

Act on the Protection and the Utilization of Critical Economic Security Information

(Act No. 27 of May 17, 2024)

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Chapter I General Provisions

(Purpose)

Article 1 In light of the situation where the increasingly complex international situation and changes in the socioeconomic structure amplify the importance of preventing acts committed in relation to economic activity that harm the security of Japan and its residents, it is important to establish a system for properly protecting information concerning the critical economic foundation that is particularly required to be kept secret in order to ensure Japan's national security (meaning the protection of the security of Japan and its residents from external threats of aggression.; the same applies hereinafter). To collect, coordinate, and utilize the information, this Act aims to prevent unauthorized disclosure of such information by providing for necessary provisions with regard to the protection and utilization of information, including the designation of critical economic security information, the provision of critical economic security information to contractors conducting activities which contribute to ensuring Japan's national security, the restrictions on the persons who handle critical economic security information, and other necessary matters.

(Definitions)

Article 2 (1) The term "administrative body" as used in this Act means the following bodies:

(i) bodies within the Cabinet (excluding the Cabinet Office) and bodies under the jurisdiction of the Cabinet that were established pursuant to the provisions of law;

(ii) the Cabinet Office, the Imperial Household Agency, and bodies provided for in Article 49, paragraphs (1) and (2) of the Act for Establishment of the Cabinet Office (Act No. 89 of 1999) (among these bodies, in the case of the National Public Safety Commission, excluding the National Police Agency, and in the case of bodies in which bodies specified by Cabinet Order referred to in item (iv) are established, excluding the bodies specified by Cabinet Order);

(iii) bodies provided for in Article 3, paragraph (2) of the National Government Organization Act (Act No. 120 of 1948) (in the case of bodies in which bodies specified by Cabinet Order referred to in item (v) are established, excluding such bodies specified by Cabinet Order);

(iv) bodies referred to in Articles 39 and 55 of the Act for Establishment of the Cabinet Office and bodies referred to in Article 16, paragraph (2) of the Imperial Household Agency Act (Act No. 70 of 1947), as well as special bodies referred to in Articles 40 and 56 of the Act for Establishment of the Cabinet Office (including as applied *mutatis mutandis* pursuant to Article 18, paragraph (1) of the Imperial Household Agency Act), which are the National Police Agency and other bodies specified by Cabinet Order;

(v) bodies such as facilities referred to in Article 8-2 of the National Government Organization Act and special bodies referred to in Article 8-3 of that Act, which are specified by Cabinet Order; and

(vi) the Board of Audit.

(2) The term "head of an administrative body" as used in this Act means the person specified in each of the following items in accordance with the categories of the administrative bodies stated in each of the following items:

(i) bodies other than those stated in the following two items: the head of the relevant body;

(ii) bodies specified by Cabinet Order referred to in items (iv) and (v) of the preceding paragraph (excluding those stated in the following item): the person specified by Cabinet Order for each of the bodies; and

(iii) bodies with a council system: the relevant body

(3) The term "critical economic foundation" as used in this Act means systems for the provision of public services that form the basis for the lives of the residents of Japan or the economic activities of Japan, and for which any disruption in their stable provision is likely to cause a situation that damages the security of Japan and its residents and supply chains of critical products (including programs) that are vital for the

survival of residents or on which the lives of residents or Japan's economic activities depend or are likely to depend.

(4) The term "critical economic foundation protection-related information" as used in this Act means information concerning the critical economic foundation, which relates to the following matters:

(i) measures to protect the critical economic foundation from acts taken from the outside, or related plans or studies;

(ii) critical information concerning the critical economic foundation which concerns national security such as the vulnerabilities of the critical economic foundation and innovative technologies related to the critical economic foundation;

(iii) information from a government of a foreign country (meaning a country or region outside of the territory of Japan; the same applies hereinafter) or an international body, which has been collected in connection with the measures described in item (i); and

(iv) collection and organization of the information stated in the preceding two items or the capacity to collect and organize the information.

Chapter II Designation of Critical Economic Security Information

(Designation of Critical Economic Security Information)

Article 3 (1) The head of an administrative body is to designate as critical economic security information, critical economic foundation protection-related information to affairs under the jurisdiction of the administrative body, among those which are not made public and which require special confidentiality due to the risk of causing damage to Japan's national security, if disclosed without authorization (excluding information which falls within the categories of special defense secrets (meaning special defense secrets provided for in Article 1, paragraph (3) of the Act on Protection of Secrets Incidental to the "Mutual Defense Assistance Agreement Between Japan and the United States of America" (Act No. 166 of 1954)), and specially designated secrets (meaning specially designated secrets provided for in Article 3, paragraph (1) of the Act on the Protection of Specially Designated Secrets (Act No. 108 of 2013; referred to hereinafter as the "SDS Act"); the same applies hereinafter)).

(2) When a designation has been made under the preceding paragraph (referred to hereinafter as a "designation"), the head of the administrative body is to prepare a record concerning the designation as provided for by Cabinet Order and take any of the measures stated in the following items with regard to the information that constitutes critical economic security information in order to clarify the scope of the critical economic security information subject to the designation:

(i) The head of the administrative body is to mark as critical economic security information any document, picture, electronic or magnetic record (meaning a record made by an electronic method, a magnetic method, or any other method not recognizable to human senses; the same applies hereinafter in this item) or object which records the information that constitutes critical economic security information (in the case of an electronic or magnetic record, including a record of the marking) or any object which embodies the information, as provided for by Cabinet Order; or

(ii) If it is difficult to take the measure stated in the preceding item due to the nature of the said critical economic security information, the head of the administrative body is to notify the person handling the information that a designation has been made with respect to that information, as provided for by Cabinet Order.

(3) After the head of an administrative body takes the measure stated in item (ii) of the preceding paragraph regarding the information that constitutes critical economic security information, the head of the administrative body is to take the measure immediately if it becomes possible to take the measure stated in item (i) of that paragraph regarding the information.

(Duration of Designation and Declassification)

Article 4 (1) When making a designation, the head of an administrative body is to specify a period of validity not exceeding five years from the date of the designation.

(2) When the period of validity of a designation (including any period extended pursuant to this paragraph) expires, if the information designated continues to satisfy the requirements provided for in paragraph (1) of the preceding Article, the head of an administrative body is to extend the period of validity for up to five years, as provided for by Cabinet Order.

(3) The period of validity of a designation may not exceed 30 years in total.

