

Regulation for Enforcement of the Act on Improving Transparency and Fairness of Digital Platforms (Tentative translation)

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

(Definition of Terms)

Article 1 Unless specifically provided in this Ministerial Order, the terms used in this Order shall follow the definitions in the Act on Improving Transparency and Fairness of Digital Platforms (Act No. 38 of 2020; hereinafter referred to as "Act") and the Cabinet Order on the Classification and Scale of Businesses referred to in Article 4, paragraph (1) of the Act on Improving Transparency and Fairness of Digital Platforms (Cabinet Order No. 17 of 2021; hereinafter referred to as the "Order").

(Business Provided as a 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 lower column of item (i) of the table in paragraph (1) of the Order shall be businesses provided to General Users (limited to those that use the Digital Platform; hereinafter the same applies in the following paragraph and paragraph (4) of the following Article) as a part of a Digital Platform for which notification was provided pursuant to Article 4, paragraph (2) of the Act (hereinafter the same applies in this Article and paragraph (3) of the following Article) that bears the cost required to repair goods provided by User Providers of Goods, etc. (limited to those that use the Digital Platform; hereinafter 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 Providers of Goods, etc.

(2) The businesses specified by Order of the Ministry of Economy, Trade and Industry as prescribed in (b) in the lower column of item (ii) of the table in paragraph (1) of the Order shall be businesses provided to General Users as a part of a Digital Platform that provide software that provides a forum relating to the business prescribed in the middle column of that item and businesses

selling rights to such software.

(Scope of Business Scale and Method of Calculation)

- Article 3 (1) In cases where the total amount in the lower columns of item (i), (ii), or (iv) of the table in paragraph (1) of the Order or the domestic sales amount in the lower column of item (iii) of said table is to be converted into Japanese currency, the conversion is to be made by using the Exchange Rate (meaning the basic exchange rate or the arbitrated exchange rate of a foreign currency set forth 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 lower column of items (i) or (ii) of the table in paragraph (1) of the Order shall be made by deducting the amount specified in each of the following items according to the classification in the cases set forth in the respective items.
- (i) In cases where the total amount of domestic sales set forth in (a) of the lower 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 set forth in (b) of that column: The amount of domestic sales in (b) of that column.
- (ii) In cases where the total amount of domestic sales set forth in (a) of the lower 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 set forth 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 lower column of item (i) of the table, (a) of the lower column of item (ii) of the table, the lower column of item (iii) of the table, and the lower 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 lower column of item (i) of the table and (b) of the lower column item (ii) of the of table referred to in paragraph (1) of the Order is the sales amount relating to business conducted primarily for domestic Genera Users.

(Notification of Digital Platform Providers)

- Article 4 (1) The notification under the provisions of Article 4, paragraph (2) of the Act shall be made for each business classification specified in the middle column of the table in paragraph (1) of the Order by submitting a written notice prepared by using form 1 by the last day of April of every fiscal year.
- (2) When any changes occur to the information set forth in a notification specified in the preceding paragraph, a Specified Digital Platform Provider must promptly provide notice of the changed information.
- (3) Submission of notification specified in paragraph (1) and notification under

the provisions of the preceding paragraph must be made by in accordance with Article 6, paragraph (1) of the Act on the Promotion of Administration Using 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 conditions of provision pursuant to Article 5, paragraph (1) of the Act, a Specified Digital Platform Provider must do so by the methods set forth below. In this case, if the relevant conditions of provision have not been prepared in Japanese, a Japanese translation shall be attached thereto.

(i) Language that is clear and plain to users (limited to users who use the Specified Digital Platform, including those who plan to use the Specified Digital Platform; hereinafter the same shall apply) shall be used.

(ii) The information shall be readily accessible to users before commencing and during use of the Specified Digital Platform.

(2) When disclosing the conditions of provision pursuant to Article 5, paragraph (1) of the Act, if attaching a Japanese translation specified in the preceding paragraph is unavoidably not possible, it shall suffice if a time limit is specified at the time of disclosure and the translation is attached by the time limit.

(Matters to Be Disclosed to User Providers of Goods, etc.)

