

Annex B

Accountability Agent Recognition Criteria Checklist

No	Requirements of CBPR	Justification by JIPDEC
1	<p>Conflicts of Interest</p> <p>Applicant Accountability Agent should describe how requirements 1(a) and (b) in Annex A have been met and submit all applicable written policies and documentation.</p>	<p>■ Requirement 1(a),1(b) i to ii</p> <p>JIPDEC applies the following rule.</p> <p>NTK300 (Rules for CBPR Certification)</p> <p>Article 7 (Fairness)</p> <p>1) JIPDEC shall establish and operate its organization in a manner that ensures objectivity and fairness of the CBPR certification work.</p> <p>2) JIPDEC shall not be influenced by undue pressures in business, financial and other activities that could impair its fairness and shall not provide services that influence its fairness (including consulting services related to CBPR certification).</p> <p>■ Requirement 1(b) iii</p> <p>JIPDEC applies the following rule.</p> <p>NTK300 (Rules for CBPR Certification)</p> <p>Article 23 (Audit of CBPR Certification services)</p> <p>JIPDEC shall carry out an audit to ensure that CBPR certification work is properly and accurately performed each year.</p> <p>■ Requirement 1(b) iv</p> <p>JIPDEC makes the certification standard available on the following website.</p> <p>https://english.jipdec.or.jp/activities/cbpr/r4iirj0000001ofl-att/CertificationStandards.pdf</p>

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		<p>■Requirement 1(b) v Under Japan's personal information protection regime, Accountability Agent's services are recognized as one of services to be provided by accredited personal information protection organizations under the "Act on the Protection of Personal Information". Therefore, it is required to be recognized as an accredited personal information protection organization in order to perform Accountability Agent's services. JIPDEC, as an accredited personal information protection organization, shall submit reports on implementation of its accredited services including the CBPR certification work such as certification of new applicant organizations, audits of current participating organizations and complaints handling on at least an annual basis pursuant to the "Guideline for Recognition of Accredited Personal Information Protection Organization".</p> <p>■Requirement 1(b) v NTK320 (Rules for Complaints Handling regarding CBPR certification) 6. Report 6.1 Annual Report (1) JIPDEC shall prepare an annual report as prescribed in Article 10g and 10h of "Accountability Agent Recognition Criteria" regarding the number of complaints and requests for assistance that have been received from January to December of the relevant year, and description of complaints that have been resolved during the same period. The annual report shall include the following items: i) Reports on activities regarding handling complaints ii) Description of notable complaints and requests for assistance (2) The annual report prepared shall be submitted to the APEC Joint Oversight Panel and relevant administrative authorities.</p> <p>■Requirement 1(b) vi JIPDEC applies the following rule.</p> <p>NTK320 (Rules for Complaints Handling regarding CBPR certification) 7. Publication</p>

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		<p>When a complaint has been resolved, JIPDEC may publish the outcome including the following matters.</p> <ol style="list-style-type: none"> 1) an account of the facts 2) The relevant laws and regulations 3) Application of laws and regulations related to the facts of 1) 4) The outcome of the complaint 5) The date when the complaints were resolved.
2	<p>Applicant Accountability Agent should submit an overview of the internal structural and procedural safeguards to address any of the potential or actual conflicts of interest identified in 2(b) of Annex A.</p>	<p>■ Requirement 2 (b)</p> <p>JIPDEC applies the following rule.</p> <p>NTK300 (Rules for CBPR Certification)</p> <p>Article 7 (Fairness)</p> <ol style="list-style-type: none"> 1) JIPDEC shall establish and operate its organization in a manner that ensures objectivity and fairness of the CBPR certification work. 2) JIPDEC shall not be influenced by undue pressures in business, financial and other activities that could impair its fairness and shall not provide services that influence its fairness (including consulting services related to CBPR certification). 3) JIPDEC's officers, employees, secondees, temporary employees, and part-time workers (hereinafter referred to as "employees") and contractors (including a person in charge of assessment, a member of the CBPR Review Committee, etc.) that are involved in the CBPR certification work (hereinafter referred to as "persons involved in CBPR certification work"), shall not commit any action that could raise doubts concerning the fair and neutral position of JIPDEC, such as provision convenience or unfair discrimination that brings advantage for specific persons through the CBPR certification work by JIPDEC. 4) JIPDEC shall not allow any of its employees who has an interest in applicants or CBPR certified companies to be involved in the CBPR certification work. If it is found that any employee has an interest in the course of the CBPR certification work, JIPDEC shall promptly dismiss such employee from the CBPR certification work, and the CBPR certification work shall be carried out again. 5) JIPDEC shall require persons involved in the CBPR certification work to submit a written pledge to ensure

