

# **System for Ensuring Stable Provision of Specified Essential Infrastructure Services under the Economic Security Promotion Act**

**April 1, 2025**

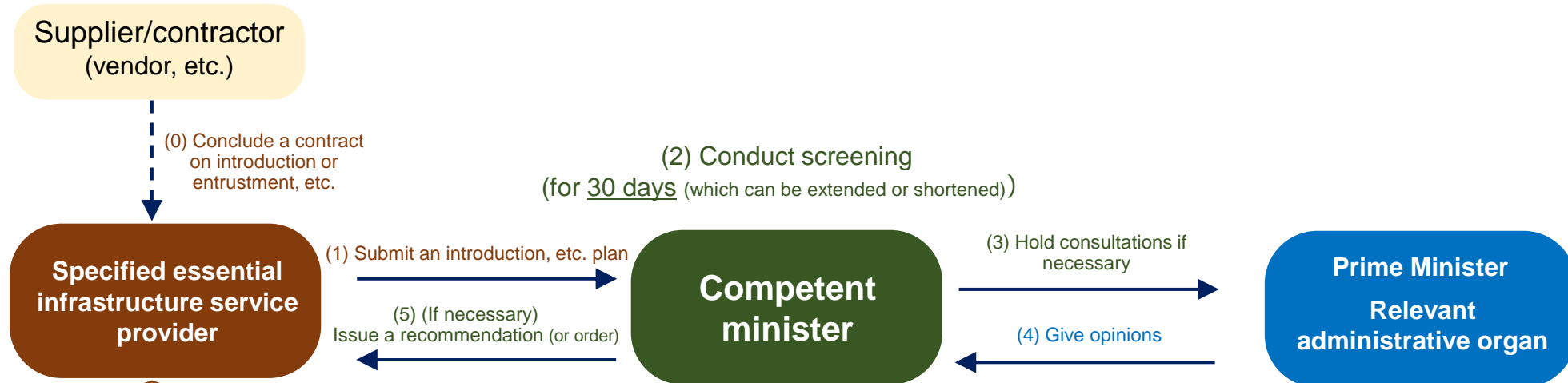
## **[Notes]**

- Only the Japanese laws has legal effect, and this document is only reference materials for understanding. We cannot hold responsibility for any problems arise from the use of this document, so please refer to the official Japanese laws and regulations published in need.
- You can use this document for any purpose without our permission as long as you make no changes to it. If you use only certain slides or parts of slides, please add the URL of the webpage where this full document can be found.
- Please refer only to the latest version of this document, as it is subject to revision.

# Outline of the System for Ensuring Stable Provision of Specified Essential Infrastructure Services under the Economic Security Promotion Act

- ✓ While it is important to ensure stable provision of specified essential infrastructure services, which are fundamental to the daily lives of Japanese people and Japan's economic activities, critical facilities used for such services may be misused to disrupt the stable provision of such services.
- ✓ For this reason, Chapter III of the Economic Security Promotion Act\* provides that **the State must designate business to be regulated (specified essential infrastructure business) and service providers to be regulated (specified essential infrastructure service providers) under certain criteria** and that designated service providers **must notify the State (the competent minister) and undergo screening before** introducing, or entrusting a third party with the maintenance and management, etc. of, **a critical facility designated by the State (specified critical facility)**.  
\* Act on the Promotion of Ensuring National Security through Integrated Implementation of Economic Measures (Act No. 43 of 2022)
- ✓ **When concluding that the specified critical facility pertaining to a submitted plan is highly likely to be misused as a means for disruptive actions**, the State **may recommend (or order)** that the service provider submitting the plan take necessary measures to prevent disruptive actions before the introduction or entrustment of maintenance and management, etc.

## System structure



**(1) Regulated business sectors**...The Act lists the regulated business sectors as shown below. **The Cabinet Order** details the regulated business and services within each business sector.

