Basic Act on the Formation of an Advanced Information and Telecommunications Network Society

(Act No. 144 of December 6, 2000)

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Chapter I General Provisions

(Purpose)

Article 1 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, the purpose of this Act is to swiftly and thoroughly pursue strategies for the formation of an advanced information and telecommunications network society by way of providing basic principles and basic policies for the development of strategies, determining the responsibilities of the government of Japan and local public entities, establishing the Strategic Headquarters for the Promotion of an Advanced Information and Telecommunications Network Society, and providing for the development of a priority policy program on the formation of an advanced information and telecommunications network society, with respect to the formation of an advanced information and telecommunications network society.

(Definitions)

Article 2 The term "advanced information and telecommunications network society" as used in this Act means a society in which creative and vigorous development is enabled 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.

(Realization of a Society that Allows Every Citizen to Enjoy the Benefits of Information and Telecommunications Technologies)

Article 3 The formation of an advanced information and telecommunications network society must be done for the purpose of achieving a society where all citizens have the opportunity to easily and independently use the Internet and other advanced information and telecommunications networks, they are enabled to fully and creatively use their abilities through such opportunities, and thereby they can enjoy the extensive benefits of information and telecommunications technologies.

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

Article 4 The formation of an advanced information and telecommunications network society must bring the promotion of electronic commerce and other economic activities using advanced information and telecommunications networks (hereinafter referred to as "electronic commerce, etc."), the improvement in the management efficiency and productivity of small and medium enterprise operators and other business operators, and the creation of new businesses and increased employment opportunities, and thereby contribute to pursuing economic structural reforms and reinforcing international industrial competitiveness.

(Realizing Comfortable and Affluent Lifestyle for Citizens)

Article 5 The formation of an advanced information and telecommunications network society must improve the convenience of everyday life, promote a diversification of lifestyle and expand the opportunities for consumers to make independent and rational choices by ensuring the circulation of a wide range of 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 lifestyle for citizens.

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

Article 6 The formation of an advanced information and telecommunications network society must contribute to creating unique and vital local communities and improving the welfare of the local residents through the enrichment of lifestyle and enhancement of convenience by way of stimulating local economies, creating attractive local employment opportunities, and increasing the variety of opportunities for exchange within and between communities with the use of information and telecommunications technologies.

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

Article 7 In the formation of an advanced information and telecommunications network society, the private sector is to play the leading role in principle, and the government of Japan and local public entities are to implement strategies to eliminate factors impeding the formation of the advanced information and telecommunications network society, including encouraging fair competition or amending regulations, or to implement other strategies centered on creating an environment more conducive to enabling the private sector to exert its full vitality.

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

Article 8 In forming an advanced information and telecommunications network society, actions must be taken actively to reduce the disparity in the opportunities to use 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 these disparities may severely hamper smooth and integrated formation of the advanced information and telecommunications network society.

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

Article 9 In forming an advanced information and telecommunications network society, actions must be taken appropriately and actively to 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.

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

Article 10 The government of Japan has the responsibility to develop and execute 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 have the responsibility to develop and execute the 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 must cooperate with each other to ensure that the strategies for the formation of an advanced information and telecommunications network society are swiftly and thoroughly executed.

(Legislative Measures, etc.)

Article 13 The government must implement legislative, financial and other measures necessary to execute strategies to form an advanced information and telecommunications network society.

(Preparation and Publication of Statistical and Other Materials)

Article 14 The government must prepare statistics on the advanced information and telecommunications network society and other materials helpful to the formation of the relevant society and release them by using the Internet or other appropriate means as needed.

(Measures for Deepening the Understanding of Citizens)

Article 15 The government is to take necessary measures to enhance citizens' understanding on the formation of an advanced information and telecommunications network society by means of publicity activities and other activities.

Chapter II Basic Policy on Development of Strategies

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

Article 16 In the development of strategies to form an advanced information and telecommunications network society, considering that it is essential to make further expansion of advanced information and telecommunications networks, to enrich information such as texts, audio materials, or visual materials provided on the relevant networks and to promote the learning of the skills necessary to use information and telecommunications technologies, and also considering that they are closely linked with each other, they must be pursued in an integrated manner.

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

Article 17 In the development of strategies to form an advanced information and telecommunications network society, the necessary measures, such as the measures to promote fair competition among business operators, must be taken

to promote the formation of world-class, advanced information and telecommunications networks that are widely available to citizens at low prices.

(Promotion of Education and Learning and Human Resource Development)

Article 18 In the development of strategies to form an advanced information and telecommunications network society, the necessary measures must be taken to promote education and learning which enables all citizens to use information and telecommunications technologies and to develop creative human resources with the technical knowledge and skills who will play leading roles in the development of the advanced information and telecommunications network society.

