

Comparative table of the current and amended provisions of the APPI
(Tentative translation)

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<p>Chapter 1 General Provisions</p> <p>(Purpose)</p> <p>Article 1 [Omission]</p> <p>(Definition)</p> <p>Article 2</p> <p>(1) “Personal information” in this Act means that information relating to a living individual which falls under any of each following item:</p> <p>(i) those containing a name, date of birth, or other descriptions etc. (meaning any and all matters (excluding an individual identification code) stated, recorded or otherwise expressed using voice, movement or other methods in a document, drawing or electromagnetic record (meaning a record kept in an electromagnetic form (meaning an electronic, magnetic or other forms that cannot be recognized through the human senses; the same shall apply in the succeeding paragraph, item (ii)); the same shall apply</p>	<p>Chapter 1 General Provisions</p> <p>(Purpose)</p> <p>Article 1 [Omission]</p> <p>(Definition)</p> <p>Article 2</p> <p>(1) “Personal information” in this Act means that information relating to a living individual which falls under any of each following item:</p> <p>(i) those containing a name, date of birth, or other descriptions etc. (meaning any and all matters (excluding an individual identification code) stated, recorded or otherwise expressed using voice, movement or other methods in a document, drawing or electromagnetic record (meaning a record kept in an electromagnetic form (meaning an electronic, magnetic or other forms that cannot be recognized through the human senses; the same shall apply in the succeeding paragraph, item (ii)); the same shall apply</p>

<p>in Article 18, paragraph (2) <u>and Article 28, paragraph (1)</u>; hereinafter the same) whereby a specific individual can be identified (including those which can be readily collated with other information and thereby identify a specific individual)</p> <p>(ii) [Omission]</p> <p>(2) to (6) [Omission]</p> <p>(7) “Retained personal data” in this Act means personal data which a personal information handling business operator has the authority to disclose, correct, add or delete the contents of, cease the utilization of, erase, and cease the third-party provision of, and which shall <u>not be</u> those prescribed by cabinet order as likely to harm the public or other interests if their presence or absence is made known.</p> <p>(8) [Omission]</p> <p><u>(9) “Pseudonymously processed information” in this Act means information relating to an individual that can be produced from processing personal information so as not to be able to identify a specific individual unless collated with other information by taking action prescribed in each following item in accordance with the divisions of personal information set forth in each said item.</u></p> <p><u>(i) personal information falling under paragraph (1), item (i); Deleting a part of descriptions etc. contained in the said personal information (including replacing the said part of descriptions etc. with other descriptions etc. using a method with no regularity that can restore the said part of descriptions etc.)</u></p> <p><u>(ii) personal information falling under paragraph (1), item (ii); Deleting all individual identification codes contained in the said personal information (including replacing the said individual identification codes with other descriptions etc. using a method with no regularity that can restore the said personal identification codes)</u></p> <p><u>(10) A “pseudonymously processed information handling business operator” in this Act means a person who provides for use in business a collective body of information comprising pseudonymously processed information which has been systematically</u></p>	<p>in Article 18, paragraph (2)); hereinafter the same) whereby a specific individual can be identified (including those which can be readily collated with other information and thereby identify a specific individual)</p> <p>(ii) [Omission]</p> <p>(2) to (6) [Omission]</p> <p>(7) “Retained personal data” in this Act means personal data which a personal information handling business operator has the authority to disclose, correct, add or delete the contents of, cease the utilization of, erase, and cease the third-party provision of, and which shall <u>be neither</u> those prescribed by cabinet order as likely to harm the public or other interests if their presence or absence is made known <u>nor those set to be deleted within a period of no longer than one year that is prescribed by cabinet order.</u></p> <p>(8) [Omission]</p> <p>(added)</p> <p>(added)</p> <p>(added)</p> <p>(added)</p>
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<p><u>organized so as to be able to search using a computer for specific pseudonymously processed information or similar others prescribed by cabinet order as systematically organized so as to be able to search easily for specific pseudonymously processed information (referred to as an “pseudonymously processed information database etc.” in Article 35-2, paragraph (1)). However, a person set forth in each item of paragraph (5) is excluded.</u></p> <p>(11)•(12) [Omission]</p> <p>Articles 3 to 6 [Omission]</p> <p>Chapter 3 Measures etc. for the Protection of Personal Information Section 1 Basic Policy on the Protection of Personal Information</p> <p>Article 7 (1) [Omission]</p> <p>(2) A basic policy shall prescribe those matters set forth in the following.</p> <p>(i) to (v) [Omission]</p> <p>(vi) a basic matter concerning action to be taken by a personal information handling business operator, <u>a pseudonymously processed information handling business operator, and</u> an anonymously processed information handling business operator, and, an accredited personal information protection organization prescribed in Article 50, paragraph (1) for the protection of personal information.</p> <p>(vii)•(viii) [Omission]</p> <p>(3) to (5) [Omission]</p> <p>Section 2 Measures by the Central Government Articles 8 to 14 [Omission] Chapter 4 Obligations etc. of a Personal Information Handling Business Operator Section 1 Obligations of a Personal Information Handling Business Operator <u>etc.</u></p> <p>Articles 15•16 [Omission]</p> <p><u>(Prohibition of Inappropriate Utilization)</u> <u>Article 16-2 A Personal Information Handling Business Operator shall not utilize personal information using a method that has the possibility of</u></p>	<p>(9)•(10) [Omission]</p> <p>Articles 3 to 6 [Omission]</p> <p>Chapter 3 Measures etc. for the Protection of Personal Information Section 1 Basic Policy on the Protection of Personal Information</p> <p>Article 7 (1) [Omission]</p> <p>(2) A basic policy shall prescribe those matters set forth in the following.</p> <p>(i) to (v) [Omission]</p> <p>(vi) a basic matter concerning action to be taken by a personal information handling business operator <u>and</u> an anonymously processed information handling business operator, and, an accredited personal information protection organization prescribed in Article 50, paragraph (1) for the protection of personal information</p> <p>(vii)•(viii) [Omission]</p> <p>(3) to (5) [Omission]</p> <p>Section 2 Measures by the Central Government Articles 8 to 14 [Omission] Chapter 4 Obligations etc. of a Personal Information Handling Business Operator Section 1 Obligations of a Personal Information Handling Business Operator</p> <p>Articles 15•16 [Omission]</p> <p>(added)</p>
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<p><u>fomenting or prompting unlawful or unfair act.</u></p> <p>Articles 17 to 19 [Omission]</p> <p>(Security Control Action)</p> <p>Article 20 A personal information handling business operator shall take necessary and appropriate action for the security control of personal data including preventing the leakage, loss or <u>damage</u> of its handled personal data.</p> <p>Articles 21•22 [Omission]</p> <p><u>(Report etc. of Leakage etc.)</u></p> <p><u>Article 22-2</u></p> <p><u>(1) A personal information handling business operator shall, pursuant to rules of the Personal Information Protection Commission, report to the Personal Information Protection Commission when there is a leakage, loss or damage and other situation concerning the insurance of security of its handled personal data and it is prescribed by the rule of Personal Information Protection Commission as those of which there is a large possibility of harming an individual's rights and interests. This, however, shall not apply in cases where the said personal information handling business operator entrusted by other personal information handling business operator a whole or part of the said handling of personal data informed the occurrence of said situation to the said other personal information handling business operator as prescribed by rules of the Personal Information Protection Commission.</u></p> <p><u>(2) In those cases prescribed by the preceding paragraph, a personal information handling business operator (excluding those who informed pursuant to the provisions of the proviso of the preceding paragraph) shall, pursuant to rules of the Personal Information Protection Commission, notify a principal of the occurrence of the said situation. This, however, shall not apply when it is difficult to inform a principal and when necessary alternative action is taken to protect a principal's rights and interests.</u></p> <p>(Restriction on Third Party Provision)</p> <p>Article 23</p> <p>(1) [Omission]</p> <p>(2) A personal information handling business operator, in regard to personal data provided to a third party may, in cases where it is set to cease in response to a principal's request a third-party provision of</p>	<p>Articles 17 to 19 [Omission]</p> <p>(Security Control Action)</p> <p>Article 20 A personal information handling business operator shall take necessary and appropriate action for the security control of personal data including preventing the leakage, loss or <u>damage</u> of its handled personal data.</p> <p>Articles 21•22 [Omission]</p> <p>(added)</p> <p>(added)</p> <p>(Restriction on Third Party Provision)</p> <p>Article 23</p> <p>(1) [Omission]</p> <p>(2) A personal information handling business operator, in regard to personal data provided to a third party <u>(excluding special care-required personal information; hereinafter the same in this paragraph)</u>, may, in cases</p>
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personal data that can identify the principal and when pursuant to rules of the Personal Information Protection Commission it has in advance informed a principal of those matters set forth in the following or put them into a state where a principal can easily know, and notified them to the Personal Information Protection Commission, provide the said personal data to a third party notwithstanding the provisions of the preceding paragraph. This, however, shall not apply in cases where personal data provided to a third party is a special care-required personal information, or, has been acquired in violation of the provisions of Article 17 or has been provided by another personal information handling business operator pursuant to the provisions in the main clause of this paragraph (including their wholly or partially duplicated or processed ones).

