of frequencies pertaining

to the application causes no interference with other communications (including monitoring of radio waves by the Minister of Internal Affairs and Communications at places specified by public notices issued by the Minister of Internal Affairs and Communications).

- (3) When a person who has obtained permission under paragraph (1) transfers the equipment to another person, or is involved in inheritance, company merger, or company split (limited to cases where the relevant equipment is transferred), the transferee of the relevant equipment or the inheritor thereof, the surviving corporation after the company merger or the new corporation established by the company merger, or the corporation who has assumed the relevant equipment by company split must assume the status of the person who has obtained permission in the same paragraph.
- (4) Any person who has assumed the status of a person who has obtained permission under paragraph (1) pursuant to the provisions of the preceding paragraph must notify the Minister of Internal Affairs and Communications without delay of the fact along with documents that verify it.
- (5) The provisions of Article 14 paragraphs (1) and (2) (Certificates for Radio Station Licenses), Article 17 (Permission for Changes), Article 21 (Correction to a Certificate for a Radio Station License), Articles 22 and 23 (Abolition of Radio Stations), Article 24 (Return of a Certificate for a Radio Station License), Article 28 (Quality of Radio Waves), Article 30 (Safety Devices), Article 38 (Technical Regulations), Article 38-2 (Proposal of the Formulation, etc. of the Technical Standards for Radio Equipment), Article 71-5 (Technical Standards Conformity Order), Article 72 (Suspension of Transmission of Radio Waves), Article 73 paragraphs (5) and (7) (Inspection), Articles 76 and 77 (Revocation of a Radio Station License), and Article 81 (Reporting) apply *mutatis mutandis* to the equipment for which permission has been obtained pursuant to the provisions of paragraph (1).

(Protection of the Functions of Radio Equipment)

Article 101 The provisions of Article 82 paragraph (1) applies *mutatis mutandis* to cases where the radio waves or high frequency current incidentally transmitted by any equipment other than radio equipment (except the equipment in the preceding Article) causes successive and serious obstruction to the functions of radio equipment.

Article 102 (1) Any person who wishes to construct, at a place within one kilometer of the site of radio direction finding equipment installed by the Minister of Internal Affairs and Communications, any buildings or structures specified by Order of the Ministry of Internal Affairs and Communications which may cause obstructions in the electronic or magnetic field must notify

the Minister of Internal Affairs and Communications of that construction in advance.

- (2) The Minister of Internal Affairs and Communications is to issue a public notice of the sites of the radio direction finding equipment in the preceding paragraph.

(Designation of Radio Propagation Obstruction Prevention Areas)

Article 102-2 (1) When determined necessary for the purpose of preventing any obstruction to the radio propagation in the radio propagation route for radio communications on frequencies of 890 MHz or higher between specific fixed points, which fall under any of the following items (hereinafter referred to as "important radio communications"), the Minister of Internal Affairs and Communications, within the scope of necessity in order to ensure important radio communications, may designate an area up to one hundred meters wide on each side of the estimated center line of the plane on the ground along the radio propagation route as a radio propagation obstruction prevention area:

- (i) radio communications by means of radio equipment in a radio station used for a telecommunications service
 - (ii) radio communications by means of radio equipment in a radio station used for a broadcasting service
 - (iii) radio communications by means of radio equipment used for a service for the purpose of protecting lives or property or of maintaining public peace and order
 - (iv) radio communications by means of radio equipment used for a meteorological service
 - (v) radio communications by means of radio equipment used for an electrical power supply service pertaining to the electricity business
 - (vi) radio communications by means of radio equipment used for the operation of trains pertaining to the railway business
- (2) The designation of a radio propagation obstruction prevention area pursuant to the provisions of the preceding paragraph must become valid with the issuing of a public notice specified by Cabinet Order.
- (3) Specified by Cabinet Order, the Minister of Internal Affairs and Communications must provide the offices of the Ministry of Internal Affairs and Communications and of relevant local public entities with charts showing radio propagation obstruction prevention areas pertaining to the public notice under the preceding paragraph for public inspection.
- (4) When there is no longer any reason for a designation of a radio propagation obstruction prevention area pertaining to the public notice specified in paragraph (2) pursuant to the provisions of paragraph (1), the Minister of Internal Affairs and Communications must cancel the designation without

delay.

(Notification of Construction of Tall Buildings and Structures within Radio Propagation Obstruction Prevention Areas)

- Article 102-3 (1) Any person that makes a contract with a constructor or carries out the construction personally (hereinafter referred to simply as a "building owner") for any construction that involves an act which falls under any of the following items (hereinafter referred to as the "specified act") within a radio propagation obstruction prevention area pertaining to the public notice in paragraph (2) of the preceding Article (including cases where the construction extends not only the area but also other areas), as specified by Order of the Ministry of Internal Affairs and Communications, must notify the Minister of Internal Affairs and Communications in writing prior to starting or having the contractor (including subcontractors; hereinafter the same applies) start the construction pertaining to the specified act, with regard to those details of the structure pertaining to the specified act, including the location of the site and its height, form, structural properties, and major materials used for its highest part (referring to the whole or any part of the structure higher than thirty-one meters above the ground surface; hereinafter the same applies), and further, when the person makes a contract with a contractor for a construction pertaining to the specified act, the name, address and other necessary matters:
- (i) the construction of a new building or structure whose height from the surface of the highest portion exceeds thirty-one meters (including structures among one or more structures constructed on the top of a structure fixed to the ground, where the highest portion of that structure is higher than thirty-one meters above the ground surface; hereinafter referred to as a "tall building, etc.")
 - (ii) the extension or transfer of a structure excluding tall buildings, etc. which as a result of an extension or transfer, makes the structure a tall building, etc.
 - (iii) the extension, transfer, rebuilding, repair, or alteration of a tall building, etc. (that rebuilding, repair, and alteration is limited to the extent specified by Order of the Ministry of Internal Affairs and Communications)
- (2) When intending to make any change in the notified details, a building owner who has notified the Minister of Internal Affairs and Communications pursuant to the provisions of the preceding paragraph must further notify the Minister of Internal Affairs and Communications in writing of the matters pertaining to that change specified by Order of the Ministry of Internal Affairs and Communications.
- (3) When the notification pursuant to the provisions of the preceding two paragraphs has been made and it is difficult to judge, based solely on the

entries in the documents pertaining to the notification, whether the highest portion, in the radio propagation obstruction prevention area on the radio propagation route, may cause interference to the propagation of important radio communications (hereinafter referred to as an "important radio communications interference cause"), the Minister of Internal Affairs and Communications may request the building owner within the extent necessary to make that decision on the matter to submit any additional necessary information within a specified period.

- (4) When a new radio propagation obstruction prevention area is designated pursuant to the provisions of the preceding Article paragraph (1), none of the provisions in paragraph (1) applies to a specified act already in progress (including cases where preparation for the construction has proceeded to the extent specified by Order of the Ministry of Internal Affairs and Communications) in a radio propagation obstruction prevention area (including cases where the construction extends not only the area but also to other areas).
- (5) A building owner pertaining to the specified act pursuant to the provisions of the preceding paragraph, as specified by Order of the Ministry of Internal Affairs and Communications, must notify the Minister of Internal Affairs and Communications of the plan for the construction pertaining to the specified act without delay after designation of the radio propagation obstruction prevention area.
- (6) The provisions of paragraphs (2) and (3) apply mutatis mutandis to cases where a building owner pertaining to the specified act pursuant to the provisions of paragraph (4) intends to make a change in the matters specified by Order of the Ministry of Internal Affairs and Communications in the plan pertaining to the specified act at the time of the designation of the radio propagation obstruction prevention area (or in the new plan after the change where the plan pertaining to the notification pursuant to the provisions of this paragraph was changed).

Article 102-4 (1) When notification is required pursuant to the provisions of paragraphs (1) or (2) of the preceding Article (including cases where applied mutatis mutandis pursuant to paragraph (6) of the preceding Article and the following paragraph), when it has come to the knowledge of the Minister of Internal Affairs and Communications that a building owner has started or has asked a contractor to start the construction pertaining to the specified act or the construction of the part pertaining to any matters pertaining to the change (except the construction specified by Order of the Ministry of Internal Affairs and Communications) without notification, the Minister of Internal Affairs and Communications must immediately order the building owner to notify the Minister of Internal Affairs and Communications in writing, within a specified

period, of the matters required pursuant to the provisions of paragraphs (1) or (2) of the same Article (including cases where applied mutatis mutandis pursuant to paragraph (6) of the same Article and the following paragraph).

- (2) The provisions of paragraph (2) of the preceding Article apply mutatis mutandis to a person who was ordered to notify the Minister of Internal Affairs and Communications of the matters required to be notified pursuant to the provisions of paragraph (1) of the preceding Article based on the provisions of the preceding paragraph and has notified the Minister of Internal Affairs and Communications of the relevant matters.
- (3) The provisions of paragraph (3) of the preceding Article apply mutatis mutandis to any notification based on an order pursuant to the provisions of paragraph (1) or pursuant to the provisions of paragraph (2) of the preceding Article, as applied mutatis mutandis pursuant to the preceding paragraph.

(Notice of Possibility of Radio Propagation Interference)

Article 102-5 (1) When a notification is submitted pursuant to the provisions of Article 102-3 paragraphs (1) or (2) (including cases where applied mutatis mutandis pursuant to paragraph (6) of the same Article and paragraph (2) of the preceding Article) or in response to an order pursuant to the provisions of paragraph (1) of the preceding Article, the Minister of Internal Affairs and Communications must study the matters pertaining to the notification, and when the Minister of Internal Affairs and Communications determines that the highest part of the building, etc. pertaining to the notification (in cases pertaining to a change in the notification, the highest part of the building, etc. after the change; the same applies hereinafter) constitutes an important radio communications interference cause in the radio propagation obstruction prevention area, the Minister of Internal Affairs and Communications must notify the building owner to that effect with a document indicating the part causing important radio communications interference (hereinafter referred to as the "the part causing interference") and the reason thereof, or when the Minister of Internal Affairs and Communications determines that the highest part does not constitute an important radio communications interference cause in the radio propagation obstruction prevention area, the Minister of Internal Affairs and Communications must notify the building owner to that effect with a document showing the results of the study.

- (2) The notice pursuant to the provisions of the preceding paragraph must be given within three weeks from the day on which the notification is received (or from the day on which the report is received if a report is requested pursuant to the provisions of Article 102-3 paragraph (3) (including cases where applied mutatis mutandis pursuant to paragraph (6) of the same Article and paragraph (3) of the preceding Article)).

(3) In the case of paragraph (1), when the Minister of Internal Affairs and Communications has issued a notice, pursuant to the provisions of the preceding two paragraphs, that the highest part of a building, etc. is the cause of an important radio communications obstruction in a radio propagation obstruction prevention area, the Minister of Internal Affairs and Communications, immediately after that notice, must notify in writing the licensee of the radio station conducting important radio communications in the radio propagation obstruction prevention area of the name and address of the owner of the tall building, etc., the location of the site and its height, and the form, structural properties, and major materials used for its highest parts, the part that is causing interference, and other necessary matters, and must also notify in writing the contractor for the construction pertaining to the notification by the building owner of the part that is causing interference, and other necessary matters.

(Restriction on the Construction of a Highest Part Causing Important Radio Communications Interference)

Article 102-6 A building owner who has been notified pursuant to the provisions of the preceding Article paragraphs (1) and (2) that the highest part referred to in the notification is determined to constitute an important radio communications interference cause in the radio propagation obstruction prevention area must not start or have their contractor start construction pertaining to the specified act, which pertains to the interference causing part, for a period of two years from the day of the notice, except in cases that fall under any of the following items:

- (i) when a change has been made in the plan for the construction pertaining to the specified act and the change has been notified pursuant to the provisions of Article 102-3 paragraph (2) (including cases where applied mutatis mutandis pursuant to paragraph (6) of the same Article and Article 102-4 paragraph (2)), and when a notice is received that the relevant highest part does not constitute an important radio communications interference cause in the relevant radio propagation obstruction prevention area pursuant to the provisions of paragraphs (1) and (2) of the preceding Article
- (ii) when agreement pursuant to the provisions of paragraph (1) of the following Article has been reached with the licensee of the radio station conducting the important radio communications in the radio propagation obstruction prevention area
- (iii) other cases specified by Order of the Ministry of Internal Affairs and Communications

(Consultation for Preventing Interference with Important Radio

Communications)

Article 102-7 (1) A building owner as prescribed in the preceding Article and the licensee of a radio station conducting important radio communications in the radio propagation obstruction prevention area may mutually request consultation with the other party on the measures necessary for changing either the radio propagation route of the important radio communications or the construction plan pertaining to the highest portion, as well as on the coordination needed to assure the important radio communications and exercise of the property rights pertaining to the tall building, etc.

(2) When requested by either or both of the parties, the Minister of Internal Affairs and Communications is to make the necessary arrangements for consultation pursuant to the provisions of the preceding paragraph.

(Measures to Be Taken in Case of a Violation)

Article 102-8 (1) When deemed necessary in the case where a building owner falls under any of the following items, the Minister of Internal Affairs and Communications must order the building owner, to the extent necessary, to discontinue or to order his contractor to discontinue construction of the relevant building work that the relevant building owner or that contractor is executing, or to suspend or order that contractor to suspend construction of the relevant building work for a specified reasonable period:

(i) when the building owner has failed to submit a notification pursuant to the provisions of Article 102-3 paragraphs (1) or (2) (including cases where applied mutatis mutandis pursuant to paragraph (6) of the same Article and Article 102-4 paragraph (2)) in violation of the relevant provisions (except cases where a notification has been submitted in response to the order based on the provisions of Article 102-4 paragraph (1) and a notice thereof has been given pursuant to the provisions of Article 102-5 paragraphs (1) and (2)) and when the building owner has already started or has ordered a contractor to start, or is in the near future believed to be starting or ordering a contractor to start, the construction pertaining to the specified act, which pertains to the highest part of the building, etc.

(ii) when a building owner has failed to report within the specified period in spite of a request by the Minister of Internal Affairs and Communications pursuant to the provisions of Article 102-3 paragraph (3) (including cases where applied mutatis mutandis pursuant to paragraph (6) of the same Article and Article 102-4 paragraph (3)) and when the building owner has already started or has ordered a contractor to start, or is in the near future believed to be starting or ordering a contractor to start, the construction pertaining to the specified act, which pertains to the highest part of the building, etc.

- (2) The reasonable period in the preceding paragraph is specified on the basis of the period prescribed in Article 102-6, taking into account the circumstances, including the extent to which the relevant highest part constitutes an important radio communications interference in the relevant radio propagation obstruction prevention area, and the expected period normally required for making any changes in the radio propagation route of the relevant important radio communications.
- (3) Having issued an order pursuant to the provisions of paragraph (1) to a building owner not to start or order a contractor to start construction concerning the highest portion for a specified period, the Minister of Internal Affairs and Communications may without delay withdraw the order if agreement is reached within that period between the building owner and the licensee of the radio station conducting important radio communications in the radio propagation obstruction prevention area, or if the situation now falls under Article 102-6 item (i) or (iii), or if the order is no longer necessary.

(Requesting a Report)

Article 102-9 The Minister of Internal Affairs and Communications, to the extent deemed necessary to enforce the provisions of the preceding seven Articles, may request from the building owner a report on the status of the plan or execution of the construction pertaining to the specified act.

(Cooperation between the Minister of Internal Affairs and Communications and the Minister of Land, Infrastructure and Transport)

Article 102-10 The Minister of Internal Affairs and Communications and the Minister of Land, Infrastructure and Transport must cooperate in enforcing the provisions of Articles 102-2 through 102-8.

(Recommendations on Non-Conforming Equipment)

- Article 102-11 (1) In order to contribute to maintaining orderly radio communications, a manufacturer, importer, or seller of radio equipment must endeavor not to manufacture, import, or sell radio equipment that does not conform to the technical regulations specified in Chapter III.
- (2) In any of the cases set forth in the following items, when the Minister of Internal Affairs and Communications deems that if radio equipment which is manufactured or modified based on a design identical or similar to the designs respectively specified in those items and which does not conform to the technical regulations specified in Chapter III (hereinafter referred to as "non-conforming equipment" in this paragraph and the following Article) is widely sold, radio stations using that non-conforming equipment are likely to cause serious adverse effects on the operation of other radio stations, the Minister

may recommend the manufacturer, importer, or seller of the non-conforming equipment to take necessary measures to correct the situation, to the extent necessary to maintain orderly radio communications:

- (i) when a radio station causes interference or any other obstruction that significantly impairs the operation of other radio stations, and it is deemed that the obstruction is caused by the use of radio equipment manufactured or modified based on a design that does not conform to the technical regulations specified in Chapter III: the design pertaining to that radio equipment; and
 - (ii) when it is deemed that radio equipment has been manufactured or modified based on a design that does not conform to the technical regulations specified in Chapter III, and that, if a radio station that uses the radio equipment is established, that radio station is likely to cause interference or any other obstruction that significantly impairs the operation of other radio stations: the design pertaining to that radio equipment.
- (3) When any person who has been given a recommendation pursuant to the provisions of the preceding paragraph fails to implement the recommendation, the Minister of Internal Affairs and Communications may make that fact public.
- (4) If, after being made public pursuant to the provisions of the preceding paragraph that a manufacturer, importer, or seller that has been given the recommendations prescribed in paragraph (2) failed to follow the recommendations, the manufacturer, importer, or seller still fails to implement measures pertaining to the recommendations without due reason, and if a radio station of which operation is deemed likely to receive serious adverse effects therefrom is one specified by Order of the Ministry of Internal Affairs and Communications as a radio station for which it is necessary to ensure proper operation, such as a radio station conducting important radio communications, the Minister of Internal Affairs and Communications may order the manufacturer, importer, or seller to implement measures pertaining to the recommendations, to the extent necessary for maintaining orderly radio communications.
- (5) When intending to make a recommendation under the provisions of paragraph (2) or issue an order under the provisions of the preceding paragraph, the Minister of Internal Affairs and Communications must obtain the consent of the Minister of Economy, Trade and Industry.

(Requesting a Report)

Article 102-12 To the extent necessary for enforcing the provisions of the preceding Article, the Minister of Internal Affairs and Communications may request a report from the manufacturer, importer, or seller of non-conforming equipment on its activities.

(Designation of Radio Equipment Using Specified Frequencies)

- Article 102-13 (1) When it is determined that there are a significant number of radio stations established in violation of the provisions of Article 4 using radio waves within the specified frequency range (hereinafter referred to as "unlicensed specified radio stations"), when determining that the radio equipment using radio waves within the specified frequency range (hereinafter referred to as "specified frequency radio equipment" except radio equipment used for radio stations not requiring a license, etc. and radio equipment deemed unlikely to be used for the relevant unlicensed specified radio stations) is so widely sold that it is difficult to decrease the number of unlicensed specified radio stations, the Minister of Internal Affairs and Communications may designate the use of the specified frequency radio equipment by unlicensed specified radio stations to be prevented by Order of the Ministry of Internal Affairs and Communications.
- (2) When determining that it is no longer necessary to maintain the designation pursuant to the provisions of the preceding paragraph, the Minister of Internal Affairs and Communications must cancel the designation.
- (3) When intending to establish, revise, or abolish Order of the Ministry of Internal Affairs and Communications in paragraph (1), the Minister of Internal Affairs and Communications must consult with the Minister of Economy, Trade and Industry.

(Notification in Sales of Designated Radio Equipment)

- Article 102-14 (1) Any person who is retailing specified frequency radio equipment designated pursuant to the provisions of paragraph (1) of the preceding Article (that equipment is hereinafter referred to as "designated radio equipment" and that person is hereinafter referred to as a "designated radio equipment retailer"), before entering into a sales contract for the relevant designated radio equipment, must notify the other party or indicate by the method specified by Order of the Ministry of Internal Affairs and Communications that any person who wishes to establish a radio station using the relevant designated radio equipment must obtain a radio station license, etc.
- (2) Any designated radio equipment retailer, when entering into a sales contract for designated radio equipment must, without delay, issue the purchaser with a document describing the following matters specified by Order of the Ministry of Internal Affairs and Communications:
- (i) the matters that are to be notified or indicated pursuant to the provision of the preceding paragraph
 - (ii) the fact that any person who establishes a radio station using designated

radio equipment without a license, etc. is sentenced to the penalty prescribed under this Act

- (iii) the name and address of the government office to which an application for a license, etc. of a radio station using designated radio equipment is to be submitted

(Utilization of Information Communications Technology)

Article 102-14-2 Specified by Cabinet Order and with the consent of the purchaser, instead of issuing the document pursuant to the provisions of the preceding Article paragraph (2), a designated radio equipment retailer may provide the purchaser with the information to be entered on the document using a method that utilizes an electronic data processing system or other information communications technology specified by Order of the Ministry of Internal Affairs and Communications. In this case, the relevant designated radio equipment retailer is deemed to have issued the relevant document.

(Instruction)

Article 102-15 (1) When a designated radio equipment retailer violates the provisions of Article 102-14, when determining that the violation would promote the establishment of unlicensed specified radio stations and hamper the maintenance of orderly radio communications, the Minister of Internal Affairs and Communications may instruct the designated radio equipment retailer to take any necessary measures.

- (2) When intending to give instruction pursuant to the provisions of the preceding paragraph, the Minister of Internal Affairs and Communications must obtain the consent of the Minister of Economy, Trade and Industry.

(Reporting and On-site Inspection)

Article 102-16 (1) The Minister of Internal Affairs and Communications, to the extent necessary to enforce the provisions of the preceding Article, may order a designated radio equipment retailer to submit a report on its activities, or delegate ministerial staff to enter the place of business of the designated radio equipment retailer to inspect the designated radio equipment, account books, documents, and other articles.

- (2) The provisions of Article 39-9 paragraphs (2) and (3) apply mutatis mutandis to the on-site inspection pursuant to the provisions of the preceding paragraph.

(Center for Promotion of Effective Utilization of the Radio Spectrum)

Article 102-17 (1) When determining that a general incorporated association or general incorporated foundation with the objective of contributing to effective and proper utilization of radio waves is capable of properly and securely

conducting the service prescribed in the following paragraph, on application from the corporation, the Minister of Internal Affairs and Communications may designate the corporation as a center for promoting the effective utilization of the radio spectrum (hereinafter referred to as the "center").

(2) The center is to:

- (i) answer inquiries or give consultation on investigation of interferences or other matters necessary for establishing radio stations or changing any matters concerning radio stations;
- (ii) answer inquiries on matters necessary for operating a radio station that uses the same frequencies as another radio station in a manner that does not cause interference or any other obstruction to that other radio station;
- (iii) collect and provide information on matters related to changing frequency designations for radio stations to properly enforce conventions on radio waves, matters related to equipment that significantly contribute to the efficient utilization of radio waves, and other matters that contribute to the effective and proper utilization of radio waves;
- (iv) research and study the utilization of radio waves;
- (v) conduct educational activities on the effective and proper utilization of radio waves; and
- (vi) engage in activities incidental to those set forth in the preceding items.

(3) When an officer of the center violates this Act, the orders issued hereunder, or the administrative dispositions based on these Act and orders, or the operational regulations of Article 39-5 paragraph (1), as applied mutatis mutandis pursuant to paragraph (5), the Minister of Internal Affairs and Communications may recommend the center to dismiss the officer.

(4) The Minister of Internal Affairs and Communications may provide the center with information on radio stations, or instructions and advice which are necessary for conducting the services set forth in items (i) and (ii) of paragraph (2).

(5) The provisions of Article 39-2, paragraph (5) (except item (i)), Article 39-3, Article 39-5, Article 39-6, Article 39-8, Article 39-9, Article 39-11, and Article 47-3 applies mutatis mutandis to the center. In this case, "application under paragraph (2)" in Article 39-2, paragraph (5) is deemed to be replaced with "application under Article 102-17, paragraph (1)"; "classification pertaining to its designation, the location of the office where the training course service is conducted, and the date of commencing the training course service" in Article 39-3, paragraph (1) is deemed to be replaced with "location of the office where the service prescribed in Article 102-17, paragraph (2) is conducted, and the date of commencing the service prescribed in the same paragraph"; "training course service" in Article 39-3, paragraph (2), Article 39-8, and Article 39-11, paragraphs (2) (excluding item (iv)) and (3) is deemed to be replaced with

"service prescribed in Article 102-17, paragraph (2)"; "training course service" in Article 39-5 is deemed to be replaced with "service set forth in Article 102-17, paragraph (2), items (i) through (iii)"; "report on the state of the training course service" in Article 39-9, paragraph (1) is deemed to be replaced with "report on the state of the service prescribed in Article 102-17, paragraph (2)"; inspect the state of the training course service" in 39-9, paragraph (1) is deemed to be replaced with "inspect the state of the service prescribed in the same paragraph"; "Article 39-6, Article 39-7, or paragraph (1) of the preceding Article" in Article 39-11, paragraph (2), item (i) is deemed to be replaced with "or Article 39-6"; "determined as not conforming to one or more of the items (except item (iv)) of Article 39-2, paragraph (4)" in Article 39-11, paragraph (2), item (ii) is deemed to be replaced with "determined that it is impossible to conduct the service prescribed in Article 102-17, paragraph (2) properly and surely"; "training course service" in Article 39-11, paragraph (2), item (iv) is deemed to be replaced with "service set forth in any of Article 102-17, paragraph (2), items (i) through (iii)"; "examination service" in Article 47-3 is deemed to be replaced with "service set forth in Article 102-17, paragraph (2), item (i) or (ii)"; and "staff member (including an examination executor; the same applies to the following paragraph)" in Article 47-3, paragraph (1) is deemed to be replaced with "staff member."

(Calibration of Measuring Instruments)

- Article 102-18 (1) The National Institute of Information and Communications Technology is to calibrate the measuring instruments and other equipment to be used for the inspection of radio equipment as specified by Order of the Ministry of Internal Affairs and Communications (hereinafter referred to as "measuring instruments, etc." in this Article), or the Minister of Internal Affairs and Communications may designate a person and require the person (hereinafter referred to as a "designated calibration agency") to conduct the calibration service for the same.
- (2) The designation of the designated calibration agency is made by the application of a person who intends to perform the calibration under the preceding paragraph.
- (3) Upon completion of the calibration under paragraph (1), the National Institute of Information and Communications Technology or the designated calibration agency is to affix a mark indicating that the calibration service has been duly completed to the measuring instruments, etc. specified by Order of the Ministry of Internal Affairs and Communications.
- (4) The mark in the preceding paragraph or a misleadingly similar mark must not be affixed to measuring instruments, etc. other than those calibrated by the National Institute of Information and Communications Technology or a

designated calibration agency.

- (5) The Minister of Internal Affairs and Communications must not designate a calibration agency unless the Minister of Internal Affairs and Communications determines that the application specified in paragraph (2) satisfies all of the following items:
 - (i) the calibration service implementation plan on matters including the staff, equipment, and calibration service methods are suitable for implementing the service properly and reliably.
 - (ii) the applicant has a financial base sufficient for implementing the calibration service plan specified in the preceding item properly and reliably.
 - (iii) if the applicant is a corporation, its officers or the structure of its members specified by Order of the Ministry of Internal Affairs and Communications according to the type of corporation, does not have an adverse effect on fair implementation of the calibration service.
 - (iv) beyond the case prescribed for in the preceding item, the applicant satisfies the criteria specified by Order of the Ministry of Internal Affairs and Communications as not likely to cause any unfair calibration in practice.
 - (v) the designation does not impede the proper and reliable implementation of the calibration service.
- (6) The Minister of Internal Affairs and Communications must not designate an applicant as a calibration agency if the applicant who filed an application under paragraph (2) of this Article falls under any of the following items:
 - (i) any person who was sentenced for a crime pursuant to the provisions of this Act, within a period of two years since the day the person's sentence or suspended sentence was served out
 - (ii) any person whose designation was revoked pursuant to the provisions of Article 39-11 paragraphs (1) or (2), as applied mutatis mutandis pursuant to paragraph (13) of this Article, within a period of two years since the day of revocation
 - (iii) when an applicant is a corporation, any of whose officers falls under either of the preceding two items
- (7) The designation of a calibration agency ceases to be valid at the expiration of the registration period unless renewed every five to ten years as specified by Cabinet Order.
- (8) The provisions of paragraphs (2), (5), and (6) of this Article apply mutatis mutandis to renewal of the designation under the preceding paragraph.
- (9) A designated calibration agency, when conducting calibration, must use measuring instruments and other equipment specified by Order of the Ministry of Internal Affairs and Communications, and have the calibration conducted by a person who satisfies the requirements specified by Order of the Ministry of Internal Affairs and Communications (hereinafter referred to as a "calibrator")

- (10) Any officer (if a designated calibration agency is not a corporation, a person who is designated as a calibration agency; the same applies to Article 110-2 and Article 113-2) or staff member (including calibrators) of a designated calibration agency engaged in the calibration service is deemed to be a person engaged in public service under laws and regulations with respect to the application of the Criminal Code and other penal provisions.
- (11) A designated calibration agency, when intending to suspend or discontinue all or part of its calibration service, specified by Order of the Ministry of Internal Affairs and Communications, must notify the Minister of Internal Affairs and Communications to that effect in advance.
- (12) The Minister of Internal Affairs and Communications, upon receipt of the notification pursuant to the provisions of the preceding paragraph, must issue a public notice to that effect.
- (13) The provisions of Article 39-3, Articles 39-5 through Article 39-9, Article 39-11, and Article 47-2 paragraphs (2) and (3) apply mutatis mutandis to a designated calibration agency. In these cases, "classification pertaining to its designation, the location of the office where the training course service is conducted, and the date of commencing the training course service" in Article 39-3 paragraph (1) is deemed to be replaced with "location of the office where the calibration service is conducted, and the date of commencing the calibration service"; "training course" in Article 39-3 paragraph (2), Article 39-5, Article 39-7, Article 39-8, Article 39-9 paragraph (1), and Article 39-11 paragraphs (2) and (3) is deemed to be replaced with "calibration"; "any of the items (except item (iii)) of Article 39-2 paragraph (5)" in Article 39-11 paragraph (1) is deemed to be replaced with "any of the items (except item (ii)) of Article 102-18 paragraph (6)"; "or paragraph (1) of the preceding article" in Article 39-11 paragraph (2) item (i) is deemed to be replaced with ", Article 47-2 paragraph (2), or Article 102-18 paragraph (9) or (11)"; "one or more of the items (except item (iv)) of Article 39-2 paragraph (4)" in Article 39-11 paragraph (2) item (ii) is deemed to be replaced with "one or more of the items (except item (v) of Article 102-18 paragraph (5)"; "or Article 39-8" in Article 39-11 paragraph (2) item (iii) is deemed to be replaced with ", Article 39-8, or Article 47-2 paragraph (3)"; "an examination executor" in Article 47-2 paragraph (2) is deemed to be replaced with "an officer or calibrator"; and "officers or examination executor" and "Article 47-5" in Article 47-2 paragraph (3) is deemed to be replaced with "calibrators" and "Article 102-18 paragraph (13)," respectively.

(Collection of Fees)

Article 103 (1) Any person set forth in the following items, specified by Cabinet Order, must pay the fee that is specified by Cabinet Order taking actual

expenses into account to the State (for a person who takes a training course conducted by a designated training agency, to the relevant designated training agency; for a person who takes the state examination for radio operators at a designated examination agency that administers the exam, to the relevant designated examination agency; or for a person for which the calibration is conducted by the National Institute of Information and Communications Technology, to the National Institute of Information and Communications Technology):

- (i) a person who applies for a license pursuant to the provisions of Article 6;
- (ii) a person who is subject to an inspection pursuant to the provisions of Article 10;
- (iii) a person who is subject to inspection pursuant to the provisions of Article 18 (except a person who has obtained permission under Article 17, paragraph (1) due to the designation being changed pursuant to the provisions of Article 71, paragraph (1) or Article 76-3, paragraph (1));
- (iv) a person who applies to renew a registration pursuant to the provisions of Article 24-2-2, paragraph (1);
- (v) a person who is provided with information pursuant to the provisions of Article 25, paragraph (2);
- (vi) a person who applies for a license pursuant to the provisions of Article 27-3;
- (vii) a person who applies for an authorization pursuant to the provisions of Article 27-14, paragraph (1);
- (viii) a person who applies for registration pursuant to the provisions of Article 27-21, paragraph (1);
- (ix) a person who applies for registration pursuant to the provisions of Article 27-32, paragraph (1);
- (x) a person who takes an examination pursuant to the provisions of Article 37;
- (xi) a person who applies for renewal of registration pursuant to the provisions of Article 38-4, paragraph (1);
- (xii) a person who wishes to obtain a technical regulations conformity certification pursuant to the provisions of Article 38-18, paragraph (1);
- (xiii) a person who wishes to obtain a construction design certification pursuant to the provisions of Article 38-18, paragraph (1), as applied mutatis mutandis pursuant to Article 38-24, paragraph (3);
- (xiv) a person who applies for registration pursuant to the provisions of Article 38-39, paragraph (1);
- (xv) a person who applies for a registration of change pursuant to the provisions of Article 38-40, paragraph (1);
- (xvi) a person who takes a training course pursuant to the provisions of Article 39, paragraph (7);

- (xvii) a person who takes a state examination for radio operators pursuant to the provisions of Article 41;
 - (xviii) a person who applies for a license pursuant to the provisions of Article 41;
 - (xix) a person who applies for ship station radio operator certification pursuant to the provisions of Article 48-2, paragraph (1);
 - (xx) a person who takes a training course organized by the Minister of Internal Affairs and Communications pursuant to the provisions of Article 48-2, paragraph (2), item (i);
 - (xxi) a person who takes a training course organized by the Minister of Internal Affairs and Communications pursuant to the provisions of Article 48-3, item (i);
 - (xxii) a person who applies for re-issuance of a certificate for the radio station license, a certificate for the radio station registration, a registration certificate, a radio operator's license, or ship station radio operator certification;
 - (xxiii) a person who applies for an authorization pursuant to the provisions of Article 70-5-2, paragraph (1);
 - (xxiv) a person who obtains an inspection pursuant to the provisions of Article 73, paragraph (1); and
 - (xxv) a person for which the calibration is conducted pursuant to the provisions of paragraph (1) of the preceding Article (except calibration by a designated calibration agency).
- (2) With regard to radio stations which conduct necessary communications necessary solely for saving lives, to provide disaster relief, or to ensure telecommunications for transportation, or to maintain public order in the event that an emergency situation, including earthquakes, typhoons, floods, tidal waves, snow damage, conflagration, and riots (hereinafter referred to as "earthquakes, etc." in this paragraph) has occurred or is anticipated to occur or conduct radio communications set forth in each item of Article 102-2 paragraph (1) (except those falling under the relevant necessary communications) and which is determined by the Minister of Internal Affairs and Communications as a radio station conducting necessary communications for preventing occurrence of or reducing damage arising from the relevant earthquakes, etc. and is established temporarily, the person set forth in item (i), (ii), (vi), (viii) or (ix) of the preceding paragraph is not required to pay the fees notwithstanding the provisions of the same paragraph.
- (3) Fees paid to a designated training agency, a designated examination agency, or the National Institute of Information and Communications Technology pursuant to the provisions of the preceding paragraph are the revenues of the relevant designated training agency, the relevant designated examination

agency, or the National Institute of Information and Communications Technology.

(Collection of Spectrum User Fees)

Article 103-2 (1) Licensees, etc. must pay to the State the amount of money set forth in the right column of the appended Table No. 6 corresponding to the classification of radio stations set forth in the left column of the same table (if the period from the day of the license, etc. of the radio station or the day corresponding to the day on which the license of the radio station expires is less than a year; an amount of money equivalent to the amount obtained by multiplying the amount of money set forth in the table by the number obtained by dividing the number of months in the period by 12), as the spectrum user fee, within 30 days of the day of the license, etc. or within 30 days of the day corresponding to the day of the license, etc. in each subsequent year (hereinafter referred to as the "corresponding day" in this Article; if there is no corresponding day, it is to be the following day) for the one-year period beginning from the day of license, etc. of the radio station or the corresponding day (referred to as the "initial day of reckoning" in this paragraph; if this period begins on March 1 of the preceding year to a leap year under the condition that if the day of the license, etc. is February 29, the period is to be from March 1 to February 28 of the following year, and if the period from the initial day of reckoning to the day on which the license of the radio station expires is less than one year, the period is to be that period).