1. Electricity	2. Gas	3. Oil	4. Water Supply	5. Railway
6. Motor Truck Transportation	7. International Maritime Cargo	8. Port and Harbor Transportation (※)	9. Air Transport	10. Airport
11. Telecommunications	12. Broadcasting	13. Postal Service	14. Financial Services	15. Credit Cards

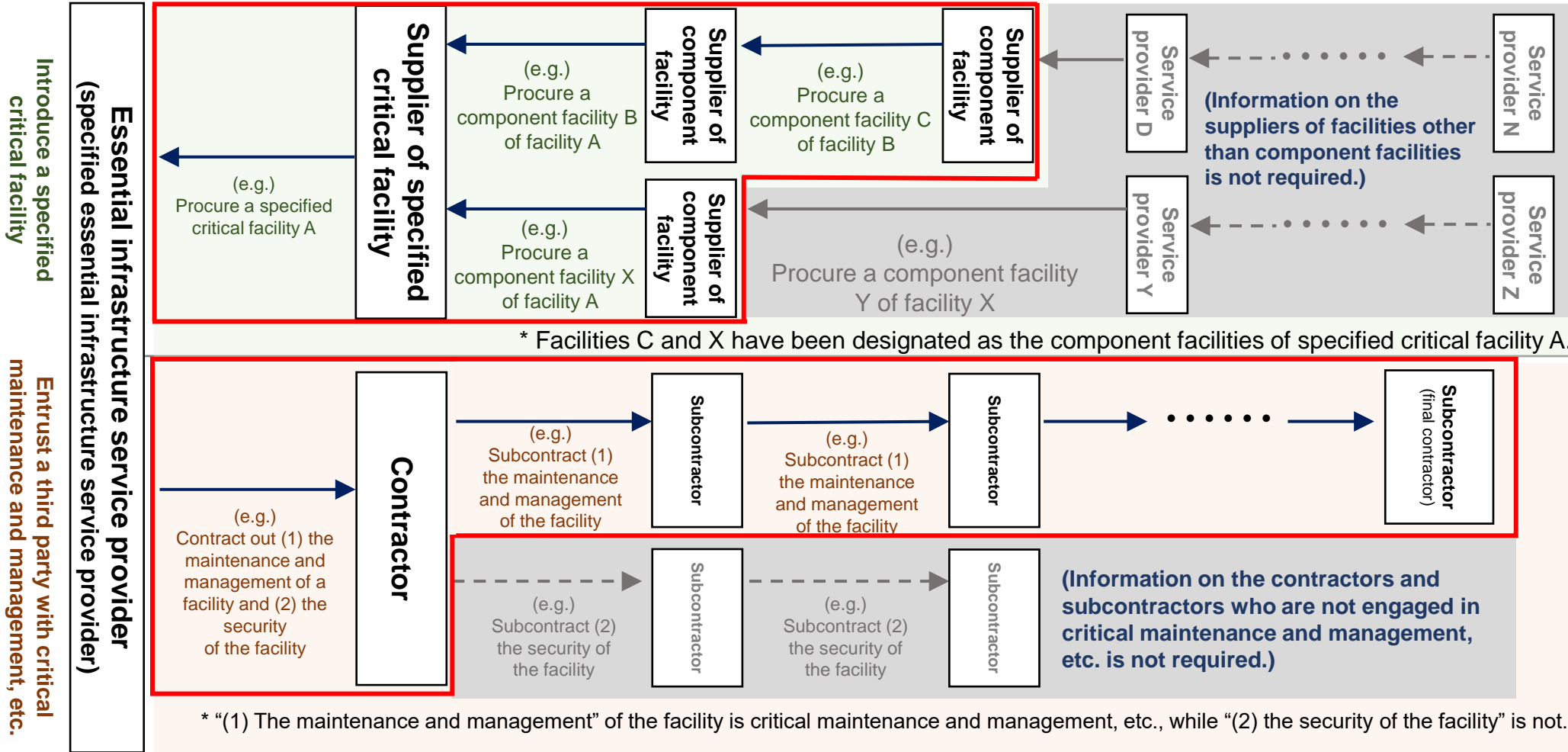
**(2) Regulated service providers (specified essential infrastructure service providers)**...For each business sector, the competent minister establishes designation criteria under **the Ministerial Order** and **designates and publicly announces** regulated service providers.