(i) The name or appellation and address and, for a corporate body, the name of its representative (for a non-corporate body having appointed a representative or administrator, the said representative or administrator; hereinafter the same in this Article, Article 26, paragraph (1), item (i), and Article 27, paragraph (1), item (i)) of a personal information handling business operator that provides to a third party.

(ii)•(iii) [Omission]

(iv) a method of acquiring personal data provided to a third party

(v) to (vii) [Omission]

(viii) other matters prescribed by rules of the Personal Information Protection Commission as those necessary to protect an individual's rights and interests

(3) A personal information handling business operator shall, in case of those matters set forth in item (i) of the preceding paragraph are altered or when the personal data provision is stopped pursuant to the provisions of the preceding paragraph, without delay, and when intending to alter those matters set forth in item (iii) to item (v), item (vii) or item (viii) of the preceding paragraph, in advance inform a principal to that effect or put them into a state where a principal can easily know and notify them to the Personal Information Protection Commission pursuant to rules of the Personal Information Protection Commission.

where it is set to cease in response to a principal's request a third-party provision of personal data that can identify the principal and when pursuant to rules of the Personal Information Protection Commission it has in advance informed a principal of those matters set forth in the following or put them into a state where a principal can easily know, and notified them to the Personal Information Protection Commission, provide the said personal data to a third party notwithstanding the provisions of the preceding paragraph.

(added)

(i)•(ii) [Omission]

(added)

(iii) to (v) [Omission]

(added)

(3) A personal information handling business operator shall, in case of altering those matters set forth in item (ii), item (iii) or item (v) of the preceding paragraph, in advance inform a principal of the contents to be altered or put them into a state where a principal can easily know and notify them to the Personal Information Protection Commission pursuant to rules of the Personal Information Protection Commission.

<p>(4) [Omission]</p> <p>(5) In those cases set forth in the following, a person receiving the provision of the said personal data shall not fall under a third party in regard to applying the provisions of each preceding paragraph.</p> <p>(i)•(ii) [Omission]</p> <p>(iii) cases in which personal data to be jointly utilized by a specified person is provided to the specified person, and when a principal has in advance been informed or a state has been in place where a principal can easily know to that effect as well as of the categories of the jointly utilized personal data, the scope of a jointly utilizing person, the utilization purpose for the utilizing person and the name or appellation <u>and address, and, for a corporate body, the name of its representative</u> of a person responsible for controlling the said personal data</p> <p>(6) A personal information handling business operator shall, in case of altering the name, <u>appellation or address, or, for a corporate body, the name of its representative</u> of a person responsible for controlling personal data prescribed in item (iii) of the preceding paragraph, <u>without delay, and in case of altering a utilization purpose for a utilizing person or the person responsible prescribed in item (iii) of the preceding paragraph, in advance</u> inform a principal of the contents to be altered or put them into a state where a principal can easily know.</p> <p>(Restriction on Provision to a Third Party in a Foreign Country) Article 24 (1) A personal information handling business operator, except in those cases set forth in each item of the preceding Article, paragraph (1), shall, in case of providing personal data to a third party (excluding a person establishing a system conforming to standards prescribed by rules of the Personal Information Protection Commission as necessary for continuously taking action equivalent to the one that a personal information handling business operator shall take concerning the handling of personal data pursuant to the provisions of this Section (<u>referred to as “equivalent action” in paragraph (3); hereinafter the same in this paragraph, the succeeding paragraph and Article 26-2, paragraph (1), item(ii)</u>) in a foreign country (meaning a country or region located outside the territory of Japan; hereinafter the same) (excluding those prescribed by rules of the Personal</p>	<p>(4) [Omission]</p> <p>(5) In those cases set forth in the following, a person receiving the provision of the said personal data shall not fall under a third party in regard to applying the provisions of each preceding paragraph.</p> <p>(i)•(ii) [Omission]</p> <p>(iii) cases in which personal data to be jointly utilized by a specified person is provided to the specified person, and when a principal has in advance been informed or a state has been in place where a principal can easily know to that effect as well as of the categories of the jointly utilized personal data, the scope of a jointly utilizing person, the utilization purpose for the utilizing person <u>and</u> the name or appellation of a person responsible for controlling the said personal data.</p> <p>(6) A personal information handling business operator shall, in case of altering <u>a utilization purpose for a utilizing person, or, the name or appellation</u> of a person responsible for controlling personal data prescribed in item (iii) of the preceding paragraph, <u>in advance</u> inform a principal <u>of the contents to be altered</u> or put them into a state where a principal can easily know.</p> <p>(Restriction on Provision to a Third Party in a Foreign Country) Article 24 A personal information handling business operator, except in those cases set forth in each item of the preceding Article, paragraph (1), shall, in case of providing personal data to a third party (excluding a person establishing a system conforming to standards prescribed by rules of the Personal Information Protection Commission as necessary for continuously taking action equivalent to the one that a personal information handling business operator shall take concerning the handling of personal data pursuant to the provisions of this Section; <u>hereinafter the same in this Article</u>) in a foreign country (meaning a country or region located outside the territory of Japan; hereinafter the same) (excluding those prescribed by rules of the Personal Information Protection Commission as a foreign country establishing a personal information protection system recognized to</p>
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<p>Information Protection Commission as a foreign country establishing a personal information protection system recognized to have equivalent standards to that in Japan in regard to the protection of an individual's rights and interests; hereinafter the same in this Article and the succeeding paragraph, and, <u>Article 26-2, paragraph (1), item (ii)</u>), in advance obtain a principal's consent to the effect that he or she approves the provision to a third party in a foreign country. In this case, the provisions of the preceding Article shall not apply.</p>	<p>have equivalent standards to that in Japan in regard to the protection of an individual's rights and interests; hereinafter the same in this Article), in advance obtain a principal's consent to the effect that he or she approves the provision to a third party in a foreign country. In this case, the provisions of the preceding Article shall not apply.</p>
<p><u>(2) A personal information handling business operator shall, in case of intending to obtain a principal's consent pursuant to the provisions of the preceding paragraph, in advance provide the principal with information on the personal information protection system of the foreign country, on the action the third party takes for the protection of personal information, and other information that is to serve as a reference to the principal, pursuant to rules of the Personal Information Protection Commission.</u></p>	<p>(added)</p>
<p><u>(3) A personal information handling business operator shall, when having provided personal data to a third party (limited to person establishing a system prescribed in paragraph (1)) in a foreign country, pursuant to rules of the Personal Information Protection Commission, take necessary action to ensure continuous implementation of the equivalent action by the third party, and, in response to a principal's request, provide information on the necessary action, to the principal.</u></p>	<p>(added)</p>
<p>(Keeping etc. of a Record on a Third-Party Provision) Article 25 (1) A personal information handling business operator shall, when having provided personal data to a third party (excluding a person set forth in each item of Article 2, paragraph (5); hereinafter the same in this Article and the succeeding Article <u>(including cases where it is applied mutatis mutandis pursuant to Article 26-2, paragraph (3) following the deemed replacement of terms)</u>), keep a record pursuant to rules of the Personal Information Protection Commission on the date of the personal data provision, the name or appellation of the third party, and other matters prescribed by rules of the Personal Information Protection Commission. This, however, shall not apply in cases where the personal data provision falls under any of each item of Article 23, paragraph (1) or paragraph (5) (this means, in case of</p>	<p>(Keeping etc. of a Record on a Third-Party Provision) Article 25 (1) A personal information handling business operator shall, when having provided personal data to a third party (excluding a person set forth in each item of Article 2, paragraph (5); hereinafter the same in this Article and the succeeding Article), keep a record pursuant to rules of the Personal Information Protection Commission on the date of the personal data provision, the name or appellation of the third party, and other matters prescribed by rules of the Personal Information Protection Commission. This, however, shall not apply in cases where the personal data provision falls under any of each item of Article 23, paragraph (1) or paragraph (5) (this means, in case of a personal data provision pursuant to the provisions of <u>the preceding Article</u>, any of each item of Article 23, paragraph (1)).</p>