(2) Beyond the fee pursuant to the provisions of the preceding paragraph, a licensee of radio stations established in large numbers over a wide area by one person (hereinafter referred to as "radio stations established over a wide area") that uses radio waves of frequencies (limited to frequencies of 6,000 MHz or less) designated by the Minister of Internal Affairs and Communications for each of the areas set forth in the left column of Appended Table No. 7 for use by radio stations established over a wide area (such radio waves are hereinafter referred to as "radio waves for use in a wide area"), is to pay to the State, as a spectrum user fee, an amount of money equivalent to the amount obtained by multiplying the figure for the frequency bandwidth of the radio waves for use in a wide area pertaining to the licensee, expressed in megahertz, by the coefficient set forth in the right column of the same table for the respective area, and multiplying that figure by the amount set forth in the right column of Appended Table No. 8 according to the category of the radio waves for use in a wide area set forth in the left column of the same table, before November 1 every year for a period of one year beginning on October 1 of the year. In this case, with respect to the application of the provisions in the first sentence of this paragraph to the period from the day of the license to the

last day of the first September after the day of the license, if the day of the license of the radio station that first commences to use the radio waves for use in a wide area (in the case of being able to use radio waves for use in a wide area owing to a change in the designation of the frequencies of the radio station, the day of the change in the designation; the same applies hereinafter in this paragraph) is other than October 1, the phrase "before November 1 every year for a period of one year beginning on October 1 of the year" is deemed to be replaced with "within thirty days from the last day of the month to which the day of the license for the radio station that first uses the radio waves for use in a wide area (if it has become possible to use the relevant radio waves for use in a wide area through receiving a change in the designation of the frequency of the radio station, the day of the change of that designation; hereinafter the same applies in this paragraph) belongs, for a period from the day of the license to the last day of the first September after the day of the license" and the phrase "the amount obtained by ... in the left column of the same table" is deemed to be replaced with "the amount obtained by ... in the left column of the same table, and further multiplying that amount by the number that is obtained by dividing the number of months in the period by 12."

(3) If radio waves of the designated frequencies pertaining to the attested plan are radio waves for use in a wide area, if the attested establisher pertaining to the attested plan does not obtain a license for any of the specified base stations pertaining to the attested plan within six months from the day on which the approval was obtained (if the radio waves of the designated frequency pertaining to the attested plan became radio waves for use in a wide area following the day on which the approval was obtained by the attested establisher, whichever comes later of the day on which six months have elapsed since the day on which the approval was obtained and the day on which the radio waves of the designated frequency became radio waves for use in a wide area; hereinafter referred to in this paragraph as "day on which six months have elapsed"), the relevant attested establisher is deemed to be a licensee who has obtained the license for the specified base station that first uses radio waves for use in a wide area on the day on which six months have elapsed, and the provisions of the preceding paragraph and paragraph (19) must apply to the relevant attested establisher.

(4) The "spectrum user fee" in this Article and the following Article means the money which the licensee, etc., the person who has established specified radio stations not requiring a license, etc. under paragraph (12), or the person affixing marks under paragraph (13) is to pay, which is to be allocated for the expenses (referred to as the "expenses for spectrum users' common benefit" in the following Article and Article 103-4, paragraph (1)) required by the Minister of Internal Affairs and Communications for the following administrative work

with the direct objective of benefiting radio stations as a whole concerning the assurance of the proper utilization of radio waves:

- (i) monitoring and regulate radio waves, and search for illegally established radio stations;
- (ii) establishment and management of the integrated radio stations database (referring to a database that registers for all radio stations, using an electronic data processing system, matters that must be entered on documents and applications specified in Article 6, paragraphs (1) and (2), Article 27-3, Article 27-21, paragraphs (2) and (3), and Article 27-32, paragraphs (2) and (3), and on certificates of radio station licenses, etc. and other matters related to licenses, etc.);
- (iii) research and development on establishing technical standards for radio equipment concerning technologies to be developed within about five years as technologies for the efficient utilization of frequencies, technologies to promote the common utilization of frequencies, or technologies to promote the shift to higher frequencies and issuance of subsidies for that research and development (including those to be appropriated to a fund for implementing the research and development over several fiscal years, such as the information and communications research and development fund prescribed in Article 15-3, paragraph (1) of the Act on the National Institute of Information and Communications Technology, Independent Administrative Agency (Act No. 162 of 1999)), as well as communication and coordination with international organizations, administrative organizations of foreign countries, and other organizations in foreign countries in order to establish technical standards for radio equipment with regard to radio equipment using technologies already developed for the efficient utilization of frequencies, technologies to promote the common use of frequencies, or technologies to promote the shift to higher frequencies, tests, and analyses of the results thereof;
- (iv) survey relating to the physical effects of radio waves on the human body, etc.;
- (v) transmission of standard frequencies;
- (vi) administrative affairs for performing observation, transmitting forecasts and abnormality warnings, and making other reports with regard to how radio waves propagate, and administrative affairs for conducting investigations, research, and development of technologies necessary in relation to those administrative affairs;
- (vii) specific frequency change support services (including delivery of subsidies to a designated frequency change support agency pursuant to the provisions of Article 71-3, paragraph (9));
- (viii) specific frequency termination support services (including delivery of

subsidies to a registered frequency termination support agency pursuant to the provisions of Article 71-3, paragraph (9), as applied mutatis mutandis pursuant to Article 71-3-2, paragraph (11); the same applies to paragraphs (12) and (13));

- (ix) with regard to radio communications by means of radio equipment currently established for a service for the purpose of protecting lives or properties, issuance of subsidies to improve and maintain the radio equipment (including ancillary equipment specified by Order of the Ministry of Internal Affairs and Information, installed as an inseparable unit with the relevant radio equipment and the structure required to install the relevant radio equipment and the relevant ancillary equipment) to be used for the service for the purpose of protecting lives or properties using technology that contributes to the efficient utilization of radio waves, when it is deemed necessary for the purpose of enabling the relevant communications to be conducted by means of radio equipment using the relevant technology, taking into consideration the content of the technology used for the relevant radio equipment, status of utilization of radio waves of frequencies used by the relative radio equipment, trend in demand for the utilization of the relevant radio communications and other circumstances;
- (x) beyond the matters set forth in the preceding item, issuance of subsidies and other necessary support to improve and maintain the following equipment (including ancillary equipment specified by Order of the Ministry of Internal Affairs and Communications installed as an inseparable unit with the relevant equipment and the structure required to install the relevant equipment and said ancillary equipment) for the purpose of enabling the utilization of radio communications conducted using technology that contributes to the efficient utilization of radio waves, using antenna power to the lowest extent possible required in areas where it is difficult to utilize that radio communications:
 - (a) radio equipment of a radio station provided for the use of the operations of the relevant radio communications and transmission circuit equipment required to establish the relevant radio station; and
 - (b) transmission circuit equipment that enables reception of the relevant radio communications;
- (xi) beyond the matters set forth in the preceding two items, issuance of subsidies for the purpose of improving and maintaining equipment to enable the utilization of the relevant radio communications conducted using technology that contributes to the efficient utilization of radio waves in a tunnel or other environment where it is difficult to utilize the relevant radio communications;
- (xii) necessary support for the use of frequencies to ensure the efficient

utilization of radio waves or to prevent the adverse effects of radio waves on the human body, etc., or for activities to increase health literacy concerning the protection of the human body, etc.; and

(xiii) planning or drafting a plan for a system pertaining to the spectrum user fee or administrative work incidental to the administrative work set forth in each of the preceding items.

(5) Notwithstanding the provisions of paragraph (1), with respect to a blanket licensee or a blanket registrant (hereinafter referred to as a "blanket licensee, etc." in this Article); in the case of an item (i) blanket licensee, the item (i) blanket licensee must notify the Minister of Internal Affairs and Communications of the number of specified radio stations that have been already established (hereinafter referred to as the "number of established radio stations" in this paragraph and the following paragraph) as of the last day of the month to which the day of issue of the blanket license belongs or the day corresponding to the day of issue of the blanket license in each of the following years belongs (the previous day if there is no corresponding day) by the fifteenth day of the following month, and, within thirty days from the day of acceptance of the relevant notification, must pay to the State as the spectrum user fee; in the case of an item (ii) blanket licensee, the item (ii) blanket licensee, within forty-five days from the last day of the month to which the day of issue of the blanket license belongs and the day corresponding to the day of issue of the blanket license in each of the following years belongs (the previous day if there is no corresponding day) must pay to the State as the spectrum user fee; and in the case of a blanket registrant, the blanket registrant, within forty-five days from the last day of the month to which the day of registration pursuant to the provisions of Article 27-32, paragraph (1) belongs or the day corresponding to the day of the blanket registration in each of the following years belongs (the previous day if there is no corresponding day) must pay to the State as the spectrum user fee, for each one-year period commencing from the respective days of the blanket license and registration pursuant to the provisions of the same paragraph (hereinafter referred to as the "blanket license, etc.") or the day corresponding to the day of issue of the blanket license, etc. (the following day if there is no corresponding day) in each of the following years (if this period begins on March 1 of the preceding year to a leap year under the condition that if the day of issue of a blanket license, etc. is February 29, the period is to be from March 1 to February 28 of the following year; and if the period from the day of issue of the relevant blanket license, etc. or the day corresponding to the day of issue of the relevant blanket license, etc. (the following day if there is no corresponding day) to the day of expiration of the validity of the relevant blanket license, etc. is less than one year, the period is to be that period; hereinafter the same applies in this paragraph and

the following paragraph), the amount obtained by multiplying 360 yen for an item (i) blanket licensee (150 yen for a radio station that communicates with radio stations established over a wide area using radio waves for use in a wide area), or for an item (ii) blanket licensee, the amount of money set forth in the right column of Appended Table No. 6 according to the classification of radio stations in the left column of the same table, or 400 yen for a blanket registrant (or the amount of money set forth in the right column of Appended Table No. 9 according to the classification of radio stations in the left column of the same table for radio stations that do not move), by the number of established radio stations or established registered stations (referring to the number of established registered stations as of the last day of the month to which the day of registration belongs or the day corresponding to the day of the registration in each of the following years belongs (the previous day if there is no corresponding day); the same applies to the following paragraph) pertaining to the relevant period of one year (if the period from the day of issue of the relevant blanket license, etc. or the day corresponding to the day of issue of the relevant blanket license, etc. (the following day if there is no corresponding day) to the day of expiration of the validity of the relevant blanket license, etc. is less than one year, the amount is to be equivalent to the amount obtained by multiplying the amount by the number that is obtained by dividing the number of months in the relevant period by 12).

- (6) Beyond the fee pursuant to the provisions of the preceding paragraph, if, during the one-year period commencing from the day of issue of a blanket license, etc. or the day corresponding to the day of issue of a blanket license, etc. in each of the following years (the following day if there is no corresponding day), the number of specified radio stations or registered stations established as of the last day of each month following the month to which the day of issue of the relevant blanket license, etc. belongs or the day corresponding to the day of issue of the relevant blanket license, etc. in each following year (the previous day if there is no corresponding day) belongs exceeds the number of established radio stations (with regard to specified radio stations (limited to those pertaining to the radio stations given in Article 27-2, item (i)), if a notification has already been submitted pursuant to the provisions of this paragraph; the number of specified radio stations pertaining to the notification after the day of notification; or with regard to specified radio stations (limited to those pertaining to the radio stations given in item (ii) of the same Article) for which there is a month if the number of specified radio stations has exceeded the number of established radio stations; the number of specified radio stations established as of the last day of each month subsequent to that month) or registered stations (if there is a month in which the number of registered stations has exceeded the number of established registered

stations; the number of registered radio stations established as of the last day of each month subsequent to that month) pertaining to the relevant one-year period, an item (i) blanket licensee is to notify the Minister of the number of the relevant established specified radio stations by the fifteenth day of the month following the month of the relevant excess and is to pay to the State as the spectrum user fee within thirty days from the day of acceptance of the relevant notification the amount obtained by multiplying 360 yen (150 yen for a radio station that communicates with radio stations established over a wide area using radio waves for use in a wide area); an item (ii) blanket licensee is to pay to the State as the spectrum user fee within forty-five days from the last day of the month of the relevant excess the amount set forth in the right column of Appended Table No. 6 according to the classification of radio stations in the left column of the same table; and a blanket registrant is to pay to the State as the spectrum user fee within forty-five days from the last day of the month of said excess the amount obtained by multiplying 400 yen (or the amount of money set forth in the right column of Appended Table No. 9 according to the classification of radio stations in the left column of the same table for radio stations that do not move), by the relevant excess number of specified radio stations or the relevant excess number of registered stations (if the relevant blanket licensee, etc. who is granted another blanket license, etc. (limited to a license pertaining to radio stations specified by Order of the Ministry of Internal Affairs and Communications as having the functions equivalent to those of radio stations pertaining to the blanket license, etc. of the relevant licensee, etc.), when the number of specified radio stations or registered stations established based on the relevant other blanket license, etc. as of the last day of the month of the relevant excess is less than the number of specified radio stations or registered stations established based on the relevant other blanket license, etc. as of the last day of the month previous to the month of the relevant excess; the number obtained by deducting the shortage in the number of specified radio stations or registered stations from each of these numbers with the number of deductions limited to the relevant excess number of specified radio stations or registered stations) and by the number obtained by dividing the number of months in the relevant period by 12, for the period from the month of the relevant excess to the month prior to the month to which the corresponding day of the subsequent blanket license, etc. (the previous day if there is no corresponding day) belongs, or to the month prior to the month to which the day following the expiration day of the relevant blanket license, etc. belongs.

- (7) Notwithstanding the provisions of paragraph (1) and the preceding two paragraphs, an item (i) blanket licensee using radio waves for use in a wide area (limited to one that is a licensee of radio stations established over a wide

area; the same applies in the following paragraph) is to notify the Minister of Internal Affairs and Communications of the number of specified radio stations (limited to those pertaining to radio stations set forth in Article 27-2, item (i) which are radio stations established over a wide area using radio waves for use in a wide area; hereinafter the same applies in this paragraph and the following paragraph) that have been already established under the blanket license granted to the relevant item (i) blanket licensee as of the last day of October every year (hereinafter referred to as the "number of established specified radio stations" in the following paragraph) for each of the classifications specified by Order of the Ministry of Internal Affairs and Communications as the classifications of specified radio stations with equivalent functions (hereinafter referred to as the "classification of equivalent specified radio stations" in this paragraph and the following paragraph) on or prior to November 15 of that year and is to pay to the State as the spectrum user fee within thirty days from the day of acceptance of the relevant notification, 150 yen per station (or, in the case of specified radio stations for which the period from October 1 of that year to the day of expiration of the validity of the relevant blanket license is less than one year, the amount is to be equivalent to the amount obtained by multiplying 150 yen by the number that is obtained by dividing the number of months in the period by 12) for the period of one year commencing on October 1 of that year (or, in the case of specified radio stations for which the period from October 1 of that year to the day of expiration of the validity of the relevant blanket license is less than one year, for the relevant period). Provided, however, that if the amount calculated with regard to each classification of equivalent specified radio stations pursuant to the provisions of the main text of this paragraph exceeds the maximum amount for the relevant classification of equivalent specified radio stations (referring to an amount obtained by multiplying 150 yen by the frequency bandwidth for the classification of equivalent specified radio stations (referring to the value obtained by multiplying the figure for the bandwidth of the radio waves for use in a wide area used by the specified radio stations established pertaining to the relevant classification of equivalent specified radio stations, expressed in megahertz, by the coefficient set forth in the right column of Appended Table No. 7 corresponding to the area set forth in left column of the same table pertaining to said radio waves for use in a wide area) and the standard number of radio stations (referring to the number of specified radio stations per megahertz specified by Order of the Ministry of Internal Affairs and Communications considering the degree of effective utilization of radio waves); hereinafter the same applies in this paragraph and the following paragraph), the amount of the spectrum user fee which the relevant item (i) blanket licensee is required to pay to the State for the relevant classification of

equivalent specified radio stations pursuant to the provisions of this paragraph is to be the relevant maximum amount for the relevant classification of equivalent specified radio stations.

- (8) An item (i) blanket licensee using radio waves for use in a wide area, beyond the fee pursuant to the provisions of the preceding paragraph, for each classification of equivalent specified radio stations, during each one-year period commencing on October 1 every year, if the number of specified radio stations established as of the last day of November or later month of that year (limited to specified radio stations established under a blanket license the date of which is November 1 or later date of that year; hereinafter referred to as the "stations established under new license" in this paragraph) exceeds the number of the stations established under new license pertaining to the notification pursuant to the provisions of this paragraph (which is zero if no notification has been made on the number of the stations established under new license pursuant to the provisions of this paragraph) or if the number of specified radio stations established as of the relevant last day (except the stations established under new license; hereinafter referred to as the "stations established under existing license" in this paragraph) exceeds the number of established specified radio stations pertaining to the relevant one-year period (or, if a notification has already been made on the number of the stations established under existing license pursuant to the provisions of this paragraph, the number of the stations established under existing license pertaining to the relevant notification, on and after the day of the relevant notification), is to notify the Minister of Internal Affairs and Communications of the number of stations established under new license as of the last day of the month of the relevant excess in the case of stations established under new license, or the number of stations established under existing license as of the last day of the month of the relevant excess in the case of stations established under existing license by the fifteenth day of the following month and is to pay to the State as the spectrum user fee within thirty days from the day of acceptance of the relevant notification, the total of an amount of money equivalent to the amount obtained by multiplying 150 yen by the number of the stations established under the new license in the relevant excess in the case of stations established under new licenses, or the number of the stations established under the existing license in excess in the case of stations established under the existing license, and further by the number that is obtained by dividing the number of months in the period by 12, for the period from the month pertaining to the relevant notification to September of the following year (or, in the case of specified radio stations for which the blanket license expires prior to the last day of September of the following year, the month prior to the month to which the day following the expiration day of the validity of the relevant blanket

license belongs). Provided, however, that if an amount obtained by adding the already paid amount for each classification of equivalent specified radio stations (referring to the total of the amount of spectrum user fee for the relevant classification of equivalent specified radio stations already paid by the item (i) blanket licensee to the State for the one-year period or a period of less than one year included in the relevant one-year period pursuant to the provisions of the preceding paragraph and this paragraph; hereinafter the same applies in this paragraph) to the amount calculated for each relevant classification of equivalent specified radio stations pertaining to the specified radio stations established by the item (i) blanket licensee pursuant to the provisions of the main text of this paragraph exceeds the maximum amount for the relevant classification of equivalent specified radio stations, the amount of the spectrum user fee which the relevant item (i) blanket licensee is required to pay to the State for the relevant classification of equivalent specified radio stations pursuant to the provisions of this paragraph is to be an amount equivalent to the amount obtained by deducting the already paid amount for the relevant classification of equivalent specified radio stations from the maximum amount for the relevant classification of equivalent specified radio stations.

- (9) If licensees are licensees of existing established radio stations, with respect to the application under the provisions of paragraph (1) pertaining to the relevant existing established radio stations, during a period not exceeding ten years specified by Cabinet Order from the day of a public notice on changes to the frequency assignment plan, etc. pertaining to the relevant existing established radio stations (limited to those pertaining to the time limit on the use of frequencies in the classification of radio stations pertaining to the relevant existing established radio stations) to the day subsequent to the period, "the amount of money)" in the same paragraph is to be replaced by "the amount of money) and the additional amount of money specified by Cabinet Order according to the frequency and antenna power for the relevant existing established radio stations considering the amount obtained by multiplying the amount equivalent to half the estimated costs required for a specific frequency change support service (including delivery of subsidies to a designated frequency change support agency pursuant to the provisions of Article 71-3 paragraph (9)) pertaining to the relevant licensee, etc. by the ratio of the average of the periods during which each licensee of existing established radio stations pertaining to the relevant specific frequency change support service establishes new specified radio stations in addition to the relevant existing established radio stations to the period from the day of the public notice on changes to the frequency assignment plan, etc. (limited to those pertaining to the time limit on the use of frequencies in the classification of radio stations

pertaining to the relevant existing established radio stations) pertaining to the relevant existing established radio stations to the time limit on the use of the relevant frequency."

- (10) If licensees, etc. are licensees, etc. of notified specified stations, with respect to the application of the provisions of paragraphs (1) and (5) through (8) pertaining to the relevant notified specified stations, during a period not exceeding ten years specified by Cabinet Order from the day following the day of expiration of the old assignment period (hereinafter referred to as the "day of expiration") pertaining to the relevant notified specified stations to the day subsequent to the period, "the amount of money)" in paragraph (1) is replaced by "the amount of money) and the additional amount of money specified by Cabinet Order according to the type, frequency, and antenna power for radio stations considering the amount equivalent to half the estimated costs (including costs estimated to be required for compensation in the cases of compensating licensees, etc. of radio stations using radio frequencies with the old assignment period pertaining to a specific frequency termination support service pursuant to the provisions of Article 71, paragraph (2) or Article 76-3, paragraph (2)) estimated to be required for a specific frequency termination support service (including delivery of subsidies to a registered frequency termination support agency pursuant to the provisions of Article 71-3, paragraph (9), as applied mutatis mutandis pursuant to Article 71-3-2, paragraph (11)) pertaining to the relevant licensee, etc., as well as the number of notified specified stations pertaining to the relevant specific frequency termination support service that are estimated to be established during the period specified by Cabinet Order under paragraph (10)"; and "the amount of money set forth)" in paragraphs (5) and (6) is to be replaced by "the amount of money set forth)" and the additional amount of money specified by Cabinet Order according to the type, frequency, and antenna power for radio stations considering the amount equivalent to half the estimated costs (including costs to be required for compensation in the case of compensating licensees, etc. of radio stations using radio frequencies with the old assignment period pertaining to a specific frequency termination support service pursuant to the provisions of Article 71, paragraph (2) or Article 76-3, paragraph (2)) to be required for a specific frequency termination support service (including delivery of subsidies to a registered frequency termination support agency pursuant to the provisions of Article 71-3, paragraph (9), as applied mutatis mutandis pursuant to Article 71-3-2, paragraph (11)) pertaining to the relevant licensee, etc. as well as the number of notified specified stations pertaining to the relevant specific frequency termination support service that are estimated to be established during the period specified by Cabinet Order under paragraph (10)"; "150 yen per station" in paragraph (7) is to be replaced by

"150 yen per station and the additional amount of money specified by Cabinet Order according to the type, frequency, and antenna power for radio stations considering the amount equivalent to half the estimated costs (including costs to be required for compensation in the case of compensating licensees, etc. of radio stations using radio frequencies with the old assignment period pertaining to a specific frequency termination support service pursuant to the provisions of Article 71, paragraph (2) or Article 76-3, paragraph (2)) to be required for a specific frequency termination support service (including delivery of subsidies to a specific frequency termination support agency pursuant to the provisions of Article 71-3, paragraph (9), as applied mutatis mutandis pursuant to Article 71-3-2, paragraph (11)) pertaining to the relevant item (i) blanket licensee as well as the number of notified specified stations pertaining to the relevant specific frequency termination support service that are estimated to be established during the period specified by Cabinet Order under paragraph (10) (hereinafter referred to as the "amount pertaining to specific frequency termination support service" in this paragraph and the following paragraph)", ", an amount of money equivalent to the amount obtained by multiplying 150 yen" in the same paragraph is replaced by ", an amount of money equivalent to the amount obtained by multiplying 150 yen and the additional amount pertaining to specific frequency termination support service", "(referring to an amount obtained by multiplying 150 yen" in the same paragraph is to be replaced by "(referring to an amount obtained by multiplying 150 yen and the additional amount pertaining to specific frequency termination support service"; and "150 yen" in paragraph (8) is to be replaced by "150 yen and the additional amount pertaining to specific frequency termination support service".

- (11) Notwithstanding the provisions of the preceding paragraph, if licensees are licensees of notified specified stations, with respect to the application of the provisions of paragraphs (1) or (5) pertaining to the first specified base station (if the relevant specified base station is one which pertains to a blanket license, including other specified base stations pertaining to the relevant blanket license; the same applies hereinafter in this paragraph) in cases where the relevant licensees establish a specified base station for the first time in accordance with the attested plan, during a period not exceeding five years specified by Cabinet Order from the day following the day of expiration pertaining to the relevant notified specified stations to the day subsequent to the period, "an amount of money ...)" in paragraph (1) is to be replaced by "an amount of money ...), pertaining to the relevant licensee, etc."; "to the State" in the same paragraph and paragraph (5) is to be replaced by "and the additional amount of money specified by Cabinet Order according to frequencies and areas thereof to be used by specified base stations considering the amount

equivalent to half the estimated costs (including costs estimated to be required for compensation in cases involving compensation of licensees, etc. of radio stations using radio frequencies with the old assignment period pertaining to a specific frequency termination support service pursuant to the provisions of Article 71 paragraph (2) or Article 76-3 paragraph (2)) to be required for a specific frequency termination support service (including delivery of subsidies to a specific frequency termination support agency pursuant to the provisions of Article 71-3 paragraph (9), as applied mutatis mutandis pursuant to Article 71-3-2 paragraph (11)) pertaining to the relevant licensee, etc., and further an additional amount of money, which is less than the amount specified by the relevant Cabinet Order, calculated as stipulated by Order of the Ministry of Internal Affairs and Communications considering the validity period of approval pertaining to the relevant attested plan, the total number of specified base stations and other matters including the extent to which the relevant attested plan can contribute to the smooth establishment of specified base stations, in total is to be paid to the State"; and "an amount of money equivalent...)" in the same paragraph is to be replaced by "an amount of money equivalent...), pertaining to the relevant blanket licensee, etc." In this case, the provisions of the preceding paragraph neither apply to specified base stations other than the relevant specified base stations to be established for the first time in accordance with the relevant authorized plan nor to mobile radio stations with which specified base stations to be established in accordance with the relevant authorized plan communicate.

- (12) Any person who establishes specified radio stations not requiring a license, etc. (limited to those using radio equipment specified by Order of the Ministry of Internal Affairs and Communications exclusively used for radio stations for telecommunications business or equivalent business thereto) pertaining to a specific frequency termination support service during the period specified by Cabinet Order not exceeding ten years from the day following the day of expiration pertaining to the relevant notified specified stations (hereinafter referred to as a "covered period" in this Article) if all notified specified stations pertaining to the relevant specific frequency termination support service are radio stations under Article 4 item (iii) (hereinafter referred to as "specified radio stations not requiring a license, etc."), is to notify the Minister of Internal Affairs and Communications of the name of the person (in the case of a corporation, the appellation and the name of its representative; the same applies in the following paragraph) and address thereof, and the number of the relevant specified radio stations not requiring a license, etc. (hereinafter referred to as the "number of established specified radio stations not requiring a license, etc." in this paragraph) established as of the corresponding day (the previous day if there is no corresponding day) to the day of expiration

pertaining to the relevant specified radio stations not requiring a license, etc. in each year during the covered period, according to the functions of radio stations specified by Cabinet Order, by the fifteenth day of the month following the month to which the day belongs, and pay to the State within thirty days from the day of acceptance of the relevant notification, as the spectrum user fee for a one-year period to the relevant corresponding day, an amount of money obtained by multiplying the amount specified by Cabinet Order according to functions of radio stations specified by the relevant Cabinet Order considering the amount equivalent to half the estimated costs (including costs estimated to be required for compensation in the case of compensating licensees, etc. of radio stations using radio frequencies with the old assignment period pertaining to a specific frequency termination support service pursuant to the provisions of Article 71 paragraph (2) or Article 76-3 paragraph (2); hereinafter the same applies to the following paragraph) to be required for the specific frequency termination support service pertaining to the relevant specified radio stations not requiring a license, etc. and the number of specified radio stations not requiring a license, etc. pertaining to the relevant specific frequency termination support service estimated to be established within the covered period, by the number of specified radio stations not requiring a license, etc. established pertaining to the relevant one-year period.

- (13) In the cases prescribed for in the preceding paragraph, any person who has affixed marks (referring to the mark pursuant to the provisions of Article 38-7 paragraph (1), Article 38-26 (except for cases applying to foreign dealers), or Article 38-35; the same applies in this paragraph and paragraph (21)) to radio equipment (except those specified by Order of the Ministry of Internal Affairs and Communications under the same paragraph) (hereinafter referred to as a "person affixing marks" in this Article) that may be used for specified radio stations not requiring a license, etc. pertaining to the relevant specific frequency termination support service is to notify the Minister of Internal Affairs and Communications of the name of the person and address thereof, and the number of items of the relevant radio equipment to which the person has affixed the marks during the one-year period before the corresponding day (the previous day if there is no corresponding day) to the day of expiration in each year within the covered period, and other matters specified by Order of the Ministry of Internal Affairs and Communications, according to the functions of radio stations specified by Cabinet Order, by the fifteenth day of the month following the month to which the day belongs, and pay to the State within thirty days from the day of acceptance of the relevant notification as the spectrum user fee the total amount of money obtained by multiplying the amount of money specified by Cabinet Order according to the functions of radio stations specified by the relevant Cabinet Order considering the amount

equivalent to half the estimated costs required for the specific frequency termination support service pertaining to the relevant specified radio stations not requiring a license, etc. using the relevant radio equipment, the number of specified radio stations not requiring a license, etc. pertaining to the relevant specific frequency termination support service estimated to be established during the covered period, and the average period during which the relevant radio equipment is estimated to be used, by the number of items (if, among the relevant radio equipment, there is radio equipment that is estimated to either be exclusively used in foreign countries or not used at all due to functional faults in transit or storage and other similar reasons, referring to the number after deducting the number of items of the radio equipment specified by Order of the Ministry of Internal Affairs and Communications; the same applies in the second sentence of paragraph (21)) of radio equipment to which the marks have been affixed within the relevant one-year period.

(14) The provisions of paragraphs (1), (2), and (5) through (12) do not apply to licensees of radio stations which have obtained a license pursuant to the provisions of Article 27, paragraph (1) or the licensees, etc. of radio stations provided for in paragraph (2) of the preceding Article (except radio stations established by one of the persons in the following items for the purpose of it being solely used for the administrative affairs prescribed in the relevant items (hereinafter referred to as "radio stations established by a national government organ, etc." in this paragraph)) or radio stations established by a national government organ, etc. or other radio stations prescribed by Cabinet Order as radio stations established by one of the persons in the following items solely for the purpose of use of the administrative affairs prescribed in the relevant items or similar radio stations (if the relevant radio station does not require a special license, etc., the person who established the radio station that does not require a special license, etc.) with regard to the relevant radio stations; provided, however, that this does not apply if those radio stations (limited to radio stations established by a national government organ, etc. or radio stations specified by the Cabinet Order referred to in the main clause of this paragraph) are those specified by Cabinet Order as radio stations that do not use technology that contributes to the efficient utilization of radio waves (except those for which there is deemed to be little need to promote introduction of radio equipment using that technology in consideration of circumstances, such as trends in demand, concerning radio waves of the frequencies used by their radio equipment; the same applies in the following paragraph):

(i) the National Police Agency: administrative affairs for execution of the duties prescribed in Article 2 paragraph (1) of the Police Act (Act No. 162 of 1954);

- (ii) the Fire and Disaster Management Agency and local public entities: administrative affairs for execution of the duties prescribed in Article 1 of the Fire and Disaster Management Organization Act (Act No. 226 of 1947);
 - (iii) the Ministry of Justice: administrative affairs relating to the management and operation of the penal institutions prescribed in Article 3 of the Act on Penal Detention Facilities and Treatment of Inmates and Detainees (Act No. 50 of 2005), the juvenile training schools provided for in Article 3 of the Juveniles Training Schools Act (Act No. 58 of 2014), and the juvenile classification homes provided for in Article 3 of the Juvenile Classification Home Act (Act No. 59 of 2014);
 - (iv) the Immigration Services Agency: the administrative affairs prescribed in Article 61-3-2, paragraph (2) of the Immigration Control and Refugee Recognition Act (Cabinet Order No. 319 of 1951);
 - (v) the Public Security Intelligence Agency: the administrative affairs prescribed in Article 4 of the Act on the Establishment of the Public Security Intelligence Agency (Act No. 241 of 1952);
 - (vi) the Ministry of Health, Labour and Welfare: administrative affairs for execution of the duties prescribed in Article 54, paragraph (5) of the Narcotics and Psychotropic Control Act (Act No. 14 of 1953);
 - (vii) the Ministry of Land, Infrastructure, Transport and Tourism: administrative affairs relating to the instructions prescribed in Article 96, paragraph (1) of the Civil Aeronautics Act (Act No. 231 of 1952);
 - (viii) the Japan Meteorological Agency: administrative affairs relating to the warnings prescribed in Article 23 of the Meteorological Service Act (Act No. 165 of 1952);
 - (ix) the Japan Coast Guard: administrative affairs for execution of the duties prescribed in Article 2, paragraph (1) of the Japan Coast Guard Act (Act No. 28 of 1948);
 - (x) the Ministry of Defense: administrative affairs for execution of the duties prescribed in Article 3 of the Self-Defense Forces Act (Act No. 165 of 1954);
 - (xi) a national government organ, a local public entity or flood prevention management entity provided for in Article 2, paragraph (2) of the Flood Control Act (Act No. 193 of 1949): flood prevention administrative affairs (except for those provided for in item (ii)); and
 - (xii) a national government organ: administrative affairs for execution of the duties prescribed in Article 3, paragraph (1) of the Basic Act on Disaster Control Measures (Act No. 223 of 1961) (except for those provided for in each of the preceding items).
- (15) The amount of money for the spectrum user fee that a licensee, etc. (if the radio station is one which does not require a special license, the person who established that radio station not requiring a special license) of the radio

station set forth in the following items (except for those prescribed by Cabinet Order under the main clause of the preceding paragraph) or a person who has established a specified radio station not requiring a license, etc., notwithstanding the provisions of each of the relevant items, must pay the amount of money equivalent to half the amount of money prescribed in the relevant provisions; provided, however, that this does apply if the radio station (except one set forth in item (iii)) is one set forth in Cabinet Order as a radio station that is deemed not to be using radio equipment which uses technology that contributes to the efficient utilization of radio waves:

- (i) a licensee set forth in the preceding items, who establishes a radio station for the purpose of the station being used for the administrative affairs prescribed in the relevant items (except for the radio stations established for the purpose of it being solely used for the administrative affairs prescribed in each of the items); paragraphs (1), (2) and paragraphs (5) through (12);
 - (ii) a licensee, etc. of a radio station (except for radio stations established for the purpose of being solely used for the administrative affairs prescribed in items (ii) and (xi) of the preceding paragraph and radio stations set forth in the preceding item) established by local public entities for the purpose of conducting communications required for disaster prevention as prescribed in the Local Disaster Prevention Plan set forth in Article 2 item (x) of the Disaster Control Fundamental Act (Act No. 223 of 1961), or a person who has established a specified radio station not requiring a license, etc.; paragraphs (1) and (5) through (12); and
 - (iii) if the period of validity for all or part of the frequencies used by a radio station is specified by the frequency assignment plan (except cases when the provisions of Article 71-2 paragraph (1) apply), a licensee, etc. of a radio station for which the Minister of Internal Affairs and Communications has confirmed that the relevant radio station be abolished within two years from the day of the license, etc. or the corresponding day; paragraph (1).
- (16) The number of months in paragraphs (1), (2), (5), and (7) is to be reckoned according to the calendar, and any fraction of less than one month is to be counted as one month.
- (17) In paying the spectrum user fee pursuant to the provisions of paragraph (1), licensees, etc. (except blanket licensees, etc.) may prepay the spectrum user fee for the period after the corresponding day of the following year.
- (18) When the portion of the spectrum user fee prepaid pursuant to the provisions of the preceding paragraph only pertains to the period after the first corresponding day following the request, it is to be refunded upon the request of the person who has prepaid.
- (19) Specified by Order of the Ministry of Internal Affairs and Communications, the Minister of Internal Affairs and Communications may allow delayed

payment of the spectrum user fee payable by a licensee pursuant to the provisions of first sentence of paragraph (2), at the request of the licensee.

- (20) A person affixing marks, notwithstanding the provisions of paragraph (13), after approval from the Minister of Internal Affairs and Communications, may pay an estimated total amount for the spectrum user fee to be paid by the relevant person affixing marks pursuant to the provisions of the same paragraph during a period specified by Order of the Ministry of Internal Affairs and Communications (hereinafter referred to as a "prepayment period" in this Article) within the covered period. In this case, the relevant person affixing marks is not required to submit a notification pursuant to the provisions of the same paragraph during the prepayment period.
- (21) A person affixing marks who has prepaid pursuant to the provisions of the preceding paragraph, on or before the fifteenth day of the month following the month to which the day on which the prepayment period has elapsed belongs (if the relevant person affixing marks has suspended or discontinued its service pertaining to marks and on the occurrence of reasons specified by Order of the Ministry of Internal Affairs and Communications; the day when the relevant reasons occurred), must notify the Minister of Internal Affairs and Communications of the number of items of radio equipment under paragraph (13) to which marks have been affixed during the prepaid period. In this case, the relevant person affixing marks, if the amount of the prepaid spectrum user fee falls short of the amount obtained by multiplying the amount of money specified by Cabinet Order in the same paragraph by the number of items of radio equipment to which marks have been affixed during the prepaid period (referred to as the "amount to be paid" in the following paragraph), must pay the State that shortage in amount within thirty days from the day when the relevant notification is accepted.
- (22) If the amount of the spectrum user fee prepaid by the person affixing marks pursuant to the provisions of paragraph (20) exceeds the amount to be paid, the excess amount is to be refunded upon the request of the relevant person affixing marks.
- (23) Upon receipt of a proposal from a person who wishes to pay the spectrum user fee, to entrust a financial institution with which that person has a bank account or a postal savings account with the payment of the spectrum user fee by transfer of funds in the form of bank deposits or postal savings held in the relevant account, the Minister of Internal Affairs and Communications may approve the proposal only after determining that the payment is certain and that approval of the proposal is advantageous for the collection of the spectrum user fee.
- (24) If the spectrum user fee pertaining to the approval in the preceding paragraph is paid by the date specified by Order of the Ministry of Internal

Affairs and Communications as the time limit for payment of the spectrum fee by the financial institution in the same paragraph, the payment is deemed to have been made by the original time limit, even though the date of payment is after the original time limit.