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		compliance with the Article 7.3 and 7.4.
3	Applicant Accountability Agent should describe the disclosure/withdrawal mechanisms to be used in the event of any actual conflict of interest identified.	<p>■ Requirement 3</p> <p>When JIPDEC receives an inquiry or is asked for explanation from the JOP or APEC member economies concerning an interest that persons involved in the CBPR certification work may have with applicants or CBPR certified companies, JIPDEC shall disclose all relevant information in order to ensure that there is no such conflict of interest. In the event that persons involved in the CBPR certification work actually have an interest with applicants or CBPR certified companies or such interest is confirmed, JIPDEC shall take immediate corrective actions in accordance with the following rule.</p> <p>NTK300 (Rules for CBPR Certification)</p> <p>Article 7(Fairness)</p> <p>4) JIPDEC shall not allow any of its employees who has an interest in applicants or CBPR certified companies to be involved in the CBPR certification work. If it is found that any employee has an interest in the course of the CBPR certification work, JIPDEC shall promptly dismiss such employee from the CBPR certification work, and the CBPR certification work shall be carried out again.</p>
4	<p>Program Requirements</p> <p>Applicant Accountability Agent should indicate whether it intends to use the relevant template documentation developed by APEC or make use of Annex C to map its existing intake procedures program requirements.</p>	<p>■ Requirement 4</p> <p>JIPDEC makes use of Annex C to map its existing intake procedures program requirements. Comparison of the CBPR program requirements and the JIPDEC certification standard is described in Annex C.</p>
5	<p>Certification Process</p> <p>Applicant Accountability Agent should submit a description of how the requirements as identified in 5 (a) – (d) of Annex A have been met.</p>	<p>■ Requirement 5 (a) to (d)</p> <p>JIPDEC applies the following rule.</p> <p>NTK300 (Rules for CBPR Certification)</p> <p>Article 9</p> <p>A company that intends to apply for CBPR certification shall submit the application form and the CBPR intake questionnaire, internal rules and forms concerning personal information transferred across borders, and other</p>

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		<p>necessary documents or materials (hereinafter referred to as "applications") to JIPDEC, and pay the assessment fee.</p> <p>NTK310 (Rules for Operation of the CBPR Certification)</p> <p>2.5 Certification Assessment</p> <p>2.5.1 Matters to be assessed</p> <p>A person in charge of assessment shall carry out the assessment to judge whether an applicant meets the JIPDEC certification standard by means of written documents, interviews, on-site inspection and other methods specified by JIPDEC.</p> <p>2.5.2 Documents to be assessed</p> <p>The person in charge of assessment shall review the following materials submitted by applicants.</p> <ul style="list-style-type: none"> - Self-assessment results in the CBPR intake questionnaire provided by the applicant - Internal rules and forms concerning personal information transferred across borders and other necessary documents or materials (documents providing rules and processes for personal information protection including notifications and announcements of the purposes of using personal information, such as published privacy policies, and other documents required for CBPR certification process). <p>2.6 Identification and Improvement of Nonconformity</p> <p>2.6.1 Identification of Nonconformity</p> <p>The CBPR Certification group and the person in charge of assessment shall point out non-fulfillment of the JIPDEC certification standards in CBPR certification process based on the following procedure.</p> <ol style="list-style-type: none"> a) The person in charge of assessment shall submit to the CBPR Certification group a report which includes a list of changes that should be corrected to meet the JIPDEC certification standards. b) The CBPR Certification group shall promptly send the report submitted by the person in charge of assessment to the applicant. <p>The report shall include the following matters.</p> <ol style="list-style-type: none"> 1) Date of assessment and date of issue of the report