<p>a personal data provision pursuant to the provisions of <u>the preceding Article, paragraph (1)</u>, any of each item of Article 23, paragraph (1).</p> <p>(2) [Omission]</p> <p>(Confirmation etc. when Receiving a Third Party Provision) Article 26</p> <p>(1) A personal information handling business operator shall, when receiving the provision of personal data from a third party, confirm those matters set forth in the following pursuant to rules of the Personal Information Protection Commission. This, however, shall not apply in cases where the said personal data provision falls under any of each item of Article 23, paragraph (1) or paragraph (5).</p> <p>(i) the name or appellation and address and, for a corporate body, the name of its representative of the third party</p> <p>(ii) [Omission]</p> <p>(2) to (4) [Omission]</p> <p><u>(Restriction on Third Party Provision of Personally Referable Information)</u> <u>Article 26-2</u></p> <p><u>(1) A personally referable information handling business operator (meaning a person providing a personally referable information database etc. (Meaning a collective body of information comprising personally referable information (Meaning information relating to a living individual which does not fall under personal information, pseudonymously processed information or anonymously processed information; the same applies hereinafter) which has been systematically organized so as to be able to search using a computer for specific personally referable information or similar others prescribed by cabinet order as systematically organized so as to be able to search easily for specific personally referable information; the same applies hereinafter) for use in business, however, excluding a person set forth in each item of Article 2, paragraph (5); the same applies hereinafter) shall, if it is assumed that a third party will acquire personally referable information (limited to those constituting personally referable information database etc.; the same applies hereinafter) as personal data, except in those cases set forth in each</u></p>	<p>(2) [Omission]</p> <p>(Confirmation etc. when Receiving a Third Party Provision) Article 26</p> <p>(1) A personal information handling business operator shall, when receiving the provision of personal data from a third party, confirm those matters set forth in the following pursuant to rules of the Personal Information Protection Commission. This, however, shall not apply in cases where the said personal data provision falls under any of each item of Article 23, paragraph (1) or paragraph (5).</p> <p>(i) the name or appellation and address of the third party and, for a corporate body, the name of its representative <u>(for a non-corporate body having appointed a representative or administrator, the said representative or administrator)</u></p> <p>(ii) [Omission]</p> <p>(2) to (4) [Omission]</p> <p>(added)</p>
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<p><u>item of Article 23, paragraph (1), not provide the personally referable information to a third party without confirming those matters set forth in the following pursuant to rules of the Personal Information Protection Commission.</u></p>	
<p><u>(i) The principal’s consent to the effect that he or she approves that the third party acquires personally referable information as personal data that can identify the principal receives the provision of personally referable information from handling business operator, has been obtained.</u></p>	(added)
<p><u>(ii) For a provision to a third party in a foreign country, in case of intending to obtain the principal’s consent referred to in the preceding item, pursuant to rules of the Personal Information Protection Commission, information on the personal information protection system of the foreign country, on the action the third party takes for the protection of personal information, and other information that is to serve as a reference to the principal, have been provided in advance to the principal.</u></p>	(added)
<p><u>(2) The provisions of Article 24, paragraph (3) shall apply mutatis mutandis to the case that a personally referable information handling business operator provides personally referable information pursuant to the provisions of the preceding paragraph. In this case, the term “take necessary action to ensure continuous implementation of the equivalent action by the third party, and, in response to a principal’s request, provide information on the necessary action, to the principal.” in Article 24, paragraph (3) is deemed to be replaced with “take necessary action to ensure continuous implementation of the equivalent action by the third party.”</u></p>	(added)
<p><u>(3) The provisions of preceding Article, paragraph (2) through paragraph (4) shall apply mutatis mutandis to the case that a personally referable information handling business operator confirms pursuant to the provisions of paragraph (1). In this case, the term “received the provision of” in the preceding Article, paragraph (3) is deemed to be replaced with “provided.”</u></p>	(added)
<p>(Public Disclosure etc. on Matters relating to Retained Personal Data) Article 27 (1) A personal information handling business operator shall, concerning its retained personal information, put those matters set forth in the following into a</p>	(Public Disclosure etc. on Matters relating to Retained Personal Data) Article 27 (1) A personal information handling business operator shall, concerning its retained personal information, put those matters set forth in the following into a state