- (25) The Minister of Internal Affairs and Communications must press any person who has not paid the due spectrum user fee for payment by sending a reminder that sets a time limit.
- (26) The Minister of Internal Affairs and Communications is to dispose of the unpaid amount of the person who was pressed for payment pursuant to the provisions of the preceding paragraph who has not paid the relevant spectrum user fee and arrears pursuant to the provisions of the following paragraph by the designated time limit, in the manner of disposition for failure to pay national taxes. In this case, the statutory lien on the spectrum user fee and its arrears is to come next to that of national taxes and local taxes in that order.
- (27) When pressing for payment pursuant to the provisions of paragraph (25), the Minister of Internal Affairs and Communications may collect arrears on the relevant spectrum user fee reckoned according to the number of days from the day following the time limit to the day preceding payment or seizure of property, with the rate being set at 14.5% per year. However this does not apply when it is deemed to have occurred under unavoidable conditions, or to other cases specified by Order of the Ministry of Internal Affairs and Communications.
- (28) Beyond matters prescribed in paragraph (17) through the preceding paragraph, matters necessary for the payment of the spectrum user fee, including procedures for payment of the spectrum user fee, are specified by Order of the Ministry of Internal Affairs and Communications.

Article 103-3 (1) The Government is to allocate as a fund for the expenses for spectrum users' common benefit every fiscal year an amount of money equivalent to the budgeted amount for the revenue of the spectrum user fees for the relevant year as prescribed in the national budget. However, when the amount of money is determined to exceed the amount budgeted for the expenses for spectrum users' common benefit in the relevant year, this does not apply to the excess amount of money.

- (2) When deemed necessary, in light of the expenses for spectrum users' common benefit required for the relevant fiscal year, the Government may allocate as a fund for the expenses for spectrum users' common benefit for the relevant fiscal year as prescribed in the national budget, beyond the amount budgeted from the revenue of the spectrum user fee for the relevant year, all or part of the money equivalent to the amount obtained by deducting the total amount in the settlement account (the budgeted amount for the year preceding the

relevant year) for the expenses for spectrum users' common benefit for each year from 1993 to the year preceding the relevant year, from the total amount in the settlement account (the budgeted amount for the year preceding the relevant year) for the revenue from the spectrum user fee for each year from 1993 to the year preceding the relevant year.

- (3) The Minister of Internal Affairs and Communications is to make public the results of the research and development prescribed in paragraph (4) item (iii) of the preceding Article and other data concerning the status of the implementation of the administrative affairs set forth in each of the items in the same paragraph.
- (4) When the Minister of Internal Affairs and Communications issues subsidies to be appropriated to the fund prescribed in paragraph (4), item (iii) of the preceding Article, the Minister is to investigate the remaining amount of the fund and the situation of use of the fund every fiscal year, and make the investigation results public.

(Use of Specified Base Station Establishment Fees)

- Article 103-4 (1) The Government is to allocate an amount of money equivalent to the expected amount of revenue from specified base station establishment fees to expenses (except those categorized as expenses for spectrum users' common benefit) required for implementing measures necessary for promoting development of advanced information and telecommunications networks that use radio waves, measures necessary for promoting creation of high added values through utilization of diverse and a large amount of information distributed via those advanced information and telecommunications networks, and measures necessary for promoting utilization of those high added values for solving various social issues.
- (2) With regard to application of the provisions of the preceding paragraph, the calculation of the amount of money for each fiscal year is to be based on the amount of budget for that fiscal year.

(Foreign Radio Stations Established on Board a Ship or Aircraft)

- Article 103-5 (1) No provisions under Chapter II or IV apply to foreign radio stations established on board a ship or aircraft.
- (2) Radio stations under the preceding paragraph may be operated only when conducting communications that fall under the following items:
 - (i) communications under any of the items of Article 52
 - (ii) communications with radio stations for the purpose of conducting telecommunications services
 - (iii) communications for the purpose of navigating safely (except those in the preceding item)

(Foreign Radio Stations that Conduct Radio Communications with the Same Persons as Specified Radio Stations)

Article 103-6 (1) Notwithstanding the provisions of Chapter II, Chapter III, and Chapter IV, an item (i) blanket licensee, with the permission of the Minister of Internal Affairs and Communications, may operate in Japan the following radio stations that conduct radio communications with the same person(s) as specified radio stations pertaining to the blanket license and that transmit only radio waves of a frequency automatically selected by receiving radio waves from the radio station with which the relevant radio communications are conducted:

- (i) foreign radio stations (including radio stations established by using radio equipment for the foreign radio stations to which the permission pertains, and except the radio stations set forth in the following item); and
 - (ii) experimental radio stations.
- (2) Upon receipt of an application for permission under the preceding paragraph, the Minister of Internal Affairs and Communications must grant permission when determining that the radio equipment of the radio station under application conforms to technical regulations corresponding to the technical regulations prescribed in Chapter III.
- (3) When the blanket license of the item (i) blanket licensee ceases to be valid, the permission under paragraph (1) that has been granted to the item (i) blanket licensee ceases to be valid.
- (4) When the item (i) blanket licensee has been granted permission under paragraph (1), the provisions of Chapter V and Chapter VI (if the radio stations to which the permission pertains are those established by using radio equipment for the foreign radio stations to which the permission pertains or the radio stations set forth in item (ii) of the same paragraph, the provisions of Articles 26-2, 26-3, 27-7, 103-2, and 103-3, in addition to these provisions) apply by deeming the radio stations to which the permission pertains to be specified radio stations established by the relevant item (i) blanket licensee under the blanket license; provided, however, that this excludes the provisions of Article 71, paragraph (2), Article 76, paragraph (5), items (i) and (ii), Article 76-2, and Article 76-3, paragraph (2).

(Exemption from Application for the State)

Article 104 (1) None of the provisions of Article 103 nor those of the next Chapter apply to the State, and none of the provisions of Article 103 apply to independent administrative institutions (limited to those institutions specified by Cabinet Order, considering the relevant independent administrative institutions' activities, etc.) prescribed in Article 2 paragraph (1) of the

Independent Administrative Institution General Act (Act No. 103 of 1999).

However, the provisions of the same article apply to those entities which are regarded as government organizations pursuant to the provisions of other laws.

(2) When the provisions of this Act apply to the State, "license" or "permission" is deemed to be replaced with "authorization."

(Conditions of Provisional Licenses)

Article 104-2 (1) A provisional license, license, permission, or registration under Article 27-21, paragraph (1) may be provided with some conditions or terms.

(2) The conditions or terms in the preceding paragraph must be limited to the minimum extent necessary for promoting the public interest or ensuring the implementation of matters pertaining to a provisional license, license, permission, or registration under Article 27-21, paragraph (1), without undue obligations upon the persons subject to the relevant administrative disposition.

(Entrustment of Authority)

Article 104-3 (1) The authority of the Minister of Internal Affairs and Communications prescribed in this Act may partially be entrusted, as stipulated by Order of the Ministry of Internal Affairs and Communications, to the Directors-General of Regional Bureaus of Telecommunications and to the Director-General of Okinawa Office of Telecommunications.

(2) The provisions of Chapter VII apply mutatis mutandis to a request for examination or an action against administrative dispositions which the Directors-General of Regional Bureaus of Telecommunications or the Director-General of Okinawa Office of Telecommunications has or have made with the authority entrusted pursuant to the provisions of the preceding paragraph. In this case, "the Minister of Internal Affairs and Communications" in Article 96-2 is deemed to be replaced with "the Directors-General of Regional Bureaus of Telecommunications or the Director-General of Okinawa Office of Telecommunications."

(Request for Examination on Administrative Dispositions Made by a Designated Examination Agency)

Article 104-4 (1) A person who is dissatisfied with an administrative disposition by a designated examination agency pursuant to the provisions of this Act may request the Minister of Internal Affairs and Communications to conduct an examination. In this case, with regard to the application of Article 25 paragraphs (2) and (3), Article 46 paragraphs (1) and (2), and Article 47 of the Administrative Appeal Act, the Minister of Internal Affairs and Communications is deemed to be the higher administrative authority of a designated examination agency.

(2) The provisions of Article 83, Articles 85 through 96 apply mutatis mutandis to a request for examination pursuant to the provisions of the preceding paragraph; and the provisions of Articles 96-2 through 99, to a lawsuit against administrative dispositions pursuant to the provisions of the same paragraph. In this case, "the Minister of Internal Affairs and Communications " in Article 90 paragraph (2) and Article 96-2 is deemed to be replaced with "the designated examination agency," "the ministerial staff" in Article 90 paragraph (2) is deemed to be replaced with "an officer or a staff member."

(Transitional Measures)

Article 104-5 When any order is established, revised, or abolished pursuant to the provisions of this Act, necessary transitional measures (including those related to penal provisions) may be specified by that order within the scope deemed to be reasonably necessary in establishing, revising, or abolishing that order.

Chapter IX Penal Provisions

Article 105 (1) Any person who is engaged in a radio communications service, when failing or delaying to handle distress traffic under the provisions of Article 66, paragraph (1) (including cases where applied mutatis mutandis pursuant to Article 70-6, paragraph (2)), is punished by imprisonment for a definite term of one year or longer.

(2) The provisions of the preceding paragraph also apply to any person who causes interference with handling distress traffic.

(3) Any attempt to commit an offense under the preceding two paragraphs is punished.

Article 106 (1) Any person who transmits a false message by means of a radio equipment or other communication equipment under Article 100, paragraph (1), item (i), with the aim of benefiting themselves or another person or inflicting damage on another person, is punished by imprisonment for a period not exceeding three years or a fine not exceeding one million five hundred thousand yen.

(2) Any person who transmits distress traffic by means of radio equipment irrespective of the fact that neither a ship nor aircraft is in distress is punished by imprisonment from a period of three months to ten years.

Article 107 Any person who uses radio equipment or other communications equipment under Article 100, paragraph (1), item (i), to advocate destruction through the use of violence of the Constitution of Japan or the Government

that has been established under that Constitution is punished by imprisonment for a period not exceeding five years.

Article 108 Any person who transmits indecent content by means of radio equipment or communications equipment under Article 100, paragraph (1), item (i) is punished by imprisonment for a period not exceeding two years or a fine not exceeding one million yen.

Article 108-2 (1) Any person who destroys, or makes contact with an object, or impair the functions of either a radio equipment of a radio station used for telecommunications or broadcasting services or radio equipment used for the protection of life or property, for the maintenance of public peace, for meteorological services, for the supply of electric power pertaining to the electricity supply business, or for the operation of trains pertaining to the railway business, thereby causing interference with radio communications, is punished by imprisonment for a period not exceeding five years or a fine not exceeding two million five hundred thousand yen.

(2) An attempted offense under the preceding paragraph is punished.

Article 109 (1) Any person who discloses or takes advantage of a secret related to radio communications being handled by a radio station is punished by imprisonment for a period not exceeding one year or a fine not exceeding five hundred thousand yen.

(2) Any person who is engaged in a radio communications service and discloses or takes advantage of a secret as specified in the preceding paragraph related to a service that came to their knowledge is punished by imprisonment for a period not exceeding two years or a fine not exceeding one million yen.

Article 109-2 (1) When any person, who has intercepted encrypted communications or mediates encrypted communications and has received the relevant encrypted communications, has decoded their content for the purposes of divulging or taking advantage of secrets contained in the relevant encrypted communications, that person is punished by imprisonment for a period not exceeding one year or a fine not exceeding five hundred thousand yen.

(2) Any person engaged in a radio communications service who commits a crime under the preceding paragraph (limited to cases of interception or reception of encrypted communications related to the service) is punished by imprisonment for a period not exceeding two years or a fine not exceeding one million yen.

(3) The term "encrypted communications" in the preceding two paragraphs means radio communications that are processed to prevent the content from being decoded by persons other than parties to the communication (including a

person that mediates the relevant communications and is authorized to decode its content).

(4) Any attempted offense under paragraphs (1) and (2) is punished.

(5) The offenses referred to in paragraphs (1) and (2) and the preceding paragraph are governed by Article 4-2 of the Penal Code.

Article 109-3 Any person who discloses, in violation of the provisions of Article 47-3 paragraph (1) (including cases where applied mutatis mutandis pursuant to Article 71-3 paragraph (11), Article 71-3-2 paragraph (11) and Article 102-17 paragraph (5)), a secret which came to their knowledge related to their duties is punished by imprisonment for a period not exceeding one year or a fine not exceeding five hundred thousand yen.

Article 110 If any of the following items applies, the person that has committed the violation is punished by imprisonment for a period not exceeding one year or a fine not exceeding one million yen:

- (i) if a person establishes a radio station without a license under the provisions of Article 4 or registration under Article 27-21, paragraph (1);
- (ii) if a person operates a radio station without a license under the provisions of Article 4 or registration under Article 27-21, paragraph (1), and not pursuant to the provisions of Article 70-7, paragraph (1), Article 70-8, paragraph (1), or Article 70-9, paragraph (1);
- (iii) if a person establishes specified radio stations in violation of the provisions of Article 27-7;
- (iv) if a person operates equipment under the provisions of Article 100, paragraph (1) without the permission under the provisions of the same paragraph;
- (v) if a person operates a radio station in violation of the provisions of Article 52, Article 53, Article 54 item (i), or Article 55;
- (vi) if a person operates radio equipment in violation of the provisions of Article 18, paragraph (1);
- (vii) if a person violates an order under the provisions of Article 71-5 (including cases where applied mutatis mutandis pursuant to Article 100, paragraph (5));
- (viii) if a person operates a radio station or the equipment specified in Article 100, paragraph (1), irrespective of radio wave transmissions therefrom or operation thereof being suspended pursuant to the provisions of Article 72, paragraph (1) (including cases where applied mutatis mutandis pursuant to Article 100, paragraph (5)) or Article 76, paragraph (1) (including cases where applied mutatis mutandis pursuant to Article 70-7, paragraph (4), Article 70-8, paragraph (3), Article 70-9, paragraph (3) and Article 100,

- paragraph (5));
- (ix) if a person fails to observe administrative dispositions under the provisions of Article 74 paragraph (1);
- (x) if a person establishes a radio station in violation of the prohibition under the provisions of Article 76, paragraph (2);
- (xi) if a person violates an order under the provisions of Article 38-22, paragraph (1) (including cases where applied mutatis mutandis pursuant to Article 38-29 and Article 38-38); or
- (xii) if a person violates the prohibition under the provisions of Article 38-28, paragraph (1) (limited to those pertaining to item (i)), Article 38-36, paragraph (1) (limited to those pertaining to item (i)), or Article 38-37, paragraph (1).

Article 110-2 If any of the following items applies, the person that has committed the violation is punished by imprisonment for a period not exceeding one year or a fine not exceeding five hundred thousand yen:

- (i) if a person violates an order under the provisions of Article 24-10 or Article 38-17, paragraph (2) (including cases where applied mutatis mutandis pursuant to Article 38-24, paragraph (3) and Article 71-3-2, paragraph (11));
- (ii) if a person carries out personally, or orders a contractor to carry out construction of a part that causes interference in violation of the provisions of Article 102-6; or
- (iii) if a person fails to discontinue or to order a contractor to discontinue construction of the highest part of a tall building, etc., or carries out that construction personally or orders a contractor to carry out that construction, in violation of an order issued pursuant to the provisions of Article 102-8, paragraph (1).

Article 110-3 Any officer or staff member of a designated training agency, a designated examination agency, a designated frequency change support agency, the center, or a designated calibration agency who violates an order to suspend the respective services pursuant to the provisions of Article 39-11, paragraph (2) (including cases where applied mutatis mutandis pursuant to Article 47-5, Article 71-3, paragraph (11), Article 102-17, paragraph (5), and Article 102-18, paragraph (13)) is punished by imprisonment for a period not exceeding one year or a fine not exceeding five hundred thousand yen.

Article 110-4 Any person who violates the provisions of Article 99-9 is punished by imprisonment for a period not exceeding one year or a fine not exceeding five hundred thousand yen.

Article 111 If any of the following items applies, the person that has committed the violation is punished by imprisonment for a period not exceeding six months or a fine not exceeding three hundred thousand yen:

- (i) if a person fails to make a report under the provisions of Article 70-5-2, paragraph (6) or makes a false report;
- (ii) if a person refuses, hinders, or evades an inspection to be conducted pursuant to the provisions of Article 73, paragraphs (1), (5) (including cases where applied mutatis mutandis pursuant to Article 100, paragraph (5)), or (6), or Article 82, paragraph (2) (including cases where applied pursuant to Article 4-2, paragraph (3), following the deemed replacement of terms); or
- (iii) if a person makes a false entry in the certificate prescribed in the provisions of Article 73, paragraph (3).

Article 112 If any of the following items applies, the person that has committed the violation is punished by a fine not exceeding five hundred thousand yen:

- (i) if a person makes a change to any of the matters set forth in Article 6, paragraph (2), item (vi) in violation of the provisions of Article 9, paragraph (4) or Article 17, paragraph (1);
- (ii) if a person affixes a mark in violation of the provisions of Article 38-7, paragraph (3);
- (iii) if a person fails to remove a mark in violation of the provisions of Article 38-7, paragraph (4);
- (iv) if a person affixed a mark in violation of the provisions of Article 38-44, paragraph (2);
- (v) if a person operates a ship station in violation of the provisions of Article 62, paragraph (1);
- (vi) if a person operates an aircraft station in violation of the provisions of Article 70-2, paragraph (1);
- (vii) if a person violates the limitation on operation under the provisions of Article 76, paragraph (1) (including cases where applied mutatis mutandis pursuant to Article 70-7, paragraph (4), Article 70-8, paragraph (3), Article 70-9, paragraph (3), and Article 100, paragraph (5));
- (viii) if a person fails to make a notification or makes a false notification in violation of an order under the provisions of Article 102-4, paragraph (1); or
- (ix) if a person affixes a mark in violation of the provisions of Article 102-18, paragraph (4).

Article 113 If any of the following items applies, the person that has committed the violation is punished by a fine not exceeding three hundred thousand yen:

- (i) if, when making a notification under the provisions of Article 4-2, paragraph (2), a person makes a false notification and establishes the experimental

- radio station referred to in the same paragraph that uses the radio equipment referred to in the same paragraph;
- (ii) if, in violation of the provisions of Article 4-2, paragraph (4) (limited to the part pertaining to notification of a change to any of the matters set forth in paragraph (2), items (iv) through (vi) of the same Article), a person makes a change to that matter without making the notification or by making a false notification;
 - (iii) if a person fails to make a report under the provisions of Article 24-8, paragraph (1) or makes a false report, or refuses, hinders, or evades an inspection to be conducted pursuant to the provisions of the same paragraph;
 - (iv) if a person fails to make a report under the provisions of Article 26-2, paragraph (3) or makes a false report;
 - (v) if a person fails to make a report under the provisions of Article 26-3, paragraph (7) or makes a false report;
 - (vi) if a person fails to make a notification or makes a false notification in violation of the provisions of Article 27-6, paragraph (3) (limited to the provisions pertaining to notification of establishment of a specified radio station or notification of changes thereto);
 - (vii) if a person fails to make a report under the provisions of Article 27-12, paragraph (6) or makes a false report;
 - (viii) if a person changes any of the matters set forth in Article 27-21, paragraph (2), item (iii) or (iv) in violation of the provisions of Article 27-26, paragraph (1);
 - (ix) if a person changes any of the matters set forth in Article 27-32, paragraph (2), item (iii) or (iv) in violation of the provisions of Article 27-33, paragraph (1);
 - (x) if a person fails to make a notification or makes a false notification in violation of the provisions of Article 27-34;
 - (xi) if a person fails to make a notification or makes a false notification in violation of the provisions of Article 27-35;
 - (xii) if a person fails to make a report under the provisions of Article 38-6, paragraph (2) (including cases where applied mutatis mutandis pursuant to Article 38-24, paragraph (3)) or makes a false report;
 - (xiii) if a person fails to prepare a record book, fails to make an entry or makes a false entry therein, or fails to maintain that record book in violation of the provisions of Article 38-12 (including cases where applied mutatis mutandis pursuant to of Article 38-24, paragraph (3) and Article 71-3-2, paragraph (11));
 - (xiv) if a person fails to make a report under the provisions of Article 38-15, paragraph (1) (including cases where applied mutatis mutandis pursuant to Article 38-24, paragraph (3) and Article 71-3-2, paragraph (11)); hereinafter

- the same applies in this item) or makes a false report, or refuses, hinders, or evades an inspection to be conducted pursuant to the provisions of Article 38-15, paragraph (1);
- (xv) if a person discontinues the service without notification under the provisions of Article 38-16, paragraph (1) (including cases where applied mutatis mutandis pursuant to Article 38-24 paragraph (3)), or submits a false notification;
- (xvi) if a person fails to make a report under the provisions of Article 38-20, paragraph (1) (including cases where applied mutatis mutandis pursuant to Article 4-2, paragraph (5), Article 38-29, Article 38-38, and Article 38-48; hereinafter the same applies in this item) or makes a false report, or refuses, hinders, or evades the inspection to be conducted pursuant to the provisions of Article 38-20, paragraph (1);
- (xvii) if a person violates an order under the provisions of Article 38-21, paragraph (1) (including cases applied mutatis mutandis pursuant to Article 4-2, paragraph (5), Article 38-29, Article 38-38, and Article 38-48);
- (xviii) if a person submits a false notification when making a notification under the provisions of Article 38-33, paragraph (3);
- (xix) if a person fails to prepare a record book, prepares a false record book, or fails to maintain a record book, in violation of the provisions of Article 38-33, paragraph (4);
- (xx) if a person operates radio equipment in violation of the provisions of Article 39, paragraph (1) or (2), or Article 39-13;
- (xxi) if a person fails to make a notification or makes a false notification in violation of the provisions of Article 39, paragraph (4) (including cases where applied mutatis mutandis pursuant to Article 70-9, paragraph (3));
- (xxii) if a person fails to make a report under the provisions of Article 71-3, paragraph (6) (including cases where applied mutatis mutandis pursuant to Article 71-3-2, paragraph (11)) or makes a false report;
- (xxiii) if a person fails to take measures necessary for preventing the transmission of radio waves in violation of the provisions of Article 78 (including cases where applied mutatis mutandis pursuant to Article 4-2, paragraph (5));
- (xxiv) if a person operates radio equipment irrespective of the fact that the person has been ordered to cease engaging in services pursuant to the provisions of Article 79, paragraph (1) (including cases where applied mutatis mutandis pursuant to Article 79, paragraph (2));
- (xxv) if a person operates radio equipment on a ship station specified by Order of the Ministry of Internal Affairs and Communications under the main clause of Article 39, paragraph (1) irrespective of the fact that the validity of the ship station radio operator certificate has been suspended pursuant to

- the provisions of Article 79-2, paragraph (1);
- (xxvi) if a person violates an order under the provisions of Article 82, paragraph (1) (including cases where applied pursuant to Article 4-2, paragraph (3), following the deemed replacement of terms, and cases where applied mutatis mutandis pursuant to Article 101);
- (xxvii) if a person fails to make a notification or makes a false notification in violation of the provisions of Article 102-3, paragraph (1) or (2) (including cases where applied mutatis mutandis pursuant to Article 102-3, paragraph (6) and Article 102-4, paragraph (2));
- (xxviii) if a person fails to make a report under the provisions of Article 102-9 or makes a false report;
- (xxix) if a person violates an order under the provisions of Article 102-11, paragraph (4);
- (xxx) if a person fails to make a report under the provisions of Article 102-12 or makes a false report; or
- (xxxi) if a person violates an instruction under the provisions of Article 102-15, paragraph (1);
- (xxxii) if a person fails to make a report under the provisions of Article 102-16, paragraph (1) or makes a false report, or refuses, hinders, or evades an inspection to be conducted pursuant to the provisions of the same paragraph.

Article 113-2 Any officer or staff member of a designated training agency, a designated examinations agency, a designated frequency change support agency, a registered frequency termination support agency, the center, or a designated calibration agency who falls under any of the following items is punished by a fine not exceeding three hundred thousand yen:

- (i) when a person fails to prepare a record book, fails to make an entry, or makes a false entry therein, or fails to maintain the record book in violation of the provisions of Article 39-7 (including cases where applied mutatis mutandis pursuant to Article 47-5, Article 71-3 paragraph (11), and Article 102-18 paragraph (13))
- (ii) when a person fails to make a report or makes a false report pursuant to the provisions of Article 39-9 paragraph (1) (including cases where applied mutatis mutandis pursuant to Article 47-5, Article 71-3 paragraph (11), Article 102-17 paragraph (5) and Article 102-18 paragraph (13); hereinafter the same applies in this item), or refuses, hinders, or evades an inspection to be conducted pursuant to the provisions of Article 39-9 paragraph (1)
- (iii) when a person has completely discontinued a training service, examination service, specific frequency change support service, or specific frequency termination support service without permission under Article 39-10 paragraph (1) (including cases where applied mutatis mutandis pursuant to

Article 47-5, Article 71-3 paragraph (11), and Article 71-3-2 paragraph (11))
(iv) when a person has discontinued all of the services without notification or submits a false notification pursuant to the provisions of Article 102-18 paragraph (11)

Article 114 When any representative of a corporation, or any agent, employee, or other worker of a person or corporation violates the provisions of the articles set forth in the following items with respect to the business activities of the person or corporation, not only is the violator to be punished but the relevant corporation also is punished with the fine prescribed under the relevant item, and the relevant person is to be punished with the fine prescribed under the relevant Article.

- (i) Article 110 (limited to the provisions pertaining to items (xi) and (xii)): Fine not exceeding one hundred million yen
- (ii) Article 110 (except for the provisions pertaining to items (xi) and (xii)), Article 110-2, or Articles 111 through 113: Fine under the relevant Article

Article 115 Any person who fails to attend, does not make a statement, or makes a false statement, or does not make an appraisal or submits a false appraisal in violation of the administrative dispositions made by the proceedings officer pursuant to the provisions of Article 92-2 is punished by a non-penal fine not exceeding three hundred thousand yen.

Article 116 Any person that falls under any of the following items is liable to a non-penal fine not exceeding three hundred thousand yen:

- (i) any person that fails to make a notification or makes a false notification in violation of the provisions of Article 4-2, paragraph (4) (limited to the part pertaining to notification of a change to any of the matters set forth in paragraph (2), item (i) of the same Article);
- (ii) any person that fails to make a notification in violation of the provisions of Article 4-2, paragraph (6);
- (iii) any person that fails to make a notification or makes a false notification in violation of the provisions of Article 9, paragraph (5);
- (iv) any person that fails to make a notification or makes a false notification in violation of the provisions of Article 17, paragraph (2);
- (v) any person that fails to make a notification in violation of the provisions of Article 20, paragraph (9) (including cases where applied mutatis mutandis pursuant to paragraph (10) of the same Article, Article 27-17, and Article 70-5-2, paragraph (9));
- (vi) any person that fails to make a notification in violation of the provisions of Article 22 (including cases where applied mutatis mutandis pursuant to

- Article 100, paragraph (5));
- (vii) any person that fails to return the certificate for a radio station license in violation of the provisions of Article 24 (including cases where applied mutatis mutandis pursuant to Article 100, paragraph (5));
 - (viii) any person that fails to make a notification or makes a false notification in violation of the provisions of Article 24-5, paragraph (1);
 - (ix) any person that fails to make a notification or makes a false notification in violation of the provisions of Article 24-6, paragraph (2);
 - (x) any person that fails to make a notification or makes a false notification in violation of the provisions of Article 24-9, paragraph (1);
 - (xi) any person that fails to return the registration certificate in violation of the provisions of Article 24-12;
 - (xii) any person that utilizes or provides information for purposes other than the purpose of conducting the interference examinations or the termination promotion measures set forth under Article 25, paragraph (2) in violation of the provisions of paragraph (3) of the same Article;
 - (xiii) any person that fails to make a notification in violation of the provisions of Article 27-6, paragraph (3) (limited to the provisions pertaining to notification of the abolition of a specified radio station);
 - (xiv) any person that fails to make a notification in violation of the provisions of Article 27-10, paragraph (1);
 - (xv) any person that fails to make a notification or makes a false notification in violation of the provisions of Article 27-15, paragraph (5);
 - (xvi) any person that fails to make a notification or makes a false notification in violation of the provisions of Article 27-26, paragraph (4);
 - (xvii) any person that fails to make a notification in violation of the provisions of Article 27-27, paragraph (2) (including cases where applied pursuant to Article 27-37, paragraph (2), following the deemed replacement of terms);
 - (xviii) any person that fails to make a notification in violation of the provisions of Article 27-29, paragraph (1);
 - (xix) any person that fails to return a certificate of registration in violation of the provisions of Article 27-31 (including cases where applied pursuant to Article 27-37, following the deemed replacement of terms);
 - (xx) any person that fails to make a notification or makes a false notification in violation of the provisions of Article 27-33, paragraph (4);
 - (xxi) any person that fails to make a notification or makes a false notification in violation of the provisions of Article 38-5, paragraph (2) (including cases where applied mutatis mutandis pursuant to Article 71-3-2, paragraph (11));
 - (xxii) any person that fails to make a notification or makes a false notification in violation of the provisions of Article 38-6, paragraph (3) (including cases where applied mutatis mutandis pursuant to Article 38-29);

- (xxiii) any person that fails to prepare financial statements, etc., that fails to make entry, or that makes a false entry therein in violation of the provisions of Article 38-11, paragraph (1) (including cases where applied mutatis mutandis pursuant to Article 71-3-2, paragraph (11)), or that, without due reason, refuses a request under the provisions of Article 38-11, paragraph (2) (including cases where applied mutatis mutandis pursuant to Article 71-3-2, paragraph (11));
- (xxiv) any person that fails to make a notification or makes a false notification in violation of the provisions of Article 38-33, paragraph (5);
- (xxv) any person that fails to make a notification or makes a false notification in violation of the provisions of Article 38-42, paragraph (4);
- (xxvi) any person that fails to make a notification or makes a false notification in violation of the provisions of Article 38-46, paragraph (1);
- (xxvii) any person that fails to make a notification or makes a false notification in violation of the provisions of Article 70-5-2, paragraph (5);
- (xxviii) any person that fails to make a notification or makes a false notification in violation of the provisions of Article 70-7, paragraph (2) (including cases where applied mutatis mutandis pursuant to Article 70-8, paragraph (2) and Article 70-9, paragraph (2));
- (xxix) any person that fails to make a notification under the provisions of Article 80-2 or makes a false notification;
- (xxx) any person that fails to make a notification in violation of the provisions of Article 100, paragraph (4);
- (xxxi) any person that fails to make a notification in violation of the provisions of Article 102-3, paragraph (5); or
- (xxxii) any person that fails to make a notification or makes a false notification in violation of the provisions of Article 103-2, paragraphs (5) through (8), (12), (13), or (21).

Supplementary Provisions [Extract]

(Effective Date)

- (1) This Act comes into effect as from the day on which thirty days have elapsed from the date of promulgation.

(Repeal of the Radiotelegraphy Act)

- (2) The Radiotelegraphy Act (Act No. 26 of 1915; hereinafter referred to as "the Old Act") is repealed.

(Application of Penal Provisions of the Old Act)

- (4) With regard to the application of penal provisions to acts committed prior to

the enforcement of this Act, the Old Act remains in force even after the enforcement of this Act.

(Transitional Measures Concerning Radio Operators)

- (5) A person who holds the qualification of First-Class, Second-Class, Third-Class, Radiotelephone-Class, or Listener-Class Radio Operator pursuant to the provisions of the Regulations for the Radio Operator Qualification Examination (Ordinance of the Ministry of Communications No. 8 of 1931) as of the effective date of this Act is deemed to be granted on the effective date of this Act a license as a First-Class Radio Operator, Second-Class Radio Operator, Third-Class Radio Operator, Radiotelephone-Class Radio Operator, or Listener-Class Radio Operator, respectively, pursuant to the provisions of this Act.
- (6) As of the day on which the old Regulations for the Telecommunications Engineer Qualification Examination (Ordinance of the Ministry of Communications: Ordinance No. 13 of 1940) was repealed (June 1, 1949), a person who holds the qualification of First-Class or Second-Class Telecommunications Engineer or the qualification of Third-Class Telecommunications Engineer (radio) is deemed on the effective date of this Act to be granted a license as a First-Class Technical Radio Operator or Second-Class Technical Radio Operator, respectively, pursuant to the provisions of this Act.

(Dispositions, Prior to the Enforcement of this Act)

- (9) Beyond the matters prescribed in paragraphs (5) and (6), dispositions, procedures, or other acts based on the provisions of the Old Act or the orders thereunder, if there are provisions in this Act that relate to them, is deemed to have been made under this Act. In this case, the validity period of a license for a radio station (except ship radio stations on board ships under Article 4 of the Act for Safety of Vessels or on board fishing boats under Article 5 of the Cabinet Order for restricting fishing areas for fishing boats), notwithstanding the provisions of Article 13, paragraph (1), is to be for a period of one year or longer and not exceeding three years from the effective date of this Act specified by Order of the Ministry of Posts and Telecommunications for each type of radio station.

(Transitional Measures Concerning Telegrams)

- (13) In the period during which the telegram business is deemed to be a telecommunications business pursuant to the provisions of Article 5, paragraph (1) of the Supplementary Provisions of the Telecommunications Business Act, the telecommunications business prescribed in Article 27-38, paragraph (1), Article 102-2, paragraph (1), item (i), Article 102-2, paragraph (1), item (i), and

Article 108-2, paragraph (1) includes operations pertaining to the relevant telegram business.

(Review)

- (14) The Government, at least once every three years, is to review the status of enforcement of the provisions of Article 103-2 from the viewpoint of ensuring the suitability of the spectrum user fee, and take the necessary measures based on the results of the review when deemed necessary.

(Special Provisions on the Spectrum User Fee)

- (15) With regard to application of the provisions of Article 103-2, paragraph (4), until otherwise provided for by law, the phrase "(xii) Necessary support for the use of frequencies to ensure the efficient utilization of radio waves or to prevent the adverse effects of radio waves on human bodies, etc., or for activities to enhance literacy concerning the protection of human bodies, etc." in the same paragraph is deemed to be replaced with "(xii) Necessary support for the use of frequencies to ensure the efficient utilization of radio waves or to prevent the adverse effects of radio waves on human bodies, etc., or for activities to enhance literacy concerning the protection of the human body, etc.)/(xii)-2 Issuance of subsidies and other support in order to install the equipment necessary for the reception of terrestrial digital broadcasting for those people who have installed reception equipment able to receive television broadcasting (except for those transmitted through a satellite station; hereinafter the same applies in this item) and for which the reception of terrestrial digital broadcasting is difficult owing to economic hardship or other grounds (except for those persons who have installed reception equipment able to receive, out of the television broadcasting through digital signals, broadcasting transmitting instantaneous images of stationary or moving objects and the voices and other sounds accompanying such (hereinafter referred to in this item as "terrestrial digital broadcasting")).)/(xii)-3 Issuance of subsidies in order to install the relay stations or other equipment (including ancillary equipment specified by Order of the Ministry of Internal Affairs and Communications, installed as an inseparable unit with the relevant equipment and the structure required to install the relevant equipment and the relevant ancillary equipment) for purposes of enabling the reception of terrestrial basic broadcasting (limited to those transmitting voices and other sounds only), using antenna power to the lowest extent possible required in areas where it is difficult to receive that terrestrial basic broadcasting directly.)/(xii)-4 Issuance of subsidies for developing telecommunications equipment used in the operations of terrestrial basic broadcasting or terrestrial basic broadcasting for mobile reception (including ancillary equipment specified by Order of the

Ministry of Internal Affairs and Information, installed as an inseparable unit with the relevant radio equipment and the structure required to install the relevant radio equipment and the relevant ancillary equipment) (except development conducted for making the radio equipment conform to the standards specified by Order of the Ministry of Internal Affairs and Communications referred to in Article 111, paragraph (1) of the Broadcasting Act or the standards specified by Order of the Ministry of Internal Affairs and Communications referred to in Article 121, paragraph (1) of the same Act) conducted for ensuring that, even if a large-scale natural disaster occurs, the operations are not seriously hindered due to damage or failure of the telecommunications equipment./."

**Supplementary Provisions [Act No. 249 of July 31, 1952 Excerpts]
[Extract]**

- (1) This Act comes into effect as from the date of promulgation. However, the amended provisions of Article 33 paragraph (3), Article 33-2 through Article 36 inclusive, Article 37 (limited to the part pertaining to mobile radiotelegraphy for lifeboats to be installed on ships by the order based on the provisions of Article 2 of the Act for Safety of Vessels), Article 63, Article 65, and Article 99-11 item (i) comes into effect as from November 19, 1952.

**Supplementary Provisions [Act No. 251 of July 31, 1952 Excerpts]
[Extract]**

- (1) This Act comes into effect as from the effective date of the Nippon Telegraph and Telephone Public Corporation Act.

Supplementary Provisions [Act No. 280 of July 31, 1952]

- (1) This Act comes into effect as from the effective date of the Act Partially Amending the Act for Establishment of the Ministry of Posts and Telecommunications (Act No. 279 of 1952).
- (2) The organization and staff (except chairperson or members) of the former Radio Regulatory Commission are to remain as the relevant organization and staff of the Ministry of Posts and Telecommunications, and retains the same status.
- (3) The Rules of the Radio Regulatory Commission which are in effect on the effective date of this Act is to remain effective even after this Act comes into effect as Order of the Ministry of Posts and Telecommunications.

