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This English translation of the Basic Act on the Formation of an Advanced Information and Telecommunications Network Society (Effective January 6, 2001) has been prepared in compliance with the Standard Bilingual Dictionary (March 2007 edition).

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## **Basic Act on the Formation of an Advanced Information and Telecommunications Network Society (Act No.144 of 2000)**

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Supplementary Provisions

### **Chapter I General Provisions**

Article 1 (Purpose)

The purpose of this Act is to provide for basic principles and a basic policy on the development of strategies with respect to the formation of an advanced information and telecommunications network society, to determine the responsibilities of the Government of Japan and local public entities, to establish the Strategic Headquarters for the Promotion of an Advanced Information and Telecommunications Network Society and to provide for the development of a Priority Policy Program on the formation of an advanced information and telecommunications network society in consideration of the urgent need to appropriately keep pace with the rapid and drastic changes on a global scale in the

socio-economic structures arising from the use of information and telecommunications technologies, to swiftly and thoroughly introduce the measures for the formation of an advanced information and telecommunications network society.

#### Article 2 (Definitions)

The term “advanced information and telecommunications network society” as used in this Act means a society in which creative and vigorous development can be achieved in all fields by obtaining, sharing or transmitting globally a wide variety of information or knowledge in a free and safe manner via the Internet and other advanced information and telecommunications networks.

#### Article 3 (Realization of a Society that Allows Every Citizen to Reap the Benefits of Information and Telecommunications Technologies)

The formation of an advanced information and telecommunications network society shall be done for the purpose of achieving a society where every citizen has an opportunity to easily and independently use the Internet and other advanced information and telecommunications networks and where they can fully and creatively use their abilities through such opportunities thereby reaping the extensive benefits of information and telecommunications technologies.

#### Article 4 (Promotion of Economic Structural Reforms and Reinforcement of International Industrial Competitiveness)

The formation of an advanced information and telecommunications network society shall encourage electronic commerce and other economic activities that depend on advanced information and telecommunications networks (hereinafter referred to as “electronic commerce, etc.”), improvement in the management efficiency and productivity of small and medium enterprise operators and other business operators, creation of new businesses and increased employment opportunities, thereby facilitating economic structural reforms and reinforcing international industrial competitiveness.

#### Article 5 (Realizing Comfortable and Affluent Lifestyles for Citizens)

The formation of an advanced information and telecommunications network society shall improve the convenience of everyday life, promote a diversification of lifestyles and the expansion of opportunities for consumers to make independent and rational choices by ensuring the circulation of a wide range of a high-quality information on all aspects of citizens’ lives and by providing diverse services at low prices through the Internet and other advanced information and telecommunications networks, thereby contributing to the realization of comfortable and affluent

lifestyles for citizens.

Article 6 (Realization of Vital Local Communities and Improvement in the Welfare of Residents)

The formation of an advanced information and telecommunications network society shall contribute to creating unique and vital local communities and improving the welfare of the local residents by stimulating local economies, creating attractive local employment opportunities, increasing the variety of opportunities for exchange within and between communities with the use of information and telecommunications technologies to enrich lifestyles and increase convenience.

Article 7 (Division of Roles among the Government of Japan, Local Public Entities and the Private Sector)

The private sector shall in principle play the leading role in the formation of an advanced information and telecommunications network society. The Government of Japan and local public entities shall take action to eliminate factors impeding the formation of the advanced information and telecommunications network society, for example by encouraging fair competition, amending regulations or taking other actions centered on creating an environment more conducive to enabling the private sector to exert its full vitality.

Article 8 (Reduction of Disparity in Opportunities of Use, etc.)

In forming an advanced information and telecommunications network society, positive action shall be taken to reduce the disparity in the opportunities for using information and telecommunications technologies and in the ability to use them derived from geographical constraints, age, physical circumstances and other elements in consideration of the possibility that the disparity may severely hamper orderly and integrated formation of the advanced information and telecommunications network society.

Article 9 (Dealing with New Problems Arising from the Changes in Socio-Economic Structures)

In forming an advanced information and telecommunications network society, action shall be taken to appropriately and positively address any new issues in employment or other fields arising from changes in socio-economic structures as a result of the use of information and telecommunications technologies.

Article 10 (Responsibilities of the Government of Japan and Local Public Entities)

The Government of Japan shall be responsible for developing and executing strategies for the formation of an advanced information and telecommunications

network society in accordance with the basic principles on formation of the advanced information and telecommunications network society prescribed in Articles 3 to 9 (hereinafter referred to as “the Basic Principles”).

#### Article 11

Local public entities shall be responsible for developing and executing autonomous strategies for the formation of an advanced information and telecommunications network society that reflect the distinctive features of their own areas in accordance with the Basic Principles and on the basis of an appropriate division of roles with the Government of Japan.