(4) Notwithstanding the provisions of the preceding paragraph, the head of an administrative body may extend the period of validity of a designation for more than 30 years in total, if the head of the administrative body obtains approval of the Cabinet (excluding when the administrative body is the Board of Audit) concerning the fact that even when viewed from the perspective of the accountability of the government to the people for its various activities, it is unavoidable that the information subject to the designation remain undisclosed to the public to ensure the security of Japan and its residents, by indicating the reasons

thereof; provided, however, that the period of validity of the designation may not exceed 60 years in total, except for the information set forth in the following items:

(i) information likely to be detrimental to ongoing negotiations with the government of a foreign country or an international body

(ii) information concerning methods or capabilities of intelligence gathering activities;

(iii) information concerning human intelligence sources;

(iv) information provided by the government of a foreign country or an international body on the condition that it be designated for more than 60 years; and

(v) other important information specified by Cabinet Order, which is comparable to information stated in the preceding items.

(5) When seeking the Cabinet's approval pursuant to the preceding paragraph, the head of an administrative body may provide the Cabinet with the relevant designated critical economic security information, after implementing the necessary measures specified by Cabinet Order to protect such information.

(6) Notwithstanding the provisions of Article 8, paragraph (1) of the Public Records and Archives Management Act (Act No. 66 of 2009), if the head of an administrative body fails to obtain the Cabinet approval referred to in paragraph (4), the head of the administrative body must transfer the administrative document files, etc. (meaning administrative document files, etc. as provided for in Article 5, paragraph (5) of that Act) in which the information pertaining to such designation has been recorded to the National Archives of Japan, etc. (meaning the National Archives of Japan, etc. as provided for in Article 2, paragraph (3) of that Act), upon the expiration of their retention period.

(7) The head of an administrative body is to declassify that designation promptly as provided for by Cabinet Order even before the expiration of the validity period, if the information that has been designated no longer satisfies the requirements prescribed in paragraph (1) of the preceding Article.

(Protective Measures for Critical Economic Security Information)

Article 5 (1) When a designation is made, in addition to the measures provided for in Article 3, paragraph (2), the head of an administrative body is to take the measures specified by Cabinet Order as necessary to protect the said critical economic security information. These measures include the determination of the scope of officials at the administrative body who are assigned to handle the critical economic security information in connection with the designation, from among those who are permitted

to engage in the handling of such information pursuant to Article 11, paragraph (1) or (2).

(2) When a designation is made for information held by a prefectural police, the Commissioner General of the National Police Agency is to give notice to the relevant prefectural police that such a designation has been made.

(3) In the case referred to in the preceding paragraph, the Commissioner General of the National Police Agency is to give instructions to the relevant prefectural police regarding the matters specified by Cabinet Order as necessary to protect the critical economic security information held by that prefectural police, including the scope of officials who are assigned to perform the duty of handling such information held by the prefectural police. In this case, the Superintendent General of the Metropolitan Police Department or the chief of the prefectural police headquarters (referred to hereinafter as the "chief of the prefectural police headquarters") is to take the necessary measures for the appropriate protection of the critical economic security information, including the determination of the scope of their officials who are to be assigned to handle the critical economic security information and have those officials perform the duty of handling of such information, in accordance with those instructions.

Chapter III Provision of Critical Economic Security Information to Other Administrative Bodies

(Provision of Critical Economic Security Information to Other Administrative Bodies)

Article 6 (1) If the head of an administrative body holding critical economic security information finds it necessary for another administrative body to use that information in order to conduct the affairs concerning Japan's national security, the head of the administrative body may provide the other administrative body with that information; provided, however, that if the head of an administrative body other than the administrative body holding the critical economic security information has designated that information (except when that information has been provided by the head of the possessing administrative body pursuant to this paragraph), the head of the administrative body holding that information must obtain the consent of the head of the administrative body making the designation to do so.

(2) The head of the administrative body that provides another administrative body with critical economic security information pursuant to the preceding paragraph is to consult with the head of the other administrative body in advance regarding the matters specified by Cabinet

Order as necessary to protect the critical economic security information by the other administrative body, including the scope, of officials who are assigned to handle such information.

(3) The head of another administrative body that is provided with critical economic security information pursuant to paragraph (1) is to take the necessary measures for the protection of the critical economic security information such as the determination of the scope of officials who are assigned to perform the duty of handling the critical economic security information and have them carry out that duty in accordance with the consultation under the preceding paragraph.

(Provision of Critical Economic Security Information to the Prefectural Police)

Article 7 (1) The Commissioner General of the National Police Agency may provide critical economic security information that the National Police Agency holds to a prefectural police if the Commissioner General of the National Police Agency finds it necessary to have the prefectural police use that information in order to carry out duties related Japan's national security within their jurisdiction.

(2) The provisions of Article 5, paragraph (3) apply *mutatis mutandis* when critical economic security information is provided to prefectural police pursuant to the preceding paragraph.

(3) The Commissioner General of the National Police Agency may request the chief of the prefectural police headquarters to provide critical economic security information held by the relevant prefectural police which is subject to notification under Article 5, paragraph (2).

(Provision of Critical Economic Security Information to Governments of Foreign Countries)

Article 8 The head of an administrative body may provide critical economic security information to a government of a foreign country or an international body taking measures equivalent to the measures that the administrative body is supposed to take in order to protect the critical economic security information pursuant to this Act if the head of the administrative body holding critical economic security information finds it necessary to do so in order to carry out duties related to Japan's national security under the jurisdiction of the administrative body; provided, however, that if the head of an administrative body other than the possessing administrative body has designated the critical economic security information (excluding when that information has been provided pursuant to Article 6, paragraph (1) by the head of the possessing administrative body), the head of the possessing administrative body must

obtain the consent of the head of the administrative body that made the designation.

(Provision of Critical Economic Security Information Based on Other Public Interest Needs)

Article 9 (1) In addition to what is provided for in Article 4, paragraph (5), the preceding three Articles, paragraph (1) of the following Article and Article 18, paragraph (4), the head of an administrative body is to provide critical economic security information only in the following cases:

(i) when a recipient of the critical economic security information uses that information for any of the following duties or equivalent duties which are found to be particularly necessary for the public interest (excluding the cases stated in the following item through item (iv)), and the person takes the measures specified by the Diet based on Article 10 of the Supplementary Provisions, regarding the duties stated in (a), or the measures specified by Cabinet Order regarding duties other than those stated in (a), as measures which need to be taken for its protection by the persons that use or know the critical economic security information, such as limiting the scope of persons that are to use or know that information and disallowing the use of that information for purposes other than the duties, and if the head of the administrative body finds that the provision of such information poses no significant risk to Japan's national security:

(a) Examinations or investigations conducted by either House of the Diet or by a committee of either House or a research committee of the House of Councilors pursuant to Article 104, paragraph (1) of the Diet Act (Act No. 79 of 1947) (including as applied mutatis mutandis pursuant to Article 54-4, paragraph (1) of that Act) or Article 1 of the Act on Witnesses' Oath, Testimony. Before Both Houses of the Diet (Act No. 225 of 1947), and which has been designated as non-public under Article 52, paragraph (2) of the Diet Act (including as applied mutatis mutandis pursuant to Article 54-4, paragraph (1) of the same Act) or Article 62 of that Act; and