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		<p>2) Name of the persons responsible for the report</p> <p>3) Opinions on fulfilment in the materials submitted by the applicant (including a clear description of the non-fulfillment)</p> <p>4) If there is any difference with information that the applicant has provided in advance in the certification process, explanation thereof</p> <p>5) Other matters necessary for correcting the non- fulfillment</p> <p>The CBPR Certification group must give the applicant an opportunity to ask questions about the non-fulfillment of the JIPDEC certification standards and the grounds for the judgment.</p> <p>2.6.2 Request for Report on Improvement</p> <p>The person in charge of assessment shall request the applicant to submit a written report on measures taken to correct the non-fulfillment identified in the written findings before the due date designated by the CBPR Certification group.</p> <p>2.6.3 Assessment Report</p> <p>The person in charge of assessment shall prepare an assessment report and submit it to the CBPR certification group when it is confirmed that the applicant has met the JIPDEC certification standards, or when they considers that the certification should not be granted. Upon submission of the report, the CBPR certification process is considered to be completed.</p> <p>2.7 Results of certification assessment</p> <p>When the CBPR certification process is completed, the CBPR certification group shall notify the applicant of the result. If the applicant is considered to meet the JIPDEC certification standard, and the applicant pays the certification management fee and executes the CBPR certification contract, the CBPR certification group shall carry out a procedure to register the applicant as a CBPR certified company. JIPDEC shall issue a certificate to the CBPR certified company.</p>

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6	<p>On-going Monitoring and Compliance Review Processes</p> <p>Applicant Accountability Agent should submit a description of the written procedures to ensure the integrity of the certification process and to monitor the participant's compliance with the program requirements described in 5 (a)-(d).</p>	<p>■Requirement 6</p> <p>JIPDEC may set up a CBPR Certification Review Committee consisting of external experts who have exchanged a written pledge on confidentiality with JIPDEC, and obtain advice on appropriateness of a certification process to ensure integrity of the process.</p> <p>JIPDEC applies the following rule.</p> <p>NTK310 (Rules for Operation of the CBPR Certification)</p> <p>2.9 Monitoring the conformity and validity of CBPR certification</p> <p>The CBPR certification group shall periodically monitor whether CBPR certified companies comply with the JIPDEC certification standard during the validity period of certification, including the following points</p> <ol style="list-style-type: none"> 1) Public announcements by the CBPR certified companies 2) Complaints from individuals regarding personal information transferred across borders 3) Requests for assistance from relevant administrative authorities and accountability agents in Japan and overseas. <p>The CBPR certification group shall prepare and maintain a record showing the implementation of the monitoring and results thereof.</p>
7	<p>Applicant Accountability Agent should describe the review process to be used in the event of a suspected breach of the program requirements described in 5(a)-(d) of Annex A.</p>	<p>■Requirement 7</p> <p>JIPDEC applies the following rule.</p> <p>NTK 310 (Rules for Operation of the CBPR Certification)</p> <p>3. Special Assessment</p> <p>3.1 Implementation of Special Assessment</p> <p>The CBPR certification group may carry out a special assessment during the validity period of certification, if it suspends the certification and intends to revoke or suspend the certification, or if a CBPR certified company is suspected of breaching the JIPDEC Certification Standards.</p> <p>3.2 Special Assessment Procedures</p>

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		<p>3.2.1 Notice The CBPR certification group shall notify the relevant CBPR certified company the reason for carrying out a special assessment and its scope, in writing.</p> <p>3.2.2 A person in charge of assessment in Special Assessment When carrying out a special assessment, the CBPR certification group shall appoint a person in charge of assessment who is different from the person who were in charge of the most recent certification or recertification of the relevant CBPR certified company.</p> <p>3.2.3 Matters to be Assessed The person in charge of assessment carry out an assessment to determine whether the CBPR certified company meets the JIPDEC certification standards. The documents subject to the special assessment shall not necessarily be limited to those submitted by the CBPR certified company.</p> <p>3.2.4 Identification and Improvement of Nonconformity The person in charge of assessment shall identify nonconformities with JIPDEC certification standards in the special assessment, request a report of improvement, and prepare and submit an assessment report in accordance with the procedures described in Article 2.6.</p> <p>3.3 Result of the special Assessment 3.3.1 In the Case of conformity When the CBPR certification group confirms that the relevant CBPR certified company meets the JIPDEC certification standards as a result of the special assessment, it shall notify the CBPR certified company in writing.</p> <p>3.3.2 In the Case of Nonconformity When The CBPR certification group confirms that the relevant CBPR certified company does not meet the JIPDEC certification standards as a result of the special assessment and considers that the nonconformity have not been improved even after pointing out the findings based on Article 3.2.4, it shall notify the CBPR certified company and</p>