#### Article 12

The Government of Japan and local public entities shall cooperate to ensure that the strategies for the formation an advanced information and telecommunications network society are swiftly and thoroughly executed.

#### Article 13 (Legislative Measures, etc.)

The Government shall implement legislative, financial and other measures necessary to execute strategies to form an advanced information and telecommunications network society.

#### Article 14 (Preparation and Publication of Statistical and Other Materials)

The Government shall prepare statistics on the advanced information and telecommunications network society and other materials helpful to the formation of such a society and release them with the use of the Internet or in any other appropriate manner as needed.

#### Article 15 (Measures for Deepening the Understanding of Citizens)

The Government shall take necessary measures to enhance citizens’ understanding on the formation of an advanced information and telecommunications network society by means of publicity and other activities.

### **Chapter II Basic Policy on Development of Strategies**

#### Article 16 (Integrated Promotion of Advanced Information and Telecommunications Networks Including Their Continued Expansion)

In developing strategies to form an advanced information and telecommunications network society, consideration shall be given to areas where it is essential to continuously expand advanced information and telecommunications networks, to enrich text, audio, visual and other information provided on such networks and to

acquire the skills necessary to use information and telecommunications technologies so that that they are closely linked with one another. The strategies developed shall ensure that these objectives are pursued in an integrated manner.

Article 17 ( Formation of World-Class Advanced Information and Telecommunications Networks)

Strategies developed to form an advanced information and telecommunications network society shall promote fair competition among business operators and ensure that other necessary action is taken to promote the formation of world-class, advanced information and telecommunications networks that are widely available to the citizens at low prices.

Article 18 ( Promotion of Education and Learning and Human Resource Development)

Strategies developed to form an advanced information and telecommunications network society shall promote education and learning for enabling every citizen to use information and telecommunications technologies and shall ensure that the necessary action is taken to develop creative human resources with the technical knowledge and skills required to play leading roles in the development of the advanced information and telecommunications network society.

Article 19 (Promotion of Electronic Commerce, etc.)

Strategies developed to form an advanced information and telecommunications network society shall ensure that the necessary action is taken to promote electronic commerce, etc., including regulatory amendments, the development of new rules, appropriate protection and use of intellectual property rights and consumer protection.

Article 20 (Informatization of Administration)

Strategies developed to form an advanced information and telecommunications network society shall ensure that the necessary action is taken to actively promote informatization of administration, such as increased use of the Internet and other advanced information and telecommunications networks in the administrative affairs of the Government of Japan and local public entities, in order to increase convenience for citizens and to help improve simplicity, efficiency and transparency of administrative operations.

Article 21 (Application of Information and Telecommunications Technologies in the Public Sector)

Strategies developed to form an advanced information and telecommunications

network society shall ensure that the necessary action is taken to diversification and quality enhancement of services in the public sector with the use of information and telecommunications technologies in order to increase citizens' convenience.

Article 22 (Ensuring of Security of Advanced Information and Telecommunications Networks, etc.)

Strategies developed to form an advanced information and telecommunications network society shall ensure that action is taken to achieve and maintain security and reliability of advanced information and telecommunications networks, to protect personal information and other actions necessary to enable citizens to use such networks without anxiety.

Article 23 (Promotion of Research and Development)

Strategies developed to form an advanced information and telecommunications network society shall ensure that the necessary action is taken to promote creative research and development for information and telecommunications technologies in close mutual coordination among the Government of Japan, local public entities, universities, business operators and other parties, given that rapid technological innovation is the foundation of future expansion of the advanced information and telecommunications network society and a source of reinforcement of Japan's international industrial competitiveness.

Article 24 (International Collaboration and Contribution)

Strategies developed to form an advanced information and telecommunications network society shall ensure that the necessary action is taken to make positive efforts to develop international standards and rules, to ensure international coordination in research and development, to give technical cooperation to developing regions and to engage in other international collaboration on advanced information and telecommunications networks, their use in electronic commerce and other socio-economic activities, in light of the fact that such networks are being enlarged on a global scale.

**Chapter III Strategic Headquarters for the Promotion of an Advanced  
Information and Telecommunications Network Society**

Article 25 (Establishment)

The Strategic Headquarters for the Promotion of an Advanced Information and Telecommunications Network Society ( hereinafter referred to as "the Headquarters") shall be established under the Cabinet for the purpose of swiftly and thoroughly pursuing strategies to form an advanced information and

telecommunications network society.

Article 26 (Affairs under the Jurisdiction of the Headquarters)

The Headquarters shall engage in the following work.

- (i) Preparation and facilitation of a priority policy program to form an advanced information and telecommunications network society (hereinafter referred to as “Priority Policy Program”)
- (ii) In addition to what is listed in the preceding item, deliberations on planning of important strategies for the formation of an advanced information and telecommunications network society and the facilitation of such strategies

Article 27 (Organization)

The Headquarters shall consist of the Director-General, the Vice Director-Generals and members of the Strategic Headquarters for the Promotion of an Advanced Information and Telecommunications Network Society.

