

Basic Law on the Formation of an Advanced Information and Telecommunications Network Society (Japan)

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Chapter I General Provisions

(Purpose)

Article 1. The purpose of this Law shall be to promote measures for the formulation of an advanced information and telecommunications network society expeditiously and intensively by stipulating the basic ideas and the basic policy for formulating measures, clarifying the responsibilities of the State and local governments, establishing the Strategic Headquarters for the Promotion of an Advanced Information and Telecommunications Network Society, and providing stipulations on the development of a priority policy program for the formation of an advanced information and telecommunications network society, in light of the urgency to adapt ourselves to the world's rapid and drastic changes in the socioeconomic structure caused by the utilization of information and telecommunications technology.

(Definition)

Article 2. As used in this Law, an "advanced information and telecommunications network society" is a society in which people can develop themselves creatively and vigorously in all fields of activities by acquiring, sharing and transmitting a variety of information or knowledge on a global scale freely and safely through the Internet and other advanced information and telecommunications networks.

(Realization of a society in which the people can enjoy the benefits of information and telecommunications technology)

Article 3. The formation of an advanced information and telecommunications

network society shall be implemented with the objective of realizing a society in which the people can extensively enjoy the benefits of information and telecommunications technology by having the opportunities to use the Internet and other advanced information and telecommunications networks easily and independently, and being able to fully and creatively demonstrate their individual abilities through such opportunities.

(Promotion of the economic structural reform and enhancement of the international competitiveness of industry)

Article 4. The formation of an advanced information and telecommunications network society shall contribute to promotion of the economic structural reform and to enhancement of the international competitiveness of industry by boosting e-commerce and other economic activities that are driven by advanced information and telecommunications networks (hereinafter referred to as "e-commerce, etc."), upgrading the management efficiency and productivity of small and medium sized enterprises as well as other business enterprises, creating new businesses, and increasing employment opportunities.

(Realization of a national life that evokes feelings of comfort and affluence)

Article 5. The formation of an advanced information and telecommunications network society shall contribute to the realization of a national life that evokes feelings of comfort and affluence by improving convenience in national life, promoting the diversification of lifestyles, and expanding opportunities for consumers to make independent, rational selections through distribution of high-quality, extensive information that covers the life of the people and provision of diverse services at low rates via the Internet or other advanced information and telecommunications networks.

(Realization of vital local communities and improvement of the welfare of residents)

Article 6. The formation of an advanced information and telecommunications network society shall realize vital, individualized local communities and improve the welfare of local residents by activating the local economies, creating attractive employment opportunities in communities, and improving quality and convenience of the people's lives through expansion of diverse interchanges within and between communities via information and telecommunications technology.

(Role sharing between the State/local governments and the private sector)

Article 7. In forming an advanced information and telecommunications network society, the private sector shall take the leading role in principle, while the State and local governments shall implement measures centering on the establishment of an environment where the private sector can exert its full potential, including promotion of fair competition and solution of causes that obstruct the formation of an advanced information and telecommunications network society, such as revision of regulations.

(Correction of gaps in opportunities for use, etc.)

Article 8. In forming an advanced information and telecommunications network society, it is necessary to make active efforts to correct gaps in opportunities and skills for use of information and telecommunications technology that are caused by geographical restrictions, age, physical circumstances and other factors, considering that such gaps may noticeably obstruct the smooth and uninterrupted formation of an advanced information and telecommunications network society.

(Dealing with new problems that emerge in line with changes in the socioeconomic structure)

Article 9. In forming an advanced information and telecommunications network society, it is necessary to deal precisely and actively with every new problem in employment and other areas that emerge in line with changes in the socioeconomic structure that are caused by the use of information and telecommunications technology.

(Responsibilities of the State and local governments)

Article 10. The State shall have the responsibility of formulating and implementing measures on the formulation of an advanced information and telecommunications network society in accordance with the basic ideas on the formation of an advanced information and telecommunications network society set forth in provisions from Article 3 through the preceding article (hereinafter referred to as the "basic ideas").

Article 11. Local governments shall have the responsibility of formulating and implementing autonomous measures that reflect distinctive features of the territories of the relevant local governments with regard to the formation of an advanced information and telecommunications network society, by appropriately sharing the roles with the State.

Article 12. The State and local governments shall mutually cooperate so that measures on the formation of an advanced information and telecommunications network society will be implemented expeditiously and intensively.