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		may suspend or revoke the CBPR certification in accordance with provisions described by JIPDEC.
8	<p>Re-Certification and Annual Attestation</p> <p>Applicant Accountability Agent should describe their re-certification and review process as identified in 8 (a)-(d) of Annex A.</p>	<p>■ Requirement 8 (a) to (d)</p> <p>JIPDEC applies the following rule.</p> <p>NTK300 (Rules for CBPR Certification)</p> <p>Article 12 (Recertification)</p> <p>A CBPR certified company may undergo assessment by JIPDEC and obtain recertification prior to the expiration date of its CBPR certification described in Article 10.</p> <p>NTK310 (Rules for Operation of the CBPR Certification)</p> <p>2.5 Certification Assessment</p> <p>2.5.1 Matters to be assessed</p> <p>A person in charge of assessment shall carry out the assessment to judge whether an applicant meets the JIPDEC certification standard by means of written documents, interviews, on-site inspection and other methods specified by JIPDEC.</p> <p>2.5.2 Documents to be Assessed</p> <p>The person in charge of assessment shall review the following materials submitted by applicants.</p> <ul style="list-style-type: none"> - Self-assessment results in the CBPR intake questionnaire provided by the applicant - Internal rules and forms concerning personal information transferred across borders and other necessary documents or materials (documents providing rules and processes for personal information protection including notifications and announcements of the purposes of using personal information, such as published privacy policies, and other documents required for CBPR certification process). <p>2.6 Identification and Improvement of Nonconformity</p> <p>2.6.1 Identification of Nonconformity</p> <p>The CBPR Certification group and the person in charge of assessment shall point out non-fulfillment of the JIPDEC</p>

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		<p>certification standards in CBPR certification process based on the following procedure.</p> <ol style="list-style-type: none"> a) The person in charge of assessment shall submit to the CBPR Certification group a report which includes a list of changes that should be corrected to meet the JIPDEC certification standards. b) The CBPR Certification group shall promptly send the report submitted by the person in charge of assessment to the applicant. <p>The report shall include the following matters.</p> <ol style="list-style-type: none"> 1) Date of assessment and date of issue of the report 2) Name of the persons responsible for the report 3) Opinions on fulfilment in the materials submitted by the applicant (including a clear description of the non-fulfillment) 4) If there is any difference with information that the applicant has provided in advance in the certification process, explanation thereof 5) Other matters necessary for correcting the non-fulfillment <p>The CBPR Certification group must give the applicant an opportunity to ask questions about the non-fulfillment of the JIPDEC certification standards and the grounds for the judgment.</p> <p>2.6.2 Request for Report on Improvement</p> <p>The person in charge of assessment shall request the applicant to submit a written report on measures taken to correct the non-fulfillment identified in the written findings before the due date designated by the CBPR Certification group.</p> <p>2.6.3 Assessment Report</p> <p>The person in charge of assessment shall prepare an assessment report and submit it to the CBPR certification group when it is confirmed that the applicant has met the JIPDEC certification standards, or when they considers that the certification should not be granted. Upon submission of the report, the CBPR certification process is considered to be completed.</p>

