

# OVERVIEW OF THE REVISED PERSONAL INFORMATION PROTECTION ACT OF JAPAN AND ITS MAIN IMPACT ON FOREIGN GROUPS

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## 1. INTRODUCTION

The Act on the Protection of Personal Information (“APPI”) of Japan originally came into force in 2005. The APPI had not been amended since then, in spite of the fact rapid technological developments and globalization have brought new challenges for the protection of personal data, with the scale of the collection and sharing of personal data having increased significantly. Technology allows private and public players to make use of personal data on an unprecedented scale to conduct their activities, and natural persons increasingly make personal information available publicly and globally. New rules had become necessary to deal with these new challenges (including cloud computing and Big Data).

The bill to amend the APPI was adopted in 2015. The amended APPI will come into effect on 30 May 2017. Part of the new APPI is already in force and the Personal Information Protection Commission (“PPC”) was established in 2016 as a fully integrated supervisory authority and regulatory watchdog. The PPC has already issued general guidelines applicable to all sectors aiming to clarify certain provisions of the APPI. The PPC is expected to release sector specific guidelines and Q&As to deal with practical issues which are still unclear. This is intended to supplement the sketchy provisions of APPI and its sub-regulations and enable private organizations to understand the changes better and adequately reflect them in their operational rules. An English translation of the APPI and its sub-regulations is available on the PPC’s website but no English translation of the guidelines is available as of the date of this newsletter.

In this article, we would like to draw the attention of foreign groups to the significant impact the amended APPI will have on them, especially on those companies which have so far paid little attention to the APPI.

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## About Iwata Godo



Iwata Godo is one of Japan's premier and oldest law firms. It was established in 1902 as one of the first business law firms by Chuzo Iwata, an attorney-at-law who subsequently held various positions, including serving as Minister of Justice and president of the Japan Federation of Bar Associations. It is a full-service firm with about 60 attorneys and each of its practice areas is highly regarded. It is the firm of choice for clients with respect to their most challenging legal issues, including in relation to data protection. Over the past few years, Iwata Godo has hosted a number of international seminars and conferences on data protection, often in coordination with "best friend" firms that are renowned firms and market leaders in their jurisdictions.

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