

Act on Electronic Signature and Certification Business

(Japan)

(Act No. 102 of May 31, 2000)

Chapter I General Provisions

(the purpose)

Article 1 With regard to electronic signatures, this Act shall prescribe the authenticity of the electromagnetic record, the system of accreditation concerning the specific certification business, and other necessary matters, whereby electromagnetic information of the information by securing the smooth use of electronic signatures It aims to promote distribution and information processing by the system, thereby contributing to the improvement of people's lives and the sound development of the national economy.

(Definition)

Article 2 "Electronic signature" as used in this Act means a record made by electromagnetic recording (electronic, magnetic or other methods not recognizable by human perception, and information processing by electronic computer Hereinafter the same shall apply), which means any information that falls under any of the following requirements.

(I) The information is for indicating that it pertains to the creation of a person who has carried out the measures.

(li) It is necessary to be able to confirm whether or not the information has been altered.

(2) The term "certification work" as used in this Act shall mean an electronic signature made by a person who uses the work (hereinafter referred to as "user") and other persons of the electronic signature which he /

In the case that the matters to be used for confirming that the matters concerning the user concerned are verified.

(3) The term "Specific Certification Business" as used in this Act means a certification service conducted on an electronic signature that conforms to the standards specified by the ordinance of the competent ministry as being able to be performed only by the principal in accordance with the system.

Chapter 2 Estimation of Authentication of Electromagnetic Records

Article 3 Those electromagnetic records created to represent information (excluding those created by the civil servants in the course of their duties) shall be electronic signatures by the principal concerning the information recorded in the electromagnetic record Only by the person himself / herself, by appropriately managing the necessary code and property necessary for him / her), it is presumed that it has been established in truth.

Chapter 3 Certification of Specific Certification Services

Section 1 Certification of Specific Certification Business

(Certification)

Article 4 A person who intends to conduct a Specific Certification Business may be accredited by the competent minister.

(2) A person who intends to obtain the approval set forth in the preceding paragraph shall submit to the competent minister an application stating the following matters and documents specified by an ordinance of the competent minister pursuant to the provisions of an ordinance of the competent ministry.

1. In the case of a juridical person, his / her name or name and address, the name of its representative

(li) Outline of equipment to be used for business related to application

(lii) Method of Implementing Business pertaining to Application

(3) When the competent minister has given the approval set forth in paragraph (1), he / she shall publicly notify to that effect.

(Disqualification clause)

Article 5 Any person who falls under any of the following items shall not be subject to the approval set forth in paragraph 1 of the preceding Article.

One (including the punishment by foreign laws and regulations equivalent to this.) Imprisonment without work or a greater punishment to be sentenced, or sentenced to punishment in accordance with the provisions of this Act, the end of the executive, or from the date on which it is no longer subjected to enforcement

Two years have not passed

Two persons Article revoked the certification pursuant to the provisions of paragraph (1) or paragraph (1) of Article 16, the elapse of a period of two years from the date of the revocation

Three juridical persons who have a person who falls under any of the preceding two items among the officers who perform the business

(Criteria for accreditation)

Article 6 The competent minister shall not grant the certification unless it deems that the application for recognition under Article 4, paragraph 1 conforms to any of the following items.

(I) Equipment to be used for business related to the application conforms to the standards specified by an ordinance of the competent ministry.

Two that confirmation of the authenticity of the user in the business pertaining to the application is intended to be performed by a method specified by an ordinance of the competent ministry.

(Iii) In addition to what is listed in the preceding item, the work pertaining to the application shall be conducted in a manner conforming to the standards stipulated by an ordinance of the competent ministry.

(2) In the examination for the purpose of recognition under Article 4, paragraph (1), the competent minister shall carry out a field survey on the system pertaining to the implementation of the business pertaining to the application pursuant to the provisions of an ordinance of the competent ministry.

(Renewal of accreditation)

Article 7 The recognition under Article 4, paragraph (1) shall cease to be effective upon the passage of the period unless it is renewed every period specified by a Cabinet Order that does not exceed one year.

2. The provisions of Article 4, paragraph 2 and the preceding two Articles shall apply mutatis mutandis to the renewal of the accreditation set forth in the preceding paragraph.