(b) duties necessary for the investigation of a criminal case or the maintenance of prosecution, when it is found that the critical economic security information will not be provided to persons other than those who are engaged in the duties, in addition to when the critical economic security information is presented to the court pursuant to Article 316-27, paragraph (1) of the Code of Criminal Procedure (Act No. 131 of 1948) (including as applied mutatis mutandis pursuant to paragraph (3) of that Article and Article 316-28, paragraph (2) of that Code);

(ii) when the critical economic security information is submitted to the court pursuant to Article 223, paragraph (6) of the Code of Civil Procedure

(Act No. 109 of 1996) (including as applied *mutatis mutandis* pursuant to Article 231-3, paragraph (1) of the Code);

(iii) when the critical economic security information is submitted to the Information Disclosure and Personal Information Protection Review Board pursuant to Article 9, paragraph (1) of the Act for Establishment of the Information Disclosure and Personal Information Protection Review Board (Act No. 60 of 2003); and

(iv) when the critical economic security information is submitted to the Information Disclosure and Personal Information Protection Review Board of the Board of Audit pursuant to Article 9, paragraph (1) of the Act for Establishment of the Information Disclosure and Personal Information Protection Review Board as applied *mutatis mutandis* through a replacement of terms pursuant to Article 19-4 of the Board of Audit Act (Act No. 73 of 1947).

(2) In addition to when providing critical economic security information to the National Police Agency at its request under Article 7, paragraph (3), the chief of the prefectural police headquarters may provide critical economic security information only when stated in item (i) of the preceding paragraph (in cases other than when the critical economic security information to be provided by the chief of the prefectural police headquarters was itself provided for use in the duties stated in (b) of the same item, limited to situations where the chief of the prefectural police headquarters certifies that the provision of the critical economic security information will not pose a significant risk to Japan's national security as provided for in the item, and only upon the receipt of the consent of the Commissioner General of the National Police Agency); when stated in item (ii) of the paragraph; or when submitting the information to a prefectural body, pursuant to the provisions equivalent to Article 9, paragraph (1) of the Act for Establishment of the Information Disclosure and Personal Information Protection Review Board and pursuant to the provisions of a prefectural ordinance governing the rights of residents and others to request disclosure of information held by the prefecture (including a prefectural ordinance establishing prefectural bodies that deliberate in response to consultations under such ordinances).

Chapter IV Provision of Critical Economic Security Information to Eligible Contractors

Article 10 (1) The head of the administrative body may provide an eligible contractor with the critical economic security information, on the basis of a contract, when the head of an administrative body holding that information finds it necessary to allow the information to be used by such eligible contractor, which conducts activities that contribute to ensuring

Japan's national security, such as upon need to eliminate the vulnerabilities in the critical economic foundation or conducts activities contributing to their elimination, conducts research and development on innovative technologies or vulnerabilities related to the critical economic foundation or conducts activities contributing to such research and development, possesses critical economic foundation protection information or conducts activities contributing to the protection of such information, and that has in place necessary facilities and equipment for protecting critical economic security information and conforms to other criteria specified by Cabinet Order (referred to hereinafter as an "eligible contractor"), for the purpose of promoting activities contributing to ensuring national security such as the elimination of such vulnerabilities, the promotion of such research and development and the enhancement of measures to protect critical economic foundation protection information. However, when the critical economic security information has been designated by the head of an administrative body other than the administrative body that holds the critical economic security information (excluding when the critical economic security information has been provided pursuant to Article 6, paragraph (1) by the head of the possessing administrative body), the head of the administrative body that holds the critical economic security information must obtain the consent of the head of the administrative body making that designation.

(2) If the head of an administrative body has designated information that the head does not possess, but which is expected to come into possession of an eligible contractor as a result of activities such as research or development that the head of the administrative body has the eligible contractor conduct with its consent, and finds it necessary for the purposes provided for in the main clause of the preceding paragraph to have the eligible contractor use the information, the head of the administrative body is to notify the eligible contractor that the information has been designated. In this case, based on a contract with the eligible contractor, the head of the administrative body may have the eligible contractor hold the information subject to the designation as critical economic security information.

(3) The contract referred to in the preceding two paragraphs must provide for the following matters:

(i) the scope of workers such as the representatives, agents, and employees (referred to hereinafter as "workers" in this Article, Article 12, paragraph (1), items (i) and (ii) and Article 13, paragraph 2) among those whom the relevant eligible contractor nominates and assigns to perform the duty of handling critical economic security information, from among

persons who are permitted to work on handling critical economic security information pursuant to items (i) and (ii) of the following Article;

(ii) matters concerning nomination of a person that manages the duties concerning the protection of critical economic security information;

(iii) matters concerning installation of facilities and equipment necessary to protect critical economic security information;

(iv) matters concerning education for workers regarding the protection of critical economic security information;

(v) in the case of an eligible contractor holding critical economic security information pursuant to the preceding paragraph, that the relevant eligible contractor must provide the critical economic security information to the head of the relevant administrative body when requested by the head; and

(vi) in addition to what is stated in the preceding items, the matters specified by Cabinet Order as being necessary to protect the critical economic security information by the relevant eligible contractor.

(4) The eligible contractor being provided with critical economic security information pursuant to paragraph (1) or holding critical economic security information pursuant to paragraph (2) is to take the necessary measures for the appropriate protection of the critical economic security information such as the determination of the scope of workers who are assigned to perform the duty of handling the critical economic security information and assign its workers to perform that duty, in accordance with the contract referred to in the paragraph

(5) The head of an administrative body that has an eligible contractor hold critical economic security information pursuant to paragraph (2) may request the eligible contractor to provide the critical economic security information based on the contract referred to in the same paragraph.

(6) The eligible contractor referred to in paragraph (4) may provide critical economic security information in the case stated in paragraph (1), item (i) of the preceding Article (limited to cases where the eligible contractor has obtained the consent of the head of the administrative body that has designated the critical economic security information that the eligible contractor intends to provide, when the head of the administrative body certifies that the provision of the critical economic security information poses no significant risk to Japan's national security as provided for in the item) or in the cases stated in item (ii) or (iii) of that paragraph.

(7) The eligible contractor referred to in paragraph (4) must not provide critical economic security information except in the cases of provision pursuant to the preceding two paragraphs.