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		<p>2.7 Results of certification assessment</p> <p>When the CBPR certification process is completed, the CBPR certification group shall notify the applicant of the result. If the applicant that is considered to meet the JIPDEC certification standard, and the applicant pays the certification management fee and executes the CBPR certification contract, the CBPR certification group shall carry out a procedure to register the applicant as a CBPR certified company. JIPDEC shall issue a certificate to the CBPR certified company.</p>
9	<p>Dispute Resolution Process</p> <p>Applicant Accountability Agent should describe the mechanism to receive and investigate complaints and describe the mechanism for cooperation with other APEC recognized Accountability Agents that may be used when appropriate.</p>	<p>■ Requirement 9</p> <p>JIPDEC applies the following rule.</p> <p>NTK320 (Rules for Complaints Handling regarding CBPR certification)</p> <p>3.1 Implementation System</p> <p>The CBPR certification group established within JIPDEC implements tasks concerning handling complaints. The tasks may be entrusted to a third party as necessary.</p> <p>3.2 Cooperation System</p> <p>The tasks concerning handling complaints shall be implemented in cooperation with relevant administrative authorities and accountability agents in Japan and overseas.</p>
10	<p>Applicant Accountability Agent should describe how the dispute resolution process meets the requirements identified in 10 (a) – (h) of Annex A, whether supplied directly by itself or by a third party under contract (and identify the third party supplier of such services if applicable and how it meets the conflict of interest requirements identified in sections 1-3 of Annex A) as well as its process to submit the required information in Annexes D and E.</p>	<p>■ Requirement 10</p> <p>JIPDEC applies the following rule.</p> <p>NTK320 (Rules for Complaints Handling regarding CBPR certification)</p> <p>5. Complaints Handling</p> <p>5.1 Acceptance</p> <p>Complaints regarding CBPR certified companies and requests for assistance from relevant administrative authorities or accountability agents in Japan and overseas shall be accepted in writing (including e-mail and fax). The following procedure shall be taken at the time of acceptance.</p> <p>1) JIPDEC shall explain the process of complaints handling to the individual. In this case, JIPDEC shall obtain</p>

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		<p>consent of the individual for handling complaints and providing personal information concerning the individual to relevant administrative authorities or accountability agents in Japan and overseas. JIPDEC shall obtain consent of the individual, when it is necessary to provide personal information concerning the individual to the CPBR certified company.</p> <p>2) JIPDEC, when it determines that it will not deal the complaint, shall notify the decision to the individual that has appealed the complaint or to the relevant administrative authorities or accountability agents in Japan and overseas that has made the requests for assistance.</p> <p>5.2 Records</p> <p>The following items shall be recorded in electronic or paper media, when a complaint is received in accordance with Article 5.1.</p> <ol style="list-style-type: none"> 1) Date of receipt; 2) Name and contact information, etc., of the individual that has appealed the complaint or the relevant administrative authority or the accountability agent in Japan and overseas that has made the requests for assistance; 3) Name of the organization subject to complaints or requests for assistance; 4) Details regarding complaints; 5) Decision on whether to handle such complaints or requests or not; 6) In a case in which such complaints or requests is processed, details regarding the process and the outcomes. <p>5.3 Investigation</p> <p>JIPDEC, when it accepts complaints or requests for assistance, shall carry out investigation in accordance with the following processes.</p> <ol style="list-style-type: none"> 1) JIPDEC shall notify the CBPR certified company of details of the complaints or the requests for assistance and a deadline for responding to the investigation. 2) The CBPR certified company shall investigate facts regarding the complaints or the requests for assistance that has been notified, and report results of the investigation (including, but not limited to, facts and measures to prevent recurrence) to JIPDEC by the deadline for response stated in the notice.

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		<p>5.4 Re-investigation JIPDEC may request the CBPR certified company to carry out re-investigation if content of the report by the CBPR certified company in Article 5.3.2 is deemed insufficient.</p> <p>5.5 Notification of the outcomes of complaints handling Based on the results of the investigation in Article 5.3 or the re-investigation in Article 5.4, JIPDEC shall reply in writing to the individual that has appealed the complaint, or to the relevant administrative authorities or accountability agents in Japan and overseas that have made the request for assistance, and to the CBPR certified company with regard to the outcomes of complaints handling.</p> <p>5.6 Guidance</p> <p>5.6.1 Notification of nonconformities JIPDEC, when it becomes clear that the CBPR certified company does not meet the JIPDEC certification standard as a result of the investigation in Article 5.3 or the re-investigation in Article 5.4, shall notify the CBPR certified company of the nonconformities and an implementation deadline of corrective measures.</p> <p>5.6.2 Reporting on Corrective Actions JIPDEC shall have the CBPR certified company report to JIPDEC that necessary corrective measures have been taken by the implementation deadline.</p> <p>5.7 Completion of complaint resolution process</p> <p>1) The complaint resolution process shall be deemed to be completed when JIPDEC has responded as described in Article 5.5 and the complaint is resolved.</p> <p>2) In the event of the complaint cannot be resolved, JIPDEC shall notify that to the individual who has appealed the complaints or to the relevant administrative authorities or the accountability agents in Japan and overseas and the CBPR certified company, and the complaint resolution process shall be deemed to be completed.</p>

