

2024 AVIA Regulating for Growth – OCC TV Matrix for Japan

Questions	OCC TV	Foreshadowed changes?
1. How regulated? <i>Details of regulator/s</i>	<ul style="list-style-type: none"> The Broadcast Law¹ does not define OCC services. Most OCC services are not specifically regulated. However, some services (such as services that deliver content to mobile devices by using VHF-low frequencies) have been categorised as broadcasting and are required to get licences. If categorised as broadcasting, the service must comply with the Broadcast Law, which is administered by the Ministry of Internal Affairs and Communications (MIC) as the regulator of the broadcasting business. 	<ul style="list-style-type: none"> None.
2. Copyright protection?	<ul style="list-style-type: none"> Copyright is protected by the Copyright Law² which has a strong framework and imposes significant penalties. There is effective enforcement and content protection. Online piracy is a violation of the Copyright Law which imposes criminal sanctions (imprisonment and fine). Criminal sanctions on illegal downloading were introduced in 2012. Generally speaking, the police are pro-active in uncovering illegal uploading. Copyright collecting societies must register with the Commissioner of the Agency for Cultural Affairs, and submit to the Commissioner the terms and conditions on how third parties can use copyright. 	<ul style="list-style-type: none"> None.
3. Convergence and new technologies	<ul style="list-style-type: none"> There is no specific regulation of OCC services. 	<ul style="list-style-type: none"> None.
4. Licensing of foreign channels <i>Allowed, prohibited or unregulated?</i>	<ul style="list-style-type: none"> If OCC is not on a pay TV platform, providing foreign OCC channels is not subject to licensing requirements. No specific licensing requirements for foreign channels as long as the pay TV platform has the necessary licences. No specific restraints on channel uplinking or downlinking. 	<ul style="list-style-type: none"> None.
5. Licence fees and taxation	<ul style="list-style-type: none"> No licensing or frequency usage fees. 	<ul style="list-style-type: none"> None.

¹ <https://www.japaneselawtranslation.go.jp/ja/laws/view/4509>

² <https://www.japaneselawtranslation.go.jp/ja/laws/view/4207>

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6. Rate regulation <i>Including wholesale and retail rate regulation and whether there are any price controls on eg. basic tier</i>	<ul style="list-style-type: none"> There are no specific regulations. 	<ul style="list-style-type: none"> None.
7. Programme packaging <i>Including tiering, bundling, any mandatory a la carte</i>	<ul style="list-style-type: none"> No restrictions. 	<ul style="list-style-type: none"> None.
8. Restrictions on advertising <i>Including localisation rules, revenue and minutage restrictions</i>	<ul style="list-style-type: none"> Advertising is permitted and is generally not regulated by the Broadcast Law. The Japan Interactive Advertising Association (JIAA) issues guidelines to members (online ad media companies) as a means of self-regulation. 	<ul style="list-style-type: none"> None.
9. (a) Content regulation <i>Including local content quotas, content control and insertion of classification and other content labels into international feeds</i>	<ul style="list-style-type: none"> No local content quotas or classification requirements. Under the Act on the Development of an Environment that Provides Safe and Secure Internet Use for Young People, operators who provide internet services to teenagers must adopt measures for the minimum exposure of teenagers to harmful information, including information that induces them to commit a crime, stimulates sexual drive, or contains atrocious descriptions such as graphic depictions of a murder. 	<ul style="list-style-type: none"> None.
9. (b) Content regulation <i>Including languages, dubbing/subtitling and captioning</i>	<ul style="list-style-type: none"> None. 	<ul style="list-style-type: none"> None.
10. Programme supply restrictions <i>Including must provide rules and other restrictions on exclusivity and anti-siphoning rules</i>	<ul style="list-style-type: none"> None. 	<ul style="list-style-type: none"> None.
11. Restrictions on FDI <i>Including platforms and wholesale supply of programming and Cross-media ownership restrictions</i>	<ul style="list-style-type: none"> No restrictions. 	<ul style="list-style-type: none"> None.

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12. Retransmission arrangements <i>Including must carry and remuneration</i>	<ul style="list-style-type: none"> No specific arrangements. 	<ul style="list-style-type: none"> None.
13. Consumer protection Including cooling-off period, termination rights and payment mechanism	<ul style="list-style-type: none"> No specific requirements. 	<ul style="list-style-type: none"> None.
14. Entering a new market: FAST TV	<ul style="list-style-type: none"> No specific requirements. 	<ul style="list-style-type: none"> None.
15. Data handling	<ul style="list-style-type: none"> The key regulation on data handling in Japan is the Act on the Protection of Personal Information. There is no requirement regarding data localisation, except in the medical industry. 	<ul style="list-style-type: none"> None.
Other country-specific information not already covered	<ul style="list-style-type: none"> None. 	<ul style="list-style-type: none"> None.