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Japan's privacy amendments finalised

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Business-friendly amendments to Japan's data protection framework passed into law last Friday – but will only come into effect at some point within the next two year to allow businesses to prepare.

The Cabinet of Japan approved a bill in March to revise the country's Personal Information Protection Law – Japan's data privacy legislation – and [introduce](#) a series of amendments. The changes included mandatory breach notifications, the strengthening of data subjects' rights and powers designed to give the Japanese authority greater enforcement over foreign businesses.

The country's data regulator gathered feedback on the new framework and gave the public an opportunity to have their say up until the end of last year. The legislation is to be reviewed every three years, with the next evaluation in 2023.

Businesses which collect or process personal data of data subjects in Japan must review and update their internal rules and privacy policies in line with the amendment before the effective date, which is not yet fixed.

Akira Matsuda, a partner at Iwata Godo in Tokyo, told GDR that the legislation balances the protection of personal data and the interests of corporations that process personal data. “As such, I believe Japanese society and businesses welcome these revisions,” he said.

Administrative charges were discussed but not introduced due to opposition from businesses, Matsuda said. Similarly, in light of “business-friendly considerations”, neither mandatory data protection impact assessments nor the appointment of data protection officers were included in the amendments. Additionally, Matsuda said, “several important factors including the threshold for breach notification is subject to sub-legislation yet to be issued”.

In January 2019 the European Commission adopted the EU-Japan adequacy decision and removed restrictions from transferring personal data to Japan, after the country [implemented](#) additional safeguards that guarantee exported data receives adequate protection and putting in place a set of supplementary rules that bridged several differences between the two data protection systems.

◆ Data privacy Policy Japan