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		<p>6. Report</p> <p>6.1 Annual Report</p> <p>(1) JIPDEC shall prepare an annual report as prescribed in Article 10g and 10h of “Accountability Agent Recognition Criteria” regarding the number of complaints and requests for assistance that have been received from January to December of the relevant year, and description of complaints that have been resolved during the same period. The annual report shall include the following items:</p> <ul style="list-style-type: none"> i) Reports on activities regarding handling complaints ii) Description of notable complaints and requests for assistance <p>(2) The annual report prepared shall be submitted to the APEC Joint Oversight Panel and relevant administrative authorities.</p> <p>6.2 Other Reports</p> <p>JIPDEC shall report to relevant administrative authorities on matters that it considers particularly important, such as in cases where a CBPR certified company does not comply with laws and regulations, etc.</p> <p>7. Publication</p> <p>When a complaint has been resolved, JIPDEC may publish the outcome including the following matters.</p> <ul style="list-style-type: none"> 1) an account of the facts 2) The relevant laws and regulations 3) Application of laws and regulations related to the facts of 1) 4) The outcome of the complaint 5) The date when the complaints were resolved. <p>NTK300 (Rules for CBPR Certification)</p> <p>Article 21 (Complaint Handling and Dispute Settlement)</p> <p>JIPDEC shall always accept complaints and shall respond appropriately and promptly. JIPDEC shall handle the complaints in accordance with the “Rules for Complaints Handling regarding CBPR certification” (NTK320).</p>

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		<p>Article 22 (Response to requests for assistance)</p> <p>JIPDEC shall respond to requests for assistance from relevant administrative authorities or accountability agents in Japan and overseas in accordance with the rules stipulated in the previous article.</p>
11	<p>Mechanism for Enforcing Program Requirements</p> <p>Applicant Accountability Agent should provide an explanation of its authority to enforce its program requirements against participants.</p>	<p>■ Requirement 11</p> <p>JIPDEC applies the following rule.</p> <p>NTK300 (Rules for CBPR Certification)</p> <p>Article 19 (Obligations of CBPR certified companies)</p> <p>1) CBPR certified companies shall comply with the JIPDEC Certification Standards.</p> <p>2) In the event that JIPDEC has taken measures such as providing guidance for a CBPR certified company to the extent necessary to comply with the JIPDEC Certification Standards, such CBPR certified company shall comply with those measures.</p> <p>3) CBPR certified companies shall conduct an investigation at the request by JIPDEC and report the results, when JIPDEC deems such action necessary in order to ensure compliance with the JIPDEC certification standards.</p> <p>4) When JIPDEC receives complaints or requests for assistance from relevant administrative authorities or accountability agents in Japan and overseas, the CBPR certified company shall endeavor promptly and sincerely to handle the complaint or to respond to the requests for assistance at the request of JIPDEC and shall report the results to JIPDEC.</p> <p>5) In the event that a CBPR certified company has violated or is likely to violate the JIPDEC certification standards, it shall report to JIPDEC the fact (including the date when it recognized the fact, the causes of such violation to the extent possible), and possible impact as soon as possible.</p> <p>6) When JIPDEC requests written or oral explanation or submission of materials, the CBPR certified company shall respond sincerely.</p> <p>7) When JIPDEC periodically or irregularly observes conformity and validity of the certification of a CBPR certified company in the term of validity, the CBPR certified company shall not refuse such observation without legitimate reasons.</p>
12	Applicant Accountability Agent should describe the	<p>■ Requirement 12</p>