(Succeeded)

Article 8 Transfer the whole of the business for which the accreditation under Article 4, paragraph 1 (hereinafter referred to as "certified certification business operator") performs the business pertaining to the accreditation, or inheritance, merger with respect to the accredited certification business operator (Limited to those who will succeed the business that carries out the work pertaining to the accreditation), the person or heir who got the whole of the project or the heir (if there are two or more heirs, If he / she has selected an heir to succeed the business pursuant to the consent of all members, the same shall apply hereinafter in this Article.), A corporation that survives after the merger or a corporation established through merger, the status of the certified certification business operator

To succeed. Provided, however, that a person or heir who has acquired the whole of the business, a juridical person surviving after the merger, a juridical person established through merger, or a juridical person succeeding the whole of the project by division falls under any of the items of Article 5 , This provision.

(Certification of change etc.)

Article 9 When a certified certification business operator intends to change the matters set forth in item (ii) or item (iii) of Article 4 paragraph 2, he / she shall be certified by the competent minister. Provided, however, that this shall not apply to minor changes specified by an ordinance of the competent ministry.

(2) A person who intends to obtain the approval of the change set forth in the preceding paragraph shall submit to the competent minister an application stating matters pertinent to the

change and documents specified by an ordinance of the competent minister, pursuant to the provisions of an ordinance of the competent ministry.

3 of paragraph (3) of Article 4 and Article VI shall apply mutatis mutandis to the certification of the change of paragraph (1).

(4) When there is a change in the matters under item (i) of paragraph (2) of Article 4, the certified certification business operator shall notify the competent minister to that effect without delay.

(Notification of abolition)

Article 10 When a certified certification business operator intends to abolish a business pertaining to the accreditation, he / she shall notify the competent minister in advance in accordance with the provision of an ordinance of the competent ministry.

(2) The competent minister shall publicly notify the fact when there is a notification under the provision of the preceding paragraph.

(Book record on work)

Article 11 An Accredited Certification Business Operator shall prepare books and documents concerning the work pertaining to the accreditation pursuant to the provisions of an ordinance of the competent ministry and preserve it.

(Proper use of information on confirmation of authenticity of users)

Article 12 The accredited certification business operator shall not use the information obtained upon confirmation of the authenticity of the user of the work pertaining to the accreditation except for the purpose of providing for the purpose of business related to accreditation.

(display)

Article 13 The accredited certification business operator shall notify the user of an electronic certificate etc. to be used for the work related to the accreditation, etc. (items to be used for confirming that the user has issued an electronic signature are those pertaining to said user Hereinafter the same shall apply in the following paragraph) for electromagnetic records and other

certification services to be prepared to certify that the business is certified in accordance with the provisions of the competent ministry You can attach an indication to the effect that you have received it.

(2) In addition to the cases prescribed in the preceding paragraph, no person shall attach the indication set forth in the same paragraph or the indication that is confusingly similar to the electronic certificate, etc., except as provided for in the preceding paragraph.

(Revocation of certification)

Article 14 The competent minister may rescind its certification if the accredited certification business operator falls under any of the following items.

One when it falls under any of the Article first issue or item (iii).

Two when no longer conform to any of the sixth, paragraph items.

Three forth in Article 9, paragraph 1, Article, when the violation of the provisions of Article or paragraph 2 of the preceding Article.

(iv) When the accreditation under Article 4, paragraph 1 or the change under Article 9, paragraph 1 is received by fraudulent means.

(2) When the competent minister has rescinded the accreditation pursuant to the provision of the preceding paragraph, he / she shall publicly notify to that effect.

Section 2 Certification of Specific Certification Services in Foreign Countries

(Certification)

Article 15 Any person who intends to conduct a Specific Certification Business by an office located in a foreign country may be accredited by the competent minister.

2 to the provisions of certification set forth in the preceding paragraph from Article paragraphs (2) and (3) and Article to Article 7, the provisions of Article 8 to Article A person who has received the certification of the same paragraph (hereinafter Approved foreign certified business operator

"). In this case, the phrase "any person" in paragraph 2 of the same Article shall be deemed to be replaced with "an authorized foreign certified business operator."