Article 6 The matters to be specified by Order of the Ministry of Economy, Trade and Industry prescribed in Article 5, paragraph (2), item (i)(g) of the Act are the matters set forth in the bottom column of the following table according to the business classifications in the top column of the same table:

Business classification	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) In the case where a User Provider of Goods, etc. (limited to those who use the Specified Digital Platform; hereinafter the same shall apply) requests that the price, shipping charges, or other conditions pertaining to the provision of Goods, etc. that the User Provider of Goods, etc. intends to provide using the relevant Specified Digital Platform be equivalent to or more favorable than those provided through a provision route other than the relevant Specified Digital Platform, the details and reasons thereof

	<p>(ii) When the means of settlement pertaining to the Goods, etc. offered by a User Provider of Goods, etc. using the Specified Digital Platform and other conditions pertaining to 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; hereinafter the same shall apply) in the businesses specified in (b) of the lower column of item (i) of the table and (b) of the lower column of item (ii) of the table in paragraph (1) of the Order, the details and reasons thereof</p> <p>(iii) When a related company (a related company specified in Article 8, paragraph (8) of the Regulation on Terminology, Forms and Preparation Methods of Financial Statements (Ministry of Finance Order No. 59 of 1963); hereinafter the same applies in this Article and the following Article) is a User Provider of Goods, etc. and the conditions of provision to the relevant related company differ from those offered to User Providers of Goods, etc. other than the related company, the details and reasons thereof</p> <p>(iv) When Goods, etc. provided by a User Provider of 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 Provider of Goods, etc., the details and conditions thereof</p> <p>(v) In the case where payment of all or part of the amount payable by the Specified Digital Platform Provider to a User Provider of Goods, etc. as consideration for Goods, etc. provided by the relevant User Provider of Goods, etc. is withheld, the details and conditions thereof</p>
<p>Businesses prescribed in the middle column of item (iii) of the table in paragraph (1) of the Order</p>	<p>(i) In the case where a Specified Digital Platform Provider determines whether the disclosure or viewing of information pertaining to Goods, etc. on the forum provided by the Specified Digital Platform was performed by inappropriate means, the criteria and results of such determination and whether User Providers of Goods, etc. can acquire information pertaining to such inappropriate means, and if so, the details of the relevant information and the means and conditions of such acquisition, and if not, the reasons therefor</p>

(ii) In the case where a Specified Digital Platform Provider determines that the display of information pertaining to Goods, etc. on the forum provided by the Specified Digital Platform harms the credibility or reputation of User Providers of Goods, etc. or the visibility of information pertaining to Goods, etc. displayed or to be displayed on the forum, whether the User Provider of Goods, etc. may obtain information concerning the result of the determination or other information relating to harm to the credibility or reputation of User Providers of Goods, etc. or the visibility of information pertaining to the relevant Goods, etc., and if so, the details of the relevant information and the means and conditions of such acquisition, and if not, the reasons therefor

(iii) The methods, procedures, and conditions for persons who provide the service of providing information regarding the results of the display of information pertaining to Goods, etc. on a forum provided by a Specified Digital Platform or other information concerning the effects of such display to provide such services to User Providers of Goods, etc. upon the request of User Providers of Goods, etc.

(iv) When a Specified Digital Platform Provider determines the User Providers of Goods, etc. to which information pertaining to Goods, etc. should be displayed, in the case where data concerning the relevant User Providers of Goods, etc. is acquired or used, the details of the data and the conditions relating to its acquisition or use

(v) In cases where restrictions are imposed on User Providers of Goods, etc. concerning the provision of data regarding the relevant User Providers of Goods, etc. to persons other than the Specified Digital Platform Provider or restrictions are imposed relating to the display as advertisements of information concerning Goods, etc. provided by a person other than the Specified Digital Platform Provider, the details and reasons thereof

	<p>(vi) In cases where a Specified Digital Platform Provider engages or intends to engage in a transaction set forth 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</p> <p>(a) When determining the User Providers of Goods, etc. to which information pertaining to Goods, etc. is to be displayed by the Specified Digital Platform Provider, transactions in which there is a conflict of interest among User Providers of Goods, etc. or between the Specified Digital Platform Provider and User Providers of Goods, etc.</p> <p>(b) Transactions in which the method of determining the User Providers of Goods, etc. to which information pertaining to Goods, etc. shall be displayed or other conditions relating to the display of information pertaining to the Goods, etc. of User Providers of Goods, etc. differ from the conditions relating to the display of information pertaining to the Goods, etc. of the Specified Digital Platform Provider or its related companies</p>
<p>Businesses prescribed in the middle column of item (iv) of the table in paragraph (1) of the Order</p>	<p>(i) In the case where a Specified Digital Platform Provider determines whether the disclosure or viewing of advertisements in the advertisement display frames of a User Provider of Goods, etc. was performed by inappropriate means, the criteria and results of such determination and whether the relevant User Providers of Goods, etc. can acquire information pertaining to such inappropriate means, and if so, the details of the relevant information and the means and conditions of such acquisition, and if not, the reasons therefor</p>