Chapter V Restriction on Persons Who Handle Critical Economic Security Information

Article 11 (1) No person may perform the duty of handling critical economic security information unless the person has been certified to have no risk of unauthorized disclosure of critical economic security information if the person performs the duty of handling critical economic security information (excluding a person to whom notification has been made under paragraph (3) of the following Article (including as applied mutatis mutandis pursuant to Article 15, paragraph (2) following the deemed replacement), as the person referred to in paragraph (1), item (iii) of the following Article or Article 15, paragraph (1), item (iii) (referred to as a "person subject to reassessment" in the following paragraph)) in the security clearance assessment referred to in paragraph (1) of the following Article or Article 15, paragraph (1) which was conducted most recently for the person by the head of the administrative body who assigns the duty to the person, the head of the administrative body who provides an eligible contractor that assigns the duty to the person with the critical economic security information or has the eligible contractor hold the critical economic security information, or the chief of the prefectural police headquarters who assigns the duty to the person (limited to the security clearance assessment for which 10 years have not yet lapsed since the date on which the notice under Article 13, paragraph (1) (including as applied mutatis mutandis through a replacement of terms pursuant to Article 15, paragraph (2)) was given to the person subject to assessment (meaning the person subject to assessment provided for in paragraph (2) of the following Article; the same applies in paragraph (1), item (i), (a) of the following Article and item (ii) of the paragraph)). However, the following persons are not required to undergo the security clearance assessment referred to in paragraph (1) of the following Article or Article 15, paragraph (1):

- (i) the heads of administrative bodies (where the administrative body is a body under the council system, the head of the body);
- (ii) Ministers of State (excluding those stated in the preceding item);
- (iii) Deputy Chief Cabinet Secretaries;
- (iv) Special Advisors to the Prime Minister;
- (v) Parliamentary Senior Vice-Ministers;
- (vi) Parliamentary Vice-Ministers; and
- (vii) in addition to what is stated in the preceding items, a person specified by Cabinet Order as a person who may perform the duty of handling critical economic security information without undergoing the security clearance assessment referred to in paragraph (1) of the following

Article or Article 15, paragraph (1), in consideration of circumstances such as the nature of the person's duties.

(2) Notwithstanding the provisions of the preceding paragraph, a person, who has been certified to have no risk of unauthorized disclosure of a specially designated secret if the person performs the duty of handling a specially designated secret (excluding a person subject to reassessment and a person to whom notification has been made under Article 12, paragraph (3) (including as applied *mutatis mutandis* pursuant to Article 15, paragraph (2) of the SDS Act), as the person stated in Article 12, paragraph (1), item (iii) or Article 15, paragraph (1), item (iii) of the SDS Act) in the security clearance assessment referred to in Article 12, paragraph (1) or Article 15, paragraph (1) of the SDS Act which was conducted most recently for the person by the head of the administrative body who assigns the duty to the person, the head of the administrative body who provides an eligible contractor with the critical economic security information or has an eligible contractor that assigns the duty to the person hold the critical economic security information, or the chief of police who assigns the duty to the person (excluding the security clearance assessment after which a security clearance assessment referred to in paragraph (1) of the following Article or Article 15, paragraph (1) by the head of the administrative body or the chief of the prefectural police headquarters was conducted; referred to hereinafter as "the most recent SDS security clearance assessment"), may perform the duty of handling critical economic security information only for a period of five years from the date on which the notice of the most recent SDS security clearance assessment under Article 13, paragraph (1) of the SDS Act (including as applied *mutatis mutandis* pursuant to Article 15, paragraph (2) of the SDS Act following the deemed replacement) was given.

(3) Notwithstanding the provisions of Article 16, paragraph (1) of the SDS Act, the head of an administrative body and the chief of the prefectural police headquarters may personally use or provide others with information related to the results of the security clearance assessment provided for in that paragraph to the extent necessary to perform the duty of handling critical economic security information themselves or have an eligible contractor perform the duty.

(4) Notwithstanding the provisions of Article 16, paragraph (2) of the SDS Act, an eligible contractor provided for in Article 5, paragraph (4) of the SDS Act and a business operator provided for in Article 16, paragraph (2) of the SDS Act may personally use or provide others with the content notified pursuant to Article 13, paragraph (2) or (3) of the SDS Act (limited to those related to the results provided for in paragraph (2) of the

that Article) to the extent necessary to perform the duty of handling critical economic security information themselves or have the eligible contractor related to the business operator do so.

Chapter VI Security Clearance Assessment

(Conducting Security Clearance Assessment by the Head of an Administrative Body)

Article 12 (1) The head of an administrative body is to conduct an assessment of each of the following persons to verify that the person has no risk of unauthorized disclosure of critical economic security information if the person performs the duty of handling critical economic security information (referred to hereinafter as the "security clearance assessment"):

(i) a person who is expected to be newly assigned to perform the duty of handling critical economic security information as an official of the administrative body (if the administrative body is the National Police Agency, including the chief of the prefectural police headquarters; the same applies in the following item) or as a worker of an eligible contractor that is provided with critical economic security information or holds critical economic security information based on a contract referred to in Article 10, paragraph (1) or (2) (referred to as a "contract" in the following item) with the administrative body, other than the following persons:

(a) a person among those who have been certified to have no risk of unauthorized disclosure of critical economic security information if the person performs the duty of handling critical economic security information, based on the most recent security clearance assessment by the head of the administrative body (referred to as a "certified person in the most recent security clearance assessment" in item (iii)), and for whom 10 years have not yet elapsed since the date on which the notice to the person subject to assessment under paragraph (1) of the following Article was given, and who continues to be found to be free from the risk of unauthorized disclosure; and

(b) a person among those who have been certified to have no risk of unauthorized disclosure of a specially designated secret if the person performs the duty of handling a specially designated secret, based on the most recent SDS security clearance assessment by the head of the administrative body (referred to as a "certified person in the most recent SDS security clearance assessment") and for whom five years have not yet elapsed since the date on which the notice under Article 13, paragraph (1) of the SDS Act was given, and who continues to be found to be free from the risk of unauthorized disclosure;

(ii) a person who is currently engaged in performing the duty of handling critical economic security information as an official of the administrative body or as a worker of an eligible contractor that is provided with critical economic security information or holds critical economic security information based on a contract with the administrative body, and who is expected to continue to be engaged in performing the duty of handling critical economic security information as such an official or a worker on and after the date that is 10 years from the date on which the notice to the person subject to assessment under paragraph (1) of the following Article was given in connection with the most recent security clearance assessment by the head of the administrative body (or, in the case of a person who is a certified person in the most recent SDS security clearance assessment, five years from the date of notice under Article 13, paragraph (1) of the SDS Act in connection with that assessment); and

(iii) a certified person in the most recent security clearance assessment or a certified person in the most recent SDS security clearance assessment, whose circumstances raise doubts as to whether the person continues to be free from the risk of unauthorized disclosure of critical economic security information.