(3) The competent minister may, pursuant to the provisions of paragraph (1), or a person who intends to obtain the certification under Article 9, paragraph (1) as applied mutatis mutandis pursuant to the preceding paragraph, under Article 4, paragraph 1 In the case where the person conducts the certification work by the office located in the foreign country based on what is similar to the system of accreditation of the section, it is necessary for Japan to faithfully implement the treaties and other international agreements signed with the foreign country When he / she finds that there is a person who is deemed to have such a person, he / she shall apply mutatis mutandis pursuant to the provisions of Article 6, paragraph (2) as applied mutatis mutandis pursuant to the preceding paragraph (including the case where it is applied mutatis mutandis pursuant to Article 7, paragraph 2 and Article 9 paragraph In lieu of a survey under the provisions of the provisions of the preceding paragraph, submit a document stating matters specified by an ordinance of the competent ministry.

(4) In the case referred to in the preceding paragraph, when the documents are submitted from these persons, the competent minister may, pursuant to the provisions of paragraph (1) or its renewal or the provision of paragraph (1) of Article 9 as applied mutatis mutandis in paragraph We must conduct an examination for accreditation of the change of.

(Revocation of certification)

Article 16 The competent minister may rescind its accreditation if an accredited foreign certification business operator falls under any of the following items.

One when it falls under any of Article first of i or iii is applied under Article paragraph.

(li) When it fails to comply with any of the items of Article 6, paragraph (1) as applied mutatis mutandis pursuant to paragraph (2) of the preceding Article.

(lii) When it violates the provisions of Article 9, paragraph 1 or 4, Article 11, Article 12 or Article 13, paragraph 2 as applied mutatis mutandis pursuant to paragraph 2 of the preceding Article.

(iv) When the accreditation under paragraph (1) of the preceding Article or the change under Article 9, paragraph (1) as applied mutatis mutandis pursuant to paragraph 2 of the same Article is received by means of fraud.

(V) In cases where the competent minister intends to cause an accredited foreign certification business operator to make a report pursuant to the provisions of paragraph (1) of the same Article as applied mutatis mutandis pursuant to Article 35, paragraph (3), that report is not made or a false report is made When it was done.

(Vi) Where the competent minister intends to have its officials conduct inspections at business offices, offices or other business establishments of accredited foreign certification business operators pursuant to the provisions of paragraph 1 of the same Article as applied mutatis mutandis pursuant to Article 35, paragraph 3 , When the inspection is refused, hindered, or avoided, or no answer has been given to the question under the provision of the same paragraph, or a false answer has been given.

(2) When the competent minister has rescinded the accreditation pursuant to the provision of the preceding paragraph, he / she shall publicly notify to that effect.

Chapter 4 Designated Investigation Organization

Section 1 Designated Research Organization

(Investigation by Designated Investigation Body)

Article 17 The competent minister shall notify the person designated by the competent minister (hereinafter referred to as the "Designated Investigation Body") of Article 6, paragraph (2) (including the case where it is applied mutatis mutandis pursuant to Article 15, paragraph 2 (Including cases where it is applied mutatis mutandis pursuant to Article 15, paragraph 2), paragraph 3 of Article 9 (including cases where it is applied mutatis mutandis pursuant to Article 15, paragraph 2) Hereinafter referred to as "investigation") may be made in whole or in part.

(2) The competent minister shall not conduct the investigation in whole or in part if the designated searching agency conducts the investigation in whole or in part pursuant to the provisions of the preceding paragraph. In this case, the competent minister shall, in consideration of the results of the investigation notified by the Designated Investigation Body pursuant to the

provisions of paragraph (4), approve or renew it under Article 4 paragraph (1), Article 9 paragraph 1 (Article 15 Including the case where it is applied mutatis mutandis pursuant to paragraph (2)), or the accreditation set forth in paragraph (1) of Article 15 or an examination for renewal thereof.