<p>state where a principal can know (including those cases in which it, at the request of a principal, responds without delay).</p> <p>(i) <u>the name or appellation and address and, for a corporate body, the name of its representative</u> of the said personal information handling business operator</p> <p>(ii) [Omission]</p> <p>(iii) the procedures for responding to a request pursuant to the provisions of the succeeding paragraph, or, a demand pursuant to the provisions of the succeeding Article, paragraph (1) <u>(including as applied mutatis mutandis pursuant to the succeeding Article, paragraph (5))</u>; Article 29, paragraph (1); or Article 30, paragraph (1), <u>paragraph (3) or paragraph (5)</u> (including, when the amount of a fee has been decided pursuant to the provisions of Article 33, paragraph (2), the amount of the fee)</p> <p>(iv) [Omission]</p> <p>(2)•(3) [Omission]</p> <p>(Disclosure) Article 28 (1) A principal may demand of a personal information handling business operator <u>disclosure of retained personal data that can identify him or herself by a method of providing electromagnetic record or other methods prescribed by rules of the Personal Information Protection Commission.</u></p> <p>(2) A personal information handling business operator shall, when having received a demand pursuant to the provisions of the preceding paragraph, disclose retained personal data to a principal without delay pursuant to <u>a method the principal demands pursuant to the provisions of the preceding paragraph (in cases where disclosure by the method requires a large amount of expenses or when disclosure by other said method is difficult, by a method of delivering a written document)</u>. However, in cases where disclosing such data falls under any of each following item, a whole or part thereof may not be disclosed.</p> <p>(i) to (iii) [Omission]</p> <p>(3) A personal information handling business operator shall, when having decided not to disclose a whole or part of retained personal data in connection with a demand pursuant to the provisions of paragraph (1),</p>	<p>where a principal can know (including those cases in which it, at the request of a principal, responds without delay).</p> <p>(i) the name or appellation of the said personal information handling business operator</p> <p>(ii) [Omission]</p> <p>(iii) the procedures for responding to a request pursuant to the provisions of the succeeding paragraph, or, a demand pursuant to the provisions of the succeeding Article, paragraph (i); Article 29, paragraph (1); or Article 30, paragraph (1) <u>or paragraph (3)</u> (including, when the amount of a fee has been decided pursuant to the provisions of Article 33, paragraph (2), the amount of the fee)</p> <p>(iv) [Omission]</p> <p>(2)•(3) [Omission]</p> <p>(Disclosure) Article 28 (1) A principal may demand of a personal information handling business operator <u>disclosing</u> retained personal data that can identify him or herself.</p> <p>(2) A personal information handling business operator shall, when having received a demand pursuant to the provisions of the preceding paragraph, disclose retained personal data to a principal without delay pursuant to <u>a method prescribed by cabinet order</u>. However, in cases where disclosing such data falls under any of each following item, a whole or part thereof may not be disclosed.</p> <p>(i) to (iii) [Omission]</p> <p>(3) A personal information handling business operator shall, when having decided not to disclose a whole or part of retained personal data in connection with a demand pursuant to the provisions of paragraph (1) <u>or</u></p>
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<p><u>when the retained personal data does not exist, or, when disclosure by a method a principal demanded pursuant to the provisions of the said paragraph is difficult, inform a principal thereof without delay.</u></p> <p>(4) [Omission]</p> <p><u>(5) The provisions of paragraph (1) through paragraph (3) shall apply mutatis mutandis to records (excluding those prescribed by cabinet order as likely to harm the public or other interests if their presence or absence is made known; referred to as a “Third party provision record” in Article 32, paragraph (2)) in Article 25, paragraph (1) and Article 26, paragraph (3) related to personal data that can identify the principal.</u></p> <p>(Correction etc.) Article 29 [Omission]</p> <p>(Utilization Cease etc.) Article 30 (1) A principal may, when retained personal data that can identify the principal is being handled in violation of the provisions of Article 16 <u>or Article 16-2, or, has been acquired in violation of the provisions of Article 17, demand of a personal information handling business operator a utilization cease or deletion (hereinafter referred to as a “utilization cease etc.” in this Article) of the retained personal data.</u></p> <p>(2) to (4) [Omission]</p> <p><u>(5) A principal may demand that the personal information handling business operator fulfill a utilization cease etc. of the retained personal data, or cease a third-party provision, if it has become unnecessary for a personal information handling business operator to utilize retained personal data that can identify the principal, if a situation prescribed in the main clause of Article 22-2, paragraph (1) has occurred in connection with the retained personal data that can identify the principal, or there is a possibility that handling of the retained personal data that can identify the principal would harm the rights or legitimate interests of the principal.</u></p> <p><u>(6) A personal information handling business operator shall, in case of having received a demand pursuant to the provisions of the preceding paragraph and when it has become clear that there is a reason in the demand, fulfill a utilization cease etc. or cease a third-party provision of the said retained personal</u></p>	<p><u>when the retained personal data does not exist, inform a principal thereof without delay.</u></p> <p>(4) [Omission]</p> <p>(added)</p> <p>(Correction etc.) Article 29 [Omission]</p> <p>(Utilization Cease etc.) Article 30 (1) A principal may, when retained personal data that can identify the principal is being handled in violation of the provisions of Article 16 <u>or has been acquired in violation of the provisions of Article 17, demand of a personal information handling business operator a utilization cease or deletion (hereinafter referred to as a “utilization cease etc.” in this Article) of the retained personal data.</u></p> <p>(2) to (4) [Omission]</p> <p>(added)</p> <p>(added)</p>
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<p><u>data to the extent necessary to prevent an infringement of a principal's rights and interests without delay. This, however, shall not apply in cases where a utilization cease etc. or ceasing a third-party provision of the said retained personal data requires a large amount of expenses or other cases where it is difficult to fulfil a utilization cease etc. or to cease a third-party provision and when necessary alternative action is taken to protect a principal's rights and interests.</u></p> <p>(7) A personal information handling business operator shall, when having fulfilled a utilization cease etc. or decided not to fulfill a utilization cease etc. of a whole or part of retained personal data in connection with a demand pursuant to the provisions of paragraph (1) <u>or paragraph (5)</u>, or, when having ceased a third-party provision or decided not to cease a third-party provision of a whole or part of retained personal data in connection with a demand pursuant to the provisions of paragraph (3) <u>or paragraph (5)</u>, inform a principal to that effect without delay.</p> <p>(Explanation of Reason) Article 31 A personal information handling business operator shall, <u>in case of informing a principal to the effect that, as regards a whole or part of action requested or demanded by the principal pursuant to the provisions of Article 27, paragraph (3); Article 28, paragraph (3) (including as applied mutatis mutandis pursuant to the succeeding Article 28, paragraph (5)); Article 29, paragraph (3); or the preceding Article, paragraph (7),</u> the action will not be taken, or to the effect that different action from the said action will be taken, strive to explain a reason therefor to the said principal.</p> <p>(Procedure for Responding to a Demand etc. for Disclosure etc.) Article 32 (1) A personal information handling business operator may, as regards a request pursuant to the provisions of Article 27, paragraph (2), or, a demand pursuant to the provisions of Article 28, paragraph (1) <u>(including as applied mutatis mutandis pursuant to the succeeding Article 28, paragraph (5); the same apply in the following Article, paragraph (1) and Article 34); Article 29, paragraph (1); Article 30, paragraph (1), paragraph (3) or paragraph (5)</u> (hereinafter referred to as a “demand etc. for disclosure etc.” in this Article and Article 53, paragraph (1)), decide on a method of receiving a request or demand pursuant to those</p>	<p>(5) A personal information handling business operator shall, when having fulfilled a utilization cease etc. or decided not to fulfill a utilization cease etc. of a whole or part of retained personal data in connection with a demand pursuant to the provisions of paragraph (1), or, when having ceased a third-party provision or decided not to cease a third-party provision of a whole or part of retained personal data in connection with a demand pursuant to the provisions of paragraph (3), inform a principal to that effect without delay.</p> <p>(Explanation of Reason) Article 31 A personal information handling business operator shall, <u>in case of informing a principal to the effect that, as regards a whole or part of action requested or demanded by the principal pursuant to the provisions of Article 27, paragraph (3); Article 28, paragraph (3); Article 29, paragraph (3); or the preceding Article, paragraph (5),</u> the action will not be taken, or to the effect that different action from the said action will be taken, strive to explain a reason therefor to the said principal.</p> <p>(Procedure for Responding to a Demand etc. for Disclosure etc.) Article 32 (1) A personal information handling business operator may, as regards a request pursuant to the provisions of Article 27, paragraph (2), or, a demand pursuant to the provisions of Article 28, paragraph (1); Article 29, paragraph (1); Article 30, paragraph (1) <u>or paragraph (3)</u> (hereinafter referred to as a “demand etc. for disclosure etc.” in this Article and Article 53, paragraph (1)), decide on a method of receiving a request or demand pursuant to those prescribed by cabinet order. In this case, a principal shall make a demand etc. for disclosure etc. in accordance with the method.</p>
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<p>prescribed by cabinet order. In this case, a principal shall make a demand etc. for disclosure etc. in accordance with the method.</p> <p>(2) A personal information handling business operator may, as regards a demand etc. for disclosure etc., request a principal to present a matter sufficient to specify retained personal data <u>or a third party provision record</u> subject to the demand etc. In this case, a personal information handling business operator shall take appropriate action in consideration of a principal's convenience such as providing information conducive to specify the retained personal data <u>or the third party provision record</u> so that the principal would be able to easily and precisely make a demand etc. for disclosure etc.</p> <p>(3)•(4) [Omission]</p> <p>(Fee) Article 33 [Omission]</p> <p>(Advance Demand) Article 34</p> <p>(1) A principal may, when intending to file a lawsuit in connection with a demand pursuant to the provisions of Article 28, paragraph (1); Article 29, paragraph (1); or Article 30, paragraph (1), <u>paragraph (3) or paragraph (5)</u>, not file the lawsuit unless the principal had previously issued the demand against a person who should become a defendant in the lawsuit and two weeks have passed from the delivery day of the issued demand. This, however, shall not apply when the person who should become a defendant in the lawsuit has rejected the demand.</p> <p>(2) [Omission]</p> <p>(3) The provisions of the preceding two paragraphs shall apply mutatis mutandis to a petition for a provisional disposition order in connection with a demand pursuant to the provisions of Article 28, paragraph (1); Article 29, paragraph (1); or Article 30, paragraph (1), <u>paragraph (3) or paragraph (5)</u>.</p> <p>(Personal Information Handling Business Operator's Dealing with a Complaint) Article 35 [Omission]</p> <p><u>Section 2 Obligations of a Pseudonymously Processed Information Handling Business Operator etc.</u></p>	<p>(2) A personal information handling business operator may, as regards a demand etc. for disclosure etc., request a principal to present a matter sufficient to specify retained personal data subject to the demand etc. In this case, a personal information handling business operator shall take appropriate action in consideration of a principal's convenience such as providing information conducive to specify the retained personal data so that the principal would be able to easily and precisely make a demand etc. for disclosure etc.</p> <p>(3)•(4) [Omission]</p> <p>(Fee) Article 33 [Omission]</p> <p>(Advance Demand) Article 34</p> <p>(1) A principal may, when intending to file a lawsuit in connection with a demand pursuant to the provisions of Article 28, paragraph (1); Article 29, paragraph (1); or Article 30, paragraph (1) <u>or paragraph (3)</u>, not file the lawsuit unless the principal had previously issued the demand against a person who should become a defendant in the lawsuit and two weeks have passed from the delivery day of the issued demand. This, however, shall not apply when the person who should become a defendant in the lawsuit has rejected the demand.</p> <p>(2) [Omission]</p> <p>(3) The provisions of the preceding two paragraphs shall apply mutatis mutandis to a petition for a provisional disposition order in connection with a demand pursuant to the provisions of Article 28, paragraph (1); Article 29, paragraph (1); or Article 30, paragraph (1) <u>or paragraph (3)</u>.</p> <p>(Personal Information Handling Business Operator's Dealing with a Complaint) Article 35 [Omission]</p> <p>(added)</p>
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<p><u>(Production etc. of Pseudonymously Processed Information)</u></p>	<p>(added)</p>
<p><u>Article 35-2</u></p>	
<p><u>(1) A personal information handling business operator shall, when producing pseudonymously processed information (limited to those constituting pseudonymously processed information database etc.; hereinafter the same), process personal information in accordance with standards prescribed by rules of the Personal Information Protection Commission as those necessary to make it impossible to identify a specific individual unless collated with other information.</u></p>	
<p><u>(2) A personal information handling business operator, when having produced pseudonymously processed information or having acquired pseudonymously processed information and deleted information etc. (meaning information related to descriptions etc. and individual identification codes that were deleted from personal information that was used to produce the pseudonymously processed information, and, a method of processing carried out pursuant to the provisions of the preceding paragraph; hereinafter the same applies in this Article, and in Article 35-2, paragraph (7), as applied mutatis mutandis pursuant to Article 35-3, paragraph (3) following the deemed replacement of terms) related to the pseudonymously processed information shall, in accordance with standards prescribed by rules of the Personal Information Protection Commission as those necessary to prevent the leakage of deleted information etc., take action for the security control of deleted information etc.</u></p>	<p>(added)</p>
<p><u>(3) A pseudonymously processed information handling business operator (limited to those that are personal information handling business operators; hereinafter the same applies in this Article) shall, notwithstanding the provisions of Article 16, except in cases based on laws and regulations, not handle a pseudonymously processed information (limited to those that are personal information; hereinafter the same applies in this Article) beyond the necessary scope to achieve the utilization purpose specified pursuant to the provisions of Article 15, paragraph (1).</u></p>	<p>(added)</p>
<p><u>(4) With regard to applying the provisions of Article 18 related to pseudonymously processed information, the phrase “inform a principal of, or disclose to the public” in Article 18, paragraph (1) and paragraph (3) is deemed to be replaced with “disclose to the public”; the phrase “informing a principal of, or disclosing to the public,” in the provisions of Article</u></p>	<p>(added)</p>