(Legal measures, etc.)

Article 13. The government shall take legal, fiscal and other actions that are necessary for implementing measures on the formation of an advanced information and telecommunications network society.

(Compilation and publication of statistics, etc.)

Article 14. The government shall compile statistics concerning the advanced information and telecommunications network society and other materials that contribute to the formation of an advanced information and telecommunications network society, and publish them as occasion arises via the Internet and through other appropriate methods.

(Measures to gain better understanding of the people)

Article 15. The government shall take necessary actions to gain better understanding of the people regarding the formation of an advanced information and telecommunications network society through publicity activities, etc.

Chapter II Basic Policy Relating to the Formulation of Measures

(Integrated promotion of the further expansion of advanced information and telecommunications networks, etc.)

Article 16. In formulating measures on the formation of an advanced information and telecommunications network society, it is necessary to promote in an integrated manner further expansion of advanced information and telecommunications networks, enrichment of texts, sounds, images and other information via advanced information and telecommunications networks, and learning of the skills that are necessary for utilizing information and telecommunications technology, considering that these factors are all indispensable and closely interlinked.

(Formation of advanced information and telecommunications networks of the world's highest level)

Article 17. In formulating measures on the formation of an advanced information and telecommunications network society, it is necessary to facilitate fair competition among telecommunications carriers and to take other required measures in order to promote the formation of the world's most advanced information and telecommunications networks that are widely available to the people at low rates.

(Promotion of education and learning as well as development of human resources)

Article 18. In formulating measures on the formation of an advanced information and telecommunications network society, it is necessary to promote education and learning so that all people can utilize information and telecommunications technology, and to take the required measures to develop creative human resources with expert knowledge or skills that will lay the foundations for the development of an advanced information and telecommunications network society.

(Facilitation of e-commerce, etc.)

Article 19. In formulating measures on the formation of an advanced information and telecommunications network society, it is necessary to review regulations, establish new general principles, appropriately protect and exploit intellectual property rights, protect consumers, and implement other measures required for the facilitation of e-commerce, etc.

(Digitization of administration)

Article 20. In formulating measures on the formation of an advanced information and telecommunications network society, it is necessary to implement necessary measures

to actively promote a digitized administration, such as expanding use of the Internet and other advanced information and telecommunications networks in clerical operations of the State and local governments, in order to improve convenience for the people, as well as simplify and improve efficiency and transparency of administrative management.

(Application of information and telecommunications technology in the public sector)

Article 21. In formulating measures on the formation of an advanced information and telecommunications network society, it is necessary to implement required measures to diversify and improve the quality of public-sector services by use of information and telecommunications technology, in order to improve convenience for the people.

(Assuring security, etc. of advanced information and telecommunications networks)

Article 22. In formulating measures on the formation of an advanced information and telecommunications network society, it is necessary to assure security and reliability for advanced information and telecommunications networks, protect personal data and implement other measures required so that people may use advanced information and telecommunications networks with a sense of security.

(Promotion of research and development)

Article 23. In formulating measures on the formation of an advanced information and telecommunications network society, it is necessary to implement measures required to promote creative research and development under close mutual cooperation between the State, local governments, universities, enterprises, etc. concerning information and telecommunications technology, considering that rapid technological innovation serves as the foundations for future development of an advanced information and telecommunications network society and as the source of higher international competitiveness of industry in Japan.

(International cooperation and contribution)

Article 24. In formulating measures on the formation of an advanced information and telecommunications network society, it is necessary to implement measures required to make international alliances in research and development, to give technological assistance to developing nations, and to take other kinds of international cooperation actively concerning advanced information and telecommunications networks as well as e-commerce and other socioeconomic activities that utilize these networks, considering that advanced information and telecommunications networks has spread on a global scale.

Chapter III Strategic Headquarters for the Promotion of an

Advanced Information and Telecommunications Network
Society (Articles 25 to 34)

(Establishment)

Article 25. In order to promote measures on the formation of an advanced information and telecommunications network society expeditiously and intensively, the Strategic Headquarters for the Promotion of an Advanced Information and Telecommunications Network Society (hereinafter referred to as the "Headquarters") shall be established in the Cabinet.