(3) When the competent minister has decided to conduct a whole or a part of the investigation by the Designated Investigative Organization pursuant to the provisions of paragraph 1, he / she shall obtain the approval set forth in Article 4 paragraph 1 or its renewal, Article 9 paragraph 1 (tenth A person who intends to undergo the application of the change of Article 15 (including the case where it is applied mutatis mutandis pursuant to paragraph 2 of Article 5) or the accreditation set forth in paragraph 1 of Article 15 or its renewal shall apply to Article 4 (2) (including cases where it is applied mutatis mutandis pursuant to Article 15, paragraph 2) and Article 15, paragraph 2) and Article 9 paragraph 2 Notwithstanding the provisions of paragraph (2) of Article 15, including cases where it is applied mutatis mutandis pursuant to the provisions of Article 15, paragraph (2)), it shall apply to the Designated Investigation Body pursuant to the provision of an ordinance of the competent ministry.

(4) When the designated searching agency has conducted the investigation pertaining to the application set forth in the preceding paragraph, he / she shall notify the competent minister without delay, pursuant to the provisions of an ordinance of the competent ministry, the results of said investigation.

(Designation)

Article 18 A designation pursuant to the provisions of paragraph 1 of the preceding Article (hereinafter referred to as "designation") shall be conducted by a person intending to conduct a survey (excluding those who intend to do by an office located in a foreign country) pursuant to the provisions of an ordinance of the competent ministry. Of the applicant.

(Disqualification clause)

Article 19 Any person who falls under any of the following items may not be designated.

(I) A person who has been sentenced to imprisonment longer than imprisonment or has been sentenced pursuant to the provisions of this Act, terminated its execution, or has not passed two years from the day when it ceases to be executed

Two Article 29 is canceled designated pursuant to the provisions of paragraph, or revoked the approval pursuant to the provisions of Article 32 first paragraph, a person from the date of the revocation not yet passed two years

Three juridical persons who have a person who falls under any of the preceding two items among the officers who perform the business

(Specified criteria)

Article 20 The competent minister shall not designate unless he / she finds that the designated application conforms to any of the following items.

(I) To have an accounting foundation and technical capability sufficient to smoothly and appropriately conduct the survey work.

(ii) In the case of a juridical person, the composition of the members specified by an ordinance of the competent ministry in accordance with the type of officer or juridical person shall not hinder the fair implementation of the survey.

(iii) When conducting business other than the work of the investigation, there is no possibility that the investigation will be unfair by conducting the work.

(iv) Doing so will not impede the proper and smooth implementation of the application pertaining to the application.

(Notice of designation etc.)

Article 21 When designating, the competent minister shall publicly announce the name and address of the Designated Investigation Body and the location of the office that conducts the survey work.

(2) In the case where the Designated Investigation Body intends to change its name or address or the location of the office that conducts the survey work, he / she shall notify the competent minister to that effect at least two weeks before the date of the change .

(3) When there is a notification under the provision of the preceding paragraph, the competent minister shall publicly notify the fact.

(Designated update)

Article 22 Designation shall lose its effect by the passage of the period unless it is renewed every period specified by Cabinet Order within 5 to 10 years.

(2) The provisions of Articles 18 to 20 shall apply mutatis mutandis to the renewal of designation set forth in the preceding paragraph.

(Confidentiality obligation etc.)

Article 23 (1) A director of a Designated Investigation Body (or a person who has received such designation in the case of a Designated Investigation Body that is not a juridical person, the same shall apply in the following paragraph and Article 43 and Article 45), staff, Those who are in office must not disclose the secret they learned about the work of investigation.

(2) The officers or employees of the Designated Investigation Body engaged in the research work shall be deemed to be officials engaged in public service pursuant to laws and regulations with regard to the application of penal code (Act No. 45 of 1868) and other penalties.

(Duty of Investigation)

Article 24 When a Designated Investigation Body is required to conduct a survey, it shall conduct a survey without delay, unless there is a justifiable reason.

(Investigation Business Regulations)

Article 25 A Designated Investigative Organization shall establish regulations concerning the work of investigation (hereinafter referred to as "Research Operation Rules") and obtain approval from the competent minister. The same shall apply when trying to change this.

(2) Matters to be prescribed in the Investigation Business Regulations shall be specified by an ordinance of the competent ministry.