\* The field of "Port and Harbor Transportation" came into effect on 1 April 2025.

# Scope of Information to be Provided to the System for Ensuring Stable Provision of Specified Essential Infrastructure Services under the Economic Security Promotion Act

✓ The Act requires notification and screening for the “introduction of specified critical facilities” (before introduction), as well as notification and screening for the “entrustment of the critical maintenance and management, etc. of specified critical facilities to third parties.” For the former notification, **information on the suppliers of a specified critical facility and its component facilities must be provided**. For the latter, **information on all the contractors and subcontractors of critical maintenance and management, etc. must be provided** (for critical maintenance and management, etc., some information is not required if certain conditions are met).

Red frame: Scope of information to be provided to the competent minister



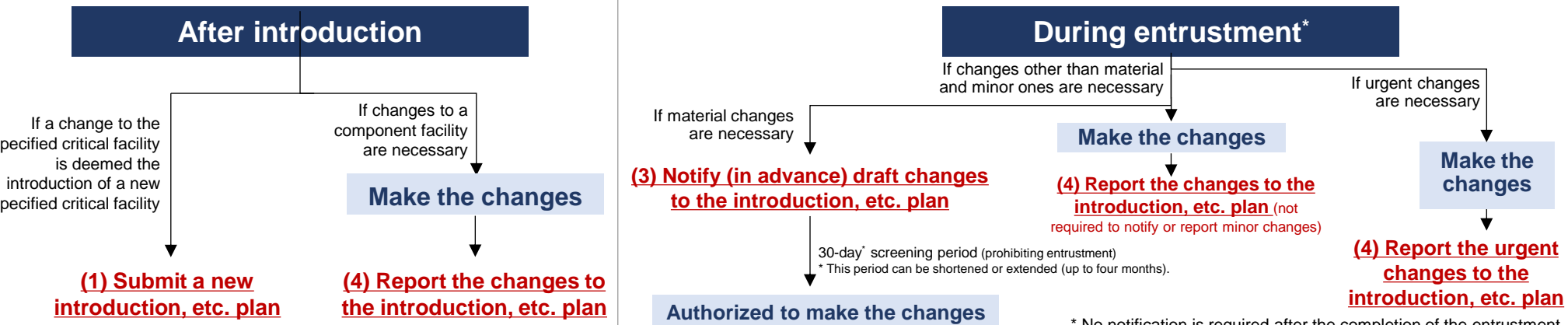
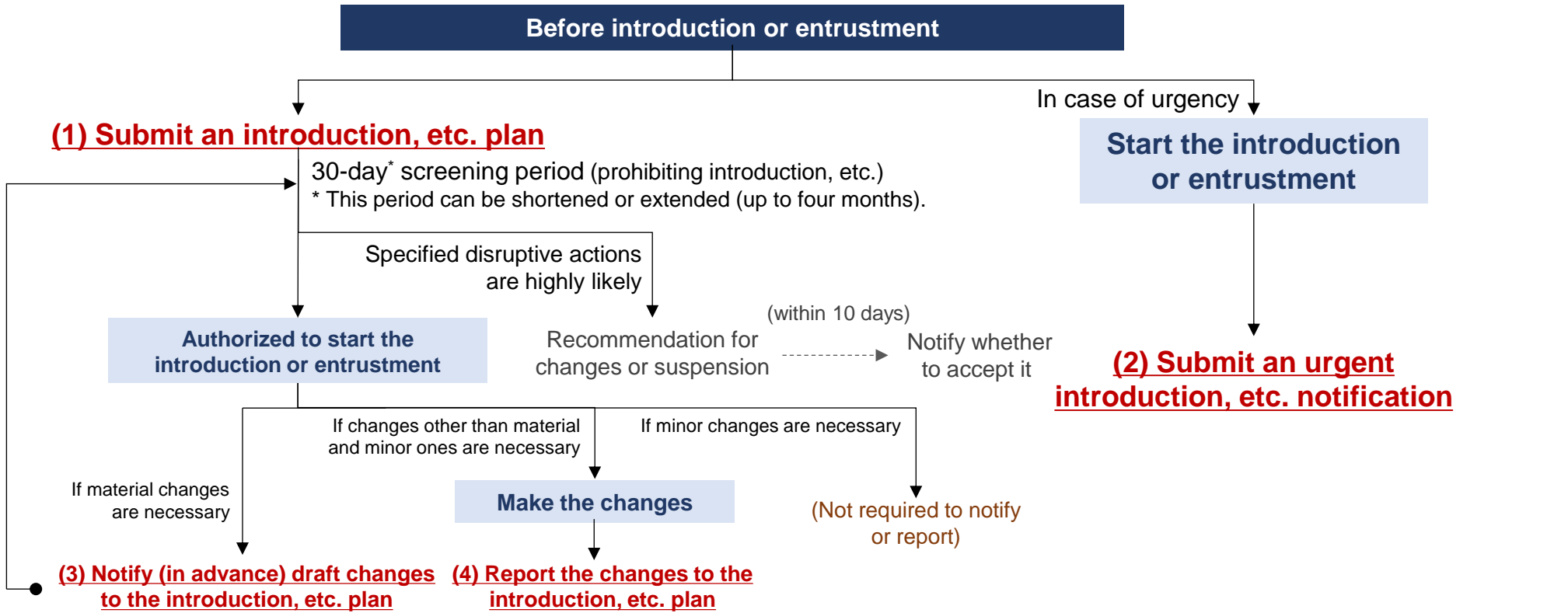
**Notification**  
(Some required information may be provided by the suppliers, contractor, and subcontractors directly to the competent minister.)