(ii) In the case where a Specified Digital Platform Provider determines that the display of advertisements in the advertisement display frames of a User Provider of Goods, etc. harms the credibility or reputation of the relevant User Provider of Goods, etc., the criteria and result of such determination, whether the relevant User Provider of Goods, etc. may obtain information concerning the result of the determination or other information relating to harm to the credibility or reputation of the User Provider of Goods, etc., and if so, the details of the relevant information and the means and conditions of such acquisition, and if not, the reasons therefor

(iii) When the Specified Digital Platform Provider determines the User Providers of Goods, etc. to which services for display of the advertising materials of General Users as advertisements in the advertisement display frames should be provided, in the case where data concerning the relevant User Providers of Goods, etc. is acquired or used, the details of the data and the conditions relating to its acquisition or use

(iv) In cases where restrictions are imposed on User Providers of Goods, etc. concerning the provision of data regarding the relevant User Providers of Goods, etc. to persons other than the Specified Digital Platform Provider or restrictions are imposed relating to the display of advertisements provided by a person other than the relevant Specified Digital Platform Provider, the details and reasons thereof

(v) In cases where a Specified Digital Platform Provider engages or intends to engage in a transaction set forth 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) When determining the User Providers of Goods, etc. to which the advertising materials of General Users is to be displayed as advertisements by the Specified Digital Platform Provider, transactions in which there is a conflict of interest among users or between the Specified Digital Platform Provider and User Providers of Goods, etc.

	(b) Transactions in which the method of determining the User Providers of Goods, etc. to which the advertising materials of General Users is to be displayed as advertisements or other conditions relating to the display of advertisements in the advertising display frames of User Providers of Goods, etc. differ from the conditions 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 In the case where a business pertaining to the provision of a forum 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 set forth below.

- (i) In the case where a Specified Digital Platform Provider determines whether the disclosure or viewing of advertisements in the advertisement display frames of a User Provider of Goods, etc. was performed by inappropriate means, whether General Users can acquire information pertaining to the criteria and results of such determination and other information pertaining to such inappropriate means, and if so, the details of the relevant information and the means and conditions of such acquisition, and if not, the reasons therefor
- (ii) In the case where a Specified Digital Platform Provider determines that the display of advertisements in advertising display frames of a User Provider of Goods, etc. harms the credibility or reputation of General Users or the visibility of advertisements displayed or to be displayed in advertising display frames, whether General Users may obtain information concerning the result of the determination or other information relating to harm to the credibility or reputation of General Users or the visibility of the relevant advertisements, and if so, the details of the relevant information and the means and conditions of such acquisition, and if not, the reasons therefor
- (iii) The methods, procedures, and conditions for persons who provide the service of providing information regarding the results of the display of advertisements in advertising display frames of a User Provider of Goods, etc. or other information concerning the effects of such display to provide such services to General Users upon the request of General Users
- (iv) Whether General Users may acquire or use data concerning persons who viewed an advertisement of the relevant General User displayed in the advertising display frame of a User Provider of Goods, etc. that does not

identify the persons who viewed the advertisement, and if such data may 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 Providers of Goods, etc. to which services for display of the advertising materials of General Users as advertisements in the advertisement display frames should be provided, in the case where data concerning the relevant General User is acquired or used, the details of the data and the conditions relating to its acquisition or use
- (vi) In cases where a Specified Digital Platform Provider engages or intends to engage in a transaction set forth 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) When determining the User Providers of Goods, etc. to which the advertising materials of General Users is to be displayed as advertisements by the Specified Digital Platform Provider, transactions in which there is a conflict of interest among users or between the Specified Digital Platform Provider and General Users
 - (b) Transactions in which the method of determining the User Providers of Goods, etc. to which the advertising materials of General Users is to be displayed as advertisements or other conditions pertaining to the display of advertisements in the advertising display frames of User Providers of Goods, etc. differ from the conditions relating to 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, such matters must be stated using language that is clear and plain to the other party to the disclosure.