(3) The competent minister may, when he / she finds that the Investigation Business Regulations which authorized in paragraph (1) have become inappropriate for the fair implementation of the investigation, order the investigation business rules to be changed.

(Listing of books)

Article 26 A Designated Investigation Body shall prepare books, prescribe the matters specified by an ordinance of the competent ministry concerning the work of investigation, and preserve it pursuant to the provisions of an ordinance of the competent ministry.

(Conformity order)

Article 27 When the competent minister finds that the Designated Investigation Body is no longer compliant with Article 20, Items 1 to 3, he / she shall notify the Designated Investigation Body of the Designated Investigation Body to comply with these provisions You may order measures to be taken.

(Abolishment of business absence)

Article 28 A Designated Investigative Organization shall not suspend or abolish all or a part of the investigation work unless it receives permission from the competent minister.

(2) When the competent minister has given permission under the preceding paragraph, he / she shall publicly notify to that effect.

(Designation cancellation etc.)

Article 29 In the event that a Designated Investigation Body falls under any of the following items, the competent minister may rescind its designation or order the suspension of the whole or part of the investigation work by prescribing the term it can.

(I) When it violates the provisions of this section.

Two Article 19 If it falls to the first issue or item (iii).

Three Article 25 when he conducted a survey of business is not dependent on the survey work rules approved of paragraph (1).

(Iv) When it violates an order pursuant to the provision of Article 25, paragraph 3 or Article 27.

(V) When a designation is received by means of fraud.

(2) When the competent minister rescinds the designation pursuant to the provisions of the preceding paragraph or orders to suspend the whole or a part of the work of the investigation, he / she shall publicly notify to that effect.

(Implementation of investigation work by competent minister)

Article 30 In the case where a Designated Investigation Body has suspended all or part of the investigation work pursuant to the provisions of Article 28 paragraph 1, the competent minister may, pursuant to the provision of paragraph 1 of the preceding Article, When ordering suspension of all or part of the work or when the designated searching agency finds it necessary to implement all or part of the investigation work due to natural disasters or other reasons, Notwithstanding the provision of Article 17, paragraph (2), we shall conduct all or part of the investigation work on our own.

(2) The competent minister shall conduct the investigation business pursuant to the provisions of the preceding paragraph, or, in the case of not conducting the investigation work being conducted pursuant to the provisions of the same paragraph, shall publicly notify that effect.

(3) The competent minister shall conduct the investigation pursuant to the provision of paragraph (1), permit the abolition of the investigation work pursuant to the provisions of paragraph (1) of Article 28 or rescind the designation pursuant to the provision of paragraph (1) of the preceding Article Inheritance of survey work and other necessary matters in the case of such case shall be specified by an ordinance of the competent ministry.

Section 2 Approved Research Organization

(Approval of Approved Investigation Body etc.)

Article 31 The competent minister may, pursuant to the provisions of Article 6, paragraph 2 (as applied mutatis mutandis pursuant to Article 15, paragraph 2 and Article 9 paragraph 3 as applied mutatis mutandis pursuant to Article 15, paragraph 2 (Limited to those who intend to do so by an office located in a foreign country) to conduct all or part of the investigation (hereinafter referred to as "research" in this section) , It can approve this pursuant to the provisions of the competent ministerial ordinance.

(2) When the competent minister has given the approval set forth in the preceding paragraph, any person who intends to obtain the recognition under Article 15, paragraph 1 or its renewal, or the amendment under Article 9, paragraph 1 as applied mutatis mutandis pursuant to paragraph 2 of the same Article, A survey conducted by a person who received the approval set forth in the preceding paragraph (hereinafter referred to as "approval research organization") shall apply mutatis mutandis pursuant to paragraph 2 of Article 4 applied mutatis mutandis pursuant to Article 15, paragraph 2 Notwithstanding the provisions of Article 9, paragraph 2 and Article 17, paragraph 3 as applied mutatis mutandis pursuant to Article 15, paragraph 2, including the case where it is applied mutatis mutandis pursuant to Article 7, paragraph 2) By way of that, you can apply to the approval search agency. In this case, the competent minister shall, pursuant to the provisions of the next paragraph, consider the accreditation set forth in Article 15, paragraph 1 or renewal thereof or Article 9, paragraph (2) as applied mutatis mutandis pursuant to paragraph 2 of the same Article The examination for certification of the change under paragraph 1 shall be conducted.