**Supplementary Provisions [Act No. 301 of August 7, 1952 Excerpts]
[Extract]**

(Effective Date)

- (1) The effective date of this Act is specified by Cabinet Order, but must be no later than March 31, 1953.

Supplementary Provisions [Act No. 98 of July 31, 1953 Excerpts]

This Act comes into effect as from August 1, 1953.

Supplementary Provisions [Act No. 140 of May 6, 1958 Excerpts]

- (1) This Act comes into effect as from the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation.
- (2) A person who holds a qualification in the left column of the following table as of the effective date of this Act is deemed to be granted on the effective date of this Act a license for the respective qualification in the right column of the same table pursuant to the provisions of the Radio Act amended by this Act.

Old Qualification	New Qualification
First-Class Radio Operator	First-Class Radio Operator for General Services
Second-Class Radio Operator	Second-Class Radio Operator for General Services
Third-Class Radio Operator	Third-Class Radio Operator for General Services
Aeronautical-Class Radio Operator	Aeronautical-Class Radio Operator
Radiotelephone-Class Radio Operator	Radiotelephone-Class Radio Operator
First-Class Technical Radio Operator	First-Class Technical Radio Operator for On-the-Ground Services
Second-Class Technical Radio Operator	Second-Class Technical Radio Operator for On-the-Ground Services
Special Technical Radio Operator	Special Technical Radio Operator
Amateur First-Class Radio Operator	Amateur First-Class Radio Operator
Amateur Second-Class Radio Operator	Amateur Radiotelephone-Class Radio Operator

**Supplementary Provisions [Act No. 140 of May 16, 1962 Excerpts]
[Extract]**

- (1) This Act comes into effect as from October 1, 1962.
- (2) The provisions amended by this Act, unless otherwise provided for in these Supplementary Provisions, apply to events that occurred prior to the enforcement of this Act. However, this does not preclude the effect of the provisions prior to amendment by this Act.
- (3) With regard to an action pending on the effective date of this Act, notwithstanding the provisions amended by this Act and providing that the relevant action is not filed, the provisions then in force remain applicable.
- (4) With regard to the jurisdiction of an action pending on the effective date of this Act, notwithstanding the provisions amended by this Act and providing that the relevant jurisdiction is the exclusive jurisdiction, the provisions then in force remain applicable.
- (5) With regard to a statute of limitations for filing an action, when the statute of limitations for filing an action pursuant to the provisions prior to amendment by this Act against a disposition or a determination has not expired by the effective date of this Act, the provisions then in force remains applicable. However, this is limited to cases where the statute of limitations for filing an action pursuant to the provisions amended by this Act is shorter than the statute of limitations for filing an action pursuant to the provisions prior to amendment by this Act.
- (6) When the statute of limitations for filing an action has been determined pursuant to amendment by this Act in a party litigation concerning a disposition or a determination prior to the enforcement of this Act, the statute of limitations for filing an action is calculated from the effective date of this Act.
- (7) With regard to an action for the revocation of a disposition or a determination pending on the effective date of this Act, notwithstanding the provisions amended by this Act and providing that either party concerned with this Act is a defendant, the provisions then in force remain applicable. However, the court may, at the request of the plaintiff, decide to allow the relevant action to be changed to a party litigation.
- (8) The provisions of the second sentence of Article 18 and the provisions of Article 21 paragraph (2) through paragraph (5) inclusive of the Administrative Case Litigation Act apply mutatis mutandis to cases under the proviso to the preceding paragraph.

**Supplementary Provisions [Act No. 161 of September 15, 1962 Excerpts]
[Extract]**

- (1) This Act comes into effect as from October 1, 1962.

- (2) The provisions amended by this Act, unless otherwise provided for in these Supplementary Provisions, are to apply also to dispositions made by administrative agencies prior to the enforcement of this Act, inaction of administrative agencies pertaining to applications filed prior to the enforcement of this Act, and other matters that occurred prior to the enforcement of this Act. However, this does not preclude the effect of the provisions prior to amendment by this Act.
- (3) With regard to a petition, an application for examination, the filing of an objection, or other appeal (hereinafter referred to as a "petition, etc.") prior to the enforcement of this Act, the provisions then in force remain applicable even after the enforcement of this Act. The same also applies to a petition, etc. in the case of further objection to the determination, decision, or any other disposition (hereinafter referred to as "the determination, etc.") made after the enforcement of this Act on a determination, etc. made prior to the enforcement of this Act or on a petition, etc. filed prior to the enforcement of this Act.
- (4) The petition, etc. prescribed in the preceding paragraph pertaining to the disposition, against which an appeal may be entered under the Administrative Appeal Act after the enforcement of this Act, with regard to the application of acts other than the relevant Act, is deemed to be an appeal under the Administrative Appeal Act.
- (5) Appeals under the Administrative Appeal Act may not be filed against determinations, etc. on an application for examination, the filing of an objection, or an appeal filed after the enforcement of this Act pursuant to the provisions of paragraph (3).
- (6) With regard to a disposition made by an administrative agency prior to the enforcement of this Act, for which a petition, etc. may be filed pursuant to the provisions prior to amendment by this Act, and for which the time period for filing was not specified, the time period during which an appeal may be entered under the Administrative Appeal Act is calculated from the effective date of this Act.
- (8) Prior laws continue to govern the applicability of penal provisions to conduct in which a person engages in before this Act comes into force.
- (9) Beyond those prescribed in the preceding eight paragraphs, transitional measures necessary for the enforcement of this Act is specified by Cabinet Order.
- (10) When there are amended provisions in this Act and in the Act Concerning the Adjustment, etc. of Relevant Acts on the Enforcement of the Administrative Case Litigation Act (Act No. 140 of 1962) on identical acts, the relevant acts are firstly to be amended by this Act, and then amended by the Act Concerning the Adjustment, etc. of Relevant Acts on the Enforcement of the Administrative Case Litigation Act.

Supplementary Provisions [Act No. 82 of April 4, 1963 Excerpts] [Extract]

- (1) This Act comes into effect as from the day specified by Cabinet Order within a period not exceeding four months from the date of promulgation.

**Supplementary Provisions [Act No. 149 of July 4, 1964 Excerpts]
[Extract]**

(Effective Date)

- (1) This Act comes into effect as from the day specified by Cabinet Order within a period not exceeding sixty days from the date of promulgation. However, the amended provisions of Article 33, Article 33-2 (including the Article title), Article 35, Article 35-2, Article 63, Article 65, and Article 99-11 paragraph (1) item (i) and the provisions of the following paragraph comes into effect as from the day when the International Convention for the Safety of Life at Sea of 1960 becomes effective for Japan.

Supplementary Provisions [Act No. 114 of June 2, 1965]

- (1) This Act comes into effect as from the day specified by Cabinet Order within a period not exceeding three months from the date of promulgation.
- (2) With regard to a radio station that holds a license or a provisional license which has been granted under Article 8 as of the effective date of this Act, within the validity period of the license pertaining to a license or provisional license, notwithstanding the amended provisions of Article 56 paragraph (1), the provisions then in force remain applicable.

Supplementary Provisions [Act No. 36 of June 12, 1967]

- (1) This Act comes into effect as from the effective date of the Registration and License Tax Act.

**Supplementary Provisions [Act No. 44 of May 10, 1968 Excerpts]
[Extract]**

(Effective Date)

- Article 1 This Act comes into effect as from the day when the International Convention on Load Lines of 1966 becomes effective for Japan. However, the amended provisions of Article 4 and the provisions of Article 2 paragraph (3), Article 3, and Article 4 of Supplementary Provisions come into effect as from

October 1, 1969.

Supplementary Provisions [Act No. 96 of June 1, 1971 Excerpts] [Extract]

(Effective Date)

- (1) This Act comes into effect as from the date of promulgation.
- (16) With regard to the application of penal provisions to acts committed prior to the enforcement of this Act (or for the provisions set forth in each item of paragraph (1) of the Supplementary Provisions, the relevant provisions), the provisions then in force remain applicable.

**Supplementary Provisions [Act No. 130 of December 31, 1971 Excerpts]
[Extract]**

(Effective Date)

- (1) This Act comes into effect as from the day when the Agreement between Japan and the United States of America on the Ryukyu Islands and Daito Islands becomes effective.

**Supplementary Provisions [Act No. 111 of July 1, 1972 Excerpts]
[Extract]**

(Effective Date)

- (1) This Act comes into effect as of the date of promulgation.
- (9) With regard to the application of penal provisions to acts made prior to the enforcement of this Act (or for the provisions prescribed in the proviso to paragraph (1) of the Supplementary Provisions, the relevant provisions), the provisions then in force remain applicable.

**Supplementary Provisions [Act No. 114 of July 1, 1972 Excerpts]
[Extract]**

(Effective Date)

- (1) This Act comes into effect as from the day on which six months have elapsed from the date of promulgation. However, the provisions of Chapter IV, the provisions of paragraph (6) of Supplementary Provisions, and the amended provisions, in paragraph (12) of Supplementary Provisions, of Article 10-2 paragraph (1) item (i) of the Ministry of Posts and Telecommunications Establishment Act (Act No. 244 of 1948) and of the table in Article 19 paragraph (1) (limited to the part pertaining to the Cable Broadcast Council) of the same Act comes into effect as from the date of promulgation.

**Supplementary Provisions [Act No. 80 of September 14, 1973 Excerpts]
[Extract]**

(Effective Date)

Article 1 This Act comes into effect as from the day on which three months have elapsed from the date of promulgation.

**Supplementary Provisions [Act No. 58 of July 10, 1975 Excerpts]
[Extract]**

(Effective Date)

(1) This Act comes into effect as from the day on which three months have elapsed from the date of promulgation.

**Supplementary Provisions [Act No. 27 of April 24, 1978 Excerpts]
[Extract]**

(Effective Date)

(1) This Act comes into effect as from the date of promulgation.

**Supplementary Provisions [Act No. 67 of December 18, 1979 Excerpts]
[Extract]**

(Effective Date)

(1) This Act comes into effect as from the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation.

(Transitional Measures)

- (2) A type of radar that has passed the type examination conducted by the Minister of Posts and Telecommunications prior to the enforcement of this Act is deemed to be of a type that has passed the examination prescribed in Article 37 of the amended Radio Act.
- (3) A radar (except a type of radar that is deemed to have passed the examination pursuant to the provisions of the preceding paragraph) that is installed on board a ship by an order pursuant to the provisions of Article 2 of the Act for Safety of Vessels as of the effective date of this Act and that has passed the inspection pursuant to the provisions of Article 10 and Article 18 of the Radio Act prior to amendment before the enforcement of this Act, is deemed, insofar as the relevant radar is installed on board the relevant ship, to be of a type that has passed the examination prescribed in Article 37 of the amended Radio

Act.

**Supplementary Provisions [Act No. 45 of May 19, 1981 Excerpts]
[Extract]**

(Effective Date)

- (1) This Act comes into effect as from the date of promulgation.

Supplementary Provisions [Act No. 49 of May 23, 1981]

(Effective Date)

- (1) This Act comes into effect as from the day on which six months have elapsed from the date of promulgation. However, the amended provisions of Article 110 item (i) come into effect as from January 1, 1983.

(Transitional Measures)

- (2) Prior laws continue to govern the applicability of penal provisions to conduct in which a person engages in before this Act comes into force.

Supplementary Provisions [Act No. 59 of June 1, 1982 Excerpts] [Extract]

(Effective Date)

- (1) This Act comes into effect as from the day specified by Cabinet Order within a period not exceeding one year from the date of promulgation. However, the amended provisions of Article 4 paragraph (1), the amended provisions of Article 5 paragraph (2), the amended provisions of Article 99-11 paragraph (1) item (i) (limited to the part which amends "the proviso to Article 4 paragraph (1)" to "Article 4 paragraph (1) items (i) and (ii)," and the part which amends "and Article 100 paragraph (1) item (ii)" to "as well as Article 100 paragraph (1) item (ii)") as well as the provisions of the following paragraph, Supplementary Provisions paragraph (3), and Supplementary Provisions paragraph (8) come into effect as from January 1, 1983.

(Transitional Measures)

- (2) Among radio stations that hold a license as of the effective date of the amended provisions of Article 4 paragraph (1), the radio equipment of the radio station that falls under the category of a radio station specified by Order of the Ministry of Posts and Telecommunications under Article 4 paragraph (1) item (ii) of the amended Radio Act (hereinafter referred to as "the New Act") is deemed to have received technical regulations conformity certification pursuant to the provisions of Article 38-2 paragraph (1) of the New Act on the

- effective date of the amended provisions under Article 4 paragraph (1).
- (3) The license for the radio station in the preceding paragraph ceases to be valid on the effective date of the amended provisions of Article 4 paragraph (1).
 - (4) A person who holds the qualification of a radio operator under Article 48-2 paragraph (2) of the New Act as of the effective date of this Act is deemed to have received ship station radio operator certification pursuant to the provisions of paragraph (1) of the same Article on the effective date of this Act.
 - (5) A person who has passed the state examination for a radio operator with the radio operator qualifications under Article 48-2 paragraph (2) of the New Act as of the effective date of this Act and has not obtained a radio operator's license for the relevant qualification is deemed to have received ship station radio operator certificate pursuant to the provisions of paragraph (1) of the same Article on the day the person receives the relevant license.
 - (6) A person who is deemed to have received a ship station radio operator certification pursuant to the provisions of the preceding two paragraphs, within five years from the effective date of this Act, must apply for the issuance of a certificate for ship station radio operator certification pursuant to the provisions of the New Act.
 - (7) When a person who is deemed to have received ship station radio operator certification pursuant to the provisions of paragraph (4) or paragraph (5) of the Supplementary Provisions does not apply pursuant to the provisions of the preceding paragraph within five years from the effective date of this Act, the ship station radio operator certification ceases to be valid when the relevant period expires.
 - (8) With regard to the application of penal provisions to acts committed prior to the enforcement of the provisions amending Article 4 paragraph (1), the provision then in force remains applicable.

Supplementary Provisions [Act No. 60 of June 1, 1982 Excerpts] [Extract]

(Effective Date)

- (1) This Act comes into effect as from the day on which six months have elapsed from the date of promulgation.

Supplementary Provisions [Act No. 78 of December 2, 1983]

- (1) This Act (except Article 1) comes into effect as from July 1, 1984.
- (2) With regard to an organization, etc. established as of the day before the effective date of this Act pursuant to the provisions of acts that is established on or after the effective date of this Act, pursuant to the provisions of the National Government Organization Act or by Cabinet Orders based on the

provisions of the acts concerned amended by this Act (hereinafter referred to as "the Cabinet Orders concerned"), transitional measures necessary for the organization or other transitional measures necessary for establishing, revising, or repealing the Cabinet Orders concerned along with the enforcement of this Act, may be specified by Cabinet Orders.

Supplementary Provisions [Act No. 48 of May 29, 1984]

This Act comes into effect as from September 1, 1984. However, the amended provisions of Article 103 come into effect as from the date of promulgation.

**Supplementary Provisions [Act No. 87 of December 25, 1984 Excerpts]
[Extract]**

(Effective Date)

Article 1 This Act comes into effect as from April 1, 1985.

(Transitional Measures Along with Partial Amendment of the Radio Act)

Article 18 (1) A designation made prior to the enforcement of this Act pertaining to a radio propagation obstruction prevention area under the provisions of Article 102-2, paragraph (1) of the Radio Act prior to amendment by the provisions of Article 47, or a notice on causing important radio communications interference pertaining to a radio propagation obstruction prevention area under the provisions of Article 102-5, paragraph (1) of the same Act is deemed to be a designation or notification, respectively, which was made for a telecommunications business obstruction prevention area pursuant to the provisions of Article 102-2, paragraph (1) or Article 102-5, paragraph (1) of the Radio Act amended by the provisions of Article 47.

(2) With regard to the application of penal provisions to acts committed prior to the enforcement of this Act in violation of the provisions of the Radio Act prior to amendment by the provisions of Article 47, the provisions then in force remain applicable.

(Entrustment to Cabinet Order)

Article 28 Beyond those prescribed in the Supplementary Provisions Article 2 through the preceding Article, the necessary matters concerning the enforcement of this Act are specified by Cabinet Order.

**Supplementary Provisions [Act No. 102 of December 24, 1985 Excerpts]
[Extract]**

(Effective Date)

Article 1 This Act comes into effect as from the date of promulgation. However, the provisions set forth in each of the following items come into effect as from the days prescribed in the respective items:

(i) through (iv) : (omitted)

(v) the amended provisions of Article 37 of the Radio Act in Article 21: The day specified by Cabinet Order within a period not exceeding five months from the date of promulgation

(vi) (omitted)

(vii) the amended provisions of the appended table of the Consumer Products Safety Act in Article 10, the provisions of Article 21 (except the amended provisions of Article 37 of the Radio Act), and the provisions of Article 26: The day specified by Cabinet Order within a period not exceeding one year from the date of promulgation

(Transitional Measures for Penal Provisions)

Article 8 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act (or for the provisions set forth in each item of Article 1 of the Supplementary Provisions, the relevant respective provisions) and to acts committed after the enforcement of the provisions of Article 11 in cases where the provisions then in force remain applicable pursuant to the provisions of Article 4 of Supplementary Provisions, the provisions then in force remain applicable.

Supplementary Provisions [Act No. 35 of April 25, 1986]

(Effective Date)

(1) This Act comes into effect as from July 1, 1986. However, the provisions of the following paragraph come into effect as from the date of promulgation.

(2) The Minister of Posts and Telecommunications, even prior to the effective date of this Act, may establish Order of the Ministry of Posts and Telecommunications based on the provisions of Article 37 item (iv) of the Radio Act amended by this Act (hereinafter referred to as "the New Act"), and conduct the type examination for apparatus (hereinafter referred to as "apparatus subject to the new examination") of radio equipment which is determined not to be installed under the relevant Ministerial Order unless its type passes a new the examination conducted by the Minister of Posts and Telecommunications.

(Transitional Measures)

(3) Apparatus which is installed on board a ship as of the effective date of this

Act and which is subject to the new examination, when it has passed the inspection pursuant to the provisions of Article 10 or Article 18 of the Radio Act prior to amendment before the enforcement of this Act, insofar as the apparatus is installed on board the relevant ship, is deemed to be a type of apparatus that has passed the examination prescribed in Article 37 of the New Act.

**Supplementary Provisions [Act No. 93 of December 4, 1986 Excerpts]
[Extract]**

(Effective Date)

Article 1 This Act comes into effect as from April 1, 1987.

(Transitional Measures Along with Partial Amendment of the Radio Act)

Article 36 A designation made prior to the enforcement of this Act concerning radio propagation obstruction prevention areas pursuant to the provisions of Article 102-2 paragraph (1) item (vi) of the Radio Act prior to amendment by the provisions of Article 141, or a notification on causing important radio communications interference pertaining to radio propagation obstruction prevention areas pursuant to the provisions of Article 102-5 paragraph (1) of the same Act is deemed to be a designation or notification, respectively, which pertains to radio propagation obstruction prevention areas pursuant to the provisions of Article 102-2 paragraph (1) item (vi) or Article 102-5 paragraph (1) amended by the provisions of Article 141.

(Transitional Measures for Application of Penal Provisions)

Article 41 The provisions previously in force continue to govern the application of penal provisions to conduct engaged in before this Act comes into effect and to conduct engaged in after this Act comes into effect in respect of matters, are to continue to be governed by provisions previously in force.

Supplementary Provisions [Act No. 55 of June 2, 1987 Excerpts] [Extract]

(Effective Date)

(1) This Act comes into effect as from the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation. However, the amended provisions of Article 13 and the provisions of paragraph (4) of the Supplementary Provisions come into effect as from the date of promulgation.

(Transitional Measures)

(2) When a radio station that holds a license as of the effective date of this Act,

the radio equipment of a radio station that constitutes a radio station specified by Order of the Ministry of Posts and Telecommunications under Article 4 paragraph (3) of the amended Radio Act (hereinafter referred to as "the New Act") is deemed, on the effective date of this Act, to have received technical regulations conformity certification pursuant to the provisions of Article 38-2 paragraph (1) of the New Act and also to have received the designation of call signs or call names pursuant to the provisions of Article 4-2 paragraph (1) of the New Act.

- (3) The license for a radio station specified in the preceding paragraph ceases to be valid on the effective date of this Act.
- (4) A person who has received a license for a radio station under Article 13 paragraph (2) of the New Act from the effective date of the amended provisions of Article 13 with regard to matters concerning the validity period of the license entered on the license certificate of the relevant radio station, does not need to be amended pursuant to the provisions of Article 21 of the New Act.
- (5) Laws in effect prior to this Act coming into force continue to govern the application of penal provisions to conduct in which a person engages before this Act comes into force.

Supplementary Provisions [Act No. 56 of June 2, 1987 Excerpts] [Extract]

(Effective Date)

- (1) This Act comes into effect as from January 1, 1988.

Supplementary Provisions [Act No. 29 of May 6, 1988 Excerpts] [Extract]

(Effective Date)

Article 1 This Act comes into effect as from October 1, 1988.

(Effects of Dispositions, Based on the Provisions of the Old Act)

Article 5 Dispositions, procedures, or other acts made prior to the enforcement of this Act pursuant to the provisions of the Old Act or of the Radio Act prior to amendment by the provisions of Article 2, if there are relevant provisions in the New Act or the Radio Act amended pursuant to the provisions of Article 2 (hereinafter referred to as "the New Act, etc."), are deemed to have been made pursuant to the provisions of the New Act, etc.

(Transitional Measures for Application of Penal Provisions)

Article 6 Prior laws continue to govern the applicability of penal provisions to conduct that a person engages in before this Act comes into effect.

**Supplementary Provisions [Act No. 55 of June 28, 1989 Excerpts]
[Extract]**

(Effective Date)

(1) This Act comes into effect as from October 1, 1989. However, in Article 1, the amended provisions of the Contents of the Broadcasting Act, the provisions amending Article 53 of the same Act to Article 52-8 of the same Act, the amended provisions of Article 59 of the same Act, the provisions amending Chapter IV of the same Act to Chapter VI of the same Act, the provisions amending Article 53-6 of the same Act to Article 53-13 of the same Act, the amended provisions of Article 53-5 of the same Act, the provisions amending the relevant article to Article 53-12 of the same Act, the amended provisions of Article 53-4 paragraph (1) item (ii) of the same Act, the provisions amended to add item (ii) to Article 53-4 paragraph (1) of the same Act (limited to the part pertaining to item (iv) of the relevant paragraph), the amended provisions of Article 53-4 paragraph (2) of the same Act, the provisions amending the relevant Article to Article 53-10 of the same Act and adding one Article after the relevant Article, the provisions amending Article 53-3 of the same Act to Article 53-9 of the same Act and amending Article 53-2 of the same Act to Article 53-8 of the same Act, the provisions amending Chapter III-2 of the same Act to Chapter V of the same Act and the provisions amended to add three Articles after Article III of the same Act (limited to the part pertaining to Chapter IV of the same Act), and, in Article 2, the amended provisions of Article 99-14 paragraph (2) of the Radio Act come into effect as from the date of promulgation, and, in Article 1, the amended provisions of Article 26 of the Broadcasting Act comes into effect as from the day on which thirty days have elapsed from the date of promulgation.

**Supplementary Provisions [Act No. 67 of November 7, 1989 Excerpts]
[Extract]**

(Effective Date)

Article 1 (1) This Act comes into effect as from the day specified by Cabinet Order within a period not exceeding one year from the date of promulgation. However, the provisions set forth in the following items come into effect as from the days prescribed in the respective items:

(i) the amended provisions of the Contents and Article 6 paragraph (1) item (iv), the amended provisions of Article 10 (except the part amending "Article 48-2 paragraph (1)" to "requirements for radio operators in full charge prescribed in Article 39 paragraph (3), Article 48-2 paragraph (1)"), the provisions amended to delete Article 50 paragraph (2), the amended provisions of

- paragraph (3) of the relevant Article (limited to the part amending "the preceding two paragraphs" to "the preceding paragraph"), the provisions amending the relevant paragraph to paragraph (2) of the relevant Article, the provisions amending the section title of Chapter V Section 2, Article 63 paragraph (5), the section title of Section 3 of the same Chapter, Article 70-3, Article 70-4, and Article 70-6, the amended provisions of Article 99-11 paragraph (1) item (i) (limited to the part amending "Article 50 paragraph (3)" to "Article 50 paragraph (2)"), and the provisions of the following paragraph: The day of promulgation
- (ii) the amended provisions of Article 52 and Article 64 paragraph (1), the provisions amended to add one paragraph to Article 65, the amended provisions of Article 66 through Article 68 inclusive, the amended provisions of Article 99-11 paragraph (1) item (i) (limited to the part amending "Article 52 item (vi)" to "Article 52 item (i), item (ii), item (iii), and item (vi)" and the part adding "and paragraph (4) (Watchkeeping Obligation), Article 66 paragraph (1) (Distress Traffic), Article 67 paragraph (2) (Urgency traffic)" after "Article 65 paragraph (1)"), and the provisions of Article 3 of Supplementary Provisions: July 1, 1991
- (2) During the period from the day prescribed in the preceding paragraph item (i) to June 30, 1991, ", ship earth stations (referring to radio stations established on board a ship for the purpose of the telecommunications service and of conducting radio communications via artificial satellite stations; the same applies hereinafter), radio stations on board aircraft" in Article 6, paragraph (1), item (iv) of the amended Radio Act by the amended provisions set forth in the same item is replaced with ", radio stations on board an aircraft"; "ship earth stations" in Article 63, paragraph (5) of the same Act is replaced with "ship earth stations (ship earth stations (referring to radio stations established on board ship for the purpose of the telecommunications service and of conducting radio communications via artificial satellite stations))"; the same applies hereinafter)" in the relevant paragraph is deleted.
- (3) During the period from the effective date of this Act to June 30, 1991, the phrase "/(a) Maritime First-Class Radio Operator/(b) Maritime Second-Class Radio Operators/(c) Maritime Third-Class Radio Operators/(d) Maritime Fourth-Class Radio Operators/(e) Maritime Special Radio Operators specified by Cabinet Order" in Article 40, paragraph (1), item (ii) of the Radio Act amended by this Act (referred to as "the New Act" in the following paragraph and the following Article) is replaced with "/(a) Maritime Fourth-Class Radio Operators/(b) Maritime Special Radio Operators specified by Cabinet Order."
- (4) Notwithstanding the provisions of the preceding paragraph, the Minister of Posts and Telecommunications may, even before July 1, 1991, hold the state examinations for radio operators for granting the qualifications set forth in

Article 40 paragraph (1) item (ii) (a) through (c) of the New Act, or grant licenses for the relevant qualifications.

(Transitional Measures Concerning Radio Operators)

Article 2 (1) A person who has received a license for the qualifications set forth in the left column of the following table (hereinafter referred to as "old qualifications") pursuant to the provisions of the Radio Act prior to revision by this Act (hereinafter referred to as "the Old Act") as of the effective date of this Act is deemed to have received on the effective date of this Act a license for the qualifications set forth in the right column of the relevant table (hereinafter referred to as "new qualifications") pursuant to the provisions of the Radio Act amended by this Act (hereinafter referred to as "the New Act").

Old Qualification	New Qualification
First-Class Radio Operator	First-Class Radio Operator for General Services
Second-Class Radio Operator	Second-Class Radio Operator for General Services
Third-Class Radio Operator	Third-Class Radio Operator for General Services
Aeronautical-Class Radio Operator	Aeronautical-Class Radio Operator
Telephone-Class Radio Operator	Maritime Fourth-Class Radio Operator
First-Class Technical Radio Operator	First-Class Technical Radio Operator for On-the-Ground Services
Second-Class Technical Radio Operator	Second-Class Technical Radio Operator for On-the-Ground Services
Special Radio Operator	The qualification set forth in Article 40 paragraph (1) item (ii) (e), item (iii) (b), or item (iv) (c) of New Act and also specified by Cabinet Order
Amateur First-Class Radio Operator	Amateur First-Class Radio Operator
Amateur Second-Class Radio Operator	Amateur Second-Class Radio Operator
Amateur Telegram-Class Radio Operator	Amateur Third-Class Radio Operator
Amateur Radiotelephone-Class Radio Operator	Amateur Fourth-Class Radio Operator

(2) A person who has passed the state examination for radio operators pursuant to the provisions of the Old Act (hereinafter referred to as "the old examination") or has completed the training course (hereinafter referred to as "the old training course") for radio operators, when the relevant person has applied for a license for the old qualification pursuant to the provisions of the Old Act as of the effective date of this Act, or a person who has passed the old

examination or has completed the old training course and has not applied for a license for the old qualifications as of the effective date of this Act, when the relevant person applies for a license pursuant to the provisions of the New Act within three months from the day the person passed the relevant old examination or completed the relevant old training course, except cases where a license is not granted pursuant to the provisions of Article 42 of the Radio Act, is granted a license for the new qualification corresponding to the old qualification.

- (3) Beyond the cases prescribed in the preceding paragraph, dispositions, procedures, or other acts made by the Minister of Posts and Telecommunications pursuant to the provisions of the Old Act or orders thereon prior to the enforcement of this Act are deemed to have been made by the Minister of Posts and Telecommunications pursuant to the relevant provisions of the New Act or orders thereon, respectively, and the application, notification, and other acts made to the Minister of Posts and Telecommunications pursuant to the provisions of the Old Act or orders thereon prior to the enforcement of this Act are deemed to have been made to the Minister of Posts and Telecommunications pursuant to the relevant provisions of the New Act or orders thereon, respectively.

(Transitional Measures for Ship Earth Stations)

- Article 3 (1) A person who has received a license for a ship earth station under Article 6 paragraph (1) item (iv) of the Radio Act amended by the amended provisions set forth in Article 1 paragraph (1) item (i) of the Supplementary Provisions (hereinafter referred to simply as "ship earth station" in this article) as of the effective date of the amended provisions set forth in Article 1 paragraph (1) item (ii) of the Supplementary Provisions, must notify the Minister of Posts and Telecommunications of the location of radio equipment on the relevant ship earth station within thirty days from the day prescribed in Article 1 paragraph (1) item (ii) of the Supplementary Provisions.
- (2) Any person who fails to notify the Minister of Posts and Telecommunications pursuant to the provisions of the preceding paragraph, or submits a false notification is punished by a fine not exceeding one hundred thousand yen.
- (3) In the event that any representative of a corporation, or any agent, employee, or other worker of a person or corporation commits a violation under the preceding paragraph with regard to the business activities of the person or corporation, not only is the violator to be punished, but also the person or corporation is punished with the penalty specified in the same paragraph.
- (4) Any person who has received a license for a ship earth station as of the effective date of the amended provisions set forth in Article 1 paragraph (1) item (ii) of the Supplementary Provisions may be exempted, with regard to the

operating area of the radio equipment entered on the certificate of the license for the relevant ship earth station, from having to obtain corrections pursuant to the provisions of Article 21 of the Radio Act.

- (5) With regard to the application of the provisions of Article 53 of the Radio Act to a ship earth station that has been granted a license as of the effective date of the amended provisions set forth in Article 1 paragraph (1) item (ii) of Supplementary Provisions, the location of the radio equipment notified pursuant to the provisions of paragraph (1) is deemed to be the location of the radio equipment entered on the certificate of the license for the relevant ship earth station.
- (6) The provisions of paragraph (1) applies mutatis mutandis to a person who has received a provisional license for a ship earth station as of the effective date of the amended provisions set forth in Article 1 paragraph (1) item (ii) of the Supplementary Provisions. In this case, "within thirty days from the day prescribed" in paragraph (1) is deemed to be replaced with "without delay after the day prescribed."

(Transitional Measures for Penal Provisions)

Article 4 Prior laws (or for the amended provisions set forth in Article 1 paragraph (1) item (ii) of the Supplementary Provisions, the relevant amended provisions) continue to govern the applicability of penal provisions to acts committed before the date of enforcement of this Act.

**Supplementary Provisions [Act No. 54 of June 27, 1990 Excerpts]
[Extract]**

(Effective Date)

- (1) This Act comes into effect as from the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation.

Supplementary Provisions [Act No. 67 of May 2, 1991]

(Effective Date)

- (1) This Act comes into effect as from February 1, 1992.

(Transitional Measures)

- (2) With regard to a compulsory ship station as prescribed in Article 13 paragraph (3) of the Radio Act (hereinafter referred to simply as a "compulsory ship station") on board a ship that is built or the building of which is commenced on or before January 31, 1995, except for matters concerning ship station radio operator certification, the provisions then in force remain

applicable until January 31, 1999 (or if the relevant compulsory ship station installs facilities that must be installed before the relevant day pursuant to the provisions of Article 33 of the amended Radio Act (hereinafter referred to as "the New Act"), until the day when the facilities are installed).

- (3) A compulsory ship station to which the provisions then in force remain applicable pursuant to the provisions of the preceding paragraph, notwithstanding the provisions of the same paragraph, is to install an apparatus for emergency position-indicating radio beacon equipment and an apparatus for receiving information on safe navigation, as specified by Order of the Ministry of Posts and Telecommunications, among the apparatus to be installed pursuant to the provisions of Article 33 of the New Act, before the day specified by Order of the Ministry of Posts and Telecommunications before January 31, 1999. In this case, the relevant apparatus specified by Order of the Ministry of Posts and Telecommunications (limited to an apparatus for receiving information on safe navigation) is deemed to be the apparatus set forth in Article 37 item (v) of the New Act, and the provisions of the relevant Article remain applicable to the relevant apparatus notwithstanding the provisions of the relevant paragraph.
- (4) An apparatus for a radio equipment which is determined to not be installed until its type has passed a new examination conducted by the Minister of Posts and Telecommunications pursuant to the provisions of Article 37 item (v) and item (vi) of the New Act (referred to as "apparatus subject to a new examination" in the following paragraph), if the apparatus has passed the type examination conducted by the Minister of Posts and Telecommunications prior to the enforcement of this Act, is deemed to be of a type that has passed the examination prescribed in the relevant Article.
- (5) Apparatus installed on board ship as of the effective date of this Act which is subject to the new examination and has passed the examination pursuant to the provisions of Article 10 or Article 18 of the Radio Act prior to amendment (referred to as "the Old Act" in the following paragraph) before the enforcement of this Act, insofar as it is installed on board the relevant ship, is deemed to be a type that has passed the examination prescribed in Article 37 of the New Act.
- (6) Dispositions, procedures, or other acts made prior to the enforcement of this Act by the Minister of Posts and Telecommunications on ship station radio operator certificate pursuant to the provisions of the Old Act or orders thereon is deemed to have been made pursuant to the relevant provisions of the New Act or orders thereon, respectively, and an application or other acts made by a person who wishes to obtain ship station radio operator certificate pursuant to the provisions of the Old Act or orders thereon prior to the enforcement of this Act or by a person who has received ship station radio operator certificate as of the effective date of this Act is deemed to have been made pursuant to the

relevant provisions of the New Act or orders thereon, respectively.

Supplementary Provisions [Act No. 74 of June 5, 1992]

(Effective Date)

- (1) This Act comes into effect as of April 1, 1993. However, the amended provisions of Article 102-13 come into effect as from the date of promulgation.

(Transitional Measures)

- (2) A person who has received a license for a compulsory ship station or compulsory aircraft station pursuant to the provisions of Article 13 paragraph (3) as of the effective date of this Act, within two years from the date this Act comes into effect, must submit the license certificate to the Minister of Posts and Telecommunications to obtain correction to the address on the license certificate.
- (3) With regard to a radio station that has been granted a license as of the effective date of this Act, the provisions of Article 103-2 paragraph (1) and paragraph (3) after amendment does not apply until the day before the first corresponding day prescribed in paragraph (1) of the relevant Article that comes after this Act comes into effect (or if the validity period of the relevant license expires before the corresponding day, the day of expiry).

Supplementary Provisions [Act No. 71 of June 16, 1993]

(Effective Date)

- (1) This Act comes into effect as from April 1, 1994. However, the amended provisions for the Contents, Article 5 paragraph (2), Article 6, Article 7 paragraph (1), and Article 39-3, the part of the provisions in Article 99-11 paragraph (1) item (i) amending "Article 7 paragraph (1) item (iv)" to "Article 7 paragraph (1) item (iii)," the amending provisions in Article 99-11 paragraph (1) item (i) to delete Article 104-3, to change Article 104-4 to Article 104-3, to change Article 104-5 to Article 104-4, and to change Article 104-6 to Article 104-5, and the provisions of the following paragraph come into effect as from the date of promulgation.

(Transitional Measures)

- (2) With regard to the radio stations set forth in Article 5 paragraph (2) item (iv) and item (vi) pursuant to the provisions of Article 104-3 of the Radio Act prior to revision, the conditions or the term of the provisional license, license, or permission given by the Minister of Posts and Telecommunications or the restrictions on the operation imposed by the Minister of Posts and

Telecommunications before the amending provisions to delete Article 104-3 come into effect ceases to be valid on the effective date of the amending provisions to delete Article 104-3.

- (3) Prior laws continue to govern the applicability of penal provisions to conduct in which a person engages before this Act comes in force.

**Supplementary Provisions [Act No. 89 of November 12, 1993 Excerpts]
[Extract]**

(Effective Date)

Article 1 This Act comes into effect as from the effective date of the Administrative Procedure Act (Act No. 88 of 1993).

