

Regulations for Enforcement of the Act on Improving Transparency and Fairness of Specified Digital Platforms

(Order of the Ministry of Economy, Trade and Industry No. 1 of February 1, 2021)

Pursuant to the provisions of the Act on Improving Transparency and Fairness of Specified Digital Platforms (Act No. 38 of 2020) and to enforce the Act, the Regulations for Enforcement of the Act on Improving Transparency and Fairness of Specified Digital Platforms is established as follows.

(Definition of Terms)

Article 1 Unless specifically provided in this Ministerial Order, the terms used in this Ministerial Order follows the definitions in the Act on Improving Transparency and Fairness of Specified Digital Platforms (Act No. 38 of 2020; referred to as "Act" below) and the Cabinet Order for Specifying the Business Category and Scale Under in Article 4, Paragraph (1) of the Act on Improving Transparency and Fairness of Specified Digital Platforms (Cabinet Order No. 17 of 2021; referred to as the "Order" below).

(Business Provided as an Ancillary Part of a Digital Platform)

Article 2 (1) The businesses specified by Order of the Ministry of Economy, Trade and Industry as prescribed in (b) in the right-hand column of item (i) of the table in paragraph (1) of the Order are those businesses that are provided to general users (limited to those that use the digital platform; hereinafter the same applies in the following paragraph and the following Article (4)) as an ancillary part of the digital platform for which notification was provided pursuant to Article 4, paragraph (2) of the Act (the same applies below in this Article and paragraph (3) of the following Article), and that bears the cost required to repair goods provided by user providing goods, etc. (limited to those that use the digital platform; the same applies in this paragraph) in the event that goods are damaged; or other business relating to the provision of services or granting of rights incidental to the provision of goods, etc. by user providing goods, etc.

(2) The businesses specified by Order of the Ministry of Economy, Trade and Industry as prescribed in (b) in the right-hand column of item (ii) of the table in paragraph (1) of the Order are the businesses provided to general users as an ancillary part of a digital platform that provides software that provides a forum relating to the business prescribed in the middle column of that item

and those businesses selling rights to the software.

(Scope of Business Scale and Method of Calculation)

Article 3 (1) When the total amount in the right-hand columns of item (i), (ii), or (iv) of the table in paragraph (1) of the Order or the domestic sales amount in the right-hand column of item (iii) of the relevant table is to be converted into Japanese currency, the conversion is to be made by using the exchange rate (meaning the reference foreign exchange rates or the arbitrated foreign exchange rate stated in Article 7, paragraph (1) of the Foreign Exchange and Foreign Trade Act (Act No. 228 of 1949)) at the time of the notification.

(2) The calculation of the total amount in the right-hand column of items (i) or (ii) of the table in paragraph (1) of the Order is made by deducting the amount specified in each of the following items according to the classification in the cases stated in the respective items.

(i) when the total amount of domestic sales stated in (a) of the right-hand column of item (i) of the table referred to in paragraph (1) of the Order is found to be significantly less than the amount of domestic sales stated in (b) of that column: the amount of domestic sales in (b) of that column.

(ii) when the total amount of domestic sales stated in (a) of the right-hand column of item (ii) of the table referred to in paragraph (1) of the Order is found to be significantly less than the amount of domestic sales stated in (b) of that column: the amount of domestic sales in (b) of that column.

(3) The scope of domestic sales in (a) of the right-hand column of item (i) of the table, (a) of the right-hand column of item (ii) of the table, the right-hand column of item (iii) of the table, and the right-hand column of item (iv) of the table referred to in paragraph (1) of the Order is the sales amount relating to business conducted primarily for domestic users (limited to those that use the digital platform).

(4) The scope of domestic sales in (b) of the right-hand column of item (i) of the table and (b) of the right-hand column of item (ii) of the table referred to in paragraph (1) of the Order is the sales amount relating to business conducted primarily for domestic general users.

(Notification of Digital Platform Providers)

Article 4 (1) The notification under the provisions of Article 4, paragraph (2) of the Act must be made for each business category specified in the middle column of the table in paragraph (1) of the Order by submitting a written notification prepared by using Form No. 1 by the last day of April of every fiscal year.

(2) When any changes occur to the particulars stated in a notification specified in the preceding paragraph, a specified digital platform provider must promptly

provide notice of the changed particulars.