(3) When conducting an investigation pertaining to the application set forth in the preceding paragraph, the approved searching organization shall notify the competent minister without delay, pursuant to the provisions of an ordinance of the competent ministry, the results of said investigation.

(4) When the approved research organization has suspended or abolished all or part of the work of the investigation, he / she shall notify the competent minister to that effect without delay.

(5) When the competent minister has given a notification pursuant to the provisions of the preceding paragraph, he / she shall publicly notify to that effect.

(6) The provisions of Articles 19 to 22 shall apply mutatis mutandis to the approval set forth in paragraph 1, and the provisions of Articles 24 to 27 shall apply mutatis mutandis to the Approved Investigation Body. In this case, the term "order" in paragraph 3 of Article 25 and Article 27 shall be deemed to be replaced with "request."

(Cancellation of approval)

Article 32 The competent minister may rescind its approval if the approved research organization falls under any of the following items.

One Article applied mutatis mutandis pursuant preceding paragraph or paragraph of prescribed or same Article paragraph 6, Article 24, Article 25 paragraph or Article 26 When you violate the provision.

(li) When it falls under Article 19, item (i) or (iii) as applied mutatis mutandis pursuant to paragraph 6 of the preceding article.

(lii) When conducting an investigation without resort to the search service rules approved under Article 25, paragraph 1 as applied mutatis mutandis pursuant to paragraph 6 of the preceding article.

(lv) When not responding to a request pursuant to the provisions of Article 25, paragraph 3 or Article 27 as applied mutatis mutandis pursuant to paragraph 6 of the preceding article.

(V) When he / she receives the approval under paragraph (1) of the preceding article by means of fraud.

(Vi) when the competent minister finds that the approved searching agency falls under any of the preceding items, requests the suspension of the whole or a part of the investigation work by prescribing the period and fails to respond to the request

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(Vii) In the case where the competent minister intends to make the report by the approved searching agency pursuant to the provisions of paragraph 2 of the same Article as applied mutatis mutandis pursuant to Article 35, paragraph 3, the report was not made or a false report was made

When.

(Viii) In the case where the competent minister intends to have its officials conduct an inspection at the office of the approval searching agency pursuant to the provisions of paragraph 2 of the same Article as applied mutatis mutandis pursuant to Article 35, paragraph 3, the inspection is refused and hindered , Or when it is avoided, or when no answer is given to the question pursuant to the provision of the same paragraph, or a false answer is given.

(2) When the competent minister rescinds approval pursuant to the provisions of the preceding paragraph, he / she shall publicly notify to that effect.

Chapter 5 Miscellaneous Provisions

(Assistance on specific certification work etc)

Article 33 In order to facilitate the implementation of the accreditation system related to specific certification services, the competent minister conducts surveys and studies on the evaluation of technologies related to electronic signatures and certification services, as well as those who conduct specific certification services and their We shall endeavor to provide necessary information to users, advise and other assistance.

(Country measures)

Article 34 The State shall endeavor to deepen the public's understanding of electronic signatures and certification services through educational activities, public relations activities, etc.

(Collection collection and on-site inspection)

Article 35 The competent minister may make a certified certification business operator report on the business pertaining to the accreditation to the extent necessary for the enforcement of this Act or give officials the business office of the accredited certification business operator, You can enter the other workplaces and inspect the status of the work related to the accreditation, facilities, books, documents and other objects, or ask the concerned questions.

(2) The competent minister may, at the limit necessary for the enforcement of this Act, cause the Designated Investigation Body to make a report on its business, or enter the office of the Designated Investigative Organization for his / her official, and the status of the business, books, documents You can have the inspection of the property in question, or let the person concerned question you.

(3) The provisions of paragraph (1) shall apply mutatis mutandis to certified foreign certified business operators, and the provisions of the preceding paragraph shall apply mutatis mutandis to approved investigation bodies.

4 Officials who conduct on-site inspection pursuant to the provisions of paragraphs 1 and 2 (including cases where they are applied mutatis mutandis pursuant to the preceding paragraph) shall carry a certificate indicating that status and present it to the relevant persons.