(Transitional Measures Concerning Adverse Dispositions on Which Consultations are Made)

Article 2 Prior to the enforcement of this Act, when a consultation or other request has been made to a council or other consultation body under the laws and regulations for procedures to allow a hearing or an explanation as prescribed in Article 13 of the Administration Procedure Act or other procedures for stating opinions to be taken, with regard to procedures for adverse dispositions pertaining to the consultation or other request, notwithstanding the provisions of relevant acts amended by this Act, the provisions then in force remain applicable.

(Transitional Measures on Adjustment of Provisions Concerning Hearings)

Article 14 A hearing, an inquiry, or a hearing panel (except one pertaining to adverse dispositions), or the procedure for these acts made pursuant to the provisions of acts prior to the enforcement of this Act is deemed to have been made pursuant to the applicable provisions of relevant acts amended by this Act.

Supplementary Provisions [Act No. 73 of June 29, 1994]

This Act comes into effect as from the date of promulgation.

Supplementary Provisions [Act No. 83 of May 8, 1995]

(Effective Date)

- (1) This Act comes into effect as from April 1, 1996. However, the amended provisions of Article 103-2 comes into effect as from the day specified by Cabinet Order within a period not exceeding one year from the date of

promulgation.

(Transitional Measures)

- (2) With regard to a radio operator's license for a person who has received approval pursuant to the provisions of Article 41 paragraph (2) item (iii) prior to amendment, and has not received a radio operator's license or has applied for approval pursuant to the provisions of the same item as of the effective date of this Act, the provisions then in force remain applicable.

Supplementary Provisions [Act No. 70 of June 12, 1996]

(Effective Date)

- (1) This Act comes into effect as from the date of promulgation.

(Transitional Measures)

- (2) With regard to a radio station that is granted a license prior to the effective date of this Act (hereinafter referred to as "the effective date"), the provisions of Article 103-2 after amendment apply to the spectrum user fee pertaining to the period on or after the first corresponding day as prescribed in paragraph (1) of the same Article on or after the effective date (hereinafter referred to simply as "the corresponding day"), and the provisions then in force remain applicable to the spectrum user fee pertaining to the period before the corresponding day.
- (3) With regard to the spectrum user fee pertaining to radio stations set forth in row 2 through row 6 and row 9 of the table in amended Article 103-2 paragraph (1), which pertains to the period on or after the corresponding day and was prepaid pursuant to the provisions of paragraph (5) of the same Article prior to amendment, the part that exceeds the amount of the spectrum user fee pertaining to the relevant period pursuant to the provisions of paragraph (1) and paragraph (3) of the same Article after amendment is refunded.

Supplementary Provisions [Act No. 47 of May 9, 1997]

(Effective Date)

- Article 1 (1) This Act comes into effect as from the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation. However, the amended provisions of Article 6, Article 10, and Article 18, the amending provisions to add seven Articles after Article 24, the amended provisions of Article 73, the amending provisions to delete Article 73-2, the amended provisions of Article 99-11 paragraph (1) item (i) (limited to the part that adds ", Article 24-2 paragraph (1) (Authorization of a Company's

Inspection Capability), Article 27-2 (Specified Radio Station), Article 27-4 item (ii) (Essential Standards for the Establishment of Specified Radio Stations), Article 27-5 paragraph (3) (Validity Period of a Blanket License)" after "Article 15 (Licensing Procedures)" (limited to the part pertaining to Article 24-2 paragraph (1)), and the part that deletes ", Article 73-2 paragraph (1) (Designated Inspection Agency)", the amended provisions of item (iv) of the same paragraph (limited to the part that deletes ", designation of the designated inspection agency pursuant to the provisions of Article 73-2 paragraph (1)"), the amended provisions of Article 100 paragraph (5), the amended provisions of Article 103 paragraph (1) (limited to the part that deletes "; or for a person who obtains an inspection executed by a designated inspection agency, the designated inspection agency"), the amended provisions of paragraph (2) of the same Article, Article 104-4, and Article 109-2, the amended provisions of Article 110, (limited to the part that revises "Article 18" to "Article 18 paragraph (1)"), the amended provisions of Article 111 and Article 113, the amended provisions amending item (v) to item (ix) and item (iv) to item (viii), and adding four items after item (iii) in the amended provisions of Article 116 (limited to the part pertaining to item (iv) through item (vi) inclusive), and the provisions of Article 3 through Article 5 inclusive of the Supplementary Provisions come into effect as of April 1, 1998.

(2) With regard to approval pursuant to the provisions of Article 24-2 paragraph (1) of the Radio Act amended by this Act (hereinafter referred to as "the New Act") and procedures and other acts necessary for approval, even prior to the enforcement of the amended provisions prescribed in the proviso to the preceding paragraph, the provisions of the New Act may be applicable.

(3) During the period from the effective date of this Act to March 31, 1998, "Article 102-18 paragraph (5)" in Article 99-11 paragraph (1) item (i) of the New Act is replaced with "Article 73-2 paragraph (5) and Article 102-18 paragraph (5)"; "Article 47-2 and Article 102-18 paragraph (5)" in item (iii) of the same paragraph, Article 99-12 paragraph (6) of the New Act, and Article 113-2 items (i) and (iii) of the New Act are replaced with "Article 47-2, Article 73-2 paragraph (5), and Article 102-18 paragraph (5)"; "or a designated calibration agency" in Article 99-11 paragraph (1) item (iii) is replaced with ", a designated inspection agency, or a designated calibration agency" and "or calibrators" is replaced with ", inspectors, or calibrators"; "Article 102-17 paragraph (6) and Article 102-18 paragraph (5)" in the same item, Article 110-2, and Article 113-2 item (ii) of the New Act are replaced with "Article 73-2 paragraph (5), Article 102-17 paragraph (6), and Article 102-18 paragraph (5)"; "the center or a designated calibration agency" in Article 99-11 paragraph (1) item (iii) of the New Act is replaced with "a designated inspection agency, the center, or a designated calibration agency"; in Article 99-12 paragraph (6) of

the New Act, "or a designated calibration agency" is replaced with ", a designated inspection agency, or a designated calibration agency" and "or calibrators" is replaced with ", inspectors, or calibrators"; "radio equipment" in Article 102-18 paragraph (1) of the New Act is replaced with "radio equipment (including equipment which is installed pursuant to the provisions of Article 30 and Article 32)"; "the center or a designated calibration agency" in Article 110-2 and Article 113-2 of the New Act is replaced with "a designated inspection agency, the center, or a designated calibration agency"; "or all of the calibration service" in Article 113-2 item (iii) of the New Act is replaced with ", all of the periodical inspection service, or all of the calibration service."

(Transitional Measures)

Article 2 When a written application has been filed for a license for a radio station set forth in item (xlviii) of Appended Table 1 of the Registration and License Tax Act (Act No. 35 of 1967) with the Minister of Posts and Telecommunications prior to the enforcement of this Act, with regard to the fee pertaining to the license for the relevant radio station and the spectrum user fee prescribed in Article 103-2 paragraph (1) of the New Act, the provisions then in force remain applicable.

Article 3 With regard to the obligation pertaining to a person who was an officer or a staff member of a designated inspection agency not to disclose any secrets which came to their knowledge in connection with the work, even after the enforcement of the amended provisions prescribed in the proviso to Article 1 paragraph (1) of the Supplementary Provisions, the provisions then in force remain applicable.

Article 4 (1) With regard to dispositions on a designated inspection agency made pursuant to the provisions of the Radio Act prior to revision (hereinafter referred to as "the Old Act") before the enforcement of the amended provisions prescribed in the proviso to Article 1 paragraph (1) of the Supplementary Provisions, the provisions of Article 104-4 of the Old Act remain effective even after the enforcement of the relevant amended provisions. In this case, "the Minister of Posts and Telecommunications" in the same Article is to be replaced with "the Minister of Internal Affairs and Communications."

(2) With regard to determination of a request for examination pursuant to the provisions of Article 104-4 paragraph (1) of the Old Act which is determined to remain effective pursuant to the provisions of the preceding paragraph, the relevant request for examination is deemed to be the filing of an objection with the Minister of Internal Affairs and Communications, and the provisions of Article 47 of the Administrative Appeal Act (Act No. 160 of 1962) apply.

Article 5 With regard to the application of penal provisions to acts committed prior to the enforcement of the amended provisions prescribed in the proviso to Article 1 paragraph (1) of the Supplementary Provisions and to acts committed after the enforcement of the relevant provisions if the provisions then in force remain applicable pursuant to the provisions of Article 3 of the Supplementary Provisions, the provisions then in force remain applicable.

(Review)

Article 6 If ten years have elapsed after enforcement of the amended provisions prescribed in the proviso to Article 1 paragraph (1) of the Supplementary Provisions, the Government must review the status of the enforcement of the provisions of Article 24-2 through Article 24-8 inclusive and Article 102-18 after amendment, and take necessary measures, when deemed necessary from the viewpoint of supervision and management of radio waves, based on the results of the review.

Supplementary Provisions [Act No. 100 of June 20, 1997]

(Effective Date)

(1) This Act comes into effect as from the day when the Fourth Protocol to the General Agreement on Trade in Services becomes effective for Japan.

(Transitional Measures for Penal Provisions)

(2) Prior laws continue to govern the applicability of penal provisions to conduct in which a person engages before this Act comes into effect.

Supplementary Provisions [Act No. 58 of May 8, 1998 Excerpts] [Extract]

(Effective Date)

Article 1 This Act comes into effect as from the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation. However, the provisions set forth in the following items come into effect as from the days prescribed in the respective items:

- (i) the amended provisions of Article 99-3 of the Radio Act in Article 3 and the provisions of the following Article and Article 3 of the Supplementary Provisions: the day of promulgation;
- (ii) the provisions of Article 1; in Article 2, the provisions amending Article 5 of the Supplementary Provisions of the Telecommunications Business Act; and the provisions of Articles 4, 7, 9, and 11 through 16 of the Supplementary Provisions: the day specified by Cabinet Order within a period not exceeding

five months from the date of promulgation; and
(iii) in Article 2, the amended provisions of the Contents of the Telecommunications Business Act, the amended provisions of Article 50 of the same Act, the amending provision to add three Articles after the same Article, the amended provisions of the section name of Chapter 2 Section 5 of the same Act, the amended provisions of Article 72 of the same Act, the amending provision to add one Article and one subsection after the same Article, the amended provisions of Articles 92 and Article 98, the amended provisions of Article 108 of the same Act (limited to the part pertaining to item (iv)), the amended provisions of Article 109 of the same Act (limited to the part pertaining to item (iii)), and the revision provisions of Article 110 of the same Act; in Article 3, the amended provisions of the Contents of the Radio Act, the amended provisions of Articles 10 and Article 18 of the same Act, the amending provision to add one Article after Article 24-8 of the same Act, the amended provisions of Article 38-2 of the same Act, the amending provision to add three articles after Article 38-15 of the same Act, the amended provisions of Article 73 of the same Act, the amended provisions of Article 99-11 of the same Act (limited to the part that adds "Article 38-17 paragraph (5) and" after "Article 38-5 paragraph (5) ("), the amended provisions of Article 103 of the same Act, the amended provisions of Article 112 of the same Act (limited to the part that amends "Article 38-2 paragraph (6) or paragraph (7)" to "Article 38-2 paragraph (7) or paragraph (8)"), and the amended provisions of Article 103 of the same Act; and the provision of Article 8 of the Supplementary Provisions: the day specified by Cabinet Order within a period not exceeding ten months from the date of promulgation.

(Consulting with the Radio Regulatory Council)

Article 3 (1)

(2) The Minister of Posts and Telecommunications, even prior to the effective date or the date on which the provisions prescribed in Article 1, item (iii) of the Supplementary Provisions come into effect, may consult with the Radio Regulatory Council for the purpose of establishing Order of the Ministry of Posts and Telecommunications that specifies functions under the provisions of Article 4, item (iii) of the Radio Act amended by the provisions of Article 3 (hereinafter referred to as the "New Radio Act") or establishing Order of the Ministry of Posts and Telecommunications under the provisions of Article 38-5, paragraph (2) of the New Radio Act as applies mutatis mutandis pursuant to Article 38-17, paragraph (5) of the New Radio Act, respectively.

(Transitional Measures for Application of Penal Provisions)

Article 7 With regard to the application of penal provisions to acts committed prior to the enforcement of the respective amended provisions of this Act and to acts committed on or after the day of enforcement if the provisions then in force remain applicable pursuant to the provisions of Article 5 paragraph (1) of the Supplementary Provisions and paragraph (3) of the preceding Article, the provisions then in force remain applicable.

(Review)

Article 8 Within ten years as a guideline after the enforcement of the provisions set forth in Article 1, item (iii) of the Supplementary Provisions, the Government is to review the status of the enforcement of the provisions of Articles 50-2, 50-3, 72-3, and 72-4 of the New Telecommunications Business Act and the provisions of Articles 24-9, 38-17, and 38-18 of the New Radio Act, and take necessary measures, if deemed necessary from the respective viewpoints of telecommunications rules and radio regulations, based on the results of the review.

**Supplementary Provisions [Act No. 101 of June 12, 1998 Excerpts]
[Extract]**

(Effective Date)

Article 1 This Act comes into effect as from April 1, 1999.

Supplementary Provisions [Act No. 47 of May 21, 1999]

(Effective Date)

(1) This Act comes into effect as from the date of promulgation. However, the amended provisions of Article 5, Article 6, Article 20, Article 27, and Article 70-3 come into effect as from the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation.

(Transitional Measures)

- (2) With regard to a radio station that is granted a license prior to the effective date of this Act (hereinafter referred to as "the effective date"), the provisions of Article 103-2 after amendment apply to the spectrum user fee pertaining to the period on or after the first corresponding day prescribed in paragraph (1) of the same Article on or after the effective date (hereinafter referred to simply as "the corresponding day"), and the provisions then in force remain applicable to the spectrum user fee pertaining to the period before the corresponding day.
- (3) With regard to the spectrum user fee pertaining to radio stations set forth in row 2 through row 6 and row 9 of the table of amended Article 103-2 paragraph

- (1), which pertains to the period on or after the corresponding day and was prepaid pursuant to the provisions of paragraph (7) of the same article prior to amendment, the part that exceeds the amount of the spectrum user fee pertaining to the relevant period pursuant to the provisions of paragraph (1) and paragraph (5) of the same Article after amendment is to be refunded.
- (4) With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions then in force remain applicable.

**Supplementary Provisions [Act No. 72 of June 11, 1999 Excerpts]
[Extract]**

(Effective Date)

Article 1 This Act comes into effect, according to the classification set forth in the following items, as from the days prescribed in the respective items:

- (i) the amended provisions of Article 28, Article 54, Article 54-2, Article 60 through Article 61-2 inclusive, Article 66, Article 76, Article 145, and Article 148-2; and the provisions of Article 7, Article 13 through Article 15 inclusive, and Article 17 of the Supplementary Provisions: The day on which one month has elapsed from the date of promulgation

**Supplementary Provisions [Act No. 102 of July 16, 1999 Excerpts]
[Extract]**

(Effective Date)

Article 1 This Act comes into effect as from the effective date of the Act Partially Amending the Cabinet Act (Act No. 88 of 1999) comes into effect; provided, however, that the provisions set forth in each of the following items come into effect as from the days prescribed in the respective items:

- (i) (omitted); and
- (ii) the provisions of Article 10, paragraph (1) and paragraph (5), Article 14, paragraph (3), Article 23, Article 28, and Article 30 of Supplementary Provisions: The day of promulgation.

(Transitional Measures Along with Partial Amendment of the Radio Act)

Article 16 (1) A person who is, as of the effective date of this Act, a member of the former Radio Regulatory Council of the Ministry of Posts and Telecommunications is deemed to be appointed on the effective date of this Act, pursuant to the provisions of Article 99-3 paragraph (1) or paragraph (2) of the Radio Act amended by the provisions of Article 40 (hereinafter referred to as "the new Radio Act") as a member of the Radio Regulatory Council of the Ministry of Public Management, Home Affairs, Posts and Telecommunications.

In this case, the term of the person who is deemed to be appointed, notwithstanding the provisions of Article 99-5 paragraph (1) of the new Radio Act, is the same as the remaining term as a member of the former Radio Regulatory Council of the Ministry of Posts and Telecommunications as of the relevant date.

- (2) A person who is the chairperson of the former Radio Regulatory Council of the Ministry of Posts and Telecommunications on the effective date of this Act is deemed to be appointed as of the effective date of this Act as the chairperson of the Radio Regulatory Council of the Ministry of Public Management, Home Affairs, Posts and Telecommunications pursuant to the provisions of Article 99-2-2 paragraph (2) of the new Radio Act.
- (3) A person who performs on behalf of the chairperson, on the effective date of this Act, the duties of the chairperson as prescribed in Article 99-2-2 paragraph (4) of the Radio Act prior to amendment by the provisions of Article 40 is deemed to be specified on the effective date of this Act as a person who performs, on behalf of the chairperson, the duties of the chairperson prescribed in Article 99-2-2 paragraph (4) of the new Radio Act.

(Transitional Measures to be Separately Specified)

Article 30 Beyond those prescribed in Article 2 to the preceding Article inclusive, the transitional measures which become necessary with the enforcement of this Act are separately specified by the applicable acts.

**Supplementary Provisions [Act No. 160 of December 22, 1999 Excerpts]
[Extract]**

(Effective Date)

Article 1 This Act (except Article 2 and Article 3) comes into effect as of January 6, 2001; provided, however, that the provisions set forth in the following items come into effect as of the respective days specified in those items:

- (i) the provisions of Article 995 (limited to the part pertaining to the provisions amending the Supplementary Provisions of the Act Partially Amending the Act on the Regulation of Nuclear Source Material, Nuclear Fuel Material and Reactors), Article 1305, Article 1306, Article 1324, paragraph (2), Article 1326, paragraph (2), and Article 1344: the date of promulgation;

**Supplementary Provisions [Act No. 162 of December 22, 1999 Excerpts]
[Extract]**

(Effective Date)

Article 1 This Act comes into effect as from January 6, 2001. However, the

provisions of Article 9 and Article 10 of the Supplementary Provisions come into effect as from the day specified by Cabinet Order within a period not exceeding six months from the relevant date.

**Supplementary Provisions [Act No. 220 of December 22, 1999 Excerpts]
[Extract]**

(Effective Date)

Article 1 This Act (except Article 1) comes into effect as from January 6, 2001.

(Entrustment to Cabinet Order)

Article 4 Beyond those prescribed in the preceding two paragraphs, the matters necessary for enforcing this Act are specified by the applicable Cabinet Order.

Supplementary Provisions [Act No. 71 of May 19, 2000]

(Effective Date)

Article 1 This Act comes into effect as of the date of promulgation.

Supplementary Provisions [Act No. 91 of May 31, 2000] [Extract]

(Effective Date)

(1) This Act comes into effect as from the effective date of the Act Partially Amending the Commercial Code, etc. (Act No. 90 of 2000).

Supplementary Provisions [Act No. 109 of June 2, 2000]

(Effective Date)

(1) This Act comes into effect as from the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation. However, the amended provisions of Article 20 and Article 27-11 paragraph (2) and the amended provisions of Article 116 item (i) (except the part pertaining to Article 27-16) come into effect as from the date of promulgation.

(Transitional Measures)

(2) With regard to the time limit of an application for a radio operator's license pertaining to the qualification of a person who has obtained the necessary qualification that allows that person to obtain a radio operator's license as prescribed in Article 41 paragraph (3) of the Radio Act prior to amendment before a date three months prior to the effective date of this Act, the provisions then in force remain applicable. However, when the person who has obtained

the radio operator's license as of the effective date of this Act applies for relicensing after their radio operator's license has been revoked, this does not apply.

**Supplementary Provisions [Act No. 126 of November 27, 2000 Excerpts]
[Extract]**

(Effective Date)

Article 1 This Act comes into effect as from the day specified by Cabinet Order within a period not exceeding five months from the date of promulgation.

However, the provisions set forth in the following items come into effect as from the days prescribed in the respective items:

(i) (omitted);

(ii) the amended provisions of Article 99-11 paragraph (1) item (i) of the Radio Act in Article 10: January 6, 2001

(Transitional Measures for Penal Provisions)

Article 2 Prior laws continue to govern the applicability of penal provisions to conduct in which a person engages in before this Act comes into effect.

Supplementary Provisions [Act No. 48 of June 15, 2001 Excerpts]

(Effective Date)

Article 1 This Act comes into effect as from the day specified by Cabinet Order within a period not exceeding four months from the date of promulgation.

However, the amended provisions of Article 99-11 paragraph (1) item (i) (limited to the part that adds ", Article 71-3 paragraph (4) (Standards Concerning Provision of Compensation)" after "(Communications for Aircraft Stations)") come into effect as from the date of promulgation.

(Transitional Measures)

Article 2 (1) A person who has obtained the designation specified in Article 38-2 paragraph (1) of the Radio Act prior to amendment (hereinafter referred to as "the Old Act") as of the effective date of this Act is deemed to have obtained the designation specified in Article 38-2 paragraph (1) of the amended Radio Act (hereinafter referred to as "the New Act") on the effective date of this Act.

(2) A person who has obtained the designation specified in Article 102-18 paragraph (1) of the Old Act as of the effective date of this Act is deemed to have obtained the designation specified in Article 102-18 paragraph (1) of the New Act on the effective date of this Act.

(3) Beyond those prescribed in the preceding two paragraphs, dispositions,

procedures, or other acts made prior to the enforcement of this Act pursuant to the provisions of the Old Act, if there are relevant provisions in the New Act, are deemed to have been made pursuant to the provisions of the New Act.

(4) Prior laws continue to govern the applicability of penal provisions to conduct in which a person engages in before this Act comes into force.

**Supplementary Provisions [Act No. 85 of June 29, 2001 Excerpts]
[Extract]**

(Effective Date)

Article 1 This Act comes into effect as from the day specified by Cabinet Order within a period not exceeding one year from the date of promulgation.

(Transitional Measures for Penal Provisions)

Article 10 Prior laws continue to govern the applicability of penal provisions to conduct in which a person engages before this Act comes into effect.

Supplementary Provisions [Act No. 38 of May 10, 2002]

(Effective Date)

(1) This Act comes into effect as from the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation. However, the provisions set forth in the following items come into effect as from the days prescribed in the respective items:

(i) the amended provisions of Article 99-11 paragraph (1) item (i): The day of promulgation

(ii) the amended provisions of Article 37: The day when the revision of the annex to the International Convention for the Safety of Life at Sea of 1974 adopted on December 5, 2000 becomes effective for Japan

(iii) the amended provisions of Article 25, Article 27-11 paragraph (1), Article 103 paragraph (1), and Article 106: The day specified by Cabinet Order within a period not exceeding one year from the date of promulgation

(Review)

(2) If ten years have elapsed after the enforcement of this Act, the Government is to review the status of the enforcement of the provisions of Article 26-2 after amendment, from the viewpoint of the supervision and management of radio waves, and take necessary measures, when deemed necessary, based on the results of the review.

Supplementary Provisions [Act No. 134 of December 6, 2002 Excerpts]

[Extract]

(Effective Date)

Article 1 This Act comes into effect as from April 1, 2004.

**Supplementary Provisions [Act No. 152 of December 13, 2002 Excerpts]
[Extract]**

(Effective Date)

Article 1 This Act comes into effect as from the effective date of the Act on the Use of Information and Communications Technologies for Administrative Procedures, etc. (Act No. 151 of 2002)

(Transitional Measures for Penal Provisions)

Article 4 Prior laws continue to govern the applicability of penal provisions to conduct in which a person engages in before this Act comes into force.

(Entrustment of Other Transitional Measures to Cabinet Order)

Article 5 Beyond those prescribed in the preceding three Articles, transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

Supplementary Provisions [Act No. 68 of June 6, 2003 Excerpts] [Extract]

(Effective Date)

Article 1 This Act comes into effect as from the day specified by Cabinet Order within a period not exceeding nine months from the date of promulgation. However, the provisions set forth in the following items come into effect as from the days prescribed in the respective items:

- (i) the amended provisions of Article 26 paragraph (1) and the amended provisions of Article 99-11 paragraph (1) item (i) (limited to the part that revises "Article 38-5 paragraph (2) (Article 38-17 paragraph (5) and Article 102-18 paragraph (8)" to "Article 38-8 paragraph (2) (Article 38-24 paragraph (3) and Article 38-31 paragraph (4)" and to the part that adds ", Article 38-33 paragraph (1) (special specified radio equipment)" after "obligations, etc.)": the date of promulgation
- (ii) the amended provisions of Article 71-2, Article 103-2, and Article 116 item (xiv), and the provisions of Articles 6 and 10 of the Supplementary Provisions: The day specified by Cabinet Order within a period not exceeding three months from the date of promulgation

(Transitional Measures Concerning Approved Inspectors)

- Article 2 (1) A person who, as of the effective date of this Act, has actually received approval pursuant to the provisions of Article 24-2 paragraph (1) or Article 24-9 paragraph (1) of the Radio Act prior to amendment by this Act (hereinafter referred to as "the Old Act") is deemed to have been registered pursuant to the provisions of Article 24-2 paragraph (1) or Article 24-13 paragraph (1) of the Radio Act amended by this Act (hereinafter referred to as "the New Act") on the effective date of this Act.
- (2) An application for approval pursuant to the provisions of Article 24-2 paragraph (1) or Article 24-9 paragraph (1) of the Old Act that has already been filed as of the effective date of this Act is deemed to be an application for registration pursuant to the provisions of Article 24-2 paragraph (1) or Article 24-13 paragraph (1) of the New Act.
- (3) An inspection pertaining to approval made by a person who was approved pursuant to the provisions of Article 24-2 paragraph (1) or Article 24-9 paragraph (1) of the Old Act prior to the enforcement of this Act is deemed to be an inspection pertaining to a registration made by a person who has been registered pursuant to the provisions of Article 24-2 paragraph (1) or Article 24-13 paragraph (1) of the New Act.
- (4) A certificate that has actually been delivered pursuant to the provisions of Article 24-3 paragraph (1) of the Old Act (including cases where applied mutatis mutandis pursuant to Article 24-9 paragraph (2) of the Old Act) as of the effective date of this Act is deemed to be a certificate of registration delivered pursuant to the provisions of Article 24-4 paragraph (1) of the New Act (including cases where applied mutatis mutandis pursuant to Article 24-13 paragraph (2) of the New Act).

(Transitional Measures Concerning Designated Certification Agencies)

- Article 3 (1) A person who has been designated pursuant to the provisions of Article 38-2 paragraph (1) of the Old Act as of the effective date of this Act is deemed to have been registered pursuant to the provisions of Article 38-2 paragraph (1) of the New Act on the effective date of this Act. In this case, the period prescribed in Article 38-4 paragraph (1) of the New Act is reckoned from the day of designation or renewal of designation under the Old Act.
- (2) A person who has been approved pursuant to the provisions of Article 38-17 paragraph (1) of the Old Act as of the effective date of this Act is deemed to have been approved on the effective date of this Act pursuant to the provisions of Article 38-31 paragraph (1) of the New Act.
- (3) An application that has actually been filed as of the effective date of this Act for a designation pursuant to the provisions of Article 38-2 paragraph (2) of the Old Act, for renewal of the designation pursuant to the provisions of Article 38-

3-2 paragraph (1) of the Old Act, or for approval pursuant to the provisions of Article 38-17 paragraph (1) of the Old Act is deemed to be an application for registration pursuant to the provisions of Article 38-2 paragraph (1) of the New Act, for renewal of registration pursuant to the provisions of Article 38-4 paragraph (1) of the New Act, or for approval pursuant to the provisions of Article 38-31 paragraph (1) of the New Act, respectively.

(Transitional Measures Concerning Technical Regulations Conformity Certification)

Article 4 (1) An application that has actually been filed as of the effective date of this Act for technical regulations conformity certification pursuant to the provisions of Article 38-2 paragraph (4) of the Old Act, for certification pursuant to the provisions of Article 38-2 paragraph (4) of the Old Act, as applied mutatis mutandis pursuant to the provisions of Article 38-17 paragraph (5) of the Old Act, or for certification pursuant to the provisions of Article 38-16 paragraph (1) or Article 38-17 paragraph (6) is deemed to be a request for technical regulations conformity certification pursuant to the provisions of Article 38-6 paragraph (1) of the New Act (including cases where applied mutatis mutandis pursuant to Article 38-31 paragraph (4) of the New Act) or for construction design certification pursuant to the provisions of Article 38-24 paragraph (1) or Article 38-31 paragraph (5), respectively.

(2) Radio equipment that has received technical regulations conformity certification pursuant to the provisions of Article 38-2 paragraph (4) of the Old Act prior to the enforcement of this Act, or radio equipment that has received certification pursuant to the provisions of Article 38-2 paragraph (4) of the Old Act, as applied mutatis mutandis pursuant to Article 38-17 paragraph (5) of the Old Act prior to the enforcement of this Act, is deemed to be radio equipment that has received technical regulations conformity certification pursuant to the provisions of Article 38-6 paragraph (1) of the New Act (including cases where applied mutatis mutandis pursuant to Article 38-31 paragraph (4) of the New Act) and also deemed to be affixed with the mark pursuant to the provisions of Article 38-7 paragraph (1) of the New Act (including cases where applied mutatis mutandis pursuant to Article 38-31 paragraph (4) of the New Act).

(3) A construction design that has been certified pursuant to the provisions of Article 38-16 paragraph (1) or Article 38-17 paragraph (6) of the Old Act prior to the enforcement of this Act is deemed to be a construction design that has received construction design certification pursuant to the provisions of Article 38-24 paragraph (2) of the New Act (including cases where applied mutatis mutandis pursuant to Article 37-31 paragraph (6) of the New Act).

(4) A person who has been certified pursuant to the provisions of Article 38-16

paragraph (1) of the Old Act or Article 38-17 paragraph (6) of the Old Act prior to the enforcement of this Act is deemed to be a person who has received construction design certification pursuant to the provisions of Article 38-24 paragraph (2) of the New Act (including cases where applied mutatis mutandis pursuant to Article 38-31 paragraph (6) of the New Act) on the effective date of this Act. In these cases, the person who has been certified pursuant to the provisions of Article 38-16 paragraph (1) of the Old Act or Article 38-17 paragraph (6) of the Old Act is deemed to be the person who has performed its obligations pursuant to the provisions of Article 38-25 paragraph (2) of the New Act (including cases where applied mutatis mutandis pursuant to Article 38-31 paragraph (6) of the New Act).

- (5) Specified radio equipment based on a construction design certified pursuant to the provisions of Article 38-16 paragraph (1) of the Old Act or Article 38-17 paragraph (6) of the Old Act prior to the enforcement of this Act, which is affixed with a mark pursuant to the provisions of Article 38-16 paragraph (5) of the Old Act (including cases where applied mutatis mutandis pursuant to Article 38-17 paragraph (8) of the Old Act), is deemed to be a specified radio equipment based on a construction design certified pursuant to the provisions of Article 38-24 paragraph (2) of the New Act (including cases where applied mutatis mutandis pursuant to Article 38-31 paragraph (6) of the New Act), which is affixed with a mark pursuant to the provisions of Article 38-26 of the New Act (including cases where applied mutatis mutandis pursuant to Article 38-31 paragraph (6) of the New Act).
- (6) The provisions of Article 38-22 of the New Act (including cases where applied mutatis mutandis pursuant to Article 38-29 and Article 38-31 paragraphs (4) and (6) of the New Act) does not apply to radio equipment that has received technical regulations conformity certification prior to the enforcement of this Act pursuant to the provisions of Article 38-2 paragraph (4) of the Old Act, radio equipment that has received certification pursuant to the provisions of Article 38-2 paragraph (4) of the Old Act as applied mutatis mutandis pursuant to Article 38-17 paragraph (5) of the Old Act prior to the enforcement of this Act, and specified radio equipment based on a construction design that has received certification pursuant to the provisions of Article 38-16 paragraph (3) of the Old Act (including cases where applied mutatis mutandis pursuant to Article 38-17 paragraph (8) of the Old Act) prior to the enforcement of this Act, which is affixed with a mark pursuant to the provisions of Article 38-16 paragraph (5) of the Old Act (including cases where applied mutatis mutandis pursuant to Article 38-17 paragraph (8) of the Old Act).

(Dispositions and Procedures Pursuant to the Provisions of the Old Act)
Article 5 Beyond those prescribed in the preceding three Articles, dispositions,

procedures, and other acts made pursuant to the provisions of the Old Act prior to the enforcement of this Act, if there are relevant provisions in the New Act, are deemed to have been made pursuant to the provisions of the New Act.

(Transitional Measures Concerning the Spectrum User Fee)

Article 6 The provisions of Article 103-2 paragraph (2) of the New Act apply to the spectrum user fee pertaining to the period on or after the first corresponding day prescribed in Article 103-2 paragraph (1) of the New Act that comes on or after the day of enforcement of the amended provisions set forth in Article 1 item (ii) of the Supplementary Provisions (hereinafter referred to simply as "the corresponding day" in this Article), and the provisions then in force remain applicable to the spectrum user fee pertaining to the period before the corresponding day.

(Transitional Measures for Penal Provisions)

Article 7 Prior laws continue to govern the applicability of penal provisions to conduct in which a person engages in before this Act comes into force.

(Entrustment of Other Transitional Measures to Cabinet Order)

Article 8 Beyond those prescribed in the Supplementary Provisions, transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

(Review)

Article 9 If ten years have elapsed after the enforcement of this Act, the Government is to review the status of the enforcement of the provisions of Article 24-2 through Article 24-13 inclusive and Article 38-2-2 through Article 38-38 inclusive of the New Act, from the viewpoint of supervision and management of radio waves, and take necessary measures, when deemed necessary, based on the results of the review.

Supplementary Provisions [Act No. 125 of July 24, 2003 Excerpts] [Extract]

(Effective Date)

Article 1 This Act comes into effect as from the day specified by Cabinet Order within a period not exceeding nine months from the date of promulgation. However, the provisions set forth in the following items come into effect as from the days prescribed in the respective items:

(i) and (ii) (omitted);

(iii) the provisions of Article 2; in the provisions of Article 3, the amended

provisions of Article 11 paragraph (2) of the Companies Act, as well as the provisions of Article 6 through Article 15 inclusive of the Supplementary Provisions, Article 21 through Article 31 inclusive of the Supplementary Provisions, Article 34 through Article 41 inclusive of the Supplementary Provisions, and Article 44 through Article 48 inclusive of the Supplementary Provisions: the day specified by Cabinet Order within a period not exceeding one year from the date of promulgation

**Supplementary Provisions [Act No. 47 of May 19, 2004 Excerpts]
[Extract]**

(Effective Date)

Article 1 This Act comes into effect as from the day specified by Cabinet Order within a period not exceeding three months from the date of promulgation. However, the provisions set forth in the following items come into effect as from the respective days prescribed in the items:

- (i) in Article 1, the amended provisions of Article 99-11 paragraph (1) item (ii) of the Radio Act and the provisions of Article 5 of the Supplementary Provisions: the date of promulgation
- (ii) in Article 1, the amended provisions of Article 59 of the Radio Act, the provisions amending Article 109-2 of the same Act to Article 109-3 of the same Act, and the amending provisions to add one Article after Article 109 of the same Act (except the part pertaining to Article 109-2 paragraph (5) of the same Act): the day on which twenty days have elapsed from the date of promulgation
- (iii) the provisions of Article 2 (except the amended provisions of Article 99-11 paragraph (1) item (i) of the Radio Act) and the provisions of Article 6 and Article 8 through Article 12 inclusive of the Supplementary Provisions: The day specified by Cabinet Order within a period not exceeding one year from the date of promulgation
- (iv) in Article 1, the amending provisions to add one article after Article 109 of the Radio Act (limited to the part pertaining to Article 109-2 paragraph (5) of the Radio Act) and the provisions of Article 3, and Article 4 of the Supplementary Provisions: the day when the Convention on Cybercrime becomes effective for Japan

(Transitional Measures Concerning the Operational Regulations and Procedures for Registered Certification Bodies)

Article 2 (1) Operational regulations and procedures that have actually been authorized as of the effective date of this Act pursuant to the provisions of Article 38-10 (including cases where applied mutatis mutandis pursuant to

Article 38-24 paragraph (3) and Article 38-31 paragraphs (4) and (6) of the old Radio Act; the same applies in the following paragraph) of the Radio Act prior to amendment by this Act (hereinafter referred to as "the old Radio Act" in this and the following articles) is deemed to be operational regulations and procedures notified pursuant to the provisions of Article 38-10 of the Radio Act amended by this Act (hereinafter referred to as "the new Radio Act" in this Article and Article 6) (including cases where applied mutatis mutandis pursuant to Article 38-24 paragraph (3) and Article 38-31 paragraphs (4) and (6) of the new Radio Act; the same applies to the following paragraph).

(2) An application for authorization pursuant to the provisions of Article 38-10 of the old Radio Act that has actually been filed as of the effective date of this Act is deemed to be a notification pursuant to the provisions of Article 38-10 of the new Radio Act.

(Transitional Measures Concerning the Radio Propagation Obstruction Prevention System)

Article 3 With regard to the restriction on the construction of the highest part of a building constituting an important radio communications interference cause pertaining to the notification pursuant to the provisions of Article 102-3 paragraphs (1) or (2) of the old Radio Act (including cases where applied mutatis mutandis pursuant to paragraph (6) of the same Article or Article 102-4 paragraph (2) of the old Radio Act) or pertaining to a notification based on the order pursuant to the provisions of Article 102-4 paragraph (1) of the old Radio Act, which was made prior to the enforcement of this Act, the provisions then in force remain applicable.