- (2) In the case prescribed 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 matters 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 set forth in item (ii) of that paragraph or the acts set forth in the following Article (hereinafter referred to in this paragraph as "such acts"), are as follows; provided, however, that in the case of the acts set forth in that item, the details thereof specified in that item must be disclosed, and in the case of acts set forth in that Article, the details thereof (including amounts and time limits; hereinafter the same applies in the following Article) must be disclosed.

- (i) The case where the User Provider of Goods, etc. that is the counterparty to such acts repeatedly commits violations of the conditions of provisions and the case where a finding is made that there is a likelihood of impairment to operation of the business pertaining to the forum provided by the Specified Digital Platform is a result of the relevant act
 - (ii) The case where a finding is made that there is a likelihood that the User Provider of Goods, etc. that is the counterparty to such 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 (5) years have not elapsed from the day on which the person ceased to be a member of an organized crime group (hereinafter referred to as "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 set forth in the preceding items, the case where a finding is made pursuant to laws and regulations, etc. (laws and regulations or a disposition or request pursuant to laws and regulations; hereinafter the same applies) that there is a likelihood of harm to the legitimate interests of a Specified Digital Platform Provider, General Users, or other persons as a result of engaging in such acts and disclosing the reasons for such acts
- (2) In addition to the cases set forth in the preceding paragraph, in the cases prescribed by Order of the Ministry of Economy, Trade and Industry specified in the proviso of Article 5, paragraph (3) of the Act in the case where a business pertaining 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, in the case of the acts set forth in item (ii) of that paragraph (hereinafter referred to in this paragraph as "item (ii) acts"), the case where a finding is made that there is a risk of harm to the legitimate interests of Specified Digital Platform Providers, General Users, or any other

person by engaging in the item (ii) acts and disclosing the details thereof in order to investigate whether the User Provider of Goods, etc. who is the counterparty to the item (ii) act (limited to acts that may limit the number of times an advertisement may be displayed on the relevant forum) has committed an act that violates the conditions of provision or whether the following cases apply:

- (i) The case where a finding is made that there is a likelihood that the User Provider of 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 set forth in the preceding items, the case where a finding is made pursuant to laws and regulations, etc. that there is need to perform the item (ii) act or an act set forth in Article 5, paragraph (4), item (ii) of the Act
- (iii) The case where a finding is made that it is necessary to perform an item (ii) act or an act set forth 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;) hereinafter the same applies in Article 12, paragraph (1), item (iii) and paragraph (2), item (v)) or to respond to acts of infringement by fraud or other dishonest means or acts that are clearly contrary to public order or public morals.

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

Article 10 When a business pertaining to 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 shall be withholding payment of all or part of the amount payable by the Specified Digital Platform Provider to the User Provider of Goods, etc. as consideration for the Goods, etc. provided by the relevant User Provider of Goods, etc., and the matters to be prescribed by Order of the Ministry of Economy, Trade and Industry referred to in that item shall be 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 set forth in Article 5, paragraph (4), item (i) of the Act (limited to cases where the User Provider of 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 set forth in Article 5, paragraph (4), item (i) of the Act (other than those specified in the preceding item): the day 15 days in advance
 - (iii) Acts set forth in Article 5, paragraph (4), item (ii) of the Act: the day 30 days in advance
- (2) In the case of performing the acts set forth in item (ii) of the preceding paragraph, when a User Provider of Goods, etc. consents to the details of the relevant changes, the number of days set forth in that item shall be 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 set forth in item (i) of that paragraph (hereinafter referred to 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) The case where the changes to the details as a result of the item (i) act are extremely minor
 - (ii) The case where a finding is made pursuant to laws and regulations, etc. that it is necessary to perform the item (i) act and it is necessary to perform the item (i) act promptly
 - (iii) The case where a finding is made that it is necessary to perform an item (i) act promptly to ensure cyber security or to respond to acts of infringement by fraud or other dishonest means or acts that are clearly contrary to public order or public 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 set forth in item (ii) of that paragraph (hereinafter referred to in this paragraph as "item (ii) acts"), are as follows; provided, however, that in the cases of item (i) and item (ii), if an item (ii) act is performed, notice to that effect as provided in item (ii) of that paragraph shall be provided without delay; in the case of item (iii), if an item (ii) act is performed, notice to that effect as provided in Article 5, paragraph (4), item (ii)