(2) The security clearance assessment is to be conducted based on the results of an investigation regarding the following matters (referred to hereinafter as a "security clearance investigation" in this Article and Article 16, paragraph (1)) for the person to be assessed through the security clearance assessment (referred to hereinafter as a "person subject to assessment"):

(i) matters concerning the relationship of the person subject to assessment with any activities compromising the critical economic foundation (meaning activities such as those intended to obtain non-public information concerning the critical economic foundation among those whose unauthorized disclosure may harm Japan's national security and are carried out for the purpose of promoting the interests of a foreign country and which are or are likely to be extremely harmful to the security of Japan and its citizens in connection with the critical economic foundation as well as activities intended to cause damage to that foundation for the purpose of compelling the nation or other persons to conform to a politically-motivated principle or other beliefs or causing fear or terror in society based on such principle or opinion) (including the names, dates of birth, nationalities (including any former nationality), and addresses of family members of the person subject to assessment (meaning the spouse (including a person who is in a de facto marital relationship although the marriage notification has not been made; the

same applies hereinafter in this item), parents, children and siblings of the person subject to assessment, as well as the spouse's parents and children other than these persons; the same applies hereinafter in this item) and any person living with the person subject to assessment (excluding a family member));

(ii) matters concerning criminal and disciplinary records;

(iii) matters concerning records of improper conduct in connection with the handling of information;

(iv) matters concerning drug abuse and the influence of drugs;

(v) matters concerning mental disorders;

(vi) matters concerning moderation in alcohol consumption; and

(vii) matters concerning credit status and other economic conditions.

(3) The security clearance assessment is to be conducted after notifying the person subject to assessment of the following matters and obtaining the consent of the person in advance, as provided by Cabinet Order. However, such notification is not required when the security clearance assessment is conducted based on the application of the provisions of paragraph (7):

(i) that a security clearance investigation will be conducted regarding the matters stated in the items of the preceding paragraph;

(ii) that the head of the administrative body may have its officials conduct questioning or request the submission of materials, and may make inquiries and request reports pursuant to paragraph (6), to the extent necessary for conducting the security clearance investigation; and

(iii) if the person subject to assessment is the person stated in paragraph (1), item (iii), a statement to that effect.

(4) When conducting a security clearance assessment, the head of an administrative body is to request to the Prime Minister to conduct a security clearance investigation, attaching the necessary materials, except when the security clearance assessment is conducted based on the application of the provisions of paragraph (7). However, if this may hinder the performance of the duty of the administrative body (except when the security clearance assessment is conducted based on the application of the provisions of paragraph (7)), the head of the administrative body is to personally conduct the security clearance investigation, as provided by Cabinet Order.

(5) When requested to conduct a security clearance investigation by the head of an administrative body pursuant to the preceding paragraph, the Prime Minister is to conduct the security clearance investigation of the relevant person subject to assessment, as provided by Cabinet Order, and notify the head of the administrative body of the results of the security

clearance investigation with the opinion regarding the risk of that person making unauthorized disclosure of critical economic security information (referred to "investigation opinion" in paragraph (7)).

(6) The Prime Minister or the head of an administrative body who conducts the security clearance investigation may have their officials question the person subject to assessment or persons concerned such as acquaintances of the person subject to assessment or may have their officials request the person subject to assessment to submit materials, or may make inquiries to public offices or public or private bodies and request reports on the necessary matters from them, to the extent necessary to conduct the security clearance investigation.

(7) The security clearance assessment conducted by the administrative body head is to be carried out without conducting a new security clearance assessment, and is instead to be based on the results of the security clearance investigation conducted in the most recent such assessment by the head of another administrative body or by a chief of the prefectural police headquarters, notwithstanding the provisions of paragraph (2), when a person subject to assessment has been certified to have no risk of unauthorized disclosure of critical economic security information in the course of performing duties involving such handling (limited to the security clearance assessment for which 10 years have not yet elapsed since the date on which the notice under Article 13, paragraph (1) (including as applied *mutatis mutandis* pursuant to Article 15, paragraph (2) by replacing terms) and for which the Prime Minister has conducted a security clearance investigation and excluding the security clearance assessments that were later conducted by the head of the conducting administrative body; referred to hereinafter as "the most recent other bodies' security clearance assessment"), In this case, in response to the request of the head of the conducting administrative body, the Prime Minister is to notify the head of the conducting administrative body of the results of the security clearance investigation conducted in the most recent other bodies' security clearance assessment and the attached investigation opinion.

(8) The notice under paragraph (1) of the following Article to the person subject to assessment who has undergone the security clearance assessment based on the application of the provisions of the preceding paragraph is deemed to have been done on the date on which the notice to that subject was given pursuant to paragraph (1) of the following Article (including as applied *mutatis mutandis* pursuant to Article 15, paragraph (2) through a replacement of terms) with respect to the results of the most recent other bodies' security clearance assessment for the purposes

of application of the provisions of paragraph (1) of the preceding Article and item (i), (a) and item (ii) of this Article.

(Notice of Results of Security Clearance Assessment)

Article 13 (1) When a security clearance assessment is conducted, the head of an administrative body is to notify the results (including when the security clearance assessment was conducted based on the application of the provisions of paragraph (7) of the preceding Article, a statement to that effect; the same applies to the following paragraph and paragraph (1) of the following Article) to the person subject to assessment and the Prime Minister.

(2) The head of an administrative body is to notify the results of a security clearance assessment to an eligible contractor when the security clearance assessment of a worker of the eligible contractor is conducted. If the security clearance assessment was not conducted due to the refusal of the worker to give the consent referred to in paragraph (3) of the preceding Article, the head shall notify the eligible contractor of that fact.

(3) An eligible contractor which has received a notification under the preceding paragraph is to notify the contents of the notification under the preceding paragraph to the business operator employing the person subject to assessment when the person subject to assessment is a dispatched worker (meaning a dispatched worker provided for in Article 2, item (ii) of the Act on Ensuring the Proper Operation of Worker Dispatching Services and Protecting Dispatched Workers (Act No. 88 of 1985); the same applies in Article 16, paragraph (2)) who works under the instruction of the eligible contractor.

(4) When the head of the administrative body notifies a person subject to assessment, pursuant to paragraph (1), that the person has not been found to have no risk of unauthorized disclosure of critical economic security information if the person performs the duty of handling critical economic security information, the head of that administrative body is to also notify the person subject to assessment of the reasons for that determination, to the extent that this does not hinder the smooth conduct of the security clearance assessment. However, this does not apply if the person subject to the assessment notifies in advance its wish not to receive notification of the reasons.

(Filing Complaints with the Heads of Administrative Bodies)

Article 14 (1) A person subject to assessment may file a complaint with the head of an administrative body in writing, regarding the results of the security clearance assessment notified under paragraph (1) of the preceding Article or regarding other security clearance assessment conducted for the person subject to assessment.