<p><u>18, paragraph (4), item (i) through (iii), is deemed to be replaced with “disclosing to the public”.</u></p>	
<p><u>(5) A pseudonymously processed information handling business operator shall strive to delete personal data that are pseudonymously processed information and deleted information etc. without delay when utilization of the personal data and the deleted information etc. has become unnecessary. In this case, the provisions of Article 19 shall not apply.</u></p>	(added)
<p><u>(6) A pseudonymously processed information handling business operator shall, notwithstanding the provisions of Article 23, paragraph (1) and paragraph (2), and, Article 24, paragraph (1), except in cases based on laws and regulations, not provide personal data that is pseudonymously processed information to a third party. In this case, the phrase “each preceding paragraph” in Article 23, paragraph (5) is deemed to be replaced with “Article 35-2, paragraph (6)”;</u> the phrase “a principal has in advance been informed or a state has been in place where a principal can easily know” in item (iii) of the said paragraph, is deemed to be replaced with “it is disclosed to the public in advance”; the phrase “inform a principal of the contents to be altered or put them into a state where a principal can easily know” in Article 23, paragraph (6), is deemed to be replaced with “disclose to the public, the contents to be altered”; the phrase “any of each item of Article 23, paragraph (1) or paragraph (5) (this means, in case of a personal data provision pursuant to the provisions of the preceding Article, any of each item of Article 23, paragraph (1))” in the proviso of Article 25, paragraph (1), and, the phrase “any of each item of Article 23, paragraph (1) or paragraph (5)” in the proviso of Article 26, paragraph (1), is deemed to be replaced with “cases based on laws and regulations or any of each item of Article 23, paragraph (5)”.</p>	(added)
<p><u>(7) A pseudonymously processed information handling business operator, shall, in handling pseudonymously processed information, not collate the said pseudonymously processed information with other information in order to identify a principal concerned with personal information used to produce the pseudonymously processed information.</u></p>	(added)
<p><u>(8) A pseudonymously processed information handling business operator, shall, in handling pseudonymously processed information, not utilize a contact address and other information contained in the pseudonymously processed information for</u></p>	(added)

<p><u>telephoning, sending by post or by a correspondence delivery prescribed in Article 2, paragraph (2) of the Act on Correspondence Delivery by Private Business Operators (Act No. 99 of 2002) conducted by a general correspondence delivery operator prescribed in Article 2, paragraph (6) or a specified letter delivery operator prescribed in Article 2, paragraph (9), delivering a telegram, transmitting by using a facsimile machine or electronic or magnetic means (meaning means that use electronic data processing system or means that utilize other information communication technology as prescribed by rules of the Personal Information Protection Commission), or, visiting a residence.</u></p>	
<p><u>(9) The provisions of Article 15, paragraph (2), Article 22-2 and Article 27 through Article 34 shall not apply in regard to pseudonymously processed information, personal data that is pseudonymously processed information and retained personal data that is pseudonymously processed information.</u></p>	(added)
<p><u>(Restriction etc. on Third Party Provision of Pseudonymously Processed Information)</u></p>	(added)
<p><u>Article 35-3</u></p>	
<p><u>(1) A pseudonymously processed information handling business operator shall, except in cases based on laws and regulations, not provide pseudonymously processed information (excluding those that are personal information; the same shall apply in the succeeding paragraph and paragraph (3)) to a third party.</u></p>	
<p><u>(2) The provisions of Article 23, paragraph (5) and paragraph (6) shall apply mutatis mutandis to a person receiving the provision of pseudonymously processed information. In this case, the phrase “each preceding paragraph” in Article 23, paragraph (5) is deemed to be replaced with “Article 35-3, paragraph (1)”;</u> the term “personal information handling business operator” in item (i) of the said paragraph, is deemed to be replaced with “pseudonymously processed information handling business operator”; the phrase “a principal has in advance been informed or a state has been in place where a principal can easily know” in item (iii) of the said paragraph, is deemed to be replaced with “it is disclosed to the public”; the term “personal information handling business operator” in Article 23, paragraph (6), is deemed to be replaced with “pseudonymously processed information handling business operator” and the phrase “inform a principal of the contents to be altered or put them into a state where a principal can easily know” is</p>	(added)

deemed to be replaced with “disclose to the public, the contents to be altered” in Article 23, paragraph (6).

(3) The provisions of Article 20 through Article 22, Article 35, and, paragraph (7) and paragraph (8) of the preceding Article shall apply mutatis mutandis to the handling of pseudonymously processed information by a pseudonymously processed information handling business operator. In this case, the phrase “leakage, loss or damage” in Article 20 is deemed to be replaced with “leakage” and the phrase “not” in Article 35-2, paragraph (7) is deemed to be replaced with “neither acquire deleted information etc., nor”.

Section 3 Obligations of an Anonymously Processed Information Handling Business Operator etc.

Articles 36 to 39 [Omission]

Section 4 Supervision

(Report and Onsite Inspection)

Article 40

(1) The Personal Information Protection Commission may, to the extent necessary to implement the provisions under the preceding three Sections and this Section, require a personal information handling business operator, a personally referable information handling business operator, pseudonymously processed information business operator or anonymously processed information handling business operator (hereinafter referred to collectively as a “personal information handling business operator etc.”) and other concerned person to submit necessary information or material relating to the handling of personal information, personally referable information, pseudonymously processed information or anonymously processed information (hereinafter referred to collectively as “personal information etc.”), or have its officials enter a business office or other necessary place of a personal information handling business operator etc. or other concerned person, inquire about the handling of personal information etc., or inspect a book, document and other property.

(2)•(3) [Omission]

(added)

Section 2 Obligations of an Anonymously Processed Information Handling Business Operator etc.

Articles 36 to 39 [Omission]

Section 3 Supervision

(Report and Onsite Inspection)

Article 40

(1) The Personal Information Protection Commission may, to the extent necessary to implement the provisions under the preceding two Sections and this Section, require a personal information handling business operator or anonymously processed information handling business operator (hereinafter referred to collectively as a “personal information handling business operator etc.”) to submit necessary information or material relating to the handling of personal information or anonymously processed information (hereinafter referred to collectively as “personal information etc.”), or have its officials enter a business office or other necessary place of a personal information handling business operator etc., inquire about the handling of personal information etc., or inspect a book, document and other property.

(2)•(3) [Omission]

<p>(Guidance and Advice) Article 41 The Personal Information Protection Commission may, to the extent necessary to implement the provisions under <u>the preceding three Sections</u>, provide a personal information handling business operator etc. with necessary guidance or advice on the handling of personal information etc.</p>	<p>(Guidance and Advice) Article 41 The Personal Information Protection Commission may, to the extent necessary to implement the provisions under <u>the preceding two Sections</u>, provide a personal information handling business operator etc. with necessary guidance or advice on the handling of personal information etc.</p>
<p>(Recommendation and Order) Article 42 (1) The Personal Information Protection Commission may, when recognizing there is a need for protecting an individual's rights and interests <u>in cases where</u> a personal information handling business operator has violated the provisions under Article 16 through <u>Article 17, Article 18 (including the cases where the provisions under paragraph (1), (3) and (4) are applied with replacement of terms pursuant to the Article 35-2, paragraph (4)), Article 20 through Article 22-2, Article 23 (excluding paragraph (4); including the cases where the provisions under paragraph (5) and (6) are applied with replacement of terms pursuant to Article 35-2, paragraph (6)), Article 24, Article 25 (including the cases where the provisions of proviso of paragraph (1) is applied with replacement of terms pursuant to Article 35-2, paragraph (6)), Article 26 (excluding paragraph (2); including the cases where the provisions of proviso of paragraph (1) is applied with replacement of terms pursuant to Article 35-2, paragraph (6)), Article 27, Article 28 (excluding paragraph (1) (including as applied mutatis mutandis pursuant to paragraph (5)), Article 29, paragraph (2) or (3), Article 30 (excluding paragraph (1), (3) and (5)), Article 33, paragraph (2), Article 35-2 (excluding paragraph (4) and (5)) or Article 36 (excluding paragraph (6)), in cases where a personally referable information handling business operator has violated the provisions under Article 26-2, paragraph (1), or, the provisions of Article 24, paragraph (3), as applied mutatis mutandis pursuant to Article 26-2, paragraph (2) following the deemed replacement of terms, or, the provisions of Article 26, paragraph (3) or (4), as applied mutatis mutandis pursuant to Article 26-2, paragraph (3) following the deemed replacement of terms, in cases where a pseudonymously processed information handling business operator has violated the provisions under Article 35-3, paragraph (1), or, Article 23, paragraph (5) or (6), as applied mutatis mutandis pursuant to Article 35-3, paragraph (2) following the deemed replacement of terms, or, the provisions under Article 20 through Article 22 or Article 35-2, paragraph (7) or (8) as applied mutatis</u></p>	<p>(Recommendation and Order) Article 42 (1) The Personal Information Protection Commission may, when recognizing there is a need for protecting an individual's rights and interests <u>in cases where</u> a personal information handling business operator has violated the provisions under Article 16 through <u>Article 18, Article 20 through Article 22, Article 23 (excluding paragraph (4)), Article 24, Article 25, Article 26 (excluding paragraph (2)), Article 27, Article 28 (excluding paragraph (1)), Article 29, paragraph (2) or (3), Article 30 (2), paragraph (4) or (5), Article 33, paragraph (2) or Article 36 (excluding paragraph (6)) or in cases where</u> an anonymously processed information handling business operator has violated the provisions under Articles 37 or 38, recommend the personal information handling business operator etc. to suspend the act of violating or take other necessary action to rectify the violation.</p>