(5) The authority of on-site inspection pursuant to the provisions of paragraphs 1 and 2 (including the cases where applied mutatis mutandis in paragraph 3, respectively) shall not be construed as authorized for criminal investigation.

(Fee)

Article 36 A person listed in the following items shall pay the fee of the amount prescribed by Cabinet Order to the State in consideration of the actual expenses.

One person who intends to obtain the certification of Article 4, paragraph (1) (except when the competent minister was decided to perform all of the investigation to the specified research organization pursuant to the provisions of Article 17 paragraph (1).)

(li) A person who intends to undergo renewal of the accreditation of Article 7, paragraph 1 (including cases applied mutatis mutandis pursuant to Article 15, paragraph 2)

Three person who intends to obtain the certification of the (including. If you applied mutatis mutandis Article 15 second paragraph) of the change Article 9 paragraph

(lv) A person who intends to obtain the accreditation set forth in Article 15, paragraph 1 (excluding cases where the competent minister decides to conduct the investigation by the designated searching agency pursuant to the provision of Article 17, paragraph 1).

(2) A person who intends to conduct a survey conducted by a Designated Investigation Body shall pay the designated fee of the amount specified by the Designated Investigation Body upon approval of the competent minister pursuant to the provision of a Cabinet Order.

(Relationship between competent minister and National Public Safety Commission)

Article 37 The National Public Safety Commission is deemed necessary in order to prevent serious damage related to the certification of the user concerning the work related to the accreditation of the accredited certification business operator or certified foreign certification

business operator When he / she approves, he / she may request the competent minister to take necessary measures.

(Request for examination)

Article 38 Any person who is dissatisfied with the disposition or omission of the Designated Investigation Body pursuant to the provisions of this Act shall submit to the competent minister a request for examination pursuant to the Administrative Appeal Act (Act No. 160 of 1965) can do.

(Transitional Measures)

Article 39 In cases where a Cabinet Order or a Ministerial Ordinance Order is established, revised or abolished pursuant to the provisions of this Act, respectively, within the scope deemed to be reasonably necessary pursuant to the enactment, revision or abolition thereof, by a Cabinet Order or an ordinance of the competent ministry (Including transitional measures relating to penal provisions) on the basis of the necessary transitional measures.

(Competent minister etc)

Article 40 The competent ministers in this Act shall be the Minister of Internal Affairs and Communications, the Minister of Justice and the Minister of Economy, Trade and Industry. Provided, however, that in Article 33, the Minister of Internal Affairs and Communications and the Minister of Economy, Trade and Industry shall be the Minister.

(2) The ordinance of the competent ministry under this Act shall be the order issued jointly by the Minister of Internal Affairs and Communications, the Minister of Justice and the Minister of Economy, Trade and Industry.

Chapter VI Penal Provisions

Article 41 A person who made a false application and certified the user about the certification business pertaining to the accreditation to the accredited certification business operator or the approved foreign certification business operator shall be punished by imprisonment with work for not more than three years Or a fine of not more than 2 million yen.

(2) The attempted charges set forth in the preceding paragraph shall be punished.

3 The crimes set forth in the preceding two paragraphs shall be in accordance with Article 2 of the Penal Code.

Article 42 A person who falls under any of the following items shall be punished by imprisonment with work for not more than one year or a fine of not more than one million yen.

One person who has violated the provisions of the Article 13 paragraph

Two persons who leaked the secret that was learned with regard to their duties in violation of the provisions of Article 23, paragraph 1

Article 43 When an employee or official of a Designated Investigation Body that has committed such violation has been in violation of the order of suspension of work pursuant to the provision of Article 29, paragraph 1, he / she shall be punished by imprisonment with work for not more than one year or million yen We shall be punished with the following fine.

Article 44 A person who falls under any of the following items shall be punished by a fine of not more than 300,000 yen.