**Competent minister**

The competent minister may directly require the suppliers, contractor, and subcontractors to provide necessary information.

**Notifications Required by the System for Ensuring Stable Provision of Specified Essential Infrastructure Services under the Economic Security Promotion Act**

✓ To introduce a specified critical facility or the entrustment of critical maintenance and management, etc., to third parties, the Act requires **(1) submission of an introduction, etc. plan**, **(2) submission of an urgent introduction, etc. notification**, **(3) notification of (in advance) draft changes to the introduction, etc. plan**, and **(4) reporting of (urgent) changes to the introduction, etc. plan**.



# Structure of Ministerial Orders \*1 under the System for Ensuring Stable Provision of Specified Essential Infrastructure Services under the Economic Security Promotion Act

Provision	Outline	Relevant provisions of the Act <sup>2</sup>	Relevant forms <sup>3</sup>
Specified critical facility	Defines <a href="#">specified critical facilities</a> .	Art. 50, para. (1)	–
Designation of specified essential infrastructure service providers	Provides <a href="#">the designation criteria</a> for specified essential infrastructure service providers, <a href="#">how to notify designations</a> , <a href="#">the procedures to notify name and address changes</a> , and <a href="#">notice of designation cancellation</a> .	Art. 50 and Art. 51	Forms 1 to 3
Virtually identical corporation	Provides <a href="#">the requirements for the parent corporations of corporations that can be identified</a> with specified essential infrastructure service providers.	Art. 52, para. (1)	–
Critical maintenance and management, etc.	Define <a href="#">critical maintenance and management, etc.</a>	Art. 52, para. (1)	–
Form of introduction, etc. plan	Provides <a href="#">the form of introduction, etc. plan</a> and requires <a href="#">submission of an introduction, etc. plan</a> as well as certificates of registered information of suppliers and copies of the officers' passports, family register transcripts, certificates of family register information, or copies of resident records containing the registered domicile of suppliers' officers (or equivalent documents for foreigners)	Art. 52, para. (1)	Form 4
Urgency	Provides <a href="#">the requirements for urgency</a> where the introduction, etc. of a specified critical facility is allowed without prior notification as follows: (1) <a href="#">there is an urgent need</a> ; (2) <a href="#">the specified essential infrastructure service provider does not attempt to evade giving notification</a> ; (3) <a href="#">the introduction, etc. is necessary</a> ; and (4) <a href="#">there are no alternatives</a> .	Art. 52, para. (1), proviso and Art. 52, para. (11)	Form 5
Information to be provided and component facilities	Specifies <a href="#">required information</a> on the suppliers of a specified critical facility and its component facilities, required information on <a href="#">component facilities</a> , and required information on the contractor and subcontractors of critical maintenance and management, etc., and requires <a href="#">notification of risk management measures</a> .	Art. 52, para. (2), items (ii) to (iv)	–
Exception to notification of subcontracting	Provides that <a href="#">some information on subcontractors do not need to be provided</a> if documentation supporting the confirmation required by the Ministerial Order is submitted.	Art. 52, para. (1)	–
Procedure to shorten or extend the prohibition period	Provides <a href="#">the procedure</a> for the competent minister <a href="#">to shorten or extend the prohibition period</a> based on screening results.	Art. 52, para. (3) and (4)	–
Notification of whether to accept a recommendation	Provides the form of <a href="#">notification of whether to accept a recommendation</a> that <a href="#">specified essential infrastructure service providers receiving the recommendation</a> must give within 10 days of the recommendation.	Art. 52, para. (7)	Form 6
Resubmission of an introduction, etc. plan after a recommendation	Provides the procedure for <a href="#">specified essential infrastructure service providers receiving a recommendation to resubmit</a> an introduction, etc. plan based on the recommendation and the form of plan.	Art. 52, para. (8)	(Form 4)
Ordering procedure	Provides the procedure for the competent minister to <a href="#">issue orders</a> to specified essential infrastructure service providers.	Art. 52, para. (10)	–
Material changes	Defines <a href="#">changes that require prior notification (material changes)</a> , provides <a href="#">the form of material change notification and the procedure to notify material changes</a> , and defines <a href="#">urgent changes</a> .	Art. 54, para. (1) to (3)	Forms 7 and 8
Minor changes	Defines <a href="#">minor changes that do not require reporting or notification</a> .	Art. 54, para. (4)	–
Other changes	Provides <a href="#">the procedure to make an after-the-fact report of changes</a> and defines <a href="#">changes to component facilities that require after-the-fact reporting</a> .	Art. 54, para. (4)	Forms 9 and 10
Reporting and on-site inspection	Provides that specified essential infrastructure service providers be required to <a href="#">give the reports necessary to check whether they meet the designation criteria</a> .	Art. 58, para. (1) and (2)	–
	Provides the format of <a href="#">identification cards</a> for <a href="#">on-site inspections</a> .	Art. 58, para. (2)	Form 11

\*1 Under the Act, each ministry has its own ministerial order titled "Ministerial Order on Specified Essential Infrastructure Service Providers Related to the Ministry of ○○ under the Act on the Promotion of Ensuring National Security through Integrated Implementation of Economic Measures" (with some exceptions). \*2 Articles to which the listed articles apply, with the necessary changes, made are omitted. \*3 Form numbers may differ from ministry to ministry.

**Information to be Provided under the System for Ensuring Stable Provision of Specified Essential Infrastructure Services (information required in the introduction, etc. plan)**

