

Satellite Internet Access Guide: Japan

October 2023

Using this Guide

Question: This column contains the relevant question to be addressed under (Response).

Response: Information addressing the question identified under (Question) is contained in this column.

Additional Information: This column contains any clarification or added information necessary to better understand the information under (Response).

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Abbreviations for Legislation

- The Constitution of Japan of 1947 (**Japan Constitution**)
- Telecommunications Business Act (Act No. 86 of December 25, 1984) (**Telecommunications Business Act**)
- Radio Act (Act No. 131 of May 2, 1950) (**Radio Act**)
- Act on the Protection of Personal Information (Act No. 57 of May 30, 2003) (**Protection of Personal Information Act**)
- Act on the Limitation of Liability for Damages of Specified Telecommunications Service Providers and the Right to Demand Disclosure of Identification Information of the Sender Provider Liability Limitation Act (Act No. 137 of November 30, 2001) (**Provider Liability Limitation Act**)
- Basic Space Act (Act No. 43 of May 28, 2008) (**Basic Space Act**)
- Act on Launching of Spacecraft, etc. and Control of Spacecraft (Act No. 76 of 2016) (**Space Activities Act**)
- Act on Ensuring Appropriate Handling of Satellite Remote Sensing Data (Act No. 77 of November 16, 2016) (**Satellite Remote Sensing Act**)
- Act on Promotion of Business Activities Related to Exploration and Development of Space Resources (Law No. 83 of 2021) (**Space Resources Act**)
- The Basic Act on the Formation of a Digital Society
- The Act on the Establishment of the Digital Agency
- The Act on the Arrangement of Related Laws for the Formation of a Digital Society.
- Ordinance Regulating Radio Equipment of November 30, 1950 (**Ordinance Regulating Radio Equipment**)

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S/N	Question	Response	Additional Information
1	Does the member state have law(s) relating to internet service provisioning and access?	<ol style="list-style-type: none"> 1. Telecommunications Business Act 2. Radio Act 	<p>Apart from these laws, another law that has an impact on provision of internet services is the Protection of Personal Information Act and its guidelines applicable to the telecommunications sector, both of which guarantees protection of personal information or data.</p> <p>It is also worth noting that in 2021, Japan passed three laws aimed at promoting free and safe use of the internet as a platform for obtaining and disseminating information and knowledge. These legislations are: (1) The Basic Act on the Formation of a Digital Society; (2) The Act on the Establishment of the Digital Agency; and (3) The Act on the Arrangement of Related Laws for the Formation of a Digital Society.</p>

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2	Are there restrictions on use or access to internet?	Japan operates a liberal internet access environment as it has little or no restriction, disruption, or censorship of online content. By Articles 3 and 4 of the Telecommunications Business Act , telecommunications carriers (including internet service providers) are prohibited from censoring communications passing through their networks, thereby affirming the secrecy of communications, and invariably protecting privacy of persons as guaranteed under Article 21 of Japan Constitution .	Japan promotes self-regulation among telecommunications operators and online users alike. Consequently, telecommunications carriers are encouraged to voluntarily takedown or report illegal and harmful contents on the internet. Article 3(2) of the Provider Liability Limitation Act mandates internet service providers (ISPs) to put in place self-regulatory framework with regards to treating takedown requests in respect of contents that infringes on the right of others, such as copyright infringement, privacy breach, defamation, hate speech, child pornography, etc. ISPs are also shielded from liability for taking down contents believed to have infringed the rights of another person based on the provision of Article 3(1) of the Provider Liability Limitation Act.
3	Is satellite a medium used to provide internet access in the member state?	Yes. By virtue of Article 2 of the Telecommunications Business Act, internet service provisioning is considered a part of	In Japan, as with other countries, satellite internet access can be achieved using either