<p><u>mutandis pursuant to Article 35-3, paragraph (3) following the deemed replacement of terms, or, in cases where an anonymously processed information handling business operator has violated the provisions under Articles 37 or 38, recommend the personal information handling business operator etc. to suspend the act of violating or take other necessary action to rectify the violation.</u></p> <p>(2) [Omission]</p> <p>(3) <u>The Personal Information Protection Commission may, notwithstanding the provisions under the preceding two paragraphs when recognizing there is a need to take urgent action because there is a fact that seriously harms an individual's rights and interests in cases where a personal information handling business operator has violated the provisions under Article 16 through Article 17, Article 20 through Article 22-2, Article 23, paragraph (1), Article 24, paragraph (1) or (3), Article 35-2, paragraph (1) through (3), or paragraph (6) through (8), or Article 36, paragraph (1), paragraph (2) or paragraph (5), in cases where a personally referable information handling business operator has violated the provisions under Article 26-2, paragraph (1), or, Article 24, paragraph (3), as applied mutatis mutandis pursuant to Article 26-2, paragraph (2) following the deemed replacement of terms, in cases where a pseudonymously processed information handling business operator has violated the provisions under Article 35-3, paragraph (1), or, Article 20 through Article 22 or Article 35-2, paragraph (7) or (8), as applied mutatis mutandis pursuant to Article 35-3, paragraph (3) following the deemed replacement of terms, or, in cases where an anonymously processed information handling business operator has violated the provisions under Article 38, order the personal information handling business operator etc. to take necessary action to rectify the violation such as suspending the act of violation.</u></p> <p>(4) <u>The Personal Information Protection Commission may, in case of issuing an order pursuant to the provisions under the preceding two paragraphs, when the personal information handling business operator etc. that has received the order has violated the order, make public announcement to that effect.</u></p> <p>(Restriction on the Personal Information Protection Commission's Exercising the Authority) Article 43 [Omission]</p>	<p>(2) [Omission]</p> <p>(3) The Personal Information Protection Commission may, notwithstanding the provisions under the preceding two paragraphs when recognizing there is a need to take urgent action because there is a fact that seriously harms an individual's rights and interests <u>in cases where a personal information handling business operator has violated the provisions of Article 16, Article 17, Article 20 through Article 22, Article 23, paragraph (1), Article 24 or Article 36, paragraph (1), paragraph (2) or paragraph (5) or</u> in cases where an anonymously processed information handling business operator has violated the provisions under Article 38, order the personal information handling business operator etc. to take necessary action to rectify the violation such as suspending the act of violation.</p> <p>(4) (added)</p> <p>(Restriction on the Personal Information Protection Commission's Exercising the Authority) Article 43 [Omission]</p>
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<p>(Delegation of Authority) Article 44 (1) The Personal Information Protection Commission may, when recognizing that there is a need for effectively giving a personal information handling business operator a recommendation <u>pursuant to the provisions of Article 42, paragraph (1) or order pursuant to the provisions of Article 42, paragraph (2) or (3)</u> because there is a need to urgently and intensively seek ensuring the proper handling of personal information etc. or similar other circumstances prescribed by cabinet order, delegate an authority under the provisions of <u>Article 22-2, paragraph (1), Article 40, paragraph (1), the Code of Civil Procedure (Act No. 109 of 1996) Article 99, Article 101, Article 103, Article 105, Article 106, Article 108 and Article 109, as applied mutatis mutandis pursuant to Article 58-3 following the deemed replacement of terms, Article 58-4 and Article 58-5</u> to a business jurisdictional minister as prescribed by cabinet order.</p> <p>(2) to (9) [Omission]</p>	<p>(Delegation of Authority) Article 44 (1) The Personal Information Protection Commission may, when recognizing that there is a need for effectively giving a personal information handling business operator a recommendation or order pursuant to the provisions of <u>Article 42</u> because there is a need to urgently and intensively seek ensuring the proper handling of personal information etc. or similar other circumstances prescribed by cabinet order, delegate an authority under the provisions of <u>Article 40, paragraph (1)</u> to a business jurisdictional minister as prescribed by cabinet order.</p> <p>(2) to (9) [Omission]</p>
<p>(Request by Business Jurisdictional Minister) Article 45 A business jurisdictional minister may, when recognizing that there is a need for ensuring the proper handling of personal information etc. by a personal information handling business operator etc. including that there is an act of a personal information handling business operator etc. violating the provisions under <u>the preceding three Sections</u>, request the Personal Information Protection Commission to take appropriate action in accordance with the provisions of this Act.</p>	<p>(Request by Business Jurisdictional Minister) Article 45 A business jurisdictional minister may, when recognizing that there is a need for ensuring the proper handling of personal information etc. by a personal information handling business operator etc. including that there is an act of a personal information handling business operator etc. violating the provisions under <u>the preceding two Sections</u>, request the Personal Information Protection Commission to take appropriate action in accordance with the provisions of this Act.</p>
<p>(Business Jurisdictional Minister) Article 46 [Omission]</p>	<p>(Business Jurisdictional Minister) Article 46 [Omission]</p>
<p><u>Section 5</u> Private-Sector Body's Promotion for the Protection of Personal Information</p>	<p><u>Section 4</u> Private-Sector Body's Promotion for the Protection of Personal Information</p>
<p>(Accreditation) Article 47 (1) A corporation (including a non-corporate body which has appointed a representative or administrator; the same shall apply in the succeeding Article, item (iii), (b)) which intends to render the following services in order to ensure the proper handling of <u>personal information etc. (excluding personally referable information; hereinafter the same applies in this Section)</u> by a personal information</p>	<p>(Accreditation) Article 47 (1) A corporation (including a non-corporate body which has appointed a representative or administrator; the same shall apply in the succeeding Article, item (iii), (b)) which intends to render the following services in order to ensure the proper handling of <u>personal information etc. by a personal information handling business operator etc.</u> may receive an accreditation from the Personal</p>

<p><u>handling business operator etc. (excluding personally referable information handling business operator; hereinafter the same applies in this Section)</u> may receive an accreditation from the Personal Information Protection Commission.</p>	<p>Information Protection Commission.</p>
<p>(i) to (iii) [Omission]</p>	<p>(i) to (iii) [Omission]</p>
<p><u>(2) The accreditation set forth in the preceding paragraph may be limited in respect of the type or scope of services of personal information handling business operator etc.</u></p>	<p>(added)</p>
<p><u>(3) A person who intends to receive an accreditation under paragraph (1) shall, as prescribed by cabinet order, apply to the Personal Information Protection Commission.</u></p>	<p><u>(2) A person who intends to receive an accreditation under the preceding paragraph shall, as prescribed by cabinet order, apply to the Personal Information Protection Commission.</u></p>
<p><u>(4) The Personal Information Protection Commission shall, when having granted an accreditation under the paragraph (1), announce to the public to that effect (including the scope of services concerning the accreditation, in cases of the accreditation limiting the scope of services pursuant to the provisions of paragraph (2)).</u></p>	<p><u>(3) The Personal Information Protection Commission shall, when having granted an accreditation under the paragraph (1), announce to the public to that effect.</u></p>
<p>Articles 48•49 [Omission]</p>	<p>Articles 48•49 [Omission]</p>
<p><u>(Accreditation of alteration etc.)</u></p>	<p>(added)</p>
<p><u>Article 49-2</u></p>	<p>(added)</p>
<p><u>(1) A person who has received an accreditation under Article 47, paragraph (1) (including the accreditation limiting the scope of services pursuant to the provisions of Article 47, paragraph (2); the same applies to Article 48, paragraph (1) and Article 58, paragraph (1), item (v)) must, when intending to alter the scope of services concerning the accreditation, receive an accreditation from the Personal Information Protection Commission. This, however, shall not apply to a minor alteration as specified by the rules of the Personal Information Protection Commission.</u></p>	<p>(added)</p>
<p><u>(2) The provisions of Article 47, paragraph (3), (4) and the preceding Article shall apply mutatis mutandis to the accreditation of alteration in the preceding paragraph.</u></p>	<p>(added)</p>
<p>(Notification of Termination) Article 50</p>	<p>(Notification of Termination) Article 50</p>
<p><u>(1) A person who has received an accreditation (including the accreditation of alteration in the</u></p>	<p><u>(1) A person who has received an accreditation under Article 47, paragraph (1) (hereinafter referred to as</u></p>

