

## **DOMESTIC LAWS AND REGULATIONS APPLICABLE TO ACCOUNTABILITY AGENT ACTIVITIES**

In order to be recognized as an Accountability Agent, enforcement under domestic law must be extended to the Accountability Agent (AA). In Japan, the roles that a certified personal information protection organization perform are stipulated in Article 47 of the Act on the Protection of Personal Information (APPI). Activities relating to an AA are categorized to fall under Article 47, Paragraph 1, Item 3 of the APPI. The PPC may only enforce against the AA's operation through exercising its supervisory authority over the certified personal information protection organization.

Therefore, to become an AA, certification as a personal information protection organization is required. If an AA is no longer a certified personal information protection organization, it cannot continue to operate as such.

Under Article 153 of APPI, the PPC may call for a certified personal information protection organization (stipulated in Article 47) to report on its certified services.

Under Article 154 of the APPI, the PPC may order a certified personal information protection organization to improve a method of rendering certified services.

If a certified personal information protection organization falls under one of the items stipulated in Article 155(1) of the APPI, the PPC may rescind the certification.

### **Act on the Protection of Personal Information**

#### **(Calling for Reports)**

Article 153 The Commission may call for a certified personal information protection organization to report on its certified services, to the extent necessary to implement the provisions of Section 5 of Chapter IV.

#### **(Orders)**

Article 154 The Commission may order a certified personal information protection organization to improve a method of rendering certified services, alter personal information protection guidelines, or take any other necessary measures, to the extent necessary to implement the provisions of Section 5 of Chapter IV.

#### **(Rescinding Certification)**

Article 155 (1) If a certified personal information protection organization falls under one of the following items, the Commission may rescind the certification:

- (i) the organization has led to falling under Article 48, item (i) or item (iii);
- (ii) the organization has become unconformable to one of the items of Article 49;
- (iii) the organization has violated the provisions of Article 55;
- (iv) the organization disobeys an order under the preceding Article;
- (v) the organization has received a certification under Article 47, paragraph (1), or a certification of alteration under Article 50, paragraph (1) by wrongful means.