Introduction of a specified critical facility		Entrustment of critical maintenance and management, etc. to a third party	
Information to be provided	Accompanying documents	Information to be provided	Accompanying documents
<b>General information on the specified critical facility</b> (its type, name, functions, place of installation, and place of use)	—	<b>General information on the specified critical facility</b> (its type, name, functions, place of installation, and place of use)	—
<b>Details and date of introduction</b>		<b>Details and date or duration of the contract work</b>	
Purpose of introduction	—	Purpose of the contract work	—
Names, <u>etc.</u> <sup>2</sup> of the parties involved in introduction	—	Scope and place of the contract work	—
Date of introduction	—	Date or duration of the contract work	—
<b>Information on the supplier of the specified critical facility</b>		<b>Information on the contractor of the critical maintenance and management, etc.</b>	
The supplier's name, address, and country with jurisdiction over incorporation	Certificate of registered information <sup>1</sup>	The contractor's name, address, and country with jurisdiction over incorporation	Certificate of registered information <sup>1</sup>
<u>Direct holders</u> <sup>2</sup> of 5% or more of the supplier's voting rights	—	<u>Direct holders</u> <sup>2</sup> of 5% or more of the contractor's voting rights	—
Names, <u>dates of birth</u> , and <u>nationalities of the supplier's officers</u>	Copies of the officers' passports, etc. <sup>3</sup>	Names, <u>dates of birth</u> , and <u>nationalities of the contractor's officers</u>	Copies of the officers' passports, etc. <sup>3</sup>
<u>Name of a foreign government, etc. and other information</u> if the supplier's annual sales from transactions with the foreign government, etc. account for 25% or more of its total annual sales	—	<u>Name of a foreign government, etc. and other information</u> if the contractor's annual sales from transactions with the foreign government, etc. account for 25% or more of its total annual sales	—
Place of facility's manufacture	—		
<b>Information on each component facility</b>		<b>Information on each subcontractor for the critical maintenance and management, etc.</b>	*4
General information of the facility (its type, name, and functions)	—	Details, place, and date or duration of the subcontract work	—
The supplier's name, address, and country with jurisdiction over incorporation	Certificate of registered information <sup>1</sup>	The subcontractor's name, address, and country with jurisdiction over incorporation	Certificate of registered information <sup>1</sup>
<u>Direct holders</u> <sup>2</sup> of 5% or more of the supplier's voting rights	—	<u>Direct holders</u> <sup>2</sup> of 5% or more of the subcontractor's voting rights	—
Names, <u>dates of birth</u> , and <u>nationalities of the supplier's officers</u>	Copies of the officers' passports, etc. <sup>3</sup>	Names, <u>dates of birth</u> , and <u>nationalities of the subcontractor's officers</u>	Copies of the officers' passports, etc. <sup>3</sup>
<u>Name of a foreign government, etc. and other information</u> if the supplier's annual sales from transactions with the foreign government, etc. account for 25% or more of its total annual sales	—	<u>Name of a foreign government, etc. and other information</u> if the subcontractor's annual sales from transactions with the foreign government, etc. account for 25% or more of its total annual sales	—
Place of facility's manufacture	—		
<b>Risk management measures required for the introduction</b> <sup>2</sup>	Documentation supporting the implementation of each required risk management measure	<b>Risk management measures required for the entrustment</b> <sup>2</sup>	Documentation supporting the implementation of each required risk management measure

\* Green underlines indicate the information that the suppliers, contractor, or subcontractors can provide directly to the State.

\*1 Certificates of registered information are not required for the suppliers, contractor, and subcontractors that have been registered in Japan.

\*2 This information relates to the nationalities of the individuals involved in the introduction, the countries with jurisdiction over incorporation or nationalities of the voting rights holders, and some of the required risk management measures.

\*3 Any one of a passport copy, a family register transcript, a certificate of family register information, or a copy of the resident record containing the registered domicile of the officer. If the officer is a foreigner, any equivalent document showing the name, date of birth, and nationality.

\*4 If the required information on a subcontractor is not provided, the plan must be accompanied by documentation supporting the implementation of the measures required by the Ministerial Order.