(2) When a complaint referred to in the preceding paragraph is received, the head of an administrative body is to process the complaint sincerely and notify the results to the person filing the complaint.

(3) No person subject to assessment is to be subjected to adverse treatment on the grounds that that person filed a complaint under paragraph (1).

(Conducting Security Clearance Assessments by the Chief of the Prefectural Police Headquarters)

Article 15 (1) The chief of the prefectural police headquarters is to conduct a security clearance assessment of each of the following persons:

(i) a person who is expected to be newly assigned to perform the duty of handling critical economic security information as an official of the prefectural police (excluding the chief of the prefectural police headquarters; the same applies in the following item), other than the following persons:

(a) a person among those who have been certified to have no risk of unauthorized disclosure of critical economic security information if the person performs the duty of handling critical economic security information in the security clearance assessment which the chief of the prefectural police headquarters conducted most recently (referred to as a "certified person in the most recent police security clearance assessment" in item (iii)) and for whom 10 years have not elapsed since the date on which the chief of the prefectural police headquarters notified the person subject to assessment under Article 13, paragraph (1) as applied *mutatis mutandis* through a replacement of terms pursuant to the following paragraph in connection with the security clearance assessment, and continues to be found to be free from the risk of unauthorized disclosure;

(b) a person among those who have been certified to have no risk of unauthorized disclosure of a specially designated secret if the person performs the duty of handling a specially designated secret, in the most recent security clearance assessment by the chief of the prefectural police headquarters (referred to hereinafter as a "certified person in the most recent SDS police security clearance assessment" in this paragraph) and for whom five years have not elapsed since the date on which the chief of the prefectural police headquarters notified the person subject to assessment under Article 13, paragraph (1) of the SDS Act as applied *mutatis mutandis* through a replacement of terms pursuant to Article 15, paragraph (2) of the SDS Act in connection with the most recent SDS security clearance assessment, and continues to be found to be free from the risk of unauthorized disclosure;

(ii) a person who is currently engaged in performing the duty of handling critical economic security information as an official of the prefectural police, and who is expected to continue to be engaged in performing the duty of handling critical economic security information as such an official on and after the date on which 10 years have elapsed from the date on which the notice to the person subject to assessment under Article 13, paragraph (1) as applied *mutatis mutandis* through a replacement of terms pursuant to the following paragraph was given in connection with the most recent security clearance assessment by the chief of the prefectural police headquarters (in the case of a person who is a certified person in the most recent SDS police security clearance assessment, when five years have elapsed from the date on which the notice under Article 13, paragraph (1) of the SDS Act as applied pursuant to Article 15, paragraph (2) of the SDS Act was given in connection with the most recent SDS police security clearance assessment which the chief of the prefectural police headquarters conducted); and

(iii) a certified person in the most recent police security clearance assessment or a certified person in the most recent SDS police security clearance, whose circumstances raise doubts as to whether it would be certified that the person will continue to be free from the risk of unauthorized disclosure of critical economic security information.

(2) The preceding three Articles (excluding Article 12, paragraph (1) and Article 13, paragraphs (2) and (3)) apply *mutatis mutandis* to the security clearance assessment conducted by the chief of the prefectural police headquarters pursuant to the preceding paragraph. In this case, the phrase "paragraph (1), item (iii)" in Article 12, paragraph (3), item (iii) is to be replaced with "Article 15, paragraph (1), item (iii)", the phrase "the Prime Minister" in paragraph (4) of the Article is to be replaced with "the Prime Minister through the Commissioner General of the National Police Agency", the phrase "the duty of the administrative body" in the paragraph is to be replaced with "the duty of the prefectural police", the phrase "of the results" in paragraph (5) of the Article is to be replaced with "via the Commissioner General of the National Police Agency of the results", the phrase "the head of an administrative body other than the head of an administrative body conducting the security clearance assessment (referred to hereinafter as the "head of the conducting administrative body" in this Article) or a chief of police" in paragraph (7) of the same Article is to be replaced with "the head of an administrative body or a chief of the prefectural police headquarters other than the chief of the police headquarters conducting the security clearance assessment (referred to hereinafter as the "conducting chief of the prefectural police

headquarters" in this Article)", the phrase "by the head of the conducting administrative body" in paragraph (7) of the Article is to be replaced with "by the conducting chief of the prefectural police headquarters", the phrase "which the head of the conducting administrative body" in the paragraph is to be replaced with "which the conducting chief of the prefectural police headquarters", the phrase "request of the head of the conducting administrative body" in the paragraph is to be replaced with "request of the conducting chief of the police through the Commissioner General of the National Police Agency", the phrase "notify the head of the conducting administrative body" in the same paragraph is to be replaced with "notify the conducting chief of the prefectural police headquarters through the Commissioner General of the National Police Agency", the phrase "of this Article" in paragraph (8) of the Article is to be replaced with "of Article 15", and the phrase "Prime Minister" in Article 13, paragraph (1) is to be replaced with "Prime Minister. In this case, the notice to the Prime Minister is to be given via the Commissioner General of the National Police Agency".

(Restriction on the Use and Provision of Personal Information
Concerning Security Clearance Assessment)

Article 16 (1) The Prime Minister and also the head of an administrative body and the chief of the prefectural police headquarters must not personally use or provide others with, for purposes other than the protection of critical economic security information, the following information: the fact that a person subject to assessment did not give the consent referred to in Article 12, paragraph (3) (including as applied *mutatis mutandis* through a replacement of terms pursuant to paragraph (2) of the preceding Article), the results of a security clearance assessment of a person subject to assessment, or any personal information (meaning information about a living individual, which can identify the specific individual by description contained in such information such as name, date of birth or other description contained therein (including information that can be matched with other information to enable such identification); the same applies hereinafter in this paragraph) and acquired in conducting a security clearance assessment or a security clearance investigation. However, this does not apply if the security clearance assessment or the security clearance investigation raises doubts as to whether the specific individual to whom the personal information relates falls under any of the following: the items of Article 38 of the National Public Service Act (Act No. 120 of 1947), the clauses provided for by the Rules of the National Personnel Authority as provided for in Article 75, paragraph (2) of that Act, the items of Article 78, the items of Article 79 or

the items of Article 82, paragraph (1) of that Act; the items of Article 20 of the Public Prosecutor's Office Act (Act No. 61 of 1947); the category of persons provided for in Article 7, paragraph (1) of the Foreign Public Officials Act (Act No. 41 of 1952); the items of Article 38, paragraph (1), the items of Article 42, the items of Article 43 or the items of Article 46, paragraph (1) of the Self-Defense Forces Act (Act No. 165 of 1954), the cases provided for in Article 48, paragraph (1) of that Act, or the items of paragraph (2) or the items of paragraph (3) of that Article; the items of Article 16, the items of Article 28, paragraph (1) or the items of paragraph (2) of that Article, or the items of Article 29, paragraph (1) of the Local Public Service Act (Act No. 261 of 1950); or the grounds specified by Cabinet Order as equivalent to these, or when reporting necessary matters in response to a request based on paragraph (4) of Article 12 of the SDS Act.