(Transitional Measures Concerning the Application by Convention to Criminals Abroad)

Article 4 The provisions of Article 109-2 paragraph (5) of the Radio Act amended by the provisions set forth in Article 1 item (iv) of the Supplementary Provisions and the provisions of Article 14 paragraph (4) of the Wire Telecommunications Act apply only to crimes subject to punishment even when committed outside of Japan pursuant to the convention that becomes effective for Japan on or after the effective date of the provisions.

(Entrustment of Other Transitional Measures to Cabinet Order)

Article 5 Beyond those prescribed in the preceding three Articles, transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

(Review)

Article 6 If ten years have elapsed after the provisions set forth in Article 1 item (iii) of the Supplementary Provisions came into effect, the Government is to review the status of the enforcement of the provisions amended by the provisions of Article 71-3-2 and Article 2 of the new Radio Act from the viewpoint of supervision and management of radio waves, and take necessary measures, when deemed necessary, based on the results of the review.

Supplementary Provisions [Act No. 84 of June 9, 2004 Excerpts] [Extract]

(Effective Date)

Article 1 This Act comes into effect as from the day specified by Cabinet Order within a period not exceeding one year from the date of promulgation.

**Supplementary Provisions [Act No. 21 of March 31, 2005 Excerpts]
[Extract]**

(Effective Date)

Article 1 This Act comes into effect as from April 1, 2005.

(Entrustment of Other Transitional Measures to Cabinet Order)

Article 89 Beyond those prescribed in these Supplementary Provisions, transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

**Supplementary Provisions [Act No. 87 of July 26, 2005 Excerpts]
[Extract]**

This Act comes into effect as from the effective date of the Companies Act.

**Supplementary Provisions [Act No. 107 of November 2, 2005 Excerpts]
[Extract]**

(Effective Date)

Article 1 This Act comes into effect as from the day specified by Cabinet Order within a period not exceeding three months from the date of promulgation. However, the provisions set forth in the following items come into effect as from the respective days prescribed in the items:

- (i) the amended provisions of Article 103-2 paragraph (2) item (iii) of the Radio Act in Article 1, the amending provisions to add one item to the same paragraph, and the provisions of Article 6 of the Supplementary Provisions:
The day of promulgation

- (ii) the amended provisions of Article 5 and Article 75 of the Radio Act in Article 1, the provisions of Article 2 and the provisions of Article 5 and Article 8 of the Supplementary Provisions: The day specified by Cabinet Order within a period not exceeding six months from the date of promulgation

(Transitional Measures)

Article 2 (1) With regard to a radio station that is granted a license, or registered under Article 27-18 paragraph (1) of the Radio Act prior to amendment by the provisions of Article 1 (hereinafter referred to as "the old Radio Act") prior to the effective date of this Act (hereinafter referred to as "the effective date"), the provisions of Article 103-2 paragraphs (1), (5), (6), and (13) of the Radio Act amended by the provisions of Article 1 (hereinafter referred to as "the new Radio Act") applies to the spectrum user fee pertaining to the period on or after the day prescribed in the following respective items according to the classification of the relevant radio station as set forth in each of the following items, and the provisions then in force remains applicable to the spectrum user fee pertaining to the period up to the day prescribed in the respective items.

- (i) a radio station that is granted a license (except a license under Article 27-5 paragraph (1) of the old Radio Act (hereinafter referred to as a "blanket license"); referred to simply as a "license" in Article 4 of the Supplemental Provisions) or registered under Article 27-18 paragraph (1) of the old Radio Act (except registration under Article 27-29 paragraph (1) of the old Radio Act (hereinafter referred to as "blanket registration"); referred to simply as "registration" in Article 4 of the Supplemental Provisions): The first corresponding day prescribed in Article 103-2 paragraph (1) of the new Radio Act that comes on or after the effective date
 - (ii) a radio station pertaining to a blanket license or blanket registration (hereinafter referred to as a "blanket license, etc."): If the day of the blanket license, etc. is on or after October 1, 2005, the day of the blanket license, etc.; and if the day of the blanket license, etc. is before October 1, 2005, the first day corresponding to the day of the blanket license, etc. in 2005 or 2006 that comes on or after the relevant day (or March 1, 2006 in the absence of a corresponding day in 2006)
- (2) If the amount of the spectrum user fee pertaining to the period on or after the day prescribed in item (ii) of the preceding paragraph paid pursuant to the provisions of Article 103-2 paragraphs (3) or (4) of the old Radio Act exceeds the amount of the spectrum user fee pursuant to the provisions of Article 103-2 paragraphs (5) or (6) of the new Radio Act, the amount of money of the relevant excess part may be appropriated for the spectrum user fee pertaining to radio

waves for use in a wide area as prescribed in paragraph (2) of the same article (referred to simply as "radio waves for use in a wide area" in the following Article) to be paid by the blanket licensee, etc. prescribed in Article 5 of the same Article that made the relevant payment.

- (3) The spectrum user fee pertaining to the period on or after the day prescribed in paragraph (1) item (i) prepaid prior to the effective date pursuant to the provisions of Article 103-2 paragraph (13) of the old Radio Act is appropriated for the spectrum user fee to be paid for each one year period on or after the day prescribed in the relevant item in sequence from an earlier one year period out of the period pertaining to the relevant prepayment pursuant to the provisions of Article 103-2 paragraph (1) of the new Radio Act.

Article 3 (1) With regard to the application of the provisions in the first sentence of Article 103-2 paragraph (2) of the new Radio Act for the period from the effective date to the last day of September 2006 to a person who was granted a license for a radio station using radio waves for use in a wide area prior to October 1, 2005, "before November 1 every year for a period of one year beginning on October 1 of the year" is replaced with "within thirty days from the effective date of the Act Partially Amending the Radio Act and the Broadcasting Act (Act No.107 of 2005) for a period from the effective date of the same Act to the last day of September 2006."

- (2) With regard to application of the provisions in the first sentence of Article 103-2 paragraph (2) of the new Radio Act for the period from the effective date to the last day of September 2006 to a person who was granted a license for a radio station to first use radio waves for use in a wide area during the period from October 2, 2005 to the day before the effective date, "before November 1 every year for a period of one year beginning on October 1 of the year" is replaced with "within thirty days from the effective date of the Act Partially Amending the Radio Act and the Broadcasting Act (Act No. 107 of 2005) for a period from the effective date of the same Act to the last day of September 2006" and "the amount obtained by multiplying" is replaced with "the amount obtained by multiplying the number that is obtained by dividing the number of months in the period from the day of the license pertaining to the relevant licensee to the last day of the relevant month by 12."

Article 4 Beyond those prescribed in Article 103-2 paragraph (1) of the new Radio Act, for the period from the effective date to the day prescribed in Article 2 paragraph (1) item (i) of the Supplementary Provisions, a licensee, etc. of a radio station that has been granted a license or registration (hereinafter referred to as a "license, etc." in this Article) prior to the effective date (limited to a radio station that has been granted a license, etc. during the period from

October 1, 2005 to the day before the effective date, or whose corresponding day prescribed in Article 103-2 paragraph (1) of the old Radio Act has arrived), who is prescribed in Article 26-2 paragraph (5) of the new Radio Act, is to pay to the State the amount of money obtained by deducting the amount of money set forth in the right column of the table in Article 103-2 paragraph (1) of the old Radio Act from the amount set forth in the right column of Appended Table No. 6 of the new Radio Act according to the classification of radio stations set forth in the left column of the same table (if the expiration day of validity of the relevant license, etc. is on or before the last day of September 2006; the amount equivalent to the amount obtained by multiplying the relevant amount of money by the number that is obtained by dividing the number of months in the period from October 1, 2005 to the expiration day of validity of the relevant license, etc. by 12), as the spectrum user fee, within thirty days from the effective date. In this case, the provisions of Article 103-2 paragraph (14) of the new Radio Act apply *mutatis mutandis*.

Article 5 When a licensee of a radio station that has been established as of the effective date of the provisions of Article 1 paragraph (2) of the Supplementary Provisions with a license granted under Article 4 of the old Radio Act, which transmits radio communications aimed at direct reception by the general public (except those aimed at conducting telecommunications services under Article 2 item (vi) of the Telecommunications Business Act (Act No. 86 of 1984), those that aim to relay-broadcast for preventing reception obstruction under Article 5 paragraph (5) of the old Radio Act, and those established on board an artificial satellite) becomes a person as set forth in Article 5 paragraph (4) item (iii) of the new Radio Act on the effective date of the provisions set forth in Article 1 item (ii) of the Supplementary Provisions; with regard to the application of the provisions of Article 52-8 paragraph (3) of the Broadcasting Act amended by the provisions of Article 2 pertaining to the relevant licensee, "Article 5 paragraph (4) item (iii) (a) of the Radio Act" in the same paragraph of the Broadcasting Act is replaced with "as of the effective date of provisions set forth in Article 1 item (ii) of the Supplementary Provisions of, the Act Partially Amending the Radio Act and the Broadcasting Act (Act No. 107 of 2005), Article 5 paragraph (4) item (iii) (a) of the Radio Act amended by the provisions of Article 1 of the same act," and "with the increase in the proportion of voting rights" is replaced with "with the proportion of voting rights."

(Entrustment to Cabinet Order)

Article 6 Beyond those prescribed in from Article 2 through the preceding Article inclusive of the Supplementary Provisions, transitional measures necessary for

the enforcement of this Act are specified by Cabinet Order.

Supplementary Provisions [Act No. 50 of June 2, 2006 Excerpts] [Extract]

This Act comes into effect as from the effective date of the Act on General Incorporated Associations and General Incorporated Foundations.

**Supplementary Provisions [Act No. 64 of June 14, 2006 Excerpts]
[Extract]**

(Effective Date)

Article 1 This Act comes into effect as from the date of promulgation.

**Supplementary Provisions [Act No. 136 of December 28, 2007 Excerpts]
[Extract]**

(Effective Date)

Article 1 This Act comes into effect as from the day specified by Cabinet Order (hereinafter referred to as "the effective date") within a period not exceeding one year from the date of promulgation. However, the provisions set forth in the following items come into effect as from the days prescribed in the respective items:

- (i) the amended provisions of Article 99-11 paragraph (2) of the Radio Act in Article 2, the amended provisions of Article 29 paragraph (1) and the amended provisions of Article 147 paragraph (1) of the Telecommunications Business Act in Article 3, and the provisions of the following article and Article 9 through Article 11 inclusive of the Supplementary Provisions: The day of promulgation
- (ii) in Article 2, the provisions amending the table of contents of the Radio Act (limited to the part that amends "Section 2 Registration for Radio Stations (Article 27-18 through Article 27-34 inclusive)" to "/Section 2 Registration for Radio Stations (Article 27-18 through Article 27-34 inclusive)/Section 3 Mediation, etc. Concerning Establishment of Radio Stations (Article 27-35, Article 27-36)"), the amending provisions to add one item to Article 6, paragraph (1) of the same Act, the amending provisions to add one item to paragraph (2) of the same article, the provisions amending Article 26-2, paragraph (5) of the same Act, the amending provisions to add one item to Article 27-3, paragraph (1) of the same Act, the provisions amending Article 27-18, paragraph (3) of the same Act, the amending provisions to add one section after Chapter II, Section 2 of the same Act, the amending provisions to add ", Article 27-35, paragraph (1) (Mediation and Arbitration by the

Telecommunications Business Dispute Settlement Commission)" in Article 99-11, paragraph (1), item (i) after "(Notification of Establishment of Radio Stations)," and in Article 3, the provisions amending Article 144 paragraph (2) of the Telecommunications Business Act, and the provisions of Article 8 and Article 16 of the Supplementary Provisions: the day specified by Cabinet Order within a period not exceeding nine months from the date of promulgation;

(Preparatory Actions)

Article 2 The authorization referred to in Article 8-3, paragraph (2) and Article 9, paragraph (9) of the Broadcasting Act amended by the provisions of Article 1 (hereinafter referred to as the "New Broadcasting Act"), the consultation with the Radio Regulatory Council under the provisions of Article 53-10, paragraph (2) of the New Broadcasting Act and Article 99-11 of the Radio Act amended by the provisions of Article 2 (hereinafter referred to as the "New Radio Act"), and procedures and other acts necessary for these may be performed in accordance with these provisions even before this Act (in the case of the provisions set forth in item (ii) of the preceding Article, those provisions) comes into effect.

(Transitional Measures Concerning Applications for Licenses, etc. for Radio Stations)

Article 8 With regard to a person that files an application for the license referred to in Article 6, paragraph (1) of the Radio Act before amendment by the provisions of Article 2, an application for the license referred to in paragraph (2) of the same Article, an application for the license referred to in Article 27-3, paragraph (1) of the same Act, an application for the registration referred to in Article 27-18, paragraph (2) of the same Act, or an application for the registration referred to in Article 27-29, paragraph (2) of the same Act before the date on which the provisions set forth in Article 1, item (ii) of the Supplementary Provisions come into effect, prior laws continue to govern the documents to be attached to written applications pertaining to these applications.

(Effects of Dispositions)

Article 9 Dispositions, procedures, or other acts made or to be made prior to the enforcement of this Act (or for the provisions set forth in each item of Article 1 of the Supplementary Provisions, the relevant respective provisions) pursuant to the provisions of the respective acts prior to amendment, if there are relevant provisions in the respective amended acts, are deemed to have been made or to be made, respectively, pursuant to the relevant provisions of the respective amended acts unless otherwise provided for in these Supplementary

Provisions.

(Transitional Measures for the Application of Penal Provisions)

Article 10 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act (or for the provisions set forth in each item of Article 1 of the Supplementary Provisions, the relevant respective provisions), the provisions then in force remain applicable.

(Entrustment of Other Transitional Measures to Cabinet Order)

Article 11 Beyond those prescribed in these Supplementary Provisions, transitional measures (including transitional measures concerning the penal provisions) necessary for the enforcement of this Act (or for the provisions set forth in each item of Article 1 of the Supplementary Provisions, the relevant respective provisions) are specified by Cabinet Order.

(Review)

Article 12 (1)

(2) If five years have elapsed after the enforcement of this Act, the Government is to review the status of the enforcement of the provisions of Article 70-7, Article 70-9, and Article 80 of the new Radio Act, from the viewpoint of supervision and management of radio waves, and take necessary measures, when deemed necessary, based on the results of the review.

**Supplementary Provisions [Act No. 50 of May 30, 2008 Excerpts]
[Extract]**

(Effective Date)

Article 1 This Act comes into effect as from the day specified by Cabinet Order within a period not exceeding nine months from the date of promulgation. However, the provisions set forth in the following items come into effect as from the days prescribed in the respective items:

- (i) the amended provisions of Article 99-11 provision (1) (except the part that adds "Article 70-8 paragraph (1) (Easy-to-Operate Radio Station by Other than a Licensee" after "(Communications for Aircraft Stations)"), the amended provisions of Article 103-2 paragraph (4), the amending provisions to add one paragraph to Article 103-3, the amending provisions to add one paragraph to the Supplementary Provisions, and the provisions of the following Article and Article 7 of the Supplementary Provisions: The day of promulgation
- (ii) the amended provisions of Article 38-11 paragraph (1) and the amended provisions of Article 103-2 (except the amended provisions of paragraphs (2),

(4) through (6) inclusive, (12), and (13)), and the provisions of Article 9 of the Supplementary Provisions: The day specified by Cabinet Order within a period not exceeding one year from the date of promulgation

(Consulting with the Radio Regulatory Council)

Article 2 The Minister of Internal Affairs and Communications, even prior to the effective date of this Act (referred to as "the effective date" in Article 5 of the Supplementary Provisions), may consult with the Radio Regulatory Council for the purpose of establishing Order of the Ministry of Internal Affairs and Communications pursuant to the provisions of Article 70-8 paragraph (1) of the Radio Act amended by this Act (hereinafter referred to as "the New Act").

(Effects of Dispositions)

Article 3 Dispositions, procedures, or other acts made or to be made prior to the enforcement of this Act (or for the provisions set forth in each of the items of Article 1 of the Supplementary Provisions, the relevant respective provisions) pursuant to the provisions of the Radio Act before amendment by this Act (hereinafter referred to as "the Old Act"), if there are relevant provisions in the New Act, is deemed to have been made or to be made pursuant to the relevant provisions of the New Act unless otherwise provided for in these Supplementary Provisions.

(Transitional Measures Concerning the Spectrum User Fee)

Article 4 (1) Notwithstanding the provisions in row 6 of the Appended Table No. 6 of the New Act, with regard to radio stations set forth in the same row, which use radio waves of frequencies of 6,000 MHz or less and broadcast television programs, the spectrum user fee pertaining to the radio stations set forth in the radio station classification column of the following table, for the period set forth in the period column of the table, is the fee as set forth, respectively, in the amount column of the same table.

Radio Station Classification	Period	Amount
Radio stations transmitting digital signals	Until December 31, 2010	5,400 yen

Other radio stations not included in the above using radio waves of frequencies of 300 MHz or less	Radio stations with antenna power of less than 0.1 W	Until December 31, 2008	600 yen
		From January 1, 2009 until December 31, 2009	1,100 yen
		From January 1, 2010 until December 31, 2010	3,000 yen
	Radio stations with antenna power of 0.1 W or more but less than 10 kW	Until December 31, 2008	17,200 yen
		From January 1, 2009 until December 31, 2009	34,500 yen
		From January 1, 2010 until December 31, 2010	91,900 yen

Radio stations with antenna power of 10 kW or more but less than 50 kW	Radio stations in a location other than in specified areas or Radio stations used for broadcasting necessary for education at the Open University of Japan prescribed in Article 2 paragraph (1) of the University of the Air Foundation Act (1) of the University of the Air Foundation Act (Act No. 156 of 2002)	Until December 31, 2008	17,200 yen
		From January 1, 2009 until December 31, 2009	34,500 yen
		From January 1, 2010 until December 31, 2010	91,900 yen
	Other than those classified above	Until December 31, 2008	6,194,400 yen
		From January 1, 2009 until December 31, 2009	12,388,800 yen
		From January 1, 2010 until December 31, 2010	33,029,800 yen
	Radio stations with antenna power of 50 kW or more		Until December 31, 2008

		From January 1, 2009 until December 31, 2009	61,939,700 yen
		From January 1, 2010 until December 31, 2010	165,137,900 yen
other Radio stations not included in the above, using radio waves of frequencies exceeding 300 MHz	Radio stations with antenna power of less than 0.2 W	Until December 31, 2008	600 yen
		From January 1, 2009 until December 31, 2009	1,100 yen
		From January 1, 2010 until December 31, 2010	3,000 yen
	Radio stations with antenna power of 0.2 W or more but less than 20 kW	Until December 31, 2008	17,200 yen
		From January 1, 2009 until December 31, 2009	34,500 yen
		From January 1, 2010 until December 31, 2010	91,900 yen

Radio stations with antenna power of 20 kW or more but less than 100 kW	Radio stations in a location other than in specified areas or Radio stations used for broadcasting necessary for education at the Open University of Japan prescribed in Article 2 paragraph (1) of the University of the Air Foundation Act	Until December 31, 2008	17,200 yen
		From January 1, 2009 until December 31, 2009	34,500 yen
		From January 1, 2010 until December 31, 2010	91,900 yen
	Radio stations other than those classified in the above	Until December 31, 2008	6,194,400 yen
		From January 1, 2009 until December 31, 2009	12,388,800 yen
		From January 1, 2010 until December 31, 2010	33,029,800 yen
Radio stations with antenna power of 100 kW or more	Until December 31, 2008	30,969,900 yen	
	From January 1, 2009 until December 31, 2009	61,939,700 yen	

		From January 1, 2010 until December 31, 2010	165,13 7,900 yen
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(2) The term "a location" or "specified areas" as used in the table in the preceding paragraph means the location of installation or specified areas as prescribed in item (i) or item (vi), respectively, of Remarks to Appended Table No. 6 of the New Act.

Article 5 (1) With regard to a radio station that is granted a license or registration under Article 27-18 paragraph (1) of the Old Act prior to the effective date, the provisions of Article 103-2 paragraphs (1), (5), (6), and (13) of the New Act and the provisions of the preceding Article apply to the spectrum user fee pertaining to the period on or after the first corresponding day, etc. on or after the effective date (referring to the corresponding day prescribed in Article 103-2 paragraph (1) of the New Act (hereinafter referred to simply as "the corresponding day" in this Article) or the day corresponding to the day of the blanket license, etc. prescribed in Article 103-2 paragraph (5) of the New Act; hereinafter the same applies in this paragraph), and the provisions then in force remain applicable to the spectrum user fee pertaining to the period before the relevant corresponding day, etc.

(2) With regard to the spectrum user fee pertaining to a radio station where the amount of the spectrum user fee pursuant to the provisions of Article 103-2 paragraph (1) of the New Act is less than the amount of the spectrum user fee pursuant to the provisions of Article 103-2 paragraph (1) of the Old Act, the part of the spectrum user fee pertaining to the period on or after the first corresponding day on or after the effective date prepaid pursuant to the provisions of paragraph (15) of the same Article, which exceeds the amount of the spectrum user fee pertaining to the relevant period pursuant to the provisions of Article 103-2 paragraphs (1) and (13) of the New Act, is refunded.

(3) With regard to the spectrum user fee pertaining to a radio station where the amount of the spectrum user fee pursuant to the provisions of Article 103-2 paragraph (1) of the New Act exceeds the amount of the spectrum user fee pursuant to the provisions of Article 103-2 paragraph (1) of the Old Act, the spectrum user fee pertaining to the period on or after the first corresponding day on and after the effective date prepaid pursuant to the provisions of paragraph (15) of the same Article is appropriated for the spectrum user fee to be paid for each one year period on or after the relevant corresponding day in sequence from an earlier one year period out of the period pertaining to the

relevant prepayment pursuant to the provisions of Article 103-2 paragraph (1) of the New Act.

(Transitional Measures for Application of Penal Provisions)

Article 6 Prior laws continue to govern the applicability of penal provisions to conduct in which a person engages in before this Act comes into force.

(Entrustment of Other Transitional Measures to Cabinet Order)

Article 7 Beyond those prescribed in these Supplementary Provisions, transitional measures (including transitional measures concerning the penal provisions) necessary for the enforcement of this Act are specified by Cabinet Order.

(Review)

Article 8 (1) If five years have elapsed after the enforcement of this Act, the Government is to review the status of the enforcement of the provisions of Article 70-8 and Article 80 of the New Act, from the viewpoint of the supervision and management of radio waves, and take necessary measures, when deemed necessary, based on the results of the review.

(2) Within two years as a guideline after the enforcement of the provisions set forth in Article 1 item (ii) of the Supplementary Provisions, the Government is to review the status of the enforcement of the provisions of Article 103-2 paragraph (24) through paragraph (38) inclusive of the New Act, from the viewpoint of ensuring the collection of the spectrum user fee and promoting the benefit of persons who intend to pay the spectrum user fee, and take necessary measures, when deemed necessary, based on the results of the review.

Supplementary Provisions [Act No. 22 of April 24, 2009]

(Effective Date)

Article 1 This Act comes into effect as from the day specified by Cabinet Order within a period not exceeding one year from the date of promulgation. However, the amending provisions of Article 1 to add one paragraph to the Supplementary Provisions of the Radio Act come into effect as from the date of promulgation.

(Transitional Measures Concerning Establishment Plan)

Article 2 (1) An establishment plan which has actually been attested pursuant to the provisions of Article 27-13 paragraph (1) of the Radio Act prior to amendment by the provisions of Article 1 of this Act (hereinafter referred to as the "Old Radio Act") as of the effective date of this Act is deemed to have been

attested under Article 27-13 paragraph (1) of the Radio Act amended by the provisions of Article 1 (hereinafter referred to as the "New Radio Act"), stating that the purpose of the specified base station set forth in paragraph (2) item (i) of the same article is to conduct telecommunications services (referring to telecommunications services prescribed in Article 2 item (vi) of the Telecommunications Business Act (Act No. 86 of 1984); the same applies in the following paragraph).

- (2) An establishment plan which has actually been submitted pursuant to the provisions of Article 27-13 paragraph (1) of the Old Radio Act as of the effective date of this Act is deemed to have been submitted pursuant to the provisions of Article 27-13 paragraph (1) of the New Radio Act, stating that the purpose of the specified base station set forth in paragraph (2) item (i) of the same article is to conduct telecommunications services.

(Review)

Article 3 If five years have elapsed after the enforcement of this Act, the Government is to take into consideration the status of the enforcement of the New Radio Act and the Broadcasting Act amended by the provisions of Article 2, the change in social and economic situations, etc. and review the system pertaining to terrestrial basic broadcasting for mobile reception under Article 2 item (xiv) of the same Act, and take necessary measures, when deemed necessary, based on the results of the review.

Supplementary Provisions [Act No. 65 of December 3, 2010] [Extract]

(Effective Date)

Article 1 This Act comes into effect as from the day specified by Cabinet Order (hereinafter referred to as the "effective date") within a period not exceeding nine months from the date of promulgation. However, the provisions set forth in the following items come into effect as from the days prescribed in the respective items.

- (i) the amended provisions of Article 53-11 of the Broadcasting Act in Article 1, the amended provisions of Article 99-12 of the Radio Act in Article 3 and the amended provisions of Article 147 paragraph (1) of the Telecommunications Business Act in Article 5, and the provisions of Article 3, Article 13 and Article 14 paragraph (1) of the Supplementary Provisions: The day of promulgation
- (ii) in Article 1, the amended provisions of Article 52-13 paragraph (1) item (v) (h) of the Broadcasting Act, the amended provisions of Article 52-24 paragraph (2) item (iv) of the same Act and the amended provisions of Article 52-30 paragraph (2) item (v) of the same Act; the provisions of Article 3

(except the amended provisions set forth in the preceding item); the provisions of Article 11, Article 12, Article 27, Article 35 and Article 37 of the Supplementary Provisions: The day specified by Cabinet Order within a period not exceeding three months from the date of promulgation

(Preparatory Actions)

Article 3 The consultation with the Radio Regulatory Council pursuant to the provisions of Article 177 of the Broadcasting Act amended by the provisions of Article 2 (hereinafter referred to as the "New Broadcasting Act") and the provisions of Article 99-11 of the Radio Act amended by the provisions of Articles 3 and 4, the consultation with the councils, etc. specified by Cabinet Order under Article 169 of the Telecommunications Business Act amended by the provisions of Article 5 (hereinafter referred to as the "New Telecommunications Business Act") pursuant to the provisions of the same Article, and procedures and other acts necessary for these consultations

(Transitional Measures upon Repeal of the Act on Regulation on Cable Radio Broadcasting Services)

Article 4 (1)

(6) Acts made or to be made prior to the effective date pursuant to the provisions of Chapter VII of the Radio Act prior to amendment by the provisions of Article 4, as applied mutatis mutandis pursuant to Article 9 of the Old Cable Radio Broadcasting Act (hereinafter referred to as the "Old Radio Act"), if there are relevant provisions in Chapter VII of the Radio Act amended by the provisions of Article 4, as applied mutatis mutandis pursuant to Article 180 of the New Broadcasting Act (hereinafter referred to as the "New Radio Act"), is deemed to have been made or to be made pursuant to the relevant provisions of the same Chapter, as applied mutatis mutandis pursuant to Article 180 of the New Broadcasting Act.

(Transitional Measures upon Repeal of the Cable Television Broadcast Act)

Article 5 (1)

(11) Acts made or to be made prior to the effective date pursuant to the provisions of Chapter VII of the Old Radio Act, as applied mutatis mutandis pursuant to Article 28 of the Old Cable Television Broadcast Act, if there are relevant provisions in Chapter VII of the New Radio Act, as applied mutatis mutandis pursuant to Article 180 of the New Broadcasting Act, is deemed to have been made or to be made pursuant to the relevant provisions of the same Chapter, as applied mutatis mutandis pursuant to the same Article.

(Transitional Measures upon Repeal of the Act on Broadcast on

Telecommunications Services)

Article 6 (1)

(8) Acts made or to be made prior to the effective date pursuant to the provisions of Chapter VII of the Old Radio Act, as applied *mutatis mutandis* pursuant to Article 21 of the Act on Broadcast on Telecommunications Services, if there are relevant provisions in Chapter VII of the New Radio Act, as applied *mutatis mutandis* pursuant to Article 180 of the New Broadcasting Act, is deemed to have been made or to be made pursuant to the relevant provisions of the same Chapter, as applied *mutatis mutandis* pursuant to the same Article.

(Transitional Measures upon Partial Amendment of the Radio Act)

Article 9 (1) A person who has received a license for a radio station conducting broadcasting (except those whose purpose is to conduct telecommunications services) pursuant to the provisions of Article 4 of the Old Radio Act as of the effective date of this Act is deemed to have received a license for a basic broadcast station pursuant to the provisions of Article 4 of the New Radio Act on the effective date if the person falls under a person who should obtain a license for a basic broadcast station pursuant to the provisions of the same Article, or deemed to have received a license for a radio station conducting broadcasting pursuant to the provisions of Article 4 of the New Radio Act (except basic broadcast stations; hereinafter referred to as "general broadcast station" in this Article) on the effective date if the person falls under a person who should obtain a license for a general broadcast station pursuant to the provisions of the same Article. In this case, the validity period of the license under the same article pertaining to the person who is deemed to have received a license for a basic broadcast station or for a general broadcast station pursuant to the provisions of the same Article is the same as the remainder of the period of validity of the license under Article 4 of the Old Radio Act pertaining to the relevant person as of the effective date, notwithstanding the provisions of Article 13 paragraph (1) of the New Radio Act.

(2) An application for a license for a radio station conducting broadcasting pursuant to the provisions of Article 6 paragraph (2) of the Old Radio Act which has actually been filed as of the effective date of this Act is deemed to be an application for a license for a basic broadcast station pursuant to the provisions of Article 6 paragraph (2) of the New Radio Act if the application is pertaining to a person who should submit an application pursuant to the provisions of the same paragraph, or deemed to be an application for a license for a general broadcast station pursuant to the provisions of paragraph (1) of the same Article if the application is pertaining to a person who should submit an application pursuant to the provisions of the same paragraph.

(3) A certificate of a license for a radio station conducting broadcasting (except

those whose purpose is to conduct telecommunications services) issued pursuant to the provisions of Article 14 paragraph (1) of the Old Radio Act prior to the effective date is deemed to be a certificate of a license for a basic broadcast station issued pursuant to the provisions of Article 14 paragraph (1) of the New Radio Act if the certificate is pertaining to a person who is deemed to have received a license for a basic broadcast station.

- (4) A person who has actually been registered pursuant to the provisions of Article 24-2 paragraph (1) of the Old Radio Act as of the effective date of this Act is deemed to have been registered pursuant to the provisions of Article 24-2 paragraph (1) of the New Radio Act on the effective date stating in the written application under paragraph (2) of the same Article that it is a person who is only performing the business of maintenance checks of radio equipment, etc.
- (5) An application for registration which has actually been submitted pursuant to the provisions of Article 24-2 paragraph (1) of the Old Radio Act as of the effective date of this Act is deemed to be an application for registration pursuant to the provisions of Article 24-2 paragraph (1) of the New Radio Act stating in the written application under paragraph (2) of the same Article that it is a person who is only performing the business of maintenance checks of radio equipment, etc.
- (6) Maintenance checks pertaining to the registration pursuant to the provisions of Article 24-2 paragraph (1) of the Old Radio Act conducted prior to the effective date by a person who had obtained the relevant registration is deemed to be maintenance checks pertaining to the registration pursuant to the provisions of Article 24-2 paragraph (1) of the New Radio Act conducted by a person who has obtained the relevant registration stating in the written application under paragraph (2) of the same Article that it is a person who is only performing the business of maintenance checks of radio equipment, etc.
- (7) A certificate of registration that has been issued pursuant to the provisions of Article 24-4 paragraph (1) of the Old Radio Act as of the effective date of this Act is deemed to be a certificate of registration issued pursuant to the provisions of Article 24-4 paragraph (1) of the New Radio Act stating that the person who has the certificate is only performing the business of maintenance checks of radio equipment, etc.
- (8) An establishment plan which has actually been approved pursuant to the provisions of Article 27-13 paragraph (1) of the Old Radio Act as of the effective date of this Act is deemed, if the establishment plan is pertaining to specified base stations for securing the matters set forth in Article 27-12 paragraph (1) item (i) of the New Radio Act, to be an establishment plan which has obtained approval under Article 27-13 paragraph (1) of the New Radio Act stating, as the matters set forth in paragraph (2) item (i) of the same article, that the

specified base station is for securing the matters set forth in Article 27-12 paragraph (1) item (i) of the New Radio Act, or is deemed, if the establishment plan is pertaining to specified base stations for securing the matters set forth in Article 27-12 paragraph (1) item (ii) of the New Radio Act, to be an establishment plan which has obtained approval under Article 27-13 paragraph (1) of the New Radio Act stating, as the matters set forth in paragraph (2) item (i) of the same Article, that the specified base station is for securing the matters set forth in Article 27-12 paragraph (1) item (ii) of the New Radio Act.

(9) An establishment plan which has actually been submitted pursuant to the provisions of Article 27-13 paragraph (1) of the Old Radio Act as of the effective date of this Act is deemed, if the establishment plan is pertaining to specified base stations for securing the matters set forth in Article 27-12 paragraph (1) item (i) of the New Radio Act, to have been submitted pursuant to the provisions of Article 27-13 paragraph (1) of the New Radio Act stating as the matters set forth in paragraph (2) item (i) of the same Article, that the specified base station is for securing the matters set forth in Article 27-12 paragraph (1) item (i) of the New Radio Act, or is deemed, if the establishment plan is pertaining to specified base stations for securing the matters set forth in Article 27-12 paragraph (1) item (ii) of the New Radio Act, to have been submitted pursuant to the provisions of Article 27-13 paragraph (1) of the New Radio Act stating as the matters set forth in paragraph (2) item (i) of the same Article, that the specified base station is for securing the matters set forth in Article 27-12 paragraph (1) item (ii) of the New Radio Act.

(Effects of Dispositions)

Article 11 Dispositions, procedures, or other acts made or to be made prior to the enforcement of this Act (or for the provisions set forth in Article 1 items (ii) and (iii) of the Supplementary Provisions, the relevant respective provisions) pursuant to the provisions of the respective acts prior to revision or repeal, if there are relevant provisions in the respective amended acts, is deemed to have been made or to be made, respectively, pursuant to the relevant provisions of the respective amended acts unless otherwise provided for in these Supplementary Provisions.

(Transitional Measures for Application of Penal Provisions)

Article 12 Prior laws continue to govern the applicability of penal provisions to conduct that a person engages in before this Act comes into force (or for the provisions set forth in Article 1 items (ii) and (iii) of the Supplementary Provisions, the relevant respective provisions; the same applies hereinafter in this Article) as well as to acts committed after this Act comes into effect, in cases where the provisions then in force remain applicable pursuant to the

provisions of Article 4 paragraph (2), Article 5 paragraph (8), Article 6 paragraph (5), Article 7 and Article 8 paragraph (xii) of the Supplementary Provisions, the provisions then in force remain applicable.

(Entrustment of Other Transitional Measures to Cabinet Order)

Article 13 Beyond those prescribed in these Supplementary Provisions, transitional measures (including transitional measures concerning the penal provisions) necessary for the enforcement of this Act are specified by Cabinet Order.

(Review)

Article 14 (1) As a guideline, within one year after the promulgation of this Act, the Government is to review how the grounds for disqualification pertaining to the officers of NHK (Japan Broadcasting Corporation) should be and take necessary measures, when deemed necessary, based on the results of the review.

(2) Within five years after the enforcement of this Act, the Government is to review the status of implementation of the provisions amended by this Act beyond the matters prescribed in the preceding paragraph, and take necessary measures, when deemed necessary, based on the results of the review.

Supplementary Provisions [Act No. 60 of June 1, 2011] [Extract]

(Effective Date)

Article 1 This Act comes into effect as from the day specified by Cabinet Order (referred to as the "effective date" in Article 4 of the Supplementary Provisions) within a period not exceeding six months from the date of promulgation. However, the provisions set forth in the following items come into effect as from the days prescribed in the respective items.

(i) in Article 1, the amended provisions of Article 103-2 paragraphs (2) and (3) and item (ix) of the Remarks to Appended Table No. 6 of the Radio Act, and the provisions of the following Article, Article 5 and Article 7 of the Supplementary Provisions: The day of promulgation

(ii) the provisions of Article 1 (except the amended provisions set forth in the preceding item) and the provisions of Article 3 and Article 6 of the Supplementary Provisions: The day specified by Cabinet Order within a period not exceeding three months from the date of promulgation

(Consulting with the Radio Regulatory Council)

Article 2 Prior to the date of enforcement of the provisions prescribed in item (ii) of the preceding Article, the Minister of Internal Affairs and Communications

may consult with the Radio Regulatory Council for the purpose of establishing the guidelines for the establishment pursuant to the provisions of Article 27-12 paragraph (1) of the Radio Act amended by the provisions of Article 1 or amending Order of the Ministry of Internal Affairs and Communications pursuant to the provisions of Article 27-13 paragraph (6) of the same Act.