(Promotion of Electronic Commerce, etc.)

Article 19 In the development of strategies to form an advanced information and telecommunications network society, the necessary measures must be 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.

(Informatization of Administration)

Article 20 In the development of strategies to form an advanced information and telecommunications network society, the necessary measures must be taken to actively pursue 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.

(Use of Information and Telecommunications Technologies in the Public Sector)

Article 21 In the development of strategies to form an advanced information and telecommunications network society, the measures necessary for diversification and quality enhancement of services in the public sector with the use of information and telecommunications technologies must be taken in order to increase citizens' convenience.

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

Article 22 In the development of strategies to form an advanced information and telecommunications network society, the measure to ensure the security and reliability of advanced information and telecommunications networks, the measure to protect personal information and the other measures necessary to

enable citizens to use such networks without anxiety must be taken.

(Promotion of Research and Development)

Article 23 In the development of strategies to form an advanced information and telecommunications network society, the necessary measures must be taken to pursue creative research and development of information and telecommunications technologies in close mutual coordination among the government of Japan, local public entities, universities, business operators and other parties, considering 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.

(International Collaboration and Contribution)

Article 24 In the development of strategies developed to form an advanced information and telecommunications network society, the necessary measures to engage actively in international collaboration, such as efforts to develop international standards and rules, international coordination in research and development, and technical cooperation to developing regions, must be taken on the advanced information and telecommunications networks and on the socio-economic activities using them, such as electronic commerce, 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

(Establishment)

Article 25 The Strategic Headquarters for the Promotion of an Advanced Information and Telecommunications Network Society (hereinafter referred to as the "Headquarters") is established under the Cabinet for the purpose of swiftly and thoroughly pursuing strategies to form an advanced information and telecommunications network society.

(Affairs under the Jurisdiction of the Headquarters, etc.)

Article 26 (1) The Headquarters engages in the following administrative affairs (excluding those administrative affairs related to the promotion of the implementation of important strategies concerning the cybersecurity among the administrative affairs listed in Article 25, paragraph (1) of the Basic Act on Cybersecurity (Act No.104 of 2014)).

(i) preparation of a priority policy program to form an advanced information and telecommunications network society (hereinafter referred to as "priority

policy program") and promotion of the implementation of the priority policy program;

(ii) preparation of a draft of the Basic Plan for the Advancement of Utilizing Public and Private Sector Data provided in Article 8, paragraph (1) of the Basic Act on the Advancement of Utilizing Public and Private Sector Data (Act No. 103 of 2016) and promotion of the implementation of it;

(iii) beyond what is set forth in the preceding item, investigation and deliberation concerning the planning of important strategies for the advancement of appropriate and effective utilization of public and private sector data provided in Article 2, paragraph (1) of the Basic Act on the Advancement of Utilizing Public and Private Sector Data (hereinafter referred to as the "public and private sector data" in this item), evaluation of strategies concerning the relevant planning, and other things concerning promotion of the implementation and general coordination of important strategies for the advancement of appropriate and effective utilization of the public and private sector data, and; and

(iv) beyond what is listed in the preceding three items, deliberation on planning of important strategies for the formation of an advanced information and telecommunications network society and promotion of the implementation of the relevant strategies

(2) The Director-General prescribed in paragraph (1) of Article 28 may have the members, prescribed in paragraph (1) of Article 30 and appointed from among persons listed in item (ii) of paragraph (2) of the same Article, engage in the administrative affairs that are prescribed in the preceding paragraph (limited to administrative affairs to promote the implementation of important strategies relating to the formation of an advanced information and telecommunications network society) and that pertain to matters listed below and administrative affairs that pertain to a request for cooperation prescribed in paragraph (1) of Article 31:

(i) production of a cross-departmental plan;

(ii) production of a policy governing estimates of expenditures incurred by relevant administrative bodies;

(iii) production of guidelines concerning the implementation of strategies;

(iv) evaluation of strategies.

(3) When it is deemed necessary that the administrative affairs prescribed in the preceding paragraph is to be undertaken, the members prescribed in the same paragraph may express an opinion relating to the relevant administrative affairs to the Director-General prescribed in paragraph (1) of Article 28.

(Organization)

Article 27 The Headquarters consists of the Director-General, Vice Director-

Generals and members of the Strategic Headquarters for the Promotion of an Advanced Information and Telecommunications Network Society.

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

Article 28 (1) The chief of the Headquarters is Director-General of the Strategic Headquarters for the Promotion of an Advanced Information and Telecommunications Network Society (hereinafter referred to as the "Director-General"), and the Prime Minister serves as the Director-General.

(2) The Director-General takes overall control of the affairs of the Headquarters and directs and supervises the relevant officials.