- (3) Submission of notification specified in paragraph (1) and notification under the provisions of the preceding paragraph must be made in accordance with Article 6, paragraph (1) of the Act on the Advancement of Government Administration Processes That Use Information and Communications Technology (Act No. 151 of 2002) by a method using an electronic data processing system specified in that paragraph.

(Method of Disclosure of Conditions of Provision)

Article 5 (1) When disclosing the terms and conditions pursuant to Article 5, paragraph (1) of the Act, a specified digital platform provider must do so by the methods stated below. In this case, when the relevant terms and conditions have not been prepared in Japanese, a Japanese translation must be attached to them.

- (i) to state with clear and plain language to users (limited to users who use the specified digital platform, including those who plan to use the specified digital platform; the same applies below); and
- (ii) to be easily accessible for users before commencing and during use of the specified digital platform.

- (2) When disclosing terms and conditions pursuant to Article 5, paragraph (1) of the Act, if attaching a Japanese translation specified in the preceding paragraph is unavoidably not possible, it is allowed to specify the deadline at the time of disclosure and to provide the translation within the deadline accordingly.

(Matters to Be Disclosed to User Providing Goods)

Article 6 The matters to be specified by Order of the Ministry of Economy, Trade and Industry stated in Article 5, paragraph (2), item (i), (g) of the Act are the particulars stated in the right-hand column of the following table according to the business classifications in the left-hand column of the same table:

Business Category	Information That Must Be Reported
Businesses prescribed in the middle columns of item (i) and (ii) of the table in paragraph (1) of the Order	(i) When a user providing goods, etc. (limited to those who use the specified digital platform; the same applies below) requests that the price, shipping charges, or other conditions pertaining to the provision of goods, etc. that the user providing goods, etc. intends to provide using the relevant specified digital platform be equivalent to or more favorable than those provided through a provision channel other than the relevant specified digital platform, the details and reasons of them

	(ii) When the means of payment pertaining to the Goods, etc. offered by a user providing goods, etc. using the specified digital platform and other terms and conditions on the provision of goods, etc. differ from those pertaining to the goods, etc. offered to General Users (limited to those who use the specified digital platform; the same shall apply below) in the businesses specified in (b) of the right-hand column of item (i) of the table and (b) of the right-hand column of item (ii) of the table in paragraph (1) of the cabinet order, the details and reasons of them (iii) When a related company (a related company specified in Article 8, paragraph (8) of the Regulations on Terminology, Forms and Preparation Methods of Financial Statements (Ministry of Finance Order No. 59 of 1963); the same applies in this Article and the following Article) is a user providing goods, etc. and the terms and conditions of provision to the relevant related company differ from those offered to user providing goods, etc. other than the related company, the details and reasons of them (iv) When Goods, etc. provided by a user providing goods, etc. are returned or all or part of the price of goods, etc. is refunded or other compensation is provided at the expense of the relevant user providing goods, etc., the details and terms of them (v) When payment of all or part of the amount payable by the specified digital platform provider to a user providing goods, etc. as consideration for goods, etc. provided by the relevant user providing goods, etc. is withheld, the details and terms of them
Businesses prescribed in the middle column of item (iii) of the table in paragraph (1) of the Order	(i) When a specified digital platform provider determines whether the display or viewing of information related to goods, etc. on the forum provided by the specified digital platform was performed by fraudulent means, whether user providers goods, etc. can obtain the criteria and results of such determination and other information pertaining to such fraudulent means, and if so, the details of the relevant information and the means and terms of the obtainment, and if not, the reasons for them

(ii) When a specified digital platform provider determines that the display of information related to goods, etc. on the forum provided by the specified digital Platform damages the credibility or reputation of user providing goods, etc. or the viewability of information related to goods, etc. displayed or to be displayed on the forum, whether the user providing goods, etc. can obtain information concerning the result of the determination or other information relating to damage to the credibility or reputation of user providing goods, etc. or the viewability of information related to the relevant goods, etc., and if so, the details of the relevant information and the means and terms of the obtainment, and if not, the reasons for them

(iii) The methods, procedures, and terms under which a person who provides services that, upon the request of user providing goods, etc., provide information, regarding the results of the display of information related to goods, etc. on a forum provided by a specified digital platform or other information concerning the effects of the display to provide these services to user providing goods, etc.