<p><u>preceding Article, paragraph (1)</u> under Article 47, paragraph (1) (hereinafter referred to as an “accredited personal information protection organization”) shall, when intending to terminate services concerning the accreditation (hereinafter referred to as “accredited services”), in advance notify the Personal Information Protection Commission to that effect as prescribed by cabinet order.</p> <p>(2) [Omission]</p> <p>(Covered Business Operator) Article 51 (1) An accredited personal information protection organization shall make its covered business operators composed of a personal information handling business operator etc. who has consented to becoming covered by the accredited services. <u>In this case, if a covered business operator does not fulfill the personal information protection guideline prescribed by Article 53, paragraph (1) even though actions pursuant to Article 53, paragraph (4) was taken, the covered business operator may be excluded from being covered by the accredited services.</u></p> <p>(2) [Omission]</p> <p>(Dealing with a Complaint) Article 52 [Omission]</p> <p>(Personal Information Protection Guideline) Article 53 (1) An accredited personal information protection organization shall, for the purpose of ensuring a covered business operator’s proper handling of personal information etc., strive to develop a guideline conformable to the purport of the provisions of this Act (hereinafter referred to as a “personal information protection guideline”) by asking a person representing consumers or other concerned person for their opinion in regard to a matter related to personal information including utilization purpose specification, security control action and procedures for responding to a demand etc. for disclosure etc. as well as a matter related to <u>pseudonymously processed information or</u> anonymously processed information including its production method and security control action for such information.</p> <p>(2) to (4) [Omission]</p>	<p>an “accredited personal information protection organization”) shall, when intending to terminate services concerning the accreditation (hereinafter referred to as “accredited services”), in advance notify the Personal Information Protection Commission to that effect as prescribed by cabinet order.</p> <p>(2) [Omission]</p> <p>(Covered Business Operator) Article 51 (1) An accredited personal information protection organization shall make its covered business operators composed of a personal information handling business operator etc. <u>who is a constituent of the said accredited personal information protection organization or</u> who has consented to becoming covered by the accredited services.</p> <p>(2) [Omission]</p> <p>(Dealing with a Complaint) Article 52 [Omission]</p> <p>(Personal Information Protection Guideline) Article 53 (1) An accredited personal information protection organization shall, for the purpose of ensuring a covered business operator’s proper handling of personal information etc., strive to develop a guideline conformable to the purport of the provisions of this Act (hereinafter referred to as a “personal information protection guideline”) by asking a person representing consumers or other concerned person for their opinion in regard to a matter related to personal information including utilization purpose specification, security control action and procedures for responding to a demand etc. for disclosure etc. as well as a matter related to anonymously processed information including its production method and security control action for such information.</p> <p>(2) to (4) [Omission]</p>
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<p>Articles 54 to 57 [Omission]</p> <p>(Rescinding the Accreditation) Article 58 (1) The Personal Information Protection Commission may, when an accredited personal information protection organization falls under any of each following item, rescind the accreditation.</p> <p>(i) to (iv) [Omission]</p> <p>(v) when having received an accreditation under Article 47, paragraph (1), <u>or an accreditation of alteration under Article 49-2, paragraph (1) by improper means</u></p> <p>(2) [Omission]</p> <p><u>Section 6 Service</u></p> <p><u>(Document to be served)</u> <u>Article 58-2</u> <u>(1) A requirement to submit a report or material pursuant to the provisions of Article 40, paragraph (1), a recommendation pursuant to the provisions of Article 42, paragraph (1) or an order pursuant to Article 42, paragraph (2) or (3), a call for a report pursuant the provisions of to Article 56, an order pursuant to the provisions of Article 57, or a rescission pursuant to the provisions of the preceding Article, paragraph (1), is given by serving a document specified by rules of the Personal Information Protection Commission.</u></p> <p><u>(2) A notice under Article 15, paragraph (1) or Article 30 of the Administrative Procedure Act (Act No. 88 of 1993) relating to the order pursuant to the provisions of Article 42, paragraph (2) or (3) or Article 57, or, rescission pursuant to the preceding Article, paragraph (1), is given by serving a document of the Article 15, paragraph (1) and (2) or Article 30 of the Act. In this case, the provisions of Article 15, paragraph (3) of the Act (including cases where it is applied mutatis mutandis pursuant to Article 31 of the Act following the deemed replacement of terms) shall not apply.</u></p> <p><u>(Application Mutatis Mutandis of the Code of Civil Procedure Concerning Service)</u> <u>Article 58-3</u> <u>The provisions of Articles 99, 101, 103, 105, 106, 108, and 109 of the Code of Civil Procedure apply mutatis mutandis to the service pursuant to the</u></p>	<p>Articles 54 to 57 [Omission]</p> <p>(Rescinding the Accreditation) Article 58 (1) The Personal Information Protection Commission may, when an accredited personal information protection organization falls under any of each following item, rescind the accreditation.</p> <p>(i) to (iv) [Omission]</p> <p>(v) when having received an accreditation under Article 47, paragraph (1) by improper means</p> <p>(2) [Omission]</p> <p>(added)</p> <p>(added)</p> <p>(added)</p> <p>(added)</p>
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<p><u>provisions of the preceding Article. In this case, the term “court execution officer” in Article 99, paragraph (1) of the Act is deemed to be replaced by “official of the Personal Information Protection Commission”, and the terms “presiding judge” in Article 108 of the Act and “court” in Article 109 of the Act are deemed to be replaced by “Personal Information Protection Commission”.</u></p>	
<p><u>(Service by Publication)</u> <u>Article 58-4</u></p>	(added)
<p><u>(1) The Personal Information Protection Commission may effect service by publication in the following cases:</u></p>	
<p><u>(i) if the domicile or residence of the person to be served or the place where service is to be effected is unknown;</u></p>	(added)
<p><u>(ii) if, with regard to service that would be effected in a foreign country, it is impossible to effect service by the means prescribed in Article 108 of the Code of Civil Procedure as applied mutatis mutandis pursuant to the preceding Article following the deemed replacement of terms, or it is found to be impossible to effect service by those means; or</u></p>	(added)
<p><u>(iii) if, even after six months have passed since a commission was issued to the competent government agency of a foreign country pursuant to the provisions of Article 108 of the Code of Civil Procedure as applied mutatis mutandis pursuant to the preceding Article following the deemed replacement of terms, no document that certifies that the agency has effected service has been sent.</u></p>	(added)
<p><u>(2) Service by publication is effected by posting on the notice board of the Personal Information Protection Commission to the effect that the documents to be served will be delivered at any time to the person to be served.</u></p>	(added)
<p><u>(3) Service by publication becomes effective once two weeks have passed from the date on which the posting under the provisions of the preceding paragraph was commenced.</u></p>	(added)
<p><u>(4) The period set forth in the preceding paragraph is six weeks for service by publication that is done for service that would be effected in a foreign country.</u></p>	(added)

<p><u>(Use of Electronic Data Processing Systems)</u> <u>Article 58-5</u> When an official of the Personal Information Protection Commission administers affairs related to those that are to be given by serving a document pursuant to the provisions of Article 58-2, and a disposition notice, etc. prescribed in Article 3, item (ix) of the Act on the Use of Information and Communications Technology in Administrative Procedures (Act No. 151 of 2002) using an electronic data processing system prescribed in Article 6, paragraph (1) of the Act pursuant to Article 7, paragraph (1) of the Act, the official must use that electronic data processing system, to record the particulars of the service under the provisions of Article 109 of the Code of Civil Procedure as applied mutatis mutandis pursuant to Article 58-3, in a file that is stored on a computer (including input or output device) used by the Personal Information Protection Commission instead of preparing and submitting a document that states those particulars.</p>	<p>(added)</p>
<p>Chapter 5 The Personal Information Protection Commission</p>	<p>Chapter 5 The Personal Information Protection Commission</p>
<p>Articles 59•60 [Omission]</p>	<p>Articles 59•60 [Omission]</p>
<p>(Jurisdictional Affairs) Article 61 The Commission is to administer the following affairs in order to fulfil the duties under the preceding Article.</p>	<p>(Jurisdictional Affairs) Article 61 The Commission is to administer the following affairs in order to fulfil the duties under the preceding Article.</p>
<p>(i) [Omission]</p> <p>(ii) affairs (excluding those set forth in item (iv)) related to supervision related to the handling of personal information by a personal information handling business operator, <u>the handling of personally referable information by a personally referable information handling business operator, the handling of pseudonymously processed information by a personal information handling business operator and a pseudonymously processed information handling business operator, and, the handling of anonymously processed information by a personal information handling business operator and anonymously processed information handling business operator, supervision related to the handling, by an Administrative Organ prescribed in Article 2, paragraph (1) of the Act on the Protection of Personal Information Held by Administrative Organs, of an</u></p>	<p>(i) [Omission]</p> <p>(ii) affairs (excluding those set forth in item (iv)) related to supervision related to the handling of personal information by a personal information handling business operator, and, to the handling of anonymously processed information by a personal information handling business operator and anonymously processed information handling business operator, supervision related to the handling, by an Administrative Organ prescribed in Article 2, paragraph (1) of the Act on the Protection of Personal Information Held by Administrative Organs, of an Anonymized Personal Information Held by Administrative Organ (limited to those constituting an Anonymized Personal Information File Held by Administrative Organs as prescribed in paragraph (10) of the same Article) prescribed in paragraph (9) of the same Article, supervision related to the handling, by</p>

