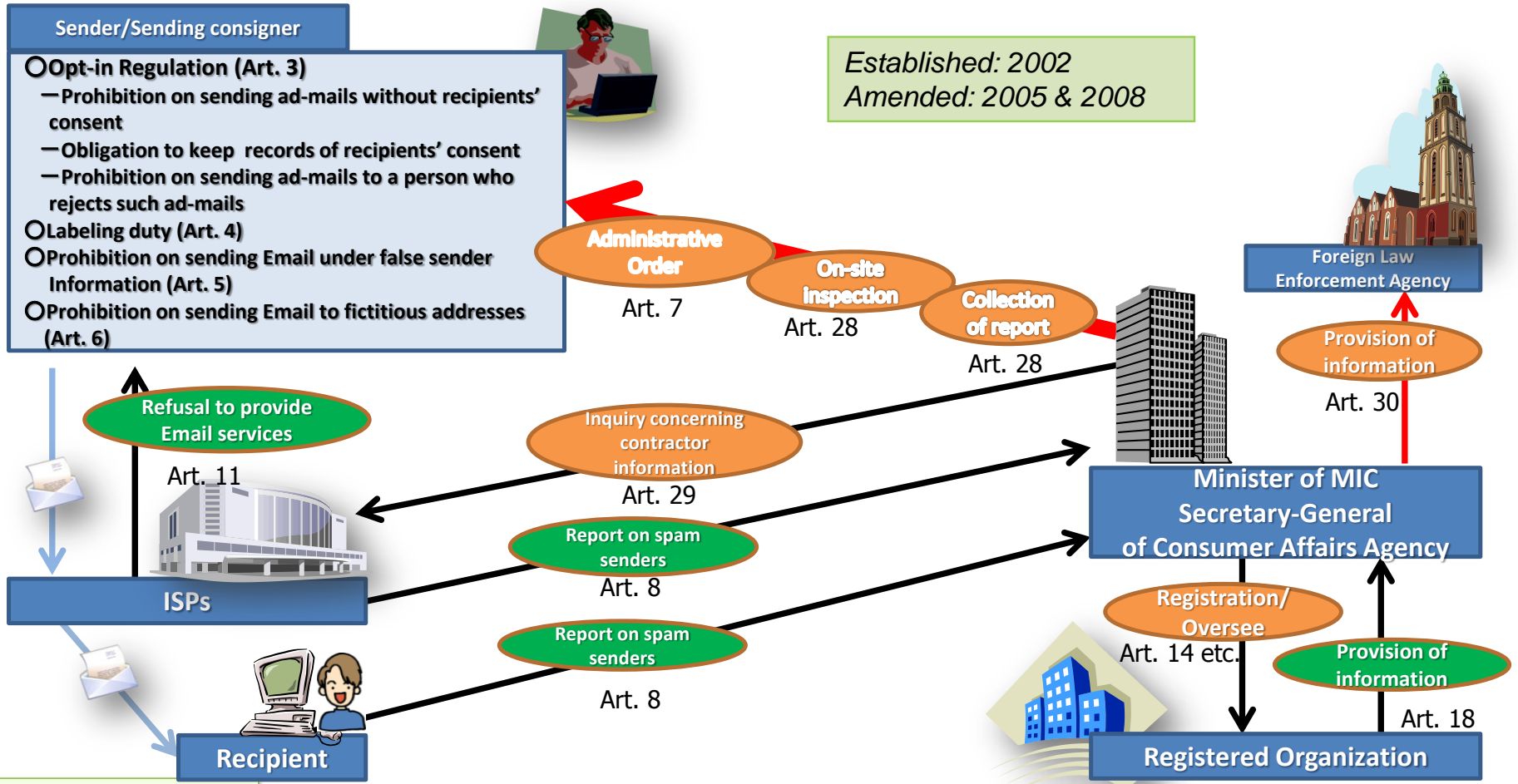


# **Overview of Japanese Anti-Spam Law**

# Overview of Japanese Anti-spam law



## Main Penal Provisions

- If he or she has violated an order in accordance with the provisions of Art 7 (excluding those pertaining to the maintenance of records pursuant to the provisions of Art 3 paragraph(2)) and
- If he or she has violated the provisions of Art 5, He or she shall be punished by imprisonment with labor for a term not exceeding one year or to a fine not exceeding one million yen.

- If he or she has violated an order in accordance with the provisions of Art 7 (restricted to those pertaining to the maintenance of records pursuant to the provisions of Art 3 paragraph(2)), He or she shall be punished by a fine not exceeding one million yen.

## ■ Measures taken by MIC

### **Warning sent by Email from MIC (administrative guidance)**

MIC sends Email warnings once a week to senders who break the anti-spam law.



### **Collection of Reports from Senders**

MIC collects reports from senders who do not improve their Email sending behavior after receiving an Email warning. Submission of such reports could be binding (based on Art. 28 of Anti-Spam Law) or voluntary.



### **Administrative Order (Art. 7)**

Since the anti-spam law was enacted in 2004, MIC has issued 26 administrative orders which oblige senders to comply with the law, 20 of which were issued after the 2008-amendment entered into force.

# Administrative orders

## Administrative orders

	FY	The number of cases
Opt-out	2002 (July ~)	1
	2003	1
	2004	1
	2005	1
	2006	0
	2007	1
	2008 (~Nov)	1
	subtotal	6

	FY	The number of cases
Opt-in	2008 (Dec~)	0
	2009	6
	2010	7
	2011 (~March)	10
	subtotal	23

## Punished for sending Email under false sender Information

FY	The number of cases
2006	2
2007	1
2008	1
2010	1