(iv) When a specified digital platform provider determines the user providing goods, etc. who displays information related to goods, etc., if data concerning the relevant user providing goods, etc. is acquired or used, the details of the data and the terms relating to its acquisition or use

(v) When restrictions are imposed on user providing goods, etc., concerning the provision of data regarding the relevant user providing goods, etc. to persons other than the specified digital platform provider, or concerning using service provided by a person other than the specified digital platform provider regarding display of information related to goods, etc. as advertisement, the details and reasons of them

(vi) When a specified digital platform provider engages or intends to engage in a transaction stated below, the type of transaction and the policy of the specified digital platform provider concerning the method and system for operating the business related to the type of transaction and other measures for appropriately managing operation of the business

(a) Transactions in which there is a conflict of interest among user providing goods, etc. or between the specified digital platform and user providing goods, etc. when a specified digital platform provider determines the user providing goods, etc. who displays information related to goods, etc.

(b) Transactions in which the method of determining the user providing goods, etc. who displays information related to goods, etc. or other terms relating to the display of information related to the goods, etc. of user providing goods, etc. differ from the terms relating to the display of information pertaining to the goods, etc. of the specified digital platform provider or its related companies

Businesses prescribed in the middle column of item (iv) of the table in paragraph (1) of the Order	(i) When a specified digital platform provider determines whether the display or viewing of advertisements in the advertisement display frames of a user providing goods, etc. was performed by fraudulent means, whether the relevant user providing goods, etc. can acquire the criteria and results of the determination and other information related to the fraudulent means, and if so, the details of the relevant information and the means and terms of the acquisition, and if not, the reasons for them (ii) When a specified digital platform provider determines that the display of advertisements in the advertisement display frames of a user providing goods, etc. damages the credibility or reputation of the relevant user providing goods, etc., whether the relevant user providing goods, etc. can obtain information concerning the criteria and result of the determination or other information relating to damage to the credibility or reputation of the user providing goods, etc., and if so, the details of the relevant information and the means and conditions of the obtainment, and if not, the reasons for them (iii) When the specified digital platform provider determines the user providing goods, etc. who provides the services, with its advertisement display frames, for display of the advertising materials of general users as advertisements, in the case where data concerning the relevant user providing goods, etc. is acquired or used, the details of the data and the terms relating to its acquisition or use (iv) When restrictions are imposed on user providers of goods, etc., concerning the provision of data regarding the relevant user providing goods, etc. to persons other than the specified digital platform provider, or concerning using service relating to the display of advertisements provided by a person other than the relevant specified digital platform provider, the details and reasons of them (v) When a specified digital platform provider engages or intends to engage in a transaction stated below, the type of transaction and the policy of the specified digital platform provider concerning the method and system for operating the business pertaining to the type of transaction and other measures for appropriately managing operation of the business (a) Transactions in which there is a conflict of interest among users or between the specified digital platform provider and user providing goods, etc. when a specified digital platform provider determines the user providing goods, etc. who displays the advertising materials of general users as advertisements
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	(b) Transactions in which the method of determining the user providing goods, etc. who displays the advertising materials of general users as advertisements or other terms relating to the display of advertisements in the advertising display frames of user providing goods, etc. differ from the terms relating to the display of advertisements of the specified digital platform provider or its related companies
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(Matters to Be Disclosed to General Users)

Article 7 When a business concerning a forum provided by a specified digital platform is a business prescribed in the middle column of item (iv) of the table in paragraph (1) of the Order, the matters to be specified by Order of the Ministry of Economy, Trade and Industry prescribed in Article 5, paragraph (2), item (ii), (c) of the Act are the matters stated below.

- (i) in the case where a specified digital platform provider determines whether the displaying or viewing of advertisements in the advertisement display frames of a user providing goods, etc. was performed by fraudulent means, whether general users can obtain information on the criteria and results of the determination and other information related to the fraudulent means, and if so, the details of the relevant information and the means and terms of the obtainment, and if not, the reasons for them;
- (ii) if a specified digital platform provider determines that the display of advertisements in advertising display frames of a user providing goods, etc. damages the credibility or reputation of general users or the viewability of advertisements displayed or to be displayed in advertisement display frames, whether general users can obtain information concerning the result of the determination or other information relating to damage to the credibility or reputation of general users or the viewability of the relevant advertisements, and if so, the details of the relevant information and the means and terms of the acquisition, and if not, the reasons for them;
- (iii) the methods, procedures, and terms under which a person who provides services, upon the request of general users, that provide information regarding the results of the display of advertisements in the advertisement display frames of a user providing goods, etc. or other information concerning the effects of the display to provide these services to general users;
- (iv) whether general users can acquire or use data concerning persons who viewed an advertisement of the relevant general user displayed in the advertising display frame of a user providing goods, etc. that does not identify the persons who viewed the advertisement, and if the data can be acquired or used, the details of the data and the method and conditions relating to its acquisition or use;
- (v) when the specified digital platform provider determines the user providing