(3) When the members prescribed in paragraph (2) of Article 26 engage in the administrative affairs prescribed in the same paragraph and it is deemed necessary for the appropriate implementation of the relevant administrative affairs, the Director-General may request a report on the status of the implementation of the relevant administrative affairs and any other required matters from the relevant members.

(4) When it is deemed necessary in accordance with an opinion provided for in paragraph (3) of Article 26 or a report provided for in the preceding paragraph, the Director-General may make a recommendation to the relevant administrative body.

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

Article 29 (1) The 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") are assigned to the Headquarters. The Vice Director-Generals are appointed from among the Ministers of State.

(2) The Vice Director-Generals provide assistance to the duties of the Director-General.

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

Article 30 (1) The members of the Strategic Headquarters for the Promotion of an Advanced Information and Telecommunications Network Society are assigned to the Headquarters (hereinafter referred to as "members").

(2) The members are appointed from among the following persons.

(i) all Ministers of State other than the Director-General and the Vice Director-Generals;

(ii) Deputy Chief Cabinet Secretary for Information Technology Policy;

(iii) those with distinguished insights into the formation of an advanced information and telecommunications network society who are appointed by the Prime Minister.

(Strategic Conference for the Advancement of Utilization of Public and Private Sector Data)

Article 30-2 The Strategic Conference for the Advancement of Utilization Public and Private Sector Data is established under the Headquarters as provided separately by law for the purpose of having it have jurisdiction over the relevant administrative affairs set forth in Article 26, paragraph (1), items (ii) and (iii).

(Submission of Materials and Other Forms of Cooperation)

Article 31 (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 established directly by law or established by special act of incorporation under special law to which the provisions of item (ix), paragraph (1), Article 4 of the Act for Establishment of the Ministry of Internal Affairs and Communications (Act No. 91 of 1999) are applied) to submit materials, to express opinions, to give explanations and to offer other necessary cooperation if it is deemed necessary in order to implement the administrative affairs 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 administrative affairs under its jurisdiction.

(Cooperating with Local Governments)

Article 32 (1) When it is deemed necessary for the formulation or implementation of a strategies prescribed in Article 11, a local government may request the provision of information or any other form of cooperation from the Headquarters.

(2) When the Headquarters is requested to make the cooperation under the preceding paragraph, the Headquarters .is to endeavor to accommodate it.

(Office Matters)

Article 33 The administrative affairs of the Headquarters are processed by the Cabinet Secretariat. An Assistant Deputy Chief Cabinet Secretary is appointed to control the work.

(Competent Minister)

Article 34 For matters concerning the Headquarters, the competent minister stipulated in the Cabinet Act (Act No. 5 of 1947) is the Prime Minister.

(Delegation to Cabinet Orders)

Article 35 Beyond what is provided for in this Act, cabinet orders prescribe necessary matters concerning the Headquarters.

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

Article 36 (1) The Headquarters must develop a priority policy program as prescribed in this chapter.

(2) A priority policy program is to provide for the matters listed below:

(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 on the promotion of the use 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) beyond what is prescribed in the preceding items, any necessary actions to be taken by the government to swiftly and thoroughly pursue strategies to form an advanced information and telecommunications network society.

(3) Specific targets of the actions described in the priority policy program, as well as the time limits for achievement of the targets, are, in principle, to be decided.

(4) When the Headquarters develops the priority policy program pursuant to the provisions of paragraph (1), the Headquarters must publish the relevant program, without delay, by using the Internet or other appropriate means.

(5) The Headquarters must investigate to what degree the targets set pursuant to the provisions of paragraph (3) are achieved and make timely publication of its results by using the Internet or other appropriate means.

(6) The provisions of paragraph (4) apply mutatis mutandis to alterations to the priority policy program.

Supplementary Provisions

(Effective Date)

(1) This Act comes into effect from January 6, 2001.

(Review)

(2) The government is to 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.

Supplementary Provisions [Act No.22 of May 31, 2013 Extract] [Extract]

(Effective Date)

(1) This Act comes into effect as of the date of promulgation.

Supplementary Provisions [Act No.104 of November 12, 2014 Extract] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the date of promulgation; provided, however, that, the provisions of Chapters II and IV as well as Article 4 of the Supplementary Provisions come into effect from a day specified by Cabinet Order within a period not exceeding one year from the date of promulgation.

Supplementary Provisions [Act No.66 of September 11, 2015 Extract] [Extract]

(Effective Date)

Article 1 This Act comes into effect from April 1, 2016.

Supplementary Provisions [Act No.103 of December 14, 2016 Extract] [Extract]

(Effective Date)

(1) This Act comes into effect as of the date of promulgation.