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	<p>policies and procedures for notifying a participant of non-compliance with Applicant's program requirements and provide a description of the processes in place to ensure the participant remedy the non-compliance.</p>	<p>JIPDEC applies the following rule.</p> <p>NTK320 (Rules for Complaints Handling regarding CBPR certification)</p> <p>5.6 Guidance</p> <p>5.6.1 Notification of nonconformities</p> <p>JIPDEC, when it becomes clear that the CBPR certified company does not meet the JIPDEC certification standard as a result of the investigation in Article 5.3 or the re-investigation in Article 5.4, shall notify the CBPR certified company of the nonconformities and an implementation deadline of corrective measures.</p> <p>5.6.2 Reporting on Corrective Actions</p> <p>JIPDEC shall have the CBPR certified company report to JIPDEC that necessary corrective measures have been taken by the implementation deadline.</p> <p>NTK310 (Rules for Operation of the CBPR Certification)</p> <p>2.9 Monitoring the conformity and validity of CBPR certification</p> <p>The CBPR certification group shall periodically monitor whether CBPR certified companies comply with the JIPDEC certification standard during the validity period of certification, including the following points</p> <ol style="list-style-type: none"> 1) Public announcements by the CBPR certified companies 2) Complaints from individuals regarding personal information transferred across borders 3) Requests for assistance from relevant administrative authorities and accountability agents in Japan and overseas. <p>The CBPR certification group shall prepare and maintain a record showing the implementation of the monitoring and results thereof.</p> <p>NTK 310 (Rules for Operation of the CBPR Certification)</p> <p>3. Special Assessment</p> <p>3.1 Implementation of Special Assessment</p> <p>The CBPR certification group may carry out a special assessment during the validity period of certification, if it suspends the certification and intends to revoke or suspend the certification, or if a CBPR certified company is</p>

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		<p>suspected of breaching the JIPDEC Certification Standards.</p> <p>3.2 Special Assessment procedures</p> <p>3.2.1 Notice</p> <p>The CBPR certification group shall notify the relevant CBPR certified company the reason for carrying out a special assessment and its scope, in writing.</p> <p>3.2.2 A person in charge of assessment in Special Assessment</p> <p>When carrying out a special assessment, the CBPR certification group shall appoint a person in charge of assessment who is different from the person who were in charge of the most recent certification or recertification of the relevant CBPR certified company.</p> <p>3.2.3 Matters to be assessed</p> <p>The person in charge of assessment carry out an assessment to determine whether the CBPR certified company meets the JIPDEC certification standards. The documents subject to the special assessment shall not necessarily be limited to those submitted by the CBPR certified company.</p> <p>.</p> <p>3.2.4 Identification and Improvement of Nonconformity</p> <p>The person in charge of assessment shall identify nonconformities with JIPDEC certification standards in the special assessment, request a report of improvement, and prepare and submit an assessment report in accordance with the procedures described in Article 2.6.</p> <p>3.3 Result of the special Assessment</p> <p>3.3.1 In the Case of conformity</p> <p>When the CBPR certification group confirms that the relevant CBPR certified company meets the JIPDEC certification standards as a result of the special assessment, it shall notify the CBPR certified company in writing.</p> <p>3.3.2 In the Case of Nonconformity</p>