- goods, etc. who provides the services, with its advertisement display frames, for display of the advertising materials of general users as advertisements, if data concerning the relevant general user is acquired or used, the details of the data and the terms relating to its acquisition or use; and
- (vi) when a specified digital platform provider engages or intends to engage in a transaction stated below, the type of transaction and the policy of the specified digital platform provider concerning the method and system for operating the business related to the type of transaction and other measures for appropriately managing operation of the business;
- (a) transactions in which there is a conflict of interest among users or between the specified digital platform provider and general users when a specified digital platform provider determines the user providing goods, etc. who displays the advertising materials of general users as advertisements; or
- (b) transactions in which the method of determining the user providing goods, etc. who displays advertising materials of general users as advertisements or other terms on the display of advertisements in the advertising display frames of user providing goods, etc. differ from the terms on the display of advertisements of the specified digital platform provider or its related companies.

(Method of Disclosure When a specified Digital Platform Provider Performs Specified Acts)

- Article 8 (1) When a specified digital platform provider discloses the matters specified in any of the items of paragraph (3) or any of the items of paragraph (4) of Article 5 of the Act pursuant to the provisions of Article 5, paragraph (3) or paragraph (4) of the Act, these matters must be stated using language that is clear and plain to the counterparty to the disclosure.
- (2) In the case stated in the preceding paragraph, upon request by the relevant counterparty, the relevant specified digital platform provider must without delay, disclose the details of the relevant particulars translated into Japanese.

(Exceptions to Disclosure When a Specified Digital Platform Provider Performs Specified Acts)

- Article 9 (1) The cases to be specified by Ministry of Economy, Trade and Industry Order as provided in the proviso to Article 5, paragraph (3) of the Act, when engaging in the acts stated in item (ii) of that paragraph or the acts stated in the following Article (referred below to in this paragraph as "these acts"), are as follows; provided, however, that in the case of the acts stated in that item, the details of them specified in that item must be disclosed, and in the case of acts stated in that Article, the details thereof (including amounts of

money and time limits; the same applies in the following Article) must be disclosed.

- (i) when the user providing goods, etc. that is the counterparty to these acts repeatedly commits violations of the terms and conditions and when a finding is made that there is a likelihood of impairment to operation of the business concerning the forum provided by the specified digital platform as a result of the relevant act;
 - (ii) when a finding is made that there is a likelihood that the user providing goods, etc. that is the counterparty to the act is a person falling under any of the following:
 - (a) a member of an organized crime group prescribed in Article 2, item (vi) of the Act on Prevention of Unjust Acts by Organized Crime Group Members (Act No. 77 of 1991) or a person for whom five years have not elapsed from the day on which the person ceased to be a member of an organized crime group (referred to as a "member of an organized crime group, etc." below);
 - (b) a corporation, any of whose officers or employees falls under (a); or
 - (c) a person whose business activities are controlled by a member of an organized crime group, etc.; or
 - (iii) in addition to the cases stated in the preceding items, when engaged in these acts pursuant to laws and regulations, etc. (laws and regulations or a disposition or request by an administrative authority pursuant to laws and regulations; the same applies below) and when it is found that there is a likelihood of damage to the legitimate interests of a specified digital platform provider, general users, or other persons as a result of disclosing the reasons for these acts.
- (2) In addition to the cases stated in the preceding paragraph, the case prescribed by Order of the Ministry of Economy, Trade and Industry specified in the proviso of Article 5, paragraph (3) of the Act is, under the case where a business related to a forum provided by a specified digital platform is a business prescribed in the middle column of item (iii) or item (iv) of the table of paragraph (1) of the Order and the acts are the ones stated in item (ii) of Article 5, paragraph (3) of the Act (hereinafter referred to in this paragraph as "item (ii) acts"), the case where the relevant item (ii) acts (limited to acts that may limit the number of times an advertisement is displayed on the relevant forum) are performed in order to investigate whether the user providing goods, etc. who is the counterparty to the item (ii) act has committed an act that violates the terms and conditions or whether the following cases apply, and a finding is made that there is a risk of damage to the legitimate interests of specified digital platform providers, general users, or any other person by disclosing the details of them :
- (i) when a finding is made that there is a likelihood that the user providing

goods, etc. that is the counterparty to the item (ii) act is a person falling under any of the following:

(a) a member of an organized crime group, etc.;

(b) a corporation, any of whose officers or employees falls under (a); or

(c) a person whose business activities are controlled by a member of an organized crime group, etc.;

(ii) in addition to the cases stated in the preceding items, the case where a finding is made that there is need to perform the item (ii) act or an act stated in Article 5, paragraph (4), item (ii) of the Act pursuant to laws and regulations, etc.;

(iii) when a finding is made that it is necessary to perform an item (ii) act or an act stated in Article 5, paragraph (4), item (ii) of the Act to ensure cyber security (cybersecurity prescribed in Article 2 of the Basic Act on Cybersecurity (Act No. 104 of 2014); the same applies in Article 12, paragraph (1), item (iii) and paragraph (2), item (v)) or to respond to acts of invasion by fraud or other dishonest means or acts that are clearly contrary to public order or good morals.

(Disclosure Matters When a Specified Digital Platform Provider Performs Specified Acts)

Article 10 When a business concerning a forum provided by a specified digital platform is a business prescribed in the middle column of item (i) or item (ii) of the table in paragraph (1) of the Order, the act to be prescribed by Order of the Ministry of Economy, Trade and Industry referred to in Article 5, paragraph (3), item (iii) of the Act is the withholding payment of all or part of the amount payable by the specified digital platform provider to the user providing goods, etc. as consideration for the goods, etc. provided by the relevant user providing goods, etc., and the matters to be prescribed by Order of the Ministry of Economy, Trade and Industry referred to in that item are the details and reasons thereof.

(Prior Disclosure Time Limits When a Specified Digital Platform Provider Performs Specified Acts)

Article 11 (1) The day specified by Order of the Ministry of Economy, Trade and Industry referred to in Article 5, paragraph (4) of the Act is the day specified in each of the following items for the category of act listed in the relevant item:

(i) acts stated in Article 5, paragraph (4), item (i) of the Act (limited to cases where the user providing goods, etc. is expected to require a period longer than 15 days for the work or adjustment resulting from the relevant act): the day on which the reasonable number of days expected to be required for the relevant work or adjustment is secured;

- (ii) acts stated in Article 5, paragraph (4), item (i) of the Act (other than those specified in the preceding item): not less than 15 days before the date of the acts;
 - (iii) acts stated in Article 5, paragraph (4), item (ii) of the Act: not less than 30 days before the date of the acts.
- (2) In the case of performing the acts stated in item (ii) of the preceding paragraph, when a user providing goods, etc. consents to the details of the relevant changes, the number of days stated in that item is deemed to have elapsed.

(Exceptions to Prior Disclosure When a Specified Digital Platform Provider Performs Specified Acts)

Article 12 (1) The cases to be specified by Ministry of Economy, Trade and Industry Order as provided in the proviso to Article 5, paragraph (4) of the Act, when engaging in the acts stated in item (i) of that paragraph (referred to below in this paragraph as "item (i) acts"), are as follows; provided, however, that when performing item (i) acts, the details specified in that item and reasons thereof must be disclosed without delay:

- (i) when the changes to the content that falls within the item (i) acts is extremely insubstantial;
 - (ii) when the item (i) acts is performed pursuant to laws and regulations, etc. and a finding is made that it is necessary to perform the item (i) acts promptly; and
 - (iii) when if a finding is made that it is necessary to perform the item (i) acts promptly to ensure cyber security or to respond to acts of invasion t by fraud or other dishonest means or acts that are clearly contrary to public order or good morals;
- (2) The cases to be specified by Ministry of Economy, Trade and Industry Order as provided in the proviso to Article 5, paragraph (4) of the Act, when performing the acts stated in item (ii) of that paragraph (referred to below in this paragraph as "item (ii) acts"), are as follows; provided, however, that in the cases of item (i) and item (ii), if the item (ii) acts are performed, notification to that effect as provided in item (ii) of that paragraph must be provided without delay; in the case of item (iii), if the item (ii) acts are performed, notification to that effect as provided in Article 5, paragraph (4), item (ii) of the Act must be provided by the date specified in paragraph (1), item (iii) of the preceding Article before the day the item (ii) acts are performed; and in the cases of item (iv) and item (v), if an item (ii) act is performed, notice to that effect and the reasons as provided in item (ii) of that paragraph must be disclosed without delay.
- (i) the case where the user providing goods, etc. that is the counterparty to the