(Operations within the jurisdiction of the Headquarters)

Article 26. The Headquarters shall have jurisdiction over the following operations:

(i) development of a priority policy program on the formation of an advanced information and telecommunications network society (hereinafter referred to as the "priority policy program"), and promotion of implementation of such plans; and

(ii) besides those mentioned in the preceding item, deliberation on planning important measures on the formation of an advanced information and telecommunications network society, and the promotion of implementation of such measures.

(Organization)

Article 27. The Headquarters shall be organized from the Director-General of the Strategic Headquarters for the Promotion of an Advanced Information and Telecommunications Network Society, the Vice Director-Generals of the Strategic Headquarters for the Promotion of an Advanced Information and Telecommunications Network Society, 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. The Headquarters shall be headed by a Director-General of the Strategic Headquarters for the Promotion of an Advanced Information and Telecommunications Network Society (hereinafter referred to as the "Director-General"), the post of which shall be served by the Prime Minister.

2. The Director-General shall be in charge of general coordination of the operations of the Headquarters, and shall direct and supervise relevant officials.

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

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

referred to as the "Vice Director-Generals") shall be assigned in the Headquarters, the post of which shall be served by State Ministers.

2. The Vice Director-Generals shall assist the duties of the Director-General.

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

Article 30. Members of the Strategic Headquarters for the Promotion of an Advanced Information and Telecommunications Network Society (hereinafter referred to as the "Members") shall be assigned in the Headquarters.

2. The posts of the Members shall be served by the following persons:

- (i) all State Ministers other than the Director-General and Vice Director-Generals; and
- (ii) those having superior insights into the formulation of an advanced information and telecommunications network society who have been appointed by the Prime Minister.

(Submission of materials and other forms of cooperation)

Article 31. The Headquarters may, if it considers it necessary for implementing operations under its jurisdiction, demand submission of materials, statement of views, explanations and other required cooperation from the heads of administrative organs concerned, local governments and independent administrative institutions (the independent administrative institutions set forth in Article 2(1) of the Law on General Principles Concerning Independent Administrative Institutions [Law No.103 of 1999]) and the representatives of government corporations (corporations directly established by a law or corporations specially established by a special law to which the provision of Article 4(15) of the Law on Establishment of the Ministry of Public Management, Home Affairs, Posts and Telecommunications [Law No.91 of 1999] applies).

2. The Headquarters may also request required cooperation from parties other than those set forth in the preceding clause, if it considers it especially necessary for implementing operations under its jurisdiction.

(Operations)

Article 32. Operations concerning the Headquarters shall be processed within the Cabinet Secretariat and administered by the Assistant Deputy Chief Cabinet Secretary under commission.

(Competent Minister)

Article 33. The competent Minister as set forth in the Cabinet Law (Law No.5 of 1947) for matters related to the Headquarters shall be the Prime Minister.

(Authorization to Cabinet Orders)

Article 34. Necessary matters concerning the Headquarters other than those set forth in this Law shall be stipulated by Cabinet Orders.

Chapter IV Priority Policy Program Concerning Formation of an
Advanced Information and Telecommunications Network
Society (Article 35)

Article 35. The Headquarters shall develop a priority policy program according to the provisions in this chapter.

2. The following matters shall be decided within the priority policy program:

(i) the basic policy concerning measures that the government should implement expeditiously and intensively on the formulation of an advanced information and telecommunications network society;

(ii) measures that the government should implement expeditiously and intensively to promote the formation of the world's most advanced information and telecommunications;

(iii) measures that the government should implement expeditiously and intensively to promote education and learning as well as to develop human resources;

(iv) measures that the government should implement expeditiously and intensively to facilitate e-commerce, etc.;

(v) measures that the government should implement expeditiously and intensively to promote digitization of administration and application of information and telecommunications technology in the public sector;

(vi) measures that the government should implement expeditiously and intensively to assure the security and reliability of advanced information and telecommunications networks; and

(vii) Matters other than those stipulated in the preceding clauses that are required for the government to promote measures expeditiously and intensively on the formulation of an advanced information and telecommunications network society.

3. Concrete objectives and time limits for accomplishment of these objectives shall be, in principle, decided for the measures determined within the priority policy program.

4. When the Headquarters develops the priority policy program pursuant to Clause 1, it shall publish the plan via the Internet and other appropriate means without delay.

5. The Headquarters shall investigate the accomplishment level of the objectives set forth in the provision of Clause 3 and publish the results via the Internet and other appropriate means in a timely manner.

6. The provision of Clause 4 shall be applied mutatis mutandis to changes in the priority policy program.