(2) An eligible contractor and a business operator employing a dispatched worker working under the instruction of an eligible contractor which have received the notice given pursuant to Article 13, paragraph (2) or (3) must not personally use or provide others with information as to the content of the notice for purposes other than the protection of critical economic security information.

(Delegation of Authority or Affairs)

Article 17 The Prime Minister or the head of an administrative body may delegate the authority or affairs provided for in this Chapter to its officials, as provided for by Cabinet Order (in the case of a body under the jurisdiction of the Cabinet and in the case of the Board of Audit, as provided for by its order).

Chapter VII Miscellaneous Provisions

(Implementation Standards for the Designation of Critical Economic Security Information)

Article 18 (1) The government is to formulate standards to ensure uniform implementation for the designation and declassification of critical economic security information, the conduct of the security clearance assessments, and certifying eligible contractors (meaning the fact that the head of an administrative body certifies a contractor as an eligible contractor; the same applies hereinafter).

(2) When intending to formulate or revise the standards referred to in the preceding paragraph, the Prime Minister must prepare a draft of the standards after hearing the opinions of persons with distinguished insight into matters such as the protection of information concerning Japan's national security, the disclosure of information held by administrative

bodies and the management of public records and archives and must seek a Cabinet decision on the draft.

(3) The Prime Minister must report each year the state of the designation and declassification of critical economic security information the conduct of security clearance assessments, and certification of eligible contractors based on the standards referred to in paragraph (1) to the persons provided for in the preceding paragraph and must hear their opinions.

(4) The Prime Minister may request the head of an administrative body (excluding the Board of Audit) to submit materials that contain the information that constitutes critical economic security information and explanations, and may issue necessary recommendations regarding the designation and declassification of critical economic security information, the conduct of security clearance assessments and the certification of an eligible contractor or request reports on measures taken as the results of the recommendation if the Prime Minister finds it necessary to do so in order to ensure that the designation and declassification of critical economic security information, the conduct of the security clearance assessment and the assessment of an eligible contractor comply with the standards referred to in paragraph (1).

(Report to the Diet)

Article 19 The government is to report each year the state of the designation and declassification of critical economic security information, the conduct of security clearance assessments, and the certification of eligible contractors with the opinions referred to in paragraph (3) of the preceding Article to the Diet and publicize the report.

(Cooperation of Related Administrative Bodies)

Article 20 The Prime Minister and the heads of related administrative bodies are to cooperate with one another in connection with the designation of critical economic security information, the conduct of security clearance assessments, the certification of an eligible contractor, and other measures to be taken pursuant to this Act, in order to prevent the unauthorized disclosure of critical economic foundation protection information that particularly requires confidentiality.

(Delegation to Cabinet Order)

Article 21 In addition to what is provided for in this Act, procedures for implementing this Act and other necessary matters in connection with the enforcement of this Act are provided for by Cabinet Order.

(Interpretation and Application of This Act)

Article 22 (1) When this Act is applied, its interpretation must not be expanded to unfairly violate the fundamental human rights of the people,

and due consideration is to be given to the freedom of news reporting or news coverage, which contributes to the guarantee of the people's right to know.

(2) The act of news coverage by persons engaged in publishing or news reporting is to be treated as an act in the pursuit of lawful business as long as it has the sole aim of furthering the public interest and is not found to have been done in violation of laws or regulations or through the use of extremely unjustifiable means.

Chapter VIII Penalties

Article 23 (1) If a person engaged in handling critical economic security information discloses without authorization the information which the person has come to know in the course of duty, the person is punished by imprisonment for not more than five years or a fine of not more than five million yen, or both. The same applies when the person is no longer engaged in the duty of handling critical economic security information.

(2) Regarding the critical economic security information presented or provided pursuant to Article 4, paragraph (5), Article 8, Article 9, Article 10, paragraph (5) or (6), or Article 18, paragraph (4), if a person, who has come to know the critical economic security information in the course of the duty for which the information was presented or provided, discloses the information without authorization, the person is punished by imprisonment for not more than three years or a fine of not more than three million yen, or both. The same applies if a person who has been presented with critical economic security information in the case provided for in Article 9, paragraph (1), item (i), (b), discloses the information without authorization.

(3) An attempt to commit the crimes referred to in the preceding two paragraphs is punished.

(4) A person who commits the crime referred to in paragraph (1) by negligence is punished by imprisonment for not more than one year or by a fine of not more than 300,000 yen.

(5) A person who commits the crime referred to in paragraph (2) by negligence is punished by imprisonment for not more than six months or a fine of not more than 200,000 yen.

Article 24 (1) If a person who acquires critical economic security information by an act of deceiving, assaulting or intimidating a person, or by an act that undermines the control of a person holding critical economic security information, such as theft or destruction of property, trespassing on a facility, interception of wired communications or an act of unauthorized computer access (meaning an act of unauthorized computer access provided for in Article 2, paragraph (4) of the Act on Prohibition of

Unauthorized Computer Access (Act No. 128 of 1999)), for the purpose of using the information to promote the interests of a foreign country or acquire an illicit personal gain or to cause harm to the security of Japan or to the lives or bodily safety of its people, the person who committed such violation is punished by imprisonment for not more than five years or a fine of not more than five million yen, or both.

(2) An attempt to commit the crimes referred to in the preceding paragraph is punished.

(3) The provisions of the preceding two paragraphs do not preclude the application of any penalties such as the Penal Code (Act No. 45 of 1907).

Article 25 (1) A person who conspires with, induces, or incites another person to commit any of the acts provided for in Article 23, paragraph (1) or paragraph (1) of the preceding Article is punished by imprisonment for not more than three years or a fine of not more than three million yen.

(2) A person who conspires with, induces, or incites another person to commit the act provided for in Article 23, paragraph (2) is punished by imprisonment for not more than two years or a fine of not more than two million yen

Article 26 If a person who has committed the crime referred to in Article 23, paragraph (3) or Article 24, paragraph (2), or a person who, among those who have committed the crime referred to in the preceding Article, has conspired with another person to commit the act provided for in Article 23, paragraph (1) or (2) or Article 24, paragraph (1) surrenders, the punishment for the person is reduced or the person is exempted from the punishment.

Article 27 (1) The crime referred to in Article 23 is to apply to any person who commits the crime referred to in that Article outside the territory of Japan.

(2) The crimes referred to in Articles 24 and 25 are governed by Article 2 of the Penal Code.