(Transitional Measures Concerning Validity of License)

Article 3 With regard to the validity period of the license of a person who has actually received the license for a radio station under Article 13 paragraph (2) of the Radio Act prior to amendment by the provisions of Article 1 as of the effective date of the provisions of Article 1 item (ii) of the Supplementary Provisions, the provisions then in force remain applicable notwithstanding the provisions of Article 13 of the Radio Act amended by the provisions of Article 1.

(Transitional Measures Concerning the Spectrum User Fee)

Article 4 (1) With regard to a radio station that is granted a license or registration under Article 27-18 paragraph (1) of the Radio Act prior to amendment by the provisions of Article 2 (hereinafter referred to as the "Old Act" in this Article) prior to the effective date, the provisions of Article 103-2 paragraphs (1), (5), (6) and (13) of the Radio Act amended by the provisions of Article 2 (hereinafter referred to as the "New Act" in this Article) apply to the spectrum user fee pertaining to the period on or after the first corresponding day, etc. on or after the effective date (referring to the corresponding day prescribed in Article 103-2 paragraph (1) of the New Act (hereinafter referred to simply as "the corresponding day" in this Article) or the day corresponding to the day of the blanket license, etc. prescribed in paragraph (5) of the same Article; hereinafter the same applies in this paragraph), and the provisions then in force remain applicable to the spectrum user fee pertaining to the period before the relevant corresponding day, etc.

(2) With regard to the spectrum user fee pertaining to a radio station where the amount of the spectrum user fee pursuant to the provisions of Article 103-2 paragraph (1) of the New Act is less than the amount of the spectrum user fee pursuant to the provisions of Article 103-2 paragraph (1) of the Old Act, the part of the spectrum user fee pertaining to the period on or after the first corresponding day on or after the effective date prepaid pursuant to the provisions of paragraph (15) of the same Article, which exceeds the amount of the spectrum user fee pertaining to the relevant period pursuant to the provisions of Article 103-2 paragraphs (1) and (13) of the New Act, is refunded.

(3) With regard to the spectrum user fee pertaining to a radio station where the amount of the spectrum user fee pursuant to the provisions of Article 103-2 paragraph (1) of the New Act exceeds the amount of the spectrum user fee

pursuant to the provisions of Article 103-2 paragraph (1) of the Old Act, the spectrum user fee pertaining to the period on or after the first corresponding day on and after the effective date prepaid pursuant to the provisions of paragraph (15) of the same Article is appropriated for the spectrum user fee to be paid for each one year period on or after the relevant corresponding day in sequence from an earlier one year period out of the period pertaining to the relevant prepayment pursuant to the provisions of Article 103-2 paragraph (1) of the New Act.

(Entrustment of Other Transitional Measures to Cabinet Order)

Article 5 Beyond those prescribed in these Supplementary Provisions, transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

(Adjustment Provisions)

Article 7 (1) When the effective date of the provisions of Article 1 item (ii) of the Supplementary Provisions is before the effective date of the Act Partially Amending the Broadcasting Act, etc. (Act No. 65 of 2010), the phrase "Article 27-13 paragraph (2) item (ix) is replaced with item (x) of the same paragraph" in the amended provisions of Article 27-13 paragraph (2) in Article 1 is replaced with "In Article 27-13 paragraph (2), the phrase "through (ix)" is amended as ", (viii) and (x)", item (x) is replaced with item (xi), item (ix) is replaced with item (x)".

(2) In the case of the preceding paragraph, in the amended provisions of Article 27-13 paragraph (2) in Article 4 of the Act Partially Amending the Broadcasting Act, etc., the phrase "through (ix)" is replaced with ", (viii) and (x)", and the phrase "item (ix) of the same paragraph is deleted, and item (x) of the same paragraph is replaced with item (ix) of the same paragraph" is replaced with "item (x) of the same paragraph is deleted, and item (xi) of the same paragraph is replaced with item (x) of the same paragraph".

Supplementary Provisions [Act No. 74 of June 24, 2011] [Extract]

(Effective Date)

Article 1 This Act comes into effect as from the day on which twenty days have elapsed from the date of promulgation.

Supplementary Provisions [Act No. 36 of June 12, 2013]

This Act comes into effect as from the date of promulgation.

Supplementary Provisions [Act No. 6 of March 31, 2014] [Extract]

(Effective Date)

Article 1 This Act comes into effect as from April 1, 2014.

Supplementary Provisions [Act No. 26 of April 23, 2014] [Extract]

(Effective Date)

Article 1 This Act comes into effect as from the day specified by Cabinet Order within a period not exceeding nine months from the date of promulgation. However, the provisions set forth in the following items come into effect as from the days prescribed in the respective items.

- (i) the amended provisions of Article 25 paragraph (1), Article 38-5 paragraph (3), Article 53 and Table of Article 71-3-2 paragraph (xi) and the amended provisions of paragraph (15) of the Supplementary Provisions and the provisions of the following Article and Article 5 of the Supplementary Provisions: The day of promulgation
- (ii) the amended provisions of Article 38-7 (except the part amending "or Article 38-35" as "or Article 38-35 or Article 38-44 paragraph (3)" in paragraph (3) of the same Article), the amended provisions in Article 103 paragraph (2) amending "the preceding paragraph" as "paragraph (1)", replacing the same paragraph with paragraph (3) of the same Article and adding one paragraph after paragraph (1) of the same Article, the amended provisions of Article 103-2 paragraph (12) (except the part amending "paragraph (10)" as "paragraph (12)"), and the amending provisions of Article 112 item (i) and Appended Table 4, and the provisions of Article 4 of the Supplementary Provisions, the provisions of Article 7 of the Supplementary Provisions (limited to the part revising ", Article 38-7 paragraphs (2) and (3)" as ", Article 38-7 paragraphs (3) and (4)" and the part revising "in Article 38-7 paragraphs (2) and (3)" as "in Article 38-7 paragraphs (3) and (4) and Article 38-44 paragraph (3)" in the amending provisions of Article 34 of the Act for Implementation of the Mutual Recognition between Japan and Foreign States in Relation to Results of Conformity Assessment Procedures of Specified Equipment (Act No. 111 of 2001)), and the provisions of Article 8 of the Supplementary Provisions: The day specified by Cabinet Order within a period not exceeding six months from the date of promulgation
- (iii) the amended provisions of the Contents, the amended provisions of Article 4 item (ii), the amended provisions of Article 38-7 paragraph (3) (limited to the part amending "or Article 38-35" as "or Article 38-35 or Article 38-44 paragraph (3)), the amended provisions of Article 38-22 paragraph (1), Article 38-23 paragraph (1) and Article 38-29, Article 38-31 paragraph (6)

and Article 38-38, the amending provisions to add one section after Chapter 3-2 Section 2, the amended provisions of Article 103 paragraph (1), the amended provisions of Article 112 (except the part pertaining to item (i) of the same Article), the amended provisions of Article 113 and the amended provisions of Article 116 (except the part in item (xxiii) of the same article amending ", paragraph (6), (10), (11) or (18)" as "through (8), (12), (13) or (21))" and the provisions of Article 6 of the Supplementary Provisions and Article 7 of the Supplementary Provisions (limited to the part in the amended provisions of Article 34 of the Act for Implementation of the Mutual Recognition between Japan and Foreign States in Relation to Results of Conformity Assessment Procedures of Specified Equipment to add ", Article 38-44 paragraph (3)" after "Article 38-30 paragraph (4)"): The day specified by Cabinet Order within a period not exceeding one year from the date of promulgation

(Consulting with the Radio Regulatory Council)

Article 2 Prior to the effective date of this Act (hereinafter referred to as the "effective date"), the Minister of Internal Affairs and Communications may consult with the Radio Regulatory Council for the purpose of establishing Order of the Ministry of Internal Affairs and Communications pursuant to the provisions of the proviso of Article 103-2 paragraph (7) of the Radio Act amended by this Act (hereinafter referred to as the "New Act").

(Transitional Measures upon Partial Amendment of the Radio Act)

Article 3 (1) With regard to a radio station that is granted a license or registration under Article 27-18 paragraph (1) of the Radio Act prior to amendment by this Act (hereinafter referred to as the "Old Act" in this Article) prior to the effective date (except specified radio stations using radio waves for use in a wide area (referring to the radio waves for use in a wide area provided for in Article 103-2 paragraph (2) of the Old Act; the same applies to the following paragraph and paragraph (5)) (referring to the specified radio stations provided for in Article 27-2 of the Old Act and limited to those pertaining to the radio stations set forth in item (i) of the same Article)), the provisions of Article 103-2 paragraphs (1), (5), (6) and (15) of the New Radio Act applies to the spectrum user fee pertaining to the period on or after the first corresponding day, etc. on or after the effective date (referring to the corresponding day prescribed in paragraph (1) of the same Article (referred to simply as "the corresponding day" in paragraphs (3) and (4)) or the day corresponding to the day of the blanket license, etc. prescribed in paragraph (5) of the same Article (referred to as the "corresponding day of blanket license, etc." in the following paragraph); hereinafter the same applies in this

- paragraph), and the provisions then in force remain applicable to the spectrum user fee pertaining to the period before the relevant corresponding day, etc..
- (2) With regard to the spectrum user fee pursuant to the provisions of Article 103-2 paragraph (5) of the Old Act pertaining to the period ending on the first corresponding day of blanket license, etc. on or after the effective date for the specified radio stations using radio waves for use in a wide area which have obtained the blanket license prior to the effective date, and the spectrum user fee pursuant to the provisions of the paragraph (6) of the same Article for the relevant specified radio stations if the month pertaining to the notification pursuant to the provisions of the same paragraph falls under or prior to the month immediately preceding the month to which the effective date belongs, the provisions then in force remain applicable, respectively.
- (3) With regard to the spectrum user fee pertaining to a radio station if the amount of the spectrum user fee pursuant to the provisions of Article 103-2 paragraph (1) of the New Act is less than the amount of the spectrum user fee pursuant to the provisions of Article 103-2 paragraph (1) of the Old Act, the part of the spectrum user fee pertaining to the period on or after the first corresponding day on or after the effective date prepaid pursuant to the provisions of paragraph (15) of the same Article, which exceeds the amount of the spectrum user fee pertaining to the relevant period pursuant to the provisions of Article 103-2 paragraphs (1) and (15) of the New Act, is refunded.
- (4) With regard to the spectrum user fee pertaining to a radio station if the amount of the spectrum user fee pursuant to the provisions of Article 103-2 paragraph (1) of the New Act exceeds the amount of the spectrum user fee pursuant to the provisions of Article 103-2 paragraph (1) of the Old Act, the spectrum user fee pertaining to the period on or after the first corresponding day on and after the effective date prepaid pursuant to the provisions of paragraph (15) of the same Article is appropriated for the spectrum user fee to be paid for each one year period on or after the relevant corresponding day in sequence from an earlier one year period out of the period pertaining to the relevant prepayment pursuant to the provisions of Article 103-2 paragraph (1) of the New Act.
- (5) The spectrum user fee paid by an item (i) blanket licensee using radio waves for use in a wide area (referring to the item (i) blanket licensee provided for in Article 27-6 paragraph (2) of the Old Act) for the specified radio stations using radio waves for use in a wide area pursuant to the provisions of Article 103-2 paragraphs (5) or (6) of the Old Act (including the cases where the provisions then in force remains applicable pursuant to the provisions of paragraph (2)), which corresponds to the part pertaining to the period on or after the effective date, is deemed to have been paid by the relevant item (i) blanket licensee as a part of the spectrum user fee payable by the relevant item (i) blanket licensee

pursuant to the provisions of Article 103-2 paragraph (7) or (8) of the New Act.

Article 4 During the period from the day prescribed in Article 1 item (ii) of the Supplementary Provisions until the day immediately before the day prescribed in item (iii) of the same Article, with regard to the application of the provisions of Article 38-7 paragraph (3) of the Radio Act amended by the provisions set forth in Article 1 item (ii) of the Supplementary Provisions, the phrase ", Article 38-35 or Article 38-44 paragraph (3)" in Article 38-7 paragraph (3) of the Radio Act is replaced with "or Article 38-35."

(Entrustment of Other Transitional Measures to Cabinet Order)

Article 5 Beyond those prescribed in these Supplementary Provisions, transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

(Review)

Article 6 When ten years have elapsed after the enforcement of the provisions set forth in Article 1, item (iii) of the Supplementary Provisions, the Government is to review the status of the enforcement of the provisions of Chapter III-2, Section 3 of the New Act, and take necessary measures, if deemed necessary, based on the results of the review.

Supplementary Provisions [Act No. 60 of June 11, 2014]

This Act comes into effect as of the date on which the Juvenile Training School Act (Act No. 58 of 2014) comes into effect.

Supplementary Provisions [Act No. 67 of June 13, 2014] [Extract]

(Effective Date)

Article 1 This Act comes into effect as from the effective date of the Act Partially Amending the Act on General Rules for Incorporated Administrative Agencies (Act No. 66 of 2014; hereinafter referred to as the "Act for Amending General Rules Act"). However, the provisions set forth in the following items come into effect as from the days prescribed in the respective items.

(i) the provisions of Article 14 paragraph (2), Article 18 and Article 30 of the Supplementary Provisions: The day of promulgation

(Effects of Dispositions)

Article 28 Dispositions, procedures, or other acts made or to be made prior to the enforcement of this Act pursuant to the provisions of the respective laws before

amendment by this Act (including orders based thereon), if there are relevant provisions in the respective laws amended by this Act (including orders based thereon; hereinafter referred to as the "New Laws and Regulations" in this Article), are deemed to have been made or to be made pursuant to the relevant provisions of the New Laws and Regulations, unless otherwise provided for in any law (including Cabinet Order based thereon).

(Transitional Measures for Penal Provisions)

Article 29 Prior laws continue to govern the applicability of penal provisions to conduct in which a person engages before this Act comes into effect, and conduct in which a person engages after this Act comes into effect in a case where prior laws are to remain in force pursuant to the provisions of these Supplementary Provisions.

(Entrustment of Other Transitional Measures to Cabinet Order)

Article 30 Beyond those prescribed in Article 3 through the preceding Article of the Supplementary Provisions, transitional measures (including transitional measures concerning the penal provisions) necessary for the enforcement of this Act are specified by Cabinet Order (or for the matters under the jurisdiction of the National Personnel Authority, the Rules of the National Personnel Authority).

Supplementary Provisions [Act No. 96 of June 27, 2014] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the date on which the Administrative Complaint Review Act (Act No. 68 of 2014) comes into effect.

(Principle of Transitional Measures)

Article 5 Prior laws continue to govern appeals filed against dispositions or other acts that administrative authorities have undertaken prior to the enforcement of this Act or against inactions by administrative authorities pertaining to applications that have been filed prior to the enforcement of this Act, unless otherwise provided for in these Supplementary Provisions.

(Transitional Measures Concerning Lawsuits)

Article 6 (1) Prior laws continue to govern the filing of an action with regard to matters for which an action may be filed only after an administrative determination, decision, or any other act is made by an administrative authority in relation to an appeal pursuant to the provisions of laws prior to amendment by this Act and for which the statute of limitations for filing an

action has expired before this Act comes into effect with no appeal being filed within the period (if the appeal may be filed only after an administrative determination, decision, or any other act is made by an administrative authority in relation to another appeal, the matters include those for which the statute of limitations for filing an action has expired before this Act comes into effect without such other appeal being filed within the period).

- (2) Prior laws continue to govern the filing of an action for revocation of a disposition or any other act against which an objection is filed pursuant to the provisions of laws prior to amendment by the provisions of this Act (including cases where prior laws continue to govern pursuant to the provisions of the preceding Article) and for which an action for revocation may be filed only after an administrative determination on a request for review is made pursuant to the provisions of laws amended by the provisions of this Act.
- (3) Prior laws continue to govern an action for revocation of an administrative determination, decision, or any other act made by an administrative authority in relation to an appeal, where the action has been filed before this Act comes into effect.

(Transitional Measures for Penal Provisions)

Article 9 Prior laws continue to govern the applicability of penal provisions to conduct in which a person engages before this Act comes into effect, and conduct in which a person engages after this Act comes into effect in a case where prior laws are to remain in force pursuant to the provisions of Article 5 of the Supplementary Provisions and the preceding two Articles.

(Entrustment of Other Transitional Measures to Cabinet Order)

Article 10 Beyond what is provided for in Article 5 of the Supplementary Provisions through the preceding Article, transitional measures necessary for the enforcement of this Act (including transitional measures concerning the penal provisions) are specified by Cabinet Order.

Supplementary Provisions [Act No. 96 of June 27, 2014] [Extract]

(Effective Date)

Article 1 This Act comes into effect as from the day specified by Cabinet Order within a period not exceeding one year from the date of promulgation, provided that in Article 1, the amended provisions of Article 20 paragraph (2) of the Broadcasting Act (limited to the part in the same paragraph replacing item (viii) with item (ix), moving items (v) to (vii) down by one item each respectively and adding one item after item (iv)), the amended provisions of paragraph (10) of the same Article, the amended provisions to Article 29

paragraph (1) item (i) of the same Act and the amended provisions of (g) of the same item (limited to the part adding after the term "abolition" the phrase "(in the case of commencement, suspension or abolition of international broadcasting or international satellite broadcasting by NHK, except one that is deemed to be minor by the management committee)"), and the provisions of the following Article, Article 5 and Articles 9 through 11 of the Supplementary Provisions come into effect as from the date of promulgation.

(Transitional Measures Concerning Revocation of Approval for Operations of Basic Broadcasting)

Article 7 (1)

(2) Prior laws continue to govern the applicability of the provisions of Article 76, paragraph (4), item (v) of the Radio Act amended by the provisions of Article 2 (hereinafter referred to as the "New Radio Act" in this paragraph) (including cases where applied pursuant to Article 162, paragraph (4) of the New Broadcasting Act, following the deemed replacement of terms) to a person that, as of the effective date of this Act, holds a license for a specified terrestrial basic broadcast station (referring to the specified terrestrial basic broadcast station prescribed in Article 6, paragraph (2) of the Radio Act prior to amendment by the provisions of Article 2 (hereinafter referred to as the "Old Radio Act" in this paragraph)) pursuant to the provisions of the Old Radio Act and that, as of the effective date of this Act, fails to conform to the provisions of Article 7, paragraph (2), item (iv), (b) of the New Radio Act (including cases where applied pursuant to Article 162, paragraph (3), following the deemed replacement of terms; hereinafter the same applies in this paragraph), until the day on which one year elapses from the effective date (if the person becomes in conformity with Article 7, paragraph (2), item (iv), (b) of the New Radio Act before that day, until the day on which the person becomes in conformity with the provisions), notwithstanding the provisions of Article 2, item (xxxii) of the New Broadcasting Act.

(Transitional Measures for Application of Penal Provisions)

Article 10 Prior laws continue to govern the applicability of penal provisions to conduct in which a person engages in before this Act (or for the provisions prescribed in the proviso to Article 1 of the Supplementary Provisions, the relevant provisions) comes into force.

(Entrustment of Other Transitional Measures to Cabinet Order)

Article 11 Beyond those provided for in these Supplementary Provisions, transitional measures (including transitional measures concerning the penal provisions) necessary for the enforcement of this Act are specified by Cabinet

Order.

Supplementary Provisions [Act No. 22 of May 20, 2015] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding two months from the date of promulgation.

Supplementary Provisions [Act No. 26 of May 22, 2015] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding one year from the date of promulgation; provided, however, that the provisions of the following Article and Article 8 of the Supplementary Provisions come into effect as of the date of promulgation.

(Preparatory Actions)

Article 2 The Minister of Internal Affairs and Communications, even prior to the date on which this Act comes into effect (hereinafter referred to as the "effective date"), may consult with the councils or other prescribed organizations prescribed in Article 169 of the Telecommunications Business Act prior to amendment by the provisions of Article 1 (hereinafter referred to as the "Old Telecommunications Business Act") with regard to the matters set forth in item (i), and consult with the Radio Regulatory Council with regard to the matters set forth in items (ii) and (iii):

(i) (omitted);

(ii) establishment, amendment, or repeal of Order of the Ministry of Internal Affairs and Communications under the provisions of Article 4, paragraph (2) of the Radio Act amended by the provisions of Article 2 (hereinafter referred to as the "New Radio Act");

(Transitional Measures upon Partial Amendment of the Radio Act)

Article 4 The establishment plan prescribed in Article 27-13, paragraph (1) of the Radio Act prior to amendment by the provisions of Article 2 (hereinafter referred to as the "Old Radio Act") (limited to an establishment plan pertaining to specified base stations (referring to the specified base stations prescribed in Article 27-12, paragraph (1) of the Old Radio Act) for the purpose of conducting telecommunications services (referring to the telecommunications services prescribed in Article 2, item (vi) of the Old Telecommunications Business Act)) for which an approval has been obtained pursuant to the provisions of Article 27-13, paragraph (1) of the Old Radio Act, as of the effective date of this Act, is

deemed to be the establishment plan prescribed in Article 27-13, paragraph (1) of the New Radio Act for which an approval has been obtained pursuant to the provisions of the same paragraph.

(Effects of Dispositions)

Article 6 Dispositions, procedures, or other acts made prior to the effective date pursuant to the provisions of the respective laws before amendment, if there are relevant provisions in the respective amended laws, are deemed to have been made pursuant to the relevant provisions of the respective amended laws, unless otherwise provided for in these Supplementary Provisions.

(Transitional Measures for Penal Provisions)

Article 7 Prior laws continue to govern the applicability of penal provisions to conduct in which a person engages before the effective date.

(Entrustment of Other Transitional Measures to Cabinet Order)

Article 8 Beyond what is provided for in Article 3 of the Supplementary Provisions through the preceding Article, transitional measures necessary for the enforcement of this Act (including transitional measures concerning the penal provisions) are specified by Cabinet Order.

(Review)

Article 9 When three years have elapsed after the enforcement of this Act, the Government is to review the status of the enforcement of the provisions amended by this Act, and take necessary measures, if deemed necessary, based on the results of the review.

Supplementary Provisions [Act No. 27 of May 12, 2017] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding nine months from the date of promulgation; provided, however, that the provisions set forth in the following items come into effect as of the dates respectively specified in those items:

- (i) in Article 1, the amending provisions that delete the title of paragraph (15) of the Supplementary Provisions of the Radio Act, add a title before the same paragraph, and add one paragraph after the same paragraph; and the provisions of Article 4 of the Supplementary Provisions: the date of promulgation;
- (ii) in Article 1, the provisions amending Article 6 of the Radio Act, the provisions amending Article 20 of the same Act, the provisions amending

Article 27-17 of the same Act, the provisions amending Article 63 of the same Act, the provisions adding one Article after Article 70-5 of the same Act, the provisions amending Article 76 of the same Act, the provisions amending Article 99-11, paragraph (1) of the same Act (except the part in item (i) of the same paragraph that adds ", Article 24-2, paragraph (4), item (ii) (Registration of Inspectors)" after "Licensing Procedures)" and the part of that item that adds ", Article 38-3, paragraph (1), item (ii) (Criteria for Registration)" after "(Specified Radio Equipment)", and the part pertaining to item (ii) of the same paragraph), the provisions amending Article 103, paragraph (1), the provisions amending Article 111, and the provisions amending Article 116; and the provisions of Articles 5 through 7 of the Supplementary Provisions: the day specified by Cabinet Order within a period not exceeding one year and three months from the date of promulgation.

(Preparatory Actions)

Article 2 The Minister of Internal Affairs and Communications, even prior to the date on which this Act comes into effect (hereinafter referred to as the "effective date") or prior to the date on which the provisions set forth in item (ii) of the preceding Article come into effect, may consult with the Radio Regulatory Council for the purpose of establishment, amendment, or repeal of Order of the Ministry of Internal Affairs and Communications respectively under the provisions of Article 24-2, paragraph (4), item (ii) or Article 38-3, paragraph (1), item (ii) of the Radio Act amended by the provisions of Article 1 (hereinafter referred to as the "New Radio Act") or under the provisions of Article 70-5-2, paragraph (2), item (i) or the proviso to paragraph (3) of the same Article of the New Radio Act.

(Transitional Measures upon Partial Amendment of the Radio Act)

Article 3 (1) With regard to a radio station that is granted a license or the registration referred to in Article 27-18, paragraph (1) of the Radio Act prior to amendment by the provisions of Article 1 (hereinafter referred to as the "Old Radio Act" in this Article) before the effective date, the provisions of Article 103-2, paragraphs (1), (5), (6) and (15) of the New Radio Act apply to the spectrum user fee pertaining to the period on or after the first corresponding day, etc. (referring to the corresponding day prescribed in Article 103-2, paragraph (1) of the New Radio Act (hereinafter referred to simply as "the corresponding day" in this Article) or the day corresponding to the day of the blanket license, etc. prescribed in paragraph (5) of the same Article; hereinafter the same applies in this paragraph) on or after the effective date, and prior laws continue to govern the spectrum user fee pertaining to the

period before the relevant corresponding day, etc.

- (2) With regard to the spectrum user fee pertaining to a radio station where the amount of the spectrum user fee under the provisions of Article 103-2, paragraph (1) of the New Radio Act is less than the amount of the spectrum user fee under the provisions of Article 103-2, paragraph (1) of the Old Radio Act, the part of the spectrum user fee pertaining to the period on or after the first corresponding day on or after the effective date prepaid pursuant to the provisions of paragraph (17) of the same Article, which exceeds the amount of the spectrum user fee under the provisions of Article 103-2, paragraphs (1) and (15) of the New Radio Act pertaining to the relevant period, is refunded.
- (3) With regard to the spectrum user fee pertaining to a radio station where the amount of the spectrum user fee under the provisions of Article 103-2, paragraph (1) of the New Radio Act exceeds the amount of the spectrum user fee under the provisions of Article 103-2, paragraph (1) of the Old Radio Act, the spectrum user fee pertaining to the period on or after the first corresponding day on or after the effective date prepaid pursuant to the provisions of paragraph (17) of the same Article is appropriated for the spectrum user fee to be paid for each one year period on or after the relevant corresponding day in sequence from an earlier one year period out of the period pertaining to the relevant prepayment pursuant to the provisions of Article 103-2, paragraph (1) of the New Radio Act.

(Entrustment of Other Transitional Measures to Cabinet Order)

Article 4 Beyond what is provided for in the preceding Article, transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

(Review)

Article 5 When five years have elapsed after the enforcement of the provisions set forth in Article 1, item (ii) of the Supplementary Provisions, the Government is to review the status of the enforcement of the provisions of Article 70-5-2 of the New Radio Act, and take necessary measures, if deemed necessary, based on the results of the review.

Supplementary Provisions [Act No. 41 of May 31, 2017] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2019; provided, however, that the provisions of the following Article and Article 48 of the Supplementary Provisions come into effect as of the date of promulgation.

(Entrustment to Cabinet Order)

Article 48 Beyond what is provided for in these Supplementary Provisions, transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

Supplementary Provisions [Act No. 102 of December 14, 2018] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2019.

Supplementary Provisions [Act No. 6 of May 17, 2019] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding nine months from the date of promulgation; provided, however, that the provisions set forth in the following items come into effect as of the dates respectively specified in those items:

- (i) in Article 1, the provisions amending Article 5, paragraph (3), item (iii) of the Radio Act, the amending provisions that add one paragraph to the same Article, the provisions amending Article 6, paragraph (1), item (vii) of the same Act, the provisions amending Article 25, paragraph (2) of the same Act, the provisions amending Article 26, paragraph (2), item (iv) of the same Act, the provisions amending Articles 27-12 through 27-16 of the same Act, the provisions amending Article 58 of the same Act, the provisions amending Article 99-11, paragraph (1), item (i) of the same Act, the provisions amending Article 103-2, paragraph (4) of the same Act, and the amending provisions that change Article 103-5 of the same Act to Article 103-6 of the same Act, change Article 103-4 of the same Act to Article 103-5 of the same Act, and add one Article after Article 103-3 of the same Act, and the provisions amending paragraphs (15) and (16) of the Supplementary Provisions of the same Act; and the provisions of the following Article and Articles 4 through 6 and 8 of the Supplementary Provisions: the date of promulgation; and
- (ii) the provisions of Article 2; and the provisions of Articles 9 through 11 of the Supplementary Provisions: the day specified by Cabinet Order within a period not exceeding one year from the date of promulgation.

(Preparatory Actions)

Article 2 The Minister of Internal Affairs and Communications, even prior to the date on which the provisions set forth in item(ii) of the preceding Article come into effect, may consult with the Radio Regulatory Council for the purpose of

establishment, amendment, or repeal of Order of the Ministry of Internal Affairs and Communications under the provisions of Article 4-2, paragraph (2) or (3) of the Radio Act amended by the provisions of Article 2 or the provisions of Article 78 of the same Act as applied mutatis mutandis pursuant to Article 4-2, paragraph (5) of the same Act.

(Transitional Measures upon Partial Amendment of the Radio Act)

- Article 3 (1) With regard to a radio station that is granted a license or the registration referred to in Article 27-18, paragraph (1) of the Radio Act prior to amendment by the provisions of Article 1 (hereinafter referred to as the "Old Act" in this Article) before the date on which this Act comes into effect (hereinafter referred to as the "effective date" in this Article), the provisions of Article 103-2, paragraphs (1), (5), (6) and (15) of the Radio Act amended by the provisions of Article 1 (hereinafter referred to as the "New Act" in this Article) apply to the spectrum user fee pertaining to the period on or after the first corresponding day, etc. (referring to the corresponding day prescribed in Article 103-2, paragraph (1) of the New Act (hereinafter referred to simply as "the corresponding day" in this Article) or the day corresponding to the day of the blanket license, etc. prescribed in paragraph (5) of the same Article; hereinafter the same applies in this paragraph) on or after the effective date, and prior laws continue to govern the spectrum user fee pertaining to the period before the relevant corresponding day, etc.
- (2) With regard to the spectrum user fee pertaining to a radio station where the amount of the spectrum user fee under the provisions of Article 103-2, paragraph (1) of the New Act is less than the amount of the spectrum user fee under the provisions of Article 103-2, paragraph (1) of the Old Act, the part of the spectrum user fee pertaining to the period on or after the first corresponding day on or after the effective date prepaid pursuant to the provisions of paragraph (17) of the same Article, which exceeds the amount of the spectrum user fee under the provisions of Article 103-2, paragraphs (1) and (15) of the New Act pertaining to the relevant period, is refunded.
- (3) With regard to the spectrum user fee pertaining to a radio station where the amount of the spectrum user fee under the provisions of Article 103-2, paragraph (1) of the New Act exceeds the amount of the spectrum user fee under the provisions of Article 103-2, paragraph (1) of the Old Act, the spectrum user fee pertaining to the period on or after the first corresponding day on or after the effective date prepaid pursuant to the provisions of paragraph (17) of the same Article is appropriated for the spectrum user fee to be paid for each one year period on or after the relevant corresponding day in sequence from an earlier one year period out of the period pertaining to the relevant prepayment pursuant to the provisions of Article 103-2, paragraph (1)

of the New Act.

(Effects of Dispositions)

Article 4 Dispositions, procedures, or other acts made or to be made prior to the enforcement of the provisions set forth in the items of Article 1 of the Supplementary Provisions pursuant to the provisions of the Radio Act before amendment by this Act, if there are relevant provisions in the Radio Act amended by this Act, are deemed to have been made or to be made pursuant to the relevant provisions of the same Act, unless otherwise provided for in these Supplementary Provisions.

(Transitional Measures for Penal Provisions)

Article 5 Prior laws continue to govern the applicability of penal provisions to conduct in which a person engages before the provisions set forth in Article 1, item (1) of the Supplementary Provisions come into effect.

(Entrustment of Other Transitional Measures to Cabinet Order)

Article 6 Beyond what is provided for in the preceding three Articles, transitional measures necessary for the enforcement of this Act (including transitional measures concerning the penal provisions) are specified by Cabinet Order.

(Review)

Article 7 Within three years after the enforcement of this Act, the Government is to review the status of the enforcement of the provisions amended by this Act, and take necessary measures, if deemed necessary, based on the results of the review.

Supplementary Provisions [Act No. 16 of May 31, 2019] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding nine months from the date of promulgation.

Supplementary Provisions [Act No. 23 of June 5, 2019] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding nine months from the date of promulgation; provided, however, that the provisions set forth in the following items come into effect as of the dates respectively specified in those items:

- (i) (omitted);
- (ii) the provisions amending Article 24, Article 88, Article 93, paragraph (1), Article 96, paragraph (2), Article 103, Article 104, items (ii) and (iii), Article 116, paragraphs (1) through (4), Article 161, paragraph (2), Article 162, and Article 177, paragraph (1), item (v); and the provisions of Articles 6 and 10 of the Supplementary Provisions: the day specified by Cabinet Order within a period not exceeding one year from the date of promulgation.

Supplementary Provisions [Act No. 23 of April 24, 2020]

(Effective Date)

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding nine months from the date of promulgation; provided, however, that the provisions set forth in the following items come into effect as of the dates respectively specified in those items:

- (i) the provisions amending Article 27-12, paragraph (2), the provisions amending Article 27-13, paragraphs (2) and (8), the provisions amending Article 27-15, paragraph (2), item (v), (d), and the provisions amending paragraph (16) of the Supplementary Provisions; and the provisions of the following Article and Article 3 of the Supplementary Provisions: the date of promulgation; and
- (ii) the provisions amending Article 102-17, paragraphs (2), (4), and (5): April 1, 2021.

(Preparatory Actions)

Article 2 (1) The Minister of Internal Affairs and Communications, even prior to the date on which this Act comes into effect, may consult with the Radio Regulatory Council for the purpose of establishment, amendment, or repeal of Order of the Ministry of Internal Affairs and Communications under the provisions of Article 102-11, paragraph (4) of the Radio Act amended by this Act (hereinafter referred to as the "New Act").

- (2) A person that intends to obtain the authorization referred to in Article 39-5, paragraph (1) of the New Act as applied mutatis mutandis pursuant to Article 102-17, paragraph (5) of the New Act may file an application for the authorization in accordance with the provisions of the same paragraph, even prior to the date on which the provisions set forth in item (ii) of the preceding Article come into effect.
- (3) If the application for authorization referred to in the preceding paragraph has been filed, the Minister of Internal Affairs and Communications may grant the authorization in accordance with the provisions of Article 39-5, paragraph (1) of the New Act as applied mutatis mutandis pursuant to Article 102-17,

paragraph (5) of the New Act, even prior to the date on which the provisions set forth in item (ii) of the preceding Article come into effect. In this case, the operational regulations for which the authorization was obtained are deemed to be those for which the authorization referred to in the same paragraph was obtained on the date on which those provisions came into effect.

(Entrustment to Cabinet Order)

Article 3 Beyond what is provided for in the preceding Article, transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

(Review)

Article 4 Within three years after the enforcement of this Act, the Government is to review the status of the enforcement of the provisions amended by this Act, and take necessary measures, if deemed necessary, based on the results of the review.

Supplementary Provisions [Act No. 19 of March 31, 2021] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2021.

Supplementary Provisions [Act No. 39 of May 9, 2022] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation; provided, however, that the provisions of the following Article through Article 4 of the Supplementary Provisions come into effect as of April 1, 2023.

(Transitional Measures upon Partial Amendment of the Radio Act)

Article 3 Prior laws continue to govern payment of the spectrum user fee (referring to the spectrum user fee prescribed in Article 103-2, paragraph (4) of the Radio Act) the payment of which has been decided, as of the date on which the provisions prescribed in the proviso to Article 1 of the Supplementary Provisions come into effect, to be entrusted to a person designated under the provisions of Article 103-2, paragraph (27) of the Radio Act prior to amendment by the provisions of the preceding Article.