One person who changed the fourth, paragraph (ii) or item (iii) of the matters in violation of the provisions of paragraph 1 of Article 9

Two tenth without the creation or preservation of books and documents in accordance with the provisions of Article, or person who has made the creation of false books and documents

Three Article 35 not to make a report in accordance with the provisions of paragraph, or has made a false report, or refused the inspection in accordance with the provisions of the same paragraph, hinder, or for the repellent to, or question in accordance with the provisions of the same paragraph Those who did not answer or made false answers

Article 45 (1) If any of the following items falls under the category, officers or employees of the Designated Investigation Body that committed the violation shall be punished by a fine of not more than 300,000 yen.

One twenty without the description of the book in accordance with the provisions of Article 6 (1) a false statement, or when you did not save the book.

Two Article 28 in violation of the provisions of paragraph when it abolished all of the investigation of the business.

Three Article 35 not to make a report in accordance with the provisions of paragraph, or has made a false report, or refused the inspection in accordance with the provisions of the same paragraph, hinder, or for the repellent to, or question in accordance with the provisions of the same paragraph I did not answer or made a false answer.

Article 46 A representative of a juridical person or a proxy, employee or other worker of a juridical person or person shall be deemed to have violated Article 42 (1) or Article 44 In addition to punishing the actor, the juridical person or person shall be punished by the fine prescribed in this Article.

Article 47 A person who has failed to make a notification under Article 9, paragraph 4 or Article 10, paragraph 1, or made a false notification shall be punished by a non-penal fine of 100,000 yen or less.

Supplementary provision

(Effective date)

Article 1 This Act shall come into force as from April 1, 2001. Provided, however, that the provisions of the following Article shall be effective from March 1, 2001, the provisions of Article 4 of the Supplementary Provisions shall apply mutatis mutandis to the Act on Improvement of Related Acts in connection with the enforcement of the Act to Partialize the Commercial Code, etc. (Act 1991) from the date of enforcement.

(Preparatory act)

Article 2 Designation pursuant to the provisions of Article 17, paragraph 1 and necessary procedures and other acts concerning this shall be deemed to be effective prior to the enforcement of this Act, from Article 18 to Article 20, Article 21 Paragraph 1 and paragraph 2 of Article 25 and paragraphs 1 and 2 of Article 25.

(Consideration)

Article 3 The Government shall review the status of enforcement of this Act when five years have passed since the enforcement of this Act and take necessary measures based on the results.

(Partial revision of the law concerning the maintenance of related laws due to the enforcement of the law to amend part of the Commercial Code etc.)

Article 4 Partial amendment of the Act on the Improvement of Related Acts in connection with the enforcement of the Act which revises part of Commercial Law etc. As follows. Following Article 150, the following Article shall be added. (Partial Revision of Act on Electronic Signature and Certification Business) Article 150-2 Partial amendment to the Act on Electronic Signature and Certification Business Act (Act No. 102 of 2000) shall be amended as follows. In Article 8, "or" after merger "," after merger "," merger or divorce "is replaced with" merger or division (limited to those that will inherit the whole of the business that carries out the work pertaining to the accreditation) "or" after merger " Revise and add "a corporation that succeeded all of its business by splitting" under "Established corporation".

(Act to revise part of income tax law etc.)

(Partial revision of the law concerning electronic signature and certification work)

Article 196 A part of the Act on Electronic Signatures and Certification Services (Act No. 102 of 2000) shall be revised as follows. (1) of Article 36, paragraph (1), item (i), "under the person who intends to receive" under "the person who intends to receive" to "pursuant to the provisions of Article 17, paragraph 1 (Excluding the case where it is decided to make all of the persons concerned) be made), adds ")" in Article 3 of the same paragraph, "or the update thereof" is deleted, "under the person who intends to receive" Except when the Designated Investigation Body makes all investigations to be carried out pursuant to the provision of paragraph 1) ", add that item to item 4 of that paragraph, item 2 of said paragraph to item 3 of said paragraph , The following item shall be added after the item 1 of the same paragraph: (li) A person who intends to undergo renewal of the accreditation of Article 7, paragraph 1 (including cases applied mutatis mutandis pursuant to Article 15, paragraph 2)

Supplementary provision

This Act shall come into force as from April 1, 2006.

Source: <http://www.meti.go.jp/policy/netsecurity/digitalsign-law.htm>