<p>Anonymized Personal Information Held by Administrative Organ (limited to those constituting an Anonymized Personal Information File Held by Administrative Organs as prescribed in paragraph (10) of the same Article) prescribed in paragraph (9) of the same Article, supervision related to the handling, by an incorporated administrative agency, etc., of an anonymized personal information held by an incorporated administrative agency, etc. prescribed in Article 2, paragraph (9) of the Act on the Protection of Personal Information Held by Incorporated Administrative Agencies, etc. (limited to those constituting an anonymized personal Information file of an incorporated administrative agency, etc. as prescribed in paragraph (10) of the same Article), and, affairs related to necessary mediation on a lodged complaint related to the handling of personal information, <u>pseudonymously processed information</u> and anonymously processed information, and to cooperation offered to a business operator who deals with that complaint.</p>	<p>an incorporated administrative agency, etc., of an anonymized personal information held by an incorporated administrative agency, etc. prescribed in Article 2, paragraph (9) of the Act on the Protection of Personal Information Held by Incorporated Administrative Agencies, etc. (limited to those constituting an anonymized personal Information file of an incorporated administrative agency, etc. as prescribed in paragraph (10) of the same Article), and, affairs related to necessary mediation on a lodged complaint related to the handling of personal information and anonymously processed information, and to cooperation offered to a business operator who deals with that complaint.</p>
<p>(iii) to (ix) [Omission]</p>	<p>(iii) to (ix) [Omission]</p>
<p>Articles 62 to 74 [Omission]</p>	<p>Articles 62 to 74 [Omission]</p>
<p>Chapter 6 Miscellaneous Provisions</p>	<p>Chapter 6 Miscellaneous Provisions</p>
<p>(Scope of Application)</p>	<p>(Scope of Application)</p>
<p><u>Article 75</u></p>	<p><u>Article 75</u></p>
<p><u>This Act shall also apply in those cases where a personal information handling business operator etc., in relation to supplying a good or service to a person in Japan, handles the personal information that has a person in Japan as the principal, personally referable information that is to be acquired as the said personal information, pseudonymously processed information or anonymously processed information produced by using the said personal information, in a foreign country.</u></p>	<p><u>The provisions of Article 15, Article 16, Article 18 (excluding paragraph (2)), Article 19 through Article 25, Article 27 thorough Article 36, Article 41, Article 42, paragraph (1), Article 43 and the following Article shall also apply in those cases where a personal information handling business operator who in relation to supplying a good or service to a person in Japan has acquired personal information relating to the person being as a principal handles in a foreign country the personal information or anonymously processed information produced by using the said personal information.</u></p>
<p>(Exclusion from Application)</p>	<p>(Exclusion from Application)</p>
<p>Article 76</p>	<p>Article 76</p>
<p>(1)•(2) [Omission]</p>	<p>(1)•(2) [Omission]</p>
<p>(3) A personal information handling business operator etc. set forth in each item of paragraph (1) shall strive to take itself necessary and appropriate action for the security control of personal data, <u>pseudonymously processed information or anonymously processed information</u> and necessary action to ensure the proper</p>	<p>(3) A personal information handling business operator etc. set forth in each item of paragraph (1) shall strive to take itself necessary and appropriate action for the security control of personal data <u>or</u> anonymously processed information and necessary action to ensure the proper <u>handling of</u> personal information etc. such</p>

<p><u>handling of personal information etc. (excluding personally referable information; hereinafter the same applies in this paragraph)</u> such as dealing with a complaint about the handling of personal information etc., as well as announce to the public the contents of such action taken.</p> <p>Articles 77•78 [Omission]</p> <p><u>(Sincere Implementation of International Agreements etc.)</u></p> <p><u>Article 78-2</u> <u>In the enforcement of this Act, care must be taken not to prevent the sincere implementation of treaties and other international agreements which Japan has concluded, and established international law must be complied with.</u></p> <p>Articles 79 to 81 [Omission]</p> <p>Chapter 7 Penal Provisions</p> <p>Article 82 [Omission]</p> <p><u>Article 83</u> <u>In cases where an order pursuant to the provisions of Article 42, paragraph (2) or paragraph (3) is violated, the person who has done the act of violating shall be punished by imprisonment with labor for not more than one year or a fine of not more than 1,000,000 yen.</u></p> <p><u>Article 84</u> A personal information handling business operator (or its director, representative or administrator if it is a corporate body (including a non-corporate body having appointed a representative or administrator; the same shall apply in Article 87, paragraph (1)), its employee, or a person who used to be such a business operator or employee shall, when having provided or used by stealth personal information database etc. (including their wholly or partially duplicated or processed ones) that they handled in relation to their business for the purpose of seeking their own or a third party's illegal profits, be punished by imprisonment with work for not more than one year or a fine of not more than 500,000 yen.</p> <p>(deleted)</p>	<p>as dealing with a complaint about the handling of personal information etc., as well as announce to the public the contents of such action taken.</p> <p>Articles 77•78 [Omission]</p> <p>(added)</p> <p>Articles 79 to 81 [Omission]</p> <p>Chapter 7 Penal Provisions</p> <p>Article 82 [Omission]</p> <p>(added)</p> <p><u>Article 83</u> A personal information handling business operator (or its director, representative or administrator if it is a corporate body (including a non-corporate body having appointed a representative or administrator; the same shall apply in Article 87, paragraph (1)), its employee, or a person who used to be such a business operator or employee shall, when having provided or used by stealth personal information database etc. (including their wholly or partially duplicated or processed ones) that they handled in relation to their business for the purpose of seeking their own or a third party's illegal profits, be punished by imprisonment with work for not more than one year or a fine of not more than 500,000 yen.</p> <p><u>Article 84</u> <u>A person who has violated an order pursuant to the provisions of Article 42, paragraph (2) or paragraph (3) shall be punished by imprisonment with labor for</u></p>
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<p>Article 85 <u>In cases that fall under any of each following item, the person who has done the act of violation shall be punished by a fine of not more than 500,000 yen.</u></p> <p>(i) <u>if a person failed to submit a report or material under the provisions of Article 40, paragraph (1) or did falsely submit a report or material, or who failed to answer a question posed by the staff concerned or did falsely answer a question, or refused, obstructed or evaded an inspection</u></p> <p>(ii) <u>if a person failed to submit a report under the provisions of Article 56, or did falsely submit a report</u></p> <p>Article 86 The provisions of Article 82 and <u>Article 84</u> shall apply to a person who has committed an offense under these Articles outside of Japan.</p> <p>Article 87 (1) When a representative of a corporate body, or an agent, employee or other worker of a corporate body or natural person has committed a violating act <u>set forth in each following item</u> in relation to the corporate body or natural person's business, the actor shall be punished, and <u>a fine set forth in each following item shall be imposed on the corporate body</u>, and a fine set forth in the respective Articles shall be imposed on the said <u>natural person</u>.</p> <p><u>(i) Article 83 and Article 84 a fine of not more than 100 million yen</u></p> <p><u>(ii) Article 85 a fine set forth in the same Article</u></p> <p>(2) [Omission]</p> <p>Article 88 A person falling under any of each following item shall be punished by a non-criminal fine of not more than 100,000 yen.</p> <p>(i) a person who has violated the provisions of Article 26, paragraph (2) <u>(including as applied mutatis mutandis pursuant to Article 26-2, paragraph (3)), or Article 55</u></p> <p>(ii) [Omission]</p> <p>(end)</p>	<p><u>not more than six months or a fine of not more than 300,000 yen.</u></p> <p>Article 85 A person falling under any of each following item shall be punished by a fine of not more than <u>300,000 yen</u>.</p> <p>(i) <u>a person who has failed to submit a report or material under the provisions of Article 40, paragraph (1) or did falsely submit a report or material, or who failed to answer a question posed by the staff concerned or did falsely answer a question, or refused, obstructed or evaded an inspection</u></p> <p>(ii) <u>a person who failed to submit a report under the provisions of Article 56, or did falsely submit a report</u></p> <p>Article 86 The provisions of Article 82 and <u>Article 83</u> shall apply to a person who has committed an offense under these Articles outside of Japan.</p> <p>Article 87 (1) When a representative of a corporate body, or an agent, employee or other worker of a corporate body or natural person has committed a violating act under <u>Article 83 through Article 85</u> in relation to the corporate body or natural person's business, the actor shall be punished, and a fine set forth in the respective Articles shall be imposed on the said <u>corporate body or natural person</u>.</p> <p>(added)</p> <p>(added)</p> <p>(2) [Omission]</p> <p>Article 88 A person falling under any of each following item shall be punished by a non-criminal fine of not more than 100,000 yen.</p> <p>(i) a person who has violated the provisions of Article 26, paragraph (2), <u>or Article 55</u></p> <p>(ii) [Omission]</p> <p>(end)</p>
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