- item (ii) acts repeatedly commits violations of the terms and conditions and the case where a finding is made that there is a likelihood of impairment to operation of the business related to the forum provided by the specified digital platform as a result of the relevant violations;
- (ii) when it is found that there is a likelihood of the user providing goods, etc. that is the counterparty to the item (ii) act is a person falling under any of the following:
- (a) a member of an organized crime group, etc.;
 - (b) a corporation, any of whose officers or employees falls under (a); or
 - (c) a person whose business activities are controlled by a member of an organized crime group, etc.;
- (iii) in addition to the cases stated in the preceding item, when the item (ii) acts are performed pursuant to laws and regulations, etc. and a finding is made that there is a likelihood of damage to the legitimate interests of a specified digital platform provider, general users, or other persons as a result of disclosing the reasons for the acts;
- (iv) in addition to the cases stated in item (ii), when the item (ii) acts are performed pursuant to laws and regulations, etc. and a finding is made that it is necessary to perform the item (ii) acts promptly; and
- (v) when a finding is made that it is necessary to perform the item (ii) acts promptly to ensure cyber security or to respond to acts of invasion by fraud or other dishonest means or acts that are clearly contrary to public order or good morals.

(Submission of Reports by Specified Digital Platform Providers)

- Article 13 (1) A report under the provisions of Article 9, paragraph (1) of the Act must be prepared and submitted for each business category specified in the middle column of the table in paragraph (1) of the Order using Form No. 2 within two months after the last day of the fiscal year.
- (2) A document containing the information prescribed to in paragraph (3), item (i) of the following Article must be attached to the report submitted under the preceding paragraph.
- (3) Submission of a report specified in paragraph (1) and the document specified in the preceding paragraph must be made by in accordance with Article 6, paragraph (1) of the Act on the Advancement of Government Administration Processes That Use Information and Communications Technology by a method using an electronic data processing system specified in that paragraph.

(Matters to Be Stated in the Report)

- Article 14 (1) The particulars stated in Article 9, paragraph (1), item (i) of the Act must include the matters stated below (regarding the particulars stated in

- item (ii), (c), limited to cases where a business concerning the provision of a forum by a specified digital platform is a business stated in the middle column of item (iv) of the table in paragraph (1) of the Order):
- (i) an outline of the business of the specified digital platform; and
 - (ii) numerical data relating to the business of the specified digital platform:
 - (a) reasonably sufficient numerical data concerning indicators showing the scale of the business referred to in Article 4, paragraph (1) of the Act;
 - (b) the number of domestic users providing goods, etc.; and
 - (c) the number of domestic general users.
- (2) The particulars stated in Article 9, paragraph (1), item (ii) of the Act must include the following particulars:
- (i) the number of complaints from and disputes with a user providing goods, etc.;
 - (ii) the main categories of complaints and disputes;
 - (iii) the average period for resolution of complaints and disputes; and
 - (iv) an overview of the outcomes of complaints and disputes.
- (3) The matters stated in Article 9, paragraph (1), item (iii) of the Act must include the following matters:
- (i) details of the terms and conditions disclosed to users (if disclosed pursuant to the provisions of Article 5, paragraph (2) of the Act, then a mark indicating this);
 - (ii) details indicating that the relevant terms and conditions were disclosed by a method prescribed in each paragraph of Article 5.
- (4) The matters stated in Article 9, paragraph (1), item (iv) of the Act must include the specific details of the measures taken and the reasons why those measures are believed to be appropriate and effective for achieving the relevant directions in order to achieve the respective directions indicated in the fundamental approaches stated in 2.1 through 2.4 of the Guidelines on Measures to Be Taken by Specified Digital Platform Providers to Promote Mutual Understanding in Transactional Relationships with User Provider of Goods (Ministry of Economy, Trade and Industry Public Notice No. 16 of 2021).
- (5) When there are particulars relating to measures taken with particular attention to transparency and fairness based on the actual operation of the business of a specified digital platform, the particulars stated in Article 9, paragraph (1), item (v) of the Act must include those particulars and their evaluation.