Supplementary Provisions [Act No. 52 of May 25, 2022] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2024; provided, however, that the provisions set forth in the following items come into effect as of the dates respectively specified in those items:

- (i) the provisions of the following Article and Articles 3, 5, and 38 of the Supplementary Provisions: the date of promulgation;

(Entrustment to Cabinet Order)

Article 38 Beyond what is provided for in these Supplementary Provisions, transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

Supplementary Provisions [Act No. 63 of June 10, 2022] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding nine months from the date of promulgation; provided, however, that the provisions set forth in the following items come into effect as of the dates respectively specified in those items:

- (i) in Article 1, the provisions amending Article 5, paragraph (2), Article 6, paragraph (3), item (i), (i) and paragraph (5), item (vii), and Article 103-2, paragraph (4), item (iii) the Radio Act; and the provisions of the following Article and Article 9 of the Supplementary Provisions; the date of promulgation;
- (ii) the provisions of Article 2; in Article 3, the provisions amending the table of contents, Article 71-2, paragraph (2), item (i), and Article 73, paragraph (2), item (i) of the Broadcasting Act, the amending provisions that add one Article after the same Article, the provisions amending Article 84 of the same Act, the provisions amending Article 93 of the same Act (except the provisions amending paragraph (1), item (vii), (j) of the same Article (except the part that change "paragraph (2)" to "paragraph (6)")), the provisions amending Article 97, paragraph (2) and Article 103 of the same Act, the amending provisions that add one Article after Article 110 of the same Act, the provisions amending Articles 116 and 116-3 of the same Act, the amending provisions that change the same Article to Article 116-4 of the same Act, change Article 116-2 of the same Act to Article 116-3 of the same Act, the amending provisions that add one Article to Chapter V, Section 2, Subsection 2 of the same Act, the provisions amending Article 116-6 of the same Act, the amending provisions that change the same Article in Chapter V, Section 2, Subsection 3 of the same Act to Article 116-7, change Article 116-5 of the same Act to Article 116-6 of the same Act, and change Article

116-4 of the same Act to Article 116-5 of the same Act, the provisions amending Article 125 of the same Act, the provisions amending Article 159 of the same Act (except the provisions amending paragraph (2), item (v), (h) of the same Article (except the part that changes "paragraph (2)" to "paragraph (6)")), the provisions amending Article 160, item (ii) and Article 161, paragraph (2) of the same Act, the amending provisions that add one Article after the same Article, the provisions amending Article 166 and Article 177, paragraph (1), item (i) of the same Act, the provisions amending item (ii) of the same paragraph (limited to the part that adds ", the proviso to Article 73-2, paragraph (2) (authorization for reversal of the reserve for a returning purpose)" after "authorization of the income and expenditure budget, etc.)" and changes "Article 116-3, paragraph (1) to "Article 116-4, paragraph (1)", the provisions amending item (iv) of the same paragraph (limited to the part that change "Article 116-4, paragraph (5)" to "Article 116-5, paragraph (5)" and "Article 166, paragraph (2)" to "Article 166, paragraph (6)"), the provisions amending item (v) of the same paragraph (except the part that adds ", Article 64, paragraph (4) (the multiple pertaining to the amount of surcharge)" after "relationship of control")), the amending provisions that add two items to Article 191, paragraph (1) of the same Act, and the provisions amending Article 193, item (i) of the same Act; and the provisions of Articles 3 and 8 of the Supplementary Provisions: the day specified by Cabinet Order within a period not exceeding one year from the date of promulgation.

(Preparatory Actions)

Article 2 (1) The Minister of Internal Affairs and Communications may, for the purpose of establishment, amendment, or repeal of Order of the Ministry of Internal Affairs and Communications under the provisions set forth in the following items, consult with the Radio Regulatory Council even prior to the dates respectively specified in those items:

- (i) Article 26-2, paragraph (1), item (i) or (ii), Article 26-3, paragraph (1), item (iv), Article 27-12, paragraph (2), item (i), the proviso to Article 27-13, paragraph (1), or paragraph (2) of the same Article of the Radio Act amended by the provisions of Article 1 (hereinafter referred to as the "Radio Act amended by Article 1"); or Article 64, paragraph (4) of the Broadcasting Act amended by the provisions of Article 3 (hereinafter referred to as the "New Broadcasting Act"): the date on which this Act comes into effect (hereinafter referred to as the "effective date"); and
- (ii) Article 27-16, paragraph (2), item (iii) or Article 75, paragraph (2), item (iii) of the Radio Act amended by the provisions of Article 2 (referred to as the "Radio Act amended by Article 2" in paragraph (1) of the following Article

and Article 10, paragraph (2) of the Supplementary Provisions); or Article 103, paragraph (2), item (iii) or Article 166, paragraph (2), item(iii) of the New Broadcasting Act: the date on which the provisions set forth in item (ii) of the preceding Article come into effect (referred to as the "item (ii) effective date" in paragraph (1) of the following Article).

- (2) The Radio Regulatory Council, even prior to the effective date, may establish the policies concerning the matters necessary for the implementation of effective utilization assessments prescribed in Article 26-3, paragraph (1) of the Radio Act amended by Article 1 and make them public, in accordance with the provisions of the same Article. In this case, these policies are deemed to have been established and made public pursuant to the provisions of paragraph (2) of the same Article on the effective date.

(Transitional Measures Concerning a Person that Has Already Obtained a License)

Article 3 (1) A person that has already obtained any of the licenses and approvals set forth in the following items as of the date on which the provisions set forth in Article 1, item (ii) of the Supplementary Provisions come into effect (limited to a person that is a corporation or organization) must notify the Minister of Internal Affairs and Communications of the matters respectively specified in those items within six months from the item (ii) effective date, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications:

- (i) a license for a radio station (except the radio stations set forth in the items of Article 5, paragraph (2) of the Radio Act prior to amendment by Article 2) other than a basic broadcast station (referring to the basic broadcast station prescribed in Article 6, paragraph (2) of the Radio Act prior to amendment by the provisions of Article 2 (hereinafter referred to as the "Radio Act prior to amendment by Article 2" in this paragraph); the same applies in the following item and item (iii)): the matters set forth in Article 6, paragraph (1), item (x) of the Radio Act amended by Article 2;
- (ii) a license for a basic broadcast station (limited to a radio station that transmits the terrestrial basic broadcasting prescribed in Article 2, item (xv) of the Broadcasting Act prior to amendment by the provisions of Article 3 (hereinafter referred to as the "Old Broadcasting Act" in this paragraph) (except broadcasting that corresponds to the relay-broadcasting for preventing reception obstructions prescribed in Article 5, paragraph (5) of the Radio Act prior to amendment by Article 2 and the community broadcasting prescribed in Article 93, paragraph (1), item (vii) of the New Broadcasting Act); referred to as an "item (ii) basic broadcast station" in the following item): the matters set forth in Article 6, paragraph (2), item (ix) of

- the Radio Act amended by Article 2;
- (iii) a license for a basic broadcast station other than an item (ii) basic broadcast station: the matters set forth in Article 6, paragraph (2), item (ix), (a) and (b) of the Radio Act amended by Article 2;
 - (iv) the approval referred to in Article 27-14, paragraph (1) of the Radio Act prior to amendment by Article 2 (limited to that pertaining to the terrestrial basic broadcasting for mobile reception prescribed in Article 2, item (xiv) of the Old Broadcasting Act): the matters set forth in Article 27-14, paragraph (1), item (ii) of the Radio Act amended by Article 2;
 - (v) the approval referred to in Article 93, paragraph (1) of the Old Broadcasting Act (limited to that pertaining to the operations of the terrestrial basic broadcasting prescribed in Article 2, item (xv) of the Old Broadcasting Act (except broadcasting that corresponds to the community broadcasting prescribed in Article 93, paragraph (1), item (vii) of the New Broadcasting Act); referred to as an "item (v) approval" in the following item): the matters set forth in Article 93, paragraph (2), item (x) of the New Broadcasting Act;
 - (vi) the approval referred to in Article 93, paragraph (1) of the Old Broadcasting Act other than an item (v) approval: the matters set forth in Article 93, paragraph (2), item (x), (a) and (b) of the New Broadcasting Act; and
 - (vii) the approval referred to in Article 159, paragraph (1) of the Old Broadcasting Act: the matters set forth in Article 159, paragraph (3), items (v) through (vii) of the New Broadcasting Act.
- (2) A person that fails to make a notification under the provisions of the preceding paragraph (limited to the part pertaining to items (i) through (iv)) or makes a false notification is punished by a civil fine of not more than three hundred thousand yen.
- (3) A person that fails to make a notification under the provisions of paragraph (1) (limited to the part pertaining to items (v) through (vii)) or makes a false notification is punished by a civil fine of not more than two hundred thousand yen.

(Transitional Measures Concerning the Actual Utilization Survey)

Article 4 The provisions of Article 26-2, paragraph (2) of the Radio Act amended by Article 1 also apply to the results of the actual utilization survey prescribed in Article 26-2, paragraph (1) of the Radio Act prior to amendment by the provisions of Article 1 (referred to as the "Radio Act prior to amendment by Article 1" in the following Article and Article 6 of the Supplementary Provisions) under the provisions of the same paragraph that is commenced on or after April 1, 2022.

(Transitional Measures Concerning the Validity Period of an Approval for an Establishment Plan)

Article 5 With regard to a person that has already obtained the approval referred to in Article 27-13, paragraph (1) of the Radio Act prior to amendment by Article 1, as of the date on which this Act comes into effect, prior laws continue to govern the validity period of that approval, notwithstanding the provisions of Article 27-14, paragraph (7) of the Radio Act amended by Article 1.

(Transitional Measures Concerning the Spectrum User Fee)

Article 6 (1) With regard to a radio station that is granted a license or the registration referred to in Article 27-18, paragraph (1) of the Radio Act prior to amendment by Article 1 before the effective date, the provisions of Article 103-2, paragraphs (1), (5), (6) and (15) of the Radio Act amended by Article 1 apply to the spectrum user fee pertaining to the period on or after the first corresponding day, etc. (referring to the corresponding day prescribed in Article 103-2, paragraph (1) of the Radio Act amended by Article 1 (hereinafter referred to simply as "the corresponding day" in this Article) or the day corresponding to the day of the blanket license, etc. prescribed in paragraph (5) of the same Article; hereinafter the same applies in this paragraph) on or after the effective date, and prior laws continue to govern the spectrum user fee pertaining to the period before the relevant corresponding day, etc.

(2) With regard to the spectrum user fee pertaining to a radio station where the amount of the spectrum user fee under the provisions of Article 103-2, paragraph (1) of the Radio Act amended by Article 1 is less than the amount of the spectrum user fee under the provisions of Article 103-2, paragraph (1) of the Radio Act prior to amendment by Article 1, the part of the spectrum user fee pertaining to the period on or after the first corresponding day on or after the effective date prepaid pursuant to the provisions of paragraph (17) of the same Article, which exceeds the amount of the spectrum user fee under the provisions of Article 103-2, paragraphs (1) and (15) of the Radio Act amended by Article 1 pertaining to the relevant period, is refunded.

(3) With regard to the spectrum user fee pertaining to a radio station where the amount of the spectrum user fee under the provisions of Article 103-2, paragraph (1) of the Radio Act amended by Article 1 exceeds the amount of the spectrum user fee under the provisions of Article 103-2, paragraph (1) of the Radio Act prior to amendment by Article 1, the spectrum user fee pertaining to the period on or after the first corresponding day on or after the effective date prepaid pursuant to the provisions of paragraph (17) of the same Article is appropriated for the spectrum user fee to be paid for each one year period on or after the relevant corresponding day in sequence from an earlier one year

period out of the period pertaining to the relevant prepayment pursuant to the provisions of Article 103-2, paragraph (1) of the Radio Act amended by Article 1.

(Entrustment of Other Transitional Measures to Cabinet Order)

Article 9 Beyond what is provided for in Article 2 of the Supplementary Provisions through the preceding Article, transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

(Review)

Article 10 (1) Within three years as a guideline after the enforcement of this Act, the Government is to review the systems pertaining to the actual utilization survey prescribed in Article 26-2, paragraph (1) of the Radio Act amended by Article 1, the effective utilization assessment prescribed in Article 26-3, paragraph (1) of the Radio Act amended by Article 1, the specified base stations prescribed in Article 27-12, paragraph (1) of the Radio Act amended by Article 1, and the related-business holding company prescribed in Article 22-2 of the New Broadcasting Act, and take necessary measures, if deemed necessary, based on the results of the review.

(2) Within five years as a guideline after the enforcement of the provisions set forth in Article 1, item (ii) of the Supplementary Provisions, the Government is to review the systems pertaining to matters such as the limitation on the possession of voting rights by foreign nationals, etc. based on the provisions of the Radio Act amended by Article 2 and the New Broadcasting Act and the systems pertaining to the suspension and discontinuation of basic broadcasting prescribed in Article 110-2 of the New Broadcasting Act, and take necessary measures, if deemed necessary, based on the results of the review.

Supplementary Provisions [Act No. 68 of June 17, 2022] [Extract]

(Effective Date)

(1) Article 1 This Act comes into effect as of the effective date of the Act Partially Amending the Penal Code, etc.; provided, however, that the provisions set forth in the following items come into effect as of the dates respectively specified in those items:

(i) the provisions of Article 509: the date of promulgation;

Supplementary Provisions [Act No. 70 of June 17, 2022] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the day specified by Cabinet Order

within a period not exceeding one year from the date of promulgation.

Supplementary Provisions [Act No. 93 of December 9, 2022] [Extract]

(Effective Date)

- (1) Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding one month from the date of promulgation.

(Transitional Measures)

- (2) Prior laws continue to govern the applicability of penal provisions to conduct in which a person engages before the amending provisions prescribed in the proviso to the preceding paragraph come into effect.

Supplementary Provisions [Act No. 40 of June 2, 2023] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding one year from the date of promulgation; provided, however, that the provisions of the following Article and Article 6 of the Supplementary Provisions come into effect as of the date of promulgation.

(Preparatory Actions)

Article 2 The Minister of Internal Affairs and Communications, even prior to the date on which this Act comes into effect (hereinafter referred to as the "effective date"), may consult with the Radio Regulatory Council for the purpose of establishment, amendment, or repeal of Order of the Ministry of Internal Affairs and Communications under the following provisions:

- (i) (omitted); and
(ii) Article 9, paragraph (4) or Article 17, paragraph (1) of the Radio Act amended by the provisions of Article 2 (referred to as the "New Radio Act" in paragraph (1), item (ii) of the following Article).

(Transitional Measures Concerning a Person that Has Already Obtained an Approval)

Article 3 (1) A person that has already obtained any of the approvals or licenses set forth in the following items as of the date on which this Act comes into effect must notify the Minister of Internal Affairs and Communications of the matters respectively specified in those items within six months from the effective date, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications:

- (i) (omitted); and

- (ii) a license for the basic broadcast station prescribed in Article 6, paragraph (2) of the Radio Act prior to amendment by the provisions of Article 2: the matters set forth in Article 6, paragraph (2), item (vi) of the New Radio Act (limited to an outline of the equipment and the name of the entrusted person in the case of entrusting or intending to entrust operation of equipment (except the radio equipment prescribed in Article 2, item (iv) of the Radio Act) constituting a part of the telecommunications equipment (referring to the telecommunications equipment prescribed in Article 2, item (ii) of the Telecommunications Business Act (Act No. 86 of 1984)) used in the operations of the basic broadcasting prescribed in Article 5, paragraph (4) of the Radio Act to another person).
- (3) A person that fails to make a notification under the provisions of paragraph (1) (limited to the part pertaining to item (ii)) or makes a false notification is punished by a civil fine of not more than three hundred thousand yen.

(Transitional Measures for Penal Provisions)

Article 5 Prior laws continue to govern the applicability of penal provisions to conduct in which a person engages before this Act comes into effect, and conduct in which a person engages after this Act comes into effect in a case where prior laws are to remain in force pursuant to the provisions of paragraph (2) of the preceding Article.

(Entrustment of Other Transitional Measures to Cabinet Order)

Article 6 Beyond what is provided for in Article 2 of the Supplementary Provisions through the preceding Article, transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

(Review)

Article 7 When five years have elapsed after the enforcement of this Act, the Government is to review the status of the enforcement of the provisions amended by this Act, and take necessary measures, if deemed necessary, based on the results of the review.

Appended Table No. 1 (related to Article 24-2)

- (i) the person is to hold the qualification for a First-Class Radio Operator for General Services, Second-Class Radio Operator for General Services, Third-Class Radio Operator for General Services, Maritime First-Class Radio Operator, Maritime Second-Class Radio Operator, Maritime Fourth-Class Radio Operator, Aeronautical-Class Radio Operator, First-Class Technical Radio Operator for On-the-Ground Services, Second-Class Technical Radio Operator for On-the-Ground Services, On-the-Ground Special Radio Operator

or Amateur First-Class Radio Operator.

- (ii) the person is to have a certificate issued by a foreign government agency which certifies that the relevant person holds a qualification equivalent to one of the qualifications set forth in the preceding item.
- (iii) the person has graduated from a university or college, technical college, senior high school (upper secondary school), or junior high school (lower secondary school) under the School Education Act having completed the subjects related to radio communications (including a person that has completed the first half of a professional university course under the same Act, having completed those subjects), and has two years' or longer experience in servicing, including the testing, tuning, and maintenance of radio equipment.
- (iv) the person has graduated from a school in a foreign country which is equivalent to a university or college, technical college, senior high school (upper secondary school), or junior high school (lower secondary school) under the School Education Act having completed the subjects related to radio communications, and has two years' or longer experience in servicing, including the testing, tuning, and maintenance of radio equipment.

Appended Table No. 2 (related to Article 24-2)

- (i) frequency meter
- (ii) spectrum analyzer
- (iii) field intensity meter
- (iv) high-frequency power meter
- (v) voltammeter
- (vi) standard signal generator

Appended Table No. 3 (related to Article 24-2, Article 38-3, and Article 38-8)

Classification of Servicing	Measuring Instruments and Other Equipment
(1) Servicing under Article 38-2-2 paragraph (1) item (i)	<ul style="list-style-type: none"> (i) Frequency meter (ii) Spectrum analyzer (iii) Band meter (iv) Field intensity meter (v) Oscilloscope (vi) High-frequency power meter (vii) Power measuring receiver (viii) Spurious power meter (ix) Voltammeter (x) Low-frequency oscillator (xi) Artificial voice generator

	(xii) Pseudo signal generator
(2) Servicing under Article 38-2-2 paragraph (1) item (ii)	(i) Those set forth in the right column of (1) (ii) Modulation factor meter (iii) Specific absorption rate measuring apparatus (iv) Linear detector (v) Distortion rate noise meter
(3) Servicing under Article 38-2-2 paragraph (1) item (iii)	(i) Those set forth in the right column of (2) (ii) Level meter (iii) Standard signal generator

Appended Table No. 4 (related to Article 24-2, Article 38-3, and Article 38-8)

- (i) The person has graduated from a university or college (except a junior college; the same applies to item (v)) under the School Education Act or a university or college under the old Imperial Ordinance for Universities (Imperial Ordinance No. 388 of 1918), having completed the subjects related to radio communications, or holds a qualification as a First-Class Technical Radio Operator for On-the-Ground Services, and is to have three years' or longer experience in servicing, including the testing, tuning, and maintenance of radio equipment or one year or longer experience in the services of conducting maintenance checks of radio equipment, etc. as a person with knowledge and experience prescribed in Article 24-2 paragraph (4) item (i).
- (ii) the person has graduated from a junior college (including the first half of a professional university course under the School Education Act) or technical college under the same Act, or a vocational college under the old Imperial Ordinance for Technical Colleges (Imperial Ordinance No. 61 of 1903), having completed the subjects related to radio communications (in the case of the first half of a professional university course under the same Act, a person that has completed the first half of that course), or holds a qualification as a First-Class Radio Operator for General Services, Maritime First-Class Radio Operator, or Second-Class Technical Radio Operator for On-the-Ground Services, and has five years' or longer experience in servicing, including the testing, tuning, and maintenance of radio equipment, or two years' or longer experience in the services of conducting maintenance checks of radio equipment, etc. as a person with knowledge and experience prescribed in Article 24-2 paragraph (4) item (i).
- (iii) the person holds a qualification as a Second-Class Radio Operator for

- General Services, Maritime Second-Class Radio Operator or On-the-Ground Special Radio Operator (limited to those specified by Order of the Ministry of Internal Affairs and Communications), and has seven years' or longer experience in servicing, including the testing, tuning, and maintenance of radio equipment, or three years' or longer experience in the services of conducting maintenance checks of radio equipment, etc. as a person with knowledge and experience prescribed in Article 24-2 paragraph (4) item (i).
- (iv) the person has a certificate issued by a foreign government agency which certifies that the relevant person holds a qualification equivalent to either of the qualifications set forth in item (ii), and is to have five years' or longer experience in servicing, including the testing, tuning, and maintenance of radio equipment.
 - (v) the person has graduated from a school in a foreign country which is equivalent to a university or college under the School Education Act having completed the subjects related to radio communications, and has three years' or longer experience in servicing, including the testing, tuning, and maintenance of radio equipment.
 - (vi) the person has graduated from a school in a foreign country which is equivalent to a junior college or technical college under the School Education Act having completed the subjects related to radio communications, and has experience in servicing for five years or more in servicing, including the testing, tuning, and maintenance of radio equipment.

Appended Table No. 5 (related to Article 71-3-2)

- (i) the person has graduated from a university or college (except a junior college; the same applies in item (iv)) under the School Education Act or a university or college under the old Imperial Ordinance for Universities, having completed the subjects related to radio communications, or holds a qualification as a First-Class Technical Radio Operator for On-the-Ground Services, and has one or more years of experience in servicing, including the testing, tuning, and maintenance of radio equipment.
- (ii) the person has graduated from a junior college (including the first half of a professional university course under the School Education Act) or technical college under the same Act, or a vocational college under the old Imperial Ordinance for Technical Colleges, having completed the subjects related to radio communications (in the case of the first half of a professional university course under the same Act, a person that has completed the first half of that course), or has a qualification as a First-Class Radio Operator for General Services, Maritime First-Class Radio Operator, or Second-Class Technical Radio Operator for On-the-Ground Services, and has three or more years of experience in servicing, including the testing, tuning, and

- maintenance of radio equipment.
- (iii) the person has a certificate issued by a foreign government agency which certifies that the relevant person holds a qualification equivalent to either of the qualifications set forth in the preceding item, and has three or more years of experience in servicing, including the testing, tuning, and maintenance of radio equipment.
- (iv) the person has graduated from a school in a foreign country which is equivalent to a university or college under the School Education Act having completed the subjects related to radio communications, and has one or more years of experience in servicing, including the testing, tuning, and maintenance of radio equipment.
- (v) The person is to have graduated from a foreign school equivalent to a junior college or technical college under the School Education Act having completed the subjects related to radio communications and has three or more years of experience in servicing, including the testing, tuning, and maintenance of radio equipment.

Appended Table No. 6 (related to Article 103-2)

Radio Station Classification			Amount
1. Mobile radio stations (except the mobile stations set forth in row 3 through row 5 and row 8. The same applies to row 2.)	Radio stations using radio waves of frequencies not exceeding 470 MHz	Aircraft stations or ship stations	400 yen
		Radio stations other than the above	400 yen

Radio stations using radio waves of frequencies exceeding 470 MHz but not exceeding 3,600 MHz	Aircraft stations or ship stations or stations only using radio waves of the same frequencies as the frequencies of the radio waves used by those radio stations		400 yen
	Radio stations other than the above	Radio stations using radio waves with a frequency bandwidth not exceeding 6 MHz	400 yen
	Radio stations using radio waves with a frequency bandwidth exceeding 6 MHz but not exceeding 15 MHz	Radio stations with antenna power not exceeding 0.05 W	700 yen
		Radio stations with antenna power exceeding 0.05 W but not exceeding 0.5 W	22,800 yen

	Radio stations with antenna power exceeding 0.5 W	2,153,700 yen
Radio stations using radio waves with a frequency bandwidth exceeding 15 MHz but not exceeding 30 MHz	Radio stations with antenna power not exceeding 0.05 W	1,400 yen
	Radio stations with antenna power exceeding 0.05 W but not exceeding 0.5 W	22,800 yen
	Radio stations with antenna power exceeding 0.5 W	6,598,400 yen
Radio stations using radio waves with a frequency bandwidth exceeding 30 MHz	Radio stations with antenna power not exceeding 0.05 W	3,100 yen

		Radio stations with antenna power exceeding 0.05 W but not exceeding 0.5 W	22,800 yen
		Radio stations with antenna power exceeding 0.5 W	8,606,500 yen
Radio stations using radio waves of frequencies exceeding 3,600 MHz but not exceeding 6,000 MHz	Radio stations using radio waves with a frequency bandwidth not exceeding 100 MHz		400 yen
	Radio stations using radio waves with a frequency bandwidth exceeding 100 MHz		102,300 yen
Radio stations using radio waves of frequencies exceeding 6,000 MHz			400 yen

2. Fixed radio stations established on land to communicate with mobile radio stations or receiving equipment for portable use (except the radio stations set forth in rows 6 and 8)	Radio stations using radio waves of frequencies not exceeding 470 MHz	Radio stations with antenna power not exceeding 0.01 W	3,100 yen
		Radio stations with antenna power exceeding 0.01 W	6,400 yen

Radio stations using radio waves of frequencies exceeding 470 MHz but not exceeding 3,600 MHz	Radio stations using radio waves with a frequency bandwidth exceeding 6 MHz, which have a function that ensures that, in the case where the radio station is going to transmit radio waves, it will stop its transmission for a given period of time when receiving radio waves at the same frequency as its own	Radio stations located in Region 1	97,600 yen
		Radio stations located in Region 2	53,200 yen
		Radio stations located in Region 3	17,600 yen
		Radio stations located in Region 4	9,000 yen

	Radio stations other than the above	Radio stations with antenna power not exceeding 0.01 W	3,100 yen
		Radio stations with antenna power exceeding 0.01 W	22,800 yen
Radio stations using radio waves of frequencies exceeding 3,600 MHz but not exceeding 6,000 MHz			
		Radio stations with antenna power not exceeding 0.01 W	3,100 yen
		Radio stations with antenna power exceeding 0.01 W	6,400 yen
Radio stations using radio waves of frequencies exceeding 6,000 MHz			3,100 yen

3. Artificial satellite stations (except the radio stations set forth in row 8)	Radio stations using radio waves of frequencies not exceeding 470 MHz	5,700 yen
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Radio stations using radio waves of frequencies exceeding 470 MHz but not exceeding 3,600 MHz	Radio stations using radio waves with a frequency bandwidth not exceeding 3 MHz	A radio station established on board an artificial satellite (except one that orbits in a circular path on a plane that includes the earth's equator in the same direction and with the same period as the earth's rotation) (hereinafter referred to as a "non-geostationary orbit satellite station" in this paragraph) for which, while it is at a position where it cannot conduct communications with the radio stations or receiving equipment with which it communicates, a non-geostationary orbit satellite station with the same licensee,	754,500 yen
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	Radio stations other than the above	7,545,900 yen
	Radio stations using radio waves with a frequency bandwidth exceeding 3 MHz	299,465,400 yen
Radio stations using radio waves of frequencies exceeding 3,600 MHz but not exceeding 6,000 MHz	Radio stations using radio waves with a frequency bandwidth not exceeding 3 MHz	342,400 yen
	Radio stations using radio waves with a frequency bandwidth exceeding 3 MHz but not exceeding 200 MHz	42,344,600 yen
	Radio stations using radio waves with a frequency bandwidth exceeding 200 MHz but not exceeding 500 MHz	224,927,700 yen

		Radio stations using radio waves with a frequency bandwidth exceeding 500 MHz		321,321,800 yen
		Radio stations using radio waves of frequencies exceeding 6,000 MHz		5,700 yen
4. Radio stations conducting radio communications via satellite stations (except the radio stations set forth in row 5 and row 8)	Radio stations using radio waves of frequencies not exceeding 6,000 MHz	Radio stations using radio waves with a frequency bandwidth not exceeding 3 MHz	Radio stations located in Region 1	4,633,600 yen
			Radio stations located in Region 2	2,319,800 yen
			Radio stations located in Region 3	468,300 yen
			Radio stations located in Region 4	159,900 yen

Radio stations using radio waves with a frequency bandwidth exceeding 3 MHz but not exceeding 50 MHz	Radio stations located in Region 1	31,673,200 yen
	Radio stations located in Region 2	15,839,600 yen
	Radio stations located in Region 3	3,172,400 yen
	Radio stations located in Region 4	550,800 yen
Radio stations using radio waves with a frequency bandwidth exceeding 50 MHz but not exceeding 100 MHz	Radio stations located in Region 1	432,387,300 yen
	Radio stations located in Region 2	216,196,500 yen
	Radio stations located in Region 3	43,243,900 yen
	Radio stations located in Region 4	9,140,500 yen

	Radio stations using radio waves with a frequency bandwidth exceeding 100 MHz	Radio stations located in Region 1	870,249,900 yen
		Radio stations located in Region 2	435,127,600 yen
		Radio stations located in Region 3	87,030,300 yen
		Radio stations located in Region 4	18,278,600 yen
	Radio stations using radio waves of frequencies exceeding 6,000 MHz		159,900 yen

5. Radio stations established on mobile objects, including automobiles and ships, or for portable use, which conduct radio communications via satellite stations (except the radio stations set forth in row 8)				2,700 yen
6. Basic broadcast stations (except the radio stations set forth in row 3, row 7, and row 8)	Radio stations using radio waves of frequencies not exceeding 6,000 MHz	Radio stations conducting television broadcasting	Radio stations with antenna power not exceeding 0.02 W	1,900 yen
			Radio stations with antenna power exceeding 0.02 W but not exceeding 2 kW	195,600 yen

	Radio stations with antenna power exceeding 2 kW but not exceeding 10 kW	Radio stations in a location other than in specified areas	195,600 yen
		Radio stations other than the above	105,833,900 yen
	Radio stations with antenna power exceeding 10 kW		596,312,200 yen
Radio stations other than the above	Radio stations using radio waves with a frequency bandwidth not exceeding 100 kHz	Radio stations with antenna power not exceeding 200 W	3,500 yen
		Radio stations with antenna power exceeding 200 W but not exceeding 50 kW	79,500 yen
		Radio stations with antenna power exceeding 50 kW	1,346,100 yen

		Radio stations using radio waves with a frequency bandwidth exceeding 100 kHz	Radio stations with antenna power not exceeding 20 W	3,500 yen
			Radio stations with antenna power exceeding 20 W but not exceeding 5 kW	79,500 yen
			Radio stations with antenna power exceeding 5 kW	1,346,100 yen
		Radio stations using radio waves of frequencies exceeding 6,000 MHz		1,900 yen

7. Radio stations broadcasting relay-broadcasting for preventing reception disturbances, radio stations conducting multiplex broadcasting, and radio stations conducting broadcasting other than basic broadcasting prescribed in Article 5 paragraph (5) (except the radio stations set forth in row 3 and row 8)	Radio stations broadcasting relay-broadcasting for preventing reception disturbances and radio stations conducting multiplex broadcasting prescribed in Article 5 paragraph (5)	400 yen
	Radio stations other than the above	1,900 yen
8. Experimental radio stations and amateur radio stations		300 yen

9. Radio stations other than the above	Radio stations using radio waves of frequencies not exceeding 470 MHz	Radio stations set forth in Article 103-2, paragraph (15), item (ii), which use radio waves of frequencies exceeding 54 MHz but not exceeding 70 MHz (limited to cases where the licensee of the relevant radio station is a municipality (including special ward))	Radio stations which conduct radio communications for transmitting disaster information, etc. directly to residents and which communicates solely with one designated radio station (limited to the one set forth in Article 103-2, paragraph (15), item (ii), which use radio waves of frequencies exceeding 54 MHz but not exceeding 70 MHz)	500 yen
			Radio stations other than the above	18,700 yen
		Radio stations other than the above		45,000 yen

Radio stations using radio waves of frequencies exceeding 470 MHz but not exceeding 3,600 MHz	Radio stations used for multiplex broadcasting services		45,000 yen
	Radio stations other than the above	Radio stations using radio waves with a frequency bandwidth not exceeding 3 MHz	45,000 yen
	Radio stations using radio waves with a frequency bandwidth exceeding 3 MHz	Radio stations located in Region 1	6,763,600 yen
		Radio stations located in Region 2	3,394,400 yen
		Radio stations located in Region 3	698,700 yen
Radio stations located in Region 4		249,400 yen	

Radio stations using radio waves of frequencies exceeding 3,600 MHz but not exceeding 6,000 MHz	Radio stations used for broadcasting services	Radio stations located in Region 1		25,017,200 yen
		Radio stations located in Region 2		12,508,900 yen
		Radio stations located in Region 3		2,502,300 yen
		Radio stations located in Region 4		358,000 yen
	Radio stations other than the above	Radio stations using radio waves with a frequency bandwidth not exceeding 3 MHz		45,000 yen
		Radio stations using radio waves with a frequency bandwidth exceeding 3 MHz but not exceeding 30 MHz	Radio stations located in Region 1	6,763,600 yen
			Radio stations located in Region 2	3,394,400 yen

	Radio stations located in Region 3	698,700 yen
	Radio stations located in Region 4	249,400 yen
Radio stations using radio waves with a frequency bandwidth exceeding 30 MHz but not exceeding 300 MHz	Radio stations located in Region 1	219,713,400 yen
	Radio stations located in Region 2	109,868,800 yen
	Radio stations located in Region 3	22,038,600 yen
	Radio stations located in Region 4	7,437,600 yen
Radio stations using radio waves with a frequency bandwidth exceeding 300 MHz	Radio stations located in Region 1	543,181,600 yen
	Radio stations located in Region 2	271,603,200 yen
	Radio stations located in Region 3	54,385,500 yen

				Radio stations located in Region 4	18,219,700 yen
				Radio stations using radio waves of frequencies exceeding 6,000 MHz	18,700 yen

Appended Table No. 7 (related to Article 103-2)

Area	Coefficient
1. Hokkaido	0.0277
2. Aomori Prefecture, Iwate Prefecture, Miyagi Prefecture, Akita Prefecture, Yamagata Prefecture, and Fukushima Prefecture	0.0459
3. Ibaraki Prefecture, Tochigi Prefecture, Gunma Prefecture, Saitama Prefecture, Chiba Prefecture, Tokyo Metropolis, Kanagawa Prefecture, and Yamanashi Prefecture	0.4703
4. Niigata Prefecture and Nagano Prefecture	0.0227
5. Toyama Prefecture, Ishikawa Prefecture, and Fukui Prefecture	0.0156
6. Gifu Prefecture, Shizuoka Prefecture, Aichi Prefecture, and Mie Prefecture	0.1196
7. Shiga Prefecture, Kyoto Prefecture, Osaka Prefecture, Hyogo Prefecture, Nara Prefecture, and Wakayama Prefecture	0.1636
8. Tottori Prefecture, Shimane Prefecture, Okayama Prefecture, Hiroshima Prefecture, and Yamaguchi Prefecture	0.0386
9. Tokushima Prefecture, Kagawa Prefecture, Ehime Prefecture, and Kochi Prefecture	0.0199
10. Fukuoka Prefecture, Saga Prefecture, Nagasaki Prefecture, Kumamoto Prefecture, Oita Prefecture, Miyazaki Prefecture, and Kagoshima Prefecture	0.0682
11. Okinawa Prefecture	0.0079

12. Areas set forth in row 1 through row 4 combined	0.5666
13. Areas set forth in row 5 through row 11 combined	0.4334
14. Areas set forth in row 1 through row 11 combined	1.0000
15. Respective areas when the area set forth in row 3 is divided into two areas specified by Order of the Ministry of Internal Affairs and Communications taking various natural and economic conditions into consideration	0.2352
16. Respective areas when the area set forth in row 7 is divided into two areas specified by Order of the Ministry of Internal Affairs and Communications taking various natural and economic conditions into consideration	0.0818
<p>Remarks: The coefficient set forth in the right column of this table, pertaining to radio waves for use in a wide area intended to be used only by radio stations established over a wide area, which are established in Region 4 prescribed in item (v) of the Remarks to Appended Table No. 6 and in regions specified by Order of the Ministry of Internal Affairs and Communications as regions in which the degree of utilization of radio waves is determined to be equivalent to that of Region 4 prescribed in the same item, is to be a value equivalent to one tenth of the value set forth in the same column.</p>	

Appended Table No. 8 (related to Article 103-2)

Classification of Radio Waves for Use in a Wide Area	Amount

Radio waves for use in a wide area pertaining to the radio stations set forth in row (1) or (2) of Appended Table No. 6	Radio waves pertaining to radio stations for the purpose of conducting telecommunications services	Radio waves of frequencies not exceeding 3,600 MHz	Radio waves of frequencies exceeding 2,025 MHz but not exceeding 2,110 MHz or frequencies exceeding 2,200 MHz but not exceeding 2,290 MHz	132,111,100 yen
			Radio waves of frequencies exceeding 2,545 MHz but not exceeding 2,655 MHz	132,111,100 yen
			Radio waves other than the above	32,857,000 yen
		Radio waves of frequencies exceeding 3,600 MHz	1,772,600 yen	
		Radio waves other than the above	132,111,100 yen	
Radio waves for use in a wide area pertaining to the radio stations set forth in row (4) or (5) of Appended Table No. 6				3,124,300 yen
Radio waves for use in a wide area pertaining to the radio stations set forth in row (6) of Appended Table No. 6				6,418,400 yen

Remarks: The amount set forth in the right column of this table pertaining to radio waves for use in a wide area which are designated by the Minister of Internal Affairs and Communications as those that are made available for use by both radio stations established over a wide area and radio stations other than the radio stations established over a wide area is an amount equivalent to half the amount set forth in the same column, notwithstanding the amount set forth in the same column.

Appended Table No. 9 (related to Article 103-2)

Radio Station Classification			Amount
1. Radio stations using radio waves of frequencies not exceeding 3,600 MHz, where the frequency bandwidth of the radio waves used exceeds 6 MHz	Radio stations with antenna power not exceeding 10 mW	Radio stations located in Region 1	5,980 yen
		Radio stations located in Region 2	3,560 yen

		Radio stations located in Region 3	1,110 yen
		Radio stations located in Region 4	660 yen
	Radio stations with antenna power exceeding 10 mW	Radio stations located in Region 1	97,600 yen
		Radio stations located in Region 2	53,200 yen
		Radio stations located in Region 3	17,600 yen
		Radio stations located in Region 4	9,100 yen
2. Radio stations other than radio stations set forth in row 1			3,560 yen
<p>Remarks The terms “location of installation”, “Region 1,” “Region 2,” “Region 3,” or “Region 4” as used in this table mean the location of installation, Region 1, Region 2, Region 3, or Region 4 prescribed in item (i) through item (v) of the Remarks to Appended Table No. 6.</p>			