No	Requirements of CBPR	Justification by JIPDEC
		<p>When the CBPR certification group confirms that the relevant CBPR certified company does not meet the JIPDEC certification standards as a result of the special assessment and considers that the nonconformity have not been improved even after pointing out the findings based on Article 3.2.4, it shall notify the CBPR certified company and may suspend or revoke the CBPR certification in accordance with provisions described by JIPDEC.</p>
13	<p>Applicant Accountability Agent should describe the policies and procedures to impose any of the penalties identified in 13 (a) – (e) of Annex A.</p>	<p>■ Requirement 13</p> <p>JIPDEC applies the following rule.</p> <p>NTK300 (Rules for CBPR Certification)</p> <p>Article 15 (Temporary Suspension and Revocation of Certification as CBPR certified company)</p> <p>JIPDEC may suspend the certification of a CBPR certified company (hereinafter referred to as "temporary suspension") if a CBPR certified company falls under any of the following items:</p> <ul style="list-style-type: none"> • Cases where any serious fact that violates the JIPDEC certification standard has occurred or is likely to occur • Cases where any serious incident in handling personal information transferred across borders has occurred or is likely to occur • Cases where the issues raised by cautions or improvement guidance has not been improved or is unlikely to be improved <p>2) JIPDEC may revoke the certification of a CBPR certified company under any of the following conditions:</p> <ul style="list-style-type: none"> • Cases where it is found that there is a serious fact that violates the JIPDEC certification standards • Cases where there are incidents or accidents in handling personal information transferred across borders due to willful misconduct or gross negligence. <p>3) JIPDEC shall revoke the certification if a CBPR certified company falls under any of the following items:</p> <ul style="list-style-type: none"> • Cases where the company is no longer eligible for a personal information handling business operator covered by JIPDEC's accredited services which is stipulated in Article 47 of the "Act of the Protection of Personal Information" • Cases where the company is dissolved <p>4) If Japan is suspended from participating in the CBPR system, or APEC recognition as an Accountability Agent which JIPDEC has obtained is not renewed or revoked, the CBPR certification which is granted to companies by JIPDEC shall also be revoked.</p>

No	Requirements of CBPR	Justification by JIPDEC
		<p>5) In the event that JIPDEC suspends or revokes the CBPR certification of a CBPR certified company, JIPDEC may publish the fact of suspension or revocation, the cause of the action, the content of reports received from the CBPR certified company, and other necessary matters.</p> <p>NTK300 (Rules for CBPR Certification) Article 17 (Report to Administrative Authorities)</p> <p>When there is any serious fact that a CBPR certified company have violated the JIPDEC certification standards or when the CBPR certified company has not correct the violation by a specified deadline, JIPDEC shall report name of the CBPR certified company and the violation to relevant administrative authorities.</p>
14	<p>Applicant Accountability Agent should describe its policies and procedures for referring matters to the appropriate public authority or enforcement agency for review and possible law enforcement action.</p> <p>[NOTE: immediate notification of violations may be appropriate in some instances].</p>	<p>■ Requirement 14</p> <p>JIPDEC applies the following rule.</p> <p>NTK300(Rules for CBPR Certification) Article 17 (Report to Administrative Authorities)</p> <p>When there is any serious fact that a CBPR certified company have violated the JIPDEC certification standards or when the CBPR certified company has not correct the violation by a specified deadline, JIPDEC shall report name of the CBPR certified company and the violation to relevant administrative authorities.</p> <p>NTK320 (Rules for Complaints Handling regarding CBPR certification) 6.2 Other Reports</p> <p>JIPDEC shall report to relevant administrative authorities on matters that it considers particularly important, such as in cases where a CBPR certified company does not comply with laws and regulations, etc.</p>
15	<p>Applicant Accountability Agent should describe its policies and procedures to respond to requests from enforcement entities in APEC Economies where possible.</p>	<p>■ Requirement 15</p> <p>JIPDEC applies the following rule.</p> <p>NTK300(Rules for CBPR Certification) Article 22 (Response to requests for assistance)</p>

No	Requirements of CBPR	Justification by JIPDEC
		<p>JIPDEC shall respond to requests for assistance from relevant administrative authorities or accountability agents in Japan and overseas in accordance with the rules stipulated in the previous article.</p> <p>NTK320(Rules for Complaints Handling regarding CBPR certification)</p> <p>4. Scope of Complaints Handled</p> <p>4.2 Scope of handling requests for assistance</p> <p>JIPDEC shall handle requests for assistance received from relevant administrative authorities or accountability agents in Japan and overseas regarding a CBPR certified company's handling of personal information transferred across borders.</p> <p>4.3 In the Case of Non-Processing of Handling of Complaints, etc.</p> <p>When JIPDEC receives complaints from individuals or requests for assistance from relevant administrative authorities or accountability agents in Japan and overseas, JIPDEC shall handle the complaints or the requests to the extent prescribed in Article 4.1 and 4.2, except for the cases specified below,</p> <ul style="list-style-type: none"> • Cases other than complaints or requests for assistance regarding handling of personal information by a CBPR certified company • Complaints concerning persons other than the individuals <p>etc.</p>