(Request for Revocation of Designation of Specified Digital Platform Providers)

Article 15 (1) A request specified in Article 11, paragraph (1) of the Act must be filed using the application form in accordance with appended Form No. 3 with documentation evidencing that the grounds for revocation that falls within any

item of that paragraph attached.

- (2) Submission of a request specified in the preceding paragraph must be made by in accordance with Article 6, paragraph (1) of the Act on the Advancement of Government Administration Processes That Use Information and Communications Technology by a method using an electronic data processing system specified in that paragraph.

(Identification Cards)

Article 16 The identification prescribed in Article 12, paragraph (4) of the Act is as shown in appended Form No. 4.

(Documents Prescribed by Order of the Ministry of Economy, Trade and Industry under Article 19, paragraph (1) of the Act)

Article 17 The documents specified by Order of the Ministry of Economy, Trade and Industry referred to in Article 19, paragraph (1) of the Act are the documents specified in each of the following items for the category of exercise of authority listed in the respective item:

- (i) designation pursuant to the provisions of Article 4, paragraph (1) of the Act, orders prescribed in Article 6, paragraph (4) of the Act, or collection of reports prescribed in Article 12, paragraph (1) through paragraph (3) of the Act: documents stating the details of the relevant adverse disposition, the provisions of laws and regulations on which it is based, and the facts causing it; and
- (ii) recommendation stated in Article 6, paragraph (1) of the Act: documents stating the details of and reasons for the relevant recommendation.

(Method of Service by Publication)

Article 18 The Minister of Economy, Trade and Industry may publish in the Official Gazette or a newspaper the fact that service by publication has been carried out. With respect to service to be effected in a foreign country, the Minister may provide notice that service by publication has been carried out, instead of publishing this in the Official Gazette or newspaper.

(Language Used in Written Notifications)

Article 19 (1) The written notifications prescribed in Article 4, paragraph (1), notifications prescribed in Article 4, paragraph (2), written reports prescribed in Article 13, paragraph (1), and application forms prescribed in Article 15, paragraph (1) must be prepared in Japanese; provided, however, that addresses, names or titles, and contact information may be stated in a foreign language.

- (2) If it is not possible to submit a written report prepared in Japanese specified

in the preceding paragraph by the deadline due to special circumstances, notwithstanding the provisions of that paragraph, a translation in English may be submitted by the relevant deadline and a written report prepared in Japanese may be submitted within one month of that deadline.

Supplementary Provisions

(Effective Date)

Article 1 This Ministerial Order comes into effect on the date on which the Act comes into effect (February 1, 2021).

(Transitional Measures)

Article 1 In the fiscal year prior the fiscal year that includes the day of enforcement of the Order, with regard to application of the provisions of Article 4, paragraph (1) relating to digital platform providers that provide digital platforms of the scale specified in the right-hand column of the table in paragraph (1) of the Order or greater scale for each business category specified in the middle column of that table, the phrase "the last day of April of each fiscal year" in that paragraph is deemed to be replaced with "the day on which one month has passed from the day of enforcement of the Order."

Supplementary Provisions [Order of the Ministry of Economy, Trade and Industry No. 60 of 2022]

(Effective Date)

(1) This Order takes effect on the effective date of the Cabinet Order for Partially Amending the Cabinet Order for Specifying the Business Category and Scale Under in Article 4, Paragraph (1) of the Act on Improving Transparency and Fairness of Specified Digital Platforms (Cabinet Order No. 246 of 2022; referred below to as the "Amended Cabinet Order" in the following paragraph) (August 1, 2022).

(Transitional Measures)

(2) In the fiscal year prior the fiscal year that includes the day of enforcement of the Amended Cabinet Order, with regard to application of the provisions of Article 4, paragraph (1) relating to specified digital platform providers that provide digital platforms of the scale specified in the right-hand column of item (iii) or item (iv) of the table in paragraph (1) of the Order or greater scale for each business category specified in the middle column of that table, the phrase "the last day of April of each fiscal year" in that paragraph is deemed replaced with "the day on which one month has passed from the day of enforcement of

the Cabinet Order for Partially Amending the Cabinet Order for Specifying the Business Category and Scale Under in Article 4, Paragraph (1) of the Act on Improving Transparency and Fairness of Specified Digital Platforms (Cabinet Order No. 246 of 2022)."