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		<p>telecommunications as it entails sending and receiving information using different mediums, including terrestrial (wired and wireless) and satellite networks. Telecommunication services can be provided not only through terrestrial infrastructure (wired and wireless connections) but also using satellite infrastructure.</p>	<p>Geostationary Earth Orbit (GEO) Satellites or Non-geostationary satellites (NGSO).</p>
4	Are there existing legislations for satellite internet access?	<ol style="list-style-type: none"> 1. Basic Space Act 2. Space Activities Act 3. Satellite Remote Sensing Act 4. Space Resources Act 	
5	Which agency is responsible for regulating internet service provisioning including satellite internet provisioning?	<p>The Ministry of Internal Affairs and Communications (MIC) is the government office responsible for regulating telecommunications, internet, and broadcasting services, while the Prime Minister is empowered to grant permission for use of satellites.</p>	
6	Who can provide internet service using satellites?	<p>Any person that meets the licensing criteria for the particular service intended to be offered.</p>	

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7	Is a license or permission required to use, operate, or control satellite for internet access?	<p>Yes. To provide internet access using satellites, the following licenses/authorisation need to be obtained:</p> <ol style="list-style-type: none"> 1. License to operate a telecommunications business 2. License to launch, operate or control a satellite within Japan 3. License to use radio frequency for the communications system 	
8	What is the procedure for obtaining these licenses/permits?	<p><u>License to operate a telecommunications business pursuant to the Telecommunications Business Act</u></p> <p>Article 9 and 16 of the TBA requires any person intending to carry on telecommunications business to either register or notify the MIC. Whether a registration or notification is required depends on the scale of the business to be provided, and the threshold is determined by reference to a ministerial ordinance issued by the MIC.</p> <p>Where a registration is required, Article 10 provides that a written application describing the following particulars must be filed with the MIC: (i) the details of the applicant (name and address, and in case of a corporation, the name of the representative); (ii) the service</p>	

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		<p>areas; and (iii) outline of the telecommunications facilities; (iv) a sworn declaration that the applicant is not disqualified under Article 12.</p> <p>Where a notification is required, Article 16 stipulates that this should be filed with the MIC along with documents describing: (i) the details of the applicant (name and address, and in case of a corporation, the name of the representative); (ii) the service areas; and (iii) outline of the telecommunications facilities.</p> <p><u>License to launch, operate or control a satellite within Japan pursuant to the Space Activities Act</u></p> <p>Under Article 4(1), any operator intending to launch a satellite from a site located in Japan requires the permission of the Prime Minister. No permission is required if the launch takes place outside Japan. However, where the satellite will be controlled or operated from a facility located in Japan, Article 20 stipulates that the permission of the Prime Minister is required.</p>	
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		<p>To apply for permission to launch a satellite, the applicant must submit a written application to the Prime Minister outlining the following information: (i) applicant’s name and address; (ii) design of the launch vehicle; (iii) location of the launch site; (iv) a plan reflecting the methods for the launch; (v) the number of satellites to be placed in a launch vehicle; (vi) other requirements specified by the Cabinet Office Order. (See <i>Article 4(2)</i>).</p> <p>The Prime Minister can only grant the permission if the applicant meets the following requirements: (i) the design complies with the standard specified by the Cabinet Office Order; (ii) the launch site is equipped with radio equipment capable of – detecting signals relating to the position, attitude and condition of a launch vehicle, and transmitting signal for destruction of a launch vehicle or termination of a flight; (iii) the launch plan has flight termination measures; (iv) the satellite will be used complies with the basic principles specified under the Space Basic Law.</p> <p>To apply for a license to operate and control a satellite, the applicant must submit a written application (with relevant documents attached) to the Prime Minister outlining the</p>	
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		<p>following information: (i) the applicant's name and address; (ii) the location of the satellite control facility; (iii) the orbit that the satellite will operate in; (iv) the purposes and methods of use of the satellite; (v) the satellite's configuration; (vi) control termination measures; (vii) control plan; (viii) details of representative who can control the satellite in case of death of the applicant; (ix) any other information specified by Cabinet Office Order. (See <i>Article 20(2)</i>)</p> <p>The Prime Minister can only grant the license if the applicant meets the requirements specified under <i>Article 22</i>.</p> <p><u>License to use radio frequency for the communications system pursuant to the Radio Act</u></p> <p>Having obtained the relevant license and permissions required to carry on telecommunication business, launch and operate a satellite, a satellite operator would need to be assigned a frequency spectrum and obtain a radio license from the MIC pursuant to Article 4 of the Radio Act. This is because earth stations are required for satellite communications to be possible, and these earth stations utilise frequency</p>	
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		<p>spectrum/radio waves to conduct communications. It should be noted that due to the scarcity of this resource, Article 5 provides that such license can only be granted to Japanese citizens or companies. However, where the services to be provided relate to telecommunications, this limitation will not apply.</p> <p>Pursuant to Article 6 of the Radio Act, an application, together with relevant documents (all of which are accessible from the Radio Use website) is required to be submitted to the MIC in order to be granted a license to use radio stations on satellites or earth stations of a satellite communications system. Some of the information required to form part of the application include:</p> <ol style="list-style-type: none"> 1. Purpose and reason for the radio license. 2. Scheduled launch time, location of the radio station, orbit, or position. 3. Type of spectrum required, the desirable frequency range, and antenna power. 4. Construction design, and scheduled date of completion of construction. 5. Expected operation commencement date. <p>Upon receipt of the documents, the MIC shall examine the application and assess its</p>	
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		<p>conformity with the requested information. Where further information is required, the MIC will either request the applicant to appear in person or submit the additional information. If the MIC is satisfied with the application, it issues a pre-permit to the applicant. Upon completion of construction of the earth station, the applicant will then notify the MIC. Once the MIC inspects the facility and certifies that it complies with the conditions stipulated in the pre-permit, the applicant is issued with a radio station license.</p>	
9	<p>What is the validity period for these licenses/permits?</p>	<ol style="list-style-type: none"> 1. Radio License is valid for 5 years and is renewable as provided by Article 13 of the Radio Act. 2. The validity period for a registration or notification to operate as a telecommunications provider is not stipulated under the Telecommunications Business Act. 3. The validity period for a license to launch, operate and control a satellite is not stipulated under the Space Activities Act. 	
10	<p>What are the technical requirements for use of satellites for internet access?</p>	<p>Based on Japan's frequency allocation plans, the C-band, Ku-band, and Ka-band are used for satellite telecommunications services.</p> <p>Article 9.2 and Article 54.3 of the Ordinance Regulating Radio Equipment contains</p>	<p>Currently, satellite communications are carried out using a range of frequencies within the following bands: 960MHz – 3.4GHz, 5.85 – 30GHz. In 2020, the MIC published a frequency</p>