of the Act shall be provided by the date specified in paragraph (1), item (iii) of the preceding Article before the day the item (ii) act is 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 Provider of Goods, etc. that is the counterparty to the item (ii) act repeatedly commits violations of the conditions of provisions and the case where a finding is made that there is a likelihood of impairment to operation of the business pertaining to the forum provided by the Specified Digital Platform as a result of the relevant act
- (ii) The case where a finding is made that there is a likelihood that the User Provider of 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 set forth in the preceding item, the case where a finding is made pursuant to laws and regulations, etc. there is a likelihood of harm to the legitimate interests of a Specified Digital Platform Provider, General Users, or other persons as a result of engaging in the item (ii) act and disclosing the reasons for such act
- (iv) In addition to the cases set forth in item (ii), the case where a finding is made pursuant to laws and regulations, etc. that it is necessary to perform the item (ii) act and it is necessary to perform the item (ii) act promptly
- (v) The case where a finding is made that it is necessary to perform an item (ii) act promptly to ensure cyber security or to respond to acts of infringement by fraud or other dishonest means or acts that are clearly contrary to public order or public 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 classification specified in the middle column of the table in paragraph (1) of the Order using form 2 within two months after the last day of the fiscal year.
- (2) A document containing the information set forth 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 Promotion of Administration Using Information

and Communications Technology by a method using an electronic data processing system specified in that paragraph.

(Matters to Be Stated in a Report)

Article 14 (1) The matters set forth in Article 9, paragraph (1), item (i) of the Act must include the matters set forth below (with regard to the matters set forth in item (ii)(c), limited to cases where a business pertaining to the provision of a forum 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):

(i) an overview of the business of the Specified Digital Platform

(ii) numerical data relating to the business of the Specified Digital Platform:

(a) reasonably sufficient numerical data pertaining to indicators showing the scale of the business referred to in Article 4, paragraph (1) of the Act

(b) the number of domestic User Provider of Goods, etc.

(c) the number of domestic General Users

(2) The matters set forth in Article 9, paragraph (1), item (ii) of the Act must include the following matters:

(i) the number of complaints from and disputes with User Providers of Goods, etc.

(ii) the main categories of complaints and disputes

(iii) the average period for settlement of complaints and disputes

(iv) an overview of the outcomes of complaints and disputes

(3) The matters set forth in Article 9, paragraph (1), item (iii) of the Act must include the following matters:

(i) Details of the conditions of provision 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 conditions of provision were disclosed by a method prescribed in each paragraph of Article 5

(4) The matters set forth 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 basic approaches set forth in 2.1 through 2.4 of the Guidelines on Measures to Be Taken by Specified Digital Platform Providers to Facilitate Mutual Understanding in Business Relationships with User Provider of Goods, etc. (Ministry of Economy, Trade and Industry Public Notice No. 16 of 2021).

(5) In the case where there are matters 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 matters set forth in Article 9, paragraph (1), item (v) of the Act must include those matters and their

evaluation.

(Request for Cancellation of Specification 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 3 with documentation evidencing that the grounds for cancellation fall 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 Promotion of Administration Using Information and Communications Technology by a method using an electronic data processing system specified in that paragraph.

(Identification Cards)

Article 16 The identification card stipulated in Article 12, paragraph (4) of the Act shall be as shown in appended form 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

(ii) Recommendation prescribed 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 an official gazette or a newspaper the fact that service by publication has been carried out. With respect to service by publication in a foreign country, the Minister may provide notice that service by publication has been carried out, instead of publishing this in an official gazette or newspaper.

(Language Used in Written Notifications, etc.)

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) In cases where 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 shall come into effect as of 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 replaced with "the day on which one month has elapsed 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 shall take effect on the effective date of the Cabinet Order for Partially Amending the Cabinet Order on the Classification and Scale of Businesses referred to in Article 4, paragraph (1) of the Act on Improving Transparency and Fairness of Digital Platforms (Cabinet Order No. 246 of 2022; hereinafter referred 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 elapsed from the day of enforcement of the Cabinet Order for Partially Amending the Cabinet Order on the Classification and Scale of Businesses referred to in Article 4, paragraph (1) of the Act on Improving Transparency and Fairness of Digital Platforms (Cabinet Order No. 246 of 2022)."