Article 28 (1) When the representative of a corporation (including an organization without legal personality for which a representative or administrator has been designated; the same applies hereinafter in this paragraph) or a worker such as the agent or an employee of a corporation or individual has violated the provisions of Article 23, paragraph (1) or paragraph (3) (limited to the portion related to paragraph (1) of that Article) or Article 24, paragraph (1) or (2) in connection with the business of the corporation or individual, in addition to the offender subject to punishment, the corporation or individual is to be punished and subject to the fine referred to in the respective Articles.

(2) When the provisions of the preceding paragraph apply to an organization that is not a corporation, the representative or administrator of that organization is to represent it in procedural acts, and the provisions of laws on criminal proceedings for the case in which a corporation is the defendant or suspect is to apply *mutatis mutandis*.

Supplementary Provisions

(Effective Date)

Article 1 This Act comes into effect on the date specified by Cabinet Order within a period not exceeding one year from the date of promulgation; provided, however, that the provisions of Article 18, paragraphs (1) and (2) (excluding the part concerning the revision of the standards), and Articles 5, 6 and 8 through 10 of the Supplementary Provisions come into effect on the date of promulgation.

(Transitional Measures Regarding Officials of Administrative Bodies Who Are Assigned to Perform the Duty of Handling Critical Economic Security Information)

Article 2 Until the preceding day of the date specified by Cabinet Order within a period not exceeding one year from the date on which this Act comes into effect (referred to as the "effective date" in the following Article and Article 4 of the Supplementary Provisions), notwithstanding the provisions of Article 11, paragraph (1), the head of an administrative body or the chief of the prefectural police headquarters may have persons nominated by the head of the administrative body or the chief of the prefectural police headquarters among officials of the administrative body or the prefectural police perform the duty of handling the critical economic security information. In this case, regarding the application of Article 5, paragraphs (1) and (3) and Article 6, paragraphs (2) and (3), the phrase "the administrative body, among persons who are permitted to handle critical economic security information pursuant to Article 11, paragraph (1) or (2)" in Article 5, paragraph (1) is to be replaced with "the administrative body", the phrase "determination of the scope" in the paragraph and Article 6, paragraph (3) is to be replaced with "nomination", and the phrase "scope, " in Article 5, paragraph (3) and Article 6, paragraph (2) are to be replaced with "nomination".

(Transitional Measures Regarding Presenting Critical Economic Security Information to the Court Pursuant to the Provisions of the Code of Civil Procedure)

Article 3 Regarding the application of the provisions of Article 9, paragraph (1), item (ii), during the period from the effective date to the preceding day of the date on which the Act Partially Amending the Code of Civil Procedure (Act No. 48 of 2022) comes into effect, the phrase "Article

223, paragraph (6) (including as applied mutatis mutandis pursuant to Article 231-3, paragraph (1) of the Code)" in the item is to be replaced with "Article 223, paragraph (6)".

(Adjustment Provisions)

Article 4 When the effective date is before the date on which the Act Partially Amending the Penal Code (Act No. 67 of 2022) comes into effect (referred to hereinafter as the "effective date of the Penal Code" in this Article), regarding the application of the provisions of Article 23 (excluding paragraph (3)), Article 24, paragraph (1), and Article 25 (referred to hereinafter as "the provisions of Article 23." in this Article) until the preceding day of the effective date of the Penal Code, the phrase "imprisonment" in Article 23, paragraphs (1) and (2), Article 24, paragraph (1), and Article 25 is to be "imprisonment" and the phrase "imprisonment" in Article 23, paragraphs (4) and (5) is to be replaced with "imprisonment without work". The same applies regarding the application of the provisions of Article 23. on and after the effective date of the Penal Code to acts committed before the effective date of the Penal Code.

(Delegation to Cabinet Order)

Article 5 In addition to what is provided for in preceding three Articles, the necessary transitional measures for the enforcement of this Act (including the transitional measures concerning the penalties) are provided by Cabinet Order.

(Partial Amendment of the Act on the Advancement of Measures to Address Loneliness and Isolation)

Article 6 The Act on the Advancement of Measures to Address Loneliness and Isolation (Act No. 45 of 2023) is partially amended as follows:

The phrase "Article 4, paragraph (1), item (xxxv)" in Article 24, paragraph (1) is amended to "Article 4, paragraph (1), item (xxxvi)".

(Partial Amendment of the Act on Enhancing Defense Production and Technology Bases)

Article 7 The Act on Enhancing Defense Production and Technology Bases (Act No. 54 of 2023) is partially amended as follows:

The phrase "or the Act on the Protection and the Utilization of Critical Economic Security Information (Act No. 27 of 2024)" is added after the phrase "this Act" in Article 15, paragraph (2), item (i).

The phrase "special defense secrets and" in Article 27, paragraph (1) is amended to "special defense secrets,", the phrase "to specially designated secrets" is amended to "to specially designated secrets and critical economic security information provided for in Article 3, paragraph (1) of the Act on the Protection and the Utilization of Critical Economic Security Information".

(Partial Amendment of the Act for Establishment of the Cabinet Office)

Article 8 The Act for Establishment of the Cabinet Office is partially amended as follows:

The phrase "paragraph (3), item (xxvii)-5" in Article 4, paragraph (1), item (xxxv) is amended to "paragraph (3), item (xxvii)-6"; the item is renumbered as item (xxxvi); and the following item is added after item (xxxiv) of that paragraph:

(xxxv) matters on basic policy for the protection and the utilization of critical economic security information based on the Act on the Protection and the Utilization of Critical Economic Security Information (Act No. 27 of 2024);

Item (xxvii)-5 in Article 4, paragraph (3) is renumbered as item (xxvii)-6; item (xxvii)-4 in the paragraph is renumbered as item (xxvii)-5; and the following item is added after item (xxvii)-3 of the paragraph:

(xxvii)-4 matters on the affairs regarding the protection and the utilization of critical economic security information based on the Act on the Protection and the Utilization of Critical Economic Security Information (excluding those under the jurisdiction of other ministries);

(Ensuring Proper Designation and Declassification)

Article 9 The government is to consider the necessary steps to ensure proper designation and declassification of critical economic security information , and take required measures based on the results of the consideration.

(Policy for Provision of Critical Economic Security Information to the Diet and Protective Measures for Those Information at the Diet)

Article 10 Regarding the provision of critical economic security information to the Diet, the government is to implement this Act in accordance with the spirit of the Constitution of Japan, which provides that the Diet is the highest body of state power and that each House has the power to establish its rules related to proceedings such as meetings and internal discipline, and of the Diet Act enacted under the Constitution. The Diet, as the body receiving critical economic security information, is to examine measures for its protection, and to take the necessary measures based on the results of such examination.