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		technical specifications of radio equipment to be used for satellite communications.	reorganization action plan which included as part of its priorities, the compilation of technical conditions to guide the roll out and migration of broadband satellite communication systems on non-geostationary satellite constellations using the Ku/Ka band.
11	Are there existing (or planned) satellite internet providers operating in this economy?	<p>No database containing the list of internet service providers (including satellite internet providers) operating in Japan is published on MIC's website. Notwithstanding, based on desk research carried out, the following companies (though not an exhaustive list) have either commenced provision of satellite internet service or already in the process of commencing same:</p> <ol style="list-style-type: none"> 1. <i>NTT Docomo</i> – It currently provides mobile satellite communications services (both voice and internet) through its brand – WIDESTAR II – using GEO satellite systems. In early 2022, it signed a memorandum of understanding with three (3) other companies – Airbus, NTT, and SKY Perfect JSAT to study the feasibility of providing internet connectivity using high 	

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		<p>altitude platform stations (HAPS) and satellites in both GEO and LEO.</p> <ol style="list-style-type: none"> 2. <i>KDDI</i> – In 2021, KDDI announced it would be using Starlink’s satellite broadband infrastructure as backhaul to provide fast internet coverage in rural areas in Japan. 3. <i>SoftBank</i> – In 2021, SoftBank agreed to a partnership with OneWeb to provide broadband services in Japan using LEO satellites. 4. <i>Rakuten Mobile</i> – In 2020, Rakuten Mobile invested in AST & Science’s SpaceMobile to offer internet connectivity directly to standard smartphones using LEO satellite network. 5. <i>Starlink</i> – In 2022, Japan became the first country in Asia where Starlink launched its satellite internet service, which would help in extending internet access to hard to reach areas such as remote islands and mountainous locations. Starlink was granted a license by MIC to operate its ground station in Japan. 6. Other providers include GlobalTT and Syntelix. 	
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12	Does an end user require a license to access satellite for internet connectivity?	No. An end user can approach any service provider that offers satellite internet access and subscribe to the service. This is guided by the contract between the service provider and end user.	
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