Article 28 (Director-General of the Strategic Headquarters for the Promotion of an Advanced Information and Telecommunications Network Society)

- (1) The Prime Minister shall serve as Director-General of the Strategic Headquarters for the Promotion of an Advanced Information and Telecommunications Network Society ( hereinafter referred to as “the Director-General”).
- (2) The Director-General shall take overall control of the affairs of the Headquarters and shall direct and supervise relevant officials.

Article 29 (Vice Director-Generals of the Strategic Headquarters for the Promotion of an Advanced Information and Telecommunications Network Society)

- (1) The Headquarters shall set up the posts of Vice Director-Generals of the Strategic Headquarters for the Promotion of an Advanced Information and Telecommunications Network Society ( hereinafter referred to as “Vice Director-Generals”). The Vice Director-Generals shall be appointed from among the Ministers of State.
- (2) Vice Director-Generals shall provide assistance in the duties of the Director-General.

Article 30 (Members of the Strategic Headquarters for the Promotion of an Advanced Information and Telecommunications Network Society)

- (1) The Headquarters shall establish members of the Strategic Headquarters for the Promotion of an Advanced Information and Telecommunications Network Society (hereinafter referred to as “Members”).

- (2) The posts of Members shall be appointed from the following persons.
- (i) All Ministers of State other than the Director-General and the Vice Director-Generals
  - (ii) Those with distinguished insights into the formation of an advanced information and telecommunications network society who are appointed by the Prime Minister

#### Article 31 (Submission of Materials and Other Forms of Cooperation)

- (1) The Headquarters may request the head of any relevant administrative organ, local public entity or incorporated administrative agency (referring to any of the incorporated administrative agencies prescribed in Paragraph 1, Article 2 of the Act on General Rules for Incorporated Administrative Agency (Act No. 103 of 1999)) or the representative of any special corporation (referring to any of the corporations directly established by legislation or by special act of incorporation under special legislation which are subject to the provision of Item 15, Article 4 of the Act for Establishment of the Ministry of Internal Affairs and Communications (Act No. 91 of 1999) to submit materials, to express opinions, to give explanations and to offer other necessary cooperation if it is deemed necessary to implement the matters under its jurisdiction.
- (2) The Headquarters may also request necessary cooperation from parties other than those specified in the preceding paragraph if it is deemed particularly necessary to implement the matters under its jurisdiction.

#### Article 32 (Matters)

The work of the Headquarters shall be processed by the Cabinet Secretariat. An Assistant Deputy Chief Cabinet Secretary shall be appointed to control the work.

#### Article 33 (Competent Minister)

For matters concerning the Headquarters, the competent minister as stipulated in the Cabinet Act (Act No. 5 of 1947) shall be the Prime Minister.

#### Article 34 (Delegation to Cabinet Orders)

In addition to the provisions in this Act, necessary matters concerning the Headquarters shall be stipulated by cabinet orders.

### **Chapter IV Priority Policy Program on the Formation of an Advanced Information and Communications Networks Society**

#### Article 35

- (1) The Headquarters shall develop a Priority Policy Program as prescribed in this



chapter.

- (2) A Priority Policy Program shall provide for the matters listed as follows.
  - (i) Basic policy on swift and thorough actions to be taken by the Government to form an advanced information and telecommunications network society
  - (ii) Swift and thorough action to be taken by the Government to promote the formation of world-class advanced information and telecommunications networks
  - (iii) Swift and thorough action to be taken by the Government to promote education and learning and on human resource development
  - (iv) Swift and thorough action to be taken by the Government to promote electronic commerce, etc.
  - (v) Swift and thorough action to be taken by the Government on the informatization of administration and to promote the application of information and telecommunications technologies in the public sector
  - (vi) Swift and thorough action to be taken by the Government to ensure security and reliability of advanced information and telecommunications networks
  - (vii) In addition to those prescribed in the preceding items, any other necessary action to be taken by the Government to swiftly and thoroughly promote measures to form an advanced information and telecommunications network society
- (3) Specific targets of the measures described in the Priority Policy Program, as well as the time limits for achievement of the targets, shall in principle be set.
- (4) The Headquarters shall without delay publish the Priority Policy Program, developed under the provisions of Paragraph 1, via the Internet or in any other appropriate manner.
- (5) The Headquarters shall investigate to what degree the targets set under the provisions of Paragraph 3 are achieved and make timely publication of its results via the Internet or in any other appropriate manner.
- (6) The provision of Paragraph 4 shall similarly apply to alterations to a Priority Policy Program.

### **Supplementary Provisions**

(Effective Date)

- (1) This Act shall come into effect as from January 6, 2001.

(Review)

- (2) The Government shall review the status of enforcement of this Act within three years after it comes into effect and take necessary measures in accordance with the results.