

[Interim Translation (official: Japanese)]
Cabinet Order No. 41(February 28, 2001)

Enforcement Order
on Electronic Signatures and Certification Business

The Cabinet enacted this Cabinet Order pursuant to the provisions in paragraph 1 of Article 7 of the Act on Electronic Signatures and Certification Business (Act No. 102 of 2000) (including cases where it is applied *mutatis mutandis* pursuant to Paragraph 2 of Article 15 of the Act), paragraph 1 of Article 22 (including the cases where it is applied *mutatis mutandis* pursuant to paragraph 6 of Article 31 of the Act), and paragraphs 1 and 2 of Article 36.

Article 1 (Term of Validity of Accreditation of Specified Certification Business)

The term of validity prescribed by the Cabinet Order in paragraph 1 of Article 7 (including cases where it is applied *mutatis mutandis* pursuant to paragraph 2 of Article 15 of the Act) of the Act on Electronic Signatures and Certification Business (hereinafter referred to as the "Act") shall be one year.

Article 2 (Term of Validity of Designation, etc. of the Designated Investigative Organization)

The term of validity provided by the Cabinet Order in paragraph 1 of Article 22 of the Act (including cases where it is applied *mutatis mutandis* pursuant to paragraph 6 of Article 31 of the Act) shall be five years.

Article 3 (Fee Relating to the Application for Accreditation, etc.)

(1) The fee which the persons listed in each item of paragraph 1 of Article 36 of the Act shall pay to the national government pursuant to the provisions of the said paragraph, are as prescribed in each of the following items according to the cases listed.

(i) If the competent minister makes the Designated Investigative Organization set forth in paragraph 1 of Article 17 of the Act perform all the Investigations, pursuant to the provision of the said paragraph, the fee prescribed in (a) or (b) according to the categorization of the parties listed in (a) or (b).

(a) A person who seeks the renewal of accreditation set forth in paragraph 1 of Article 7

of the Act (including cases where it is applied *mutatis mutandis* pursuant to paragraph 2 of Article 15 of the Act): 10,300 yen

(b) A person who seeks the accreditation of modification set forth in paragraph 1 of Article 9 of the Act (including cases where it is applied *mutatis mutandis* pursuant to paragraph 2 of Article 15 of the Act): 5,600 yen

(ii) If the competent minister does not to make the Designated Investigative Organization set forth in paragraph 1 of Article 17 of the Act perform all the Investigations, pursuant to the said paragraph, the amount prescribed in a separate Cabinet Order.

(2) If, in a case where application for accreditation or its renewal is made using electronic information processing systems prescribed in paragraph 1 of Article 3 of the Act on the Use of Information and Communication Technology in Administrative Procedures (Act No. 151 of 2002), “10,300 yen” and “5,600 yen” set forth in item (1) in the preceding paragraph shall be read as “9,900 yen” and “5,200 yen ”, respectively.

Article 4 (Approval of Fees Relating to the Investigation Performed by Designated Investigative Organization)

(1) Designated Investigative Organizations who seeks the approval pursuant to the provisions of paragraph 2 of Article 36 of the Act must submit to the competent minister the application forms with the matters prescribed in the ordinance of the competent ministers relating to the fees for seeking approval and the fees required for the implementation of investigation services. The same shall apply to when seeking the approval of the change in fees.

(2) The competent minister shall only approve the application of the preceding paragraph when he/she finds that an application conforms to all of the following items.

(i) The fee should not exceed the fee required for the appropriate implementation of the investigation.

(ii) There should be no undue, discriminatory treatment for specific persons.

Supplementary Provision

This Cabinet Order shall come into force as from April 1, 2001.

Supplementary Provision

This Cabinet Order shall come into force as from March 29, 2004.

The Enforcement Order of the Act on Registration License Tax is promulgated here.

(Partial Revision of the Enforcement Order on Electronic Signatures and Certification Business)

Article 13 A part of the Enforcement Order on Electronic Signatures and Certification Business is revised as follows:

“(a) through (c)” in item (i), paragraph 1 of Article 3 is revised as “(a) or (b)”,

“the accreditation set forth in paragraph 1 of Article 4 or the ” in (a) in the said item is revised as “accreditation set forth in paragraph 1 of Article 7 (including cases where it is applied *mutatis mutandis* pursuant to paragraph 2 of Article 15 of the Act)”, and delete (c).