# Changes to the Introduction, Etc. Plan for the Introduction of a Specified Critical Facility

Relevant articles of the Act	Information to be provided	Category of change
General information of the specified critical facility (Art. 52, para. (2), item (i))	<b>The type, name, functions, place of installation, and place of use</b> of the facility	<b>Material change</b>
Details of the introduction (Art. 52, para. (2), item (ii)(a))	<b>The purpose of the introduction</b> of the facility and <b>the names, etc. of the parties involved in the introduction</b>	<b>Material change</b>
Date of the introduction (Art. 52, para. (2), item (ii)(a))	The date of the introduction ( <b>when</b> the facility will be <b>available for the provision of infrastructure services</b> )	<b>Change to be reported after the fact</b>
Information on the supplier of the specified critical facility (Art. 52, para. (2), item (ii)(b))  <div style="border: 1px solid black; background-color: #e0f0ff; padding: 5px; width: fit-content;"> <p><b>* To add a new supplier of the specified critical facility, submit a plan including all the required information.</b></p> </div>	The supplier's <b>name</b> and <b>its representative's name</b> (if the supplier is an individual, only their <b>name</b> )	<ul style="list-style-type: none"> <li>The supplier's name: <b>Material change</b></li> <li>The representative's name: <b>Change to be reported after the fact</b></li> </ul>
	The supplier's <b>address</b>	<ul style="list-style-type: none"> <li>Change of the country: <b>Material change</b></li> <li>Other changes: <b>Minor change</b></li> </ul>
	The supplier's <b>country with jurisdiction over incorporation</b> (if the supplier is an individual, their <b>nationality</b> )	<b>Material change</b>
	<b>The names, <u>countries with jurisdiction over incorporation or nationalities</u> and proportions of voting rights held</b> of the direct holders of <b>5% or more</b> of the supplier's voting rights * If there is a <b>new</b> director holder of <b>5% or more</b> of the voting rights, that person must be <b>reported after the fact</b> as a <b>change to the names</b> of the voting rights holders.	<ul style="list-style-type: none"> <li>Information other than the proportion of voting rights held: <b>Change to be reported after the fact</b></li> <li>Proportion of voting rights held               <ul style="list-style-type: none"> <li>➤ New direct holder (1) to (3) below: <b>Change to be reported after the fact</b></li> <li>Other new direct holder: <b>Minor change</b></li> </ul> </li> <li>(1) Direct holder of <b>25%</b> or more but less than <b>one-third</b> of the voting rights</li> <li>(2) Direct holder of <b>one-third</b> or more but less than <b>50%</b> of the voting rights</li> <li>(3) Direct holder of <b>50%</b> or more of the voting rights</li> </ul>
	<b>The names, <u>dates of birth, and nationalities</u></b> of the supplier's officers	<b>Change to be reported after the fact</b>
	If the supplier's annual sales from transactions with a foreign government, etc. accounted for 25% or more of its total annual sales in the last three years: <b><u>the relevant business years, the name of the foreign country, and the percentage of the sales from the foreign government, etc.</u></b>	<b>Change to be reported after the fact</b>
	<b>Location of the plant or place of business that will manufacture</b> the facility	<ul style="list-style-type: none"> <li>Change of the country: <b>Material change</b></li> <li>Other changes: <b>Minor change</b></li> </ul>
Information on each component facility (Art. 52, para. (2), item (ii)(c))	<b>(The same information as the information on the supplier of the specified critical facility)</b>	<b>Same as at left</b>
Other information (Art. 52, para. (2), item (iv))	<b><u>The implementation status of the required risk management measures</u></b>	<b>Material change</b>

\* The underlined information can be provided directly to the competent minister, bypassing the specified essential infrastructure service provider. For the required risk management measures, however, the implementation status of only some of the measures can be provided directly.



# Changes to the Introduction, Etc. Plan for the Entrustment of Critical Maintenance and Management, Etc.

Relevant articles of the Act	Information to be provided	Category of change
General information of the specified critical facility (Art. 52, para. (2), item (i))	<b>The type, name, functions, place of installation, and place of use of facility</b>	<b>Material change</b>
Details of the contract work (Art. 52, para. (2), item (iii)(a))	<b>The purpose, scope, and place of the contract work</b>	<b>Material change</b>
Date or duration of the contract work (Art. 52, para. (2), item (iii)(a))	<b>Date or duration of the contract work</b>	<ul style="list-style-type: none"> <li>Extension of the period: <b>Material change</b></li> <li>Other changes: <b>Change to be reported after the fact</b></li> </ul>
Information on the contractor of the contract work (Art. 52, para. (2), item (iii)(b)) <div style="background-color: #e0f0ff; padding: 5px; margin-top: 10px;"> <p><b>* To add a new contractor of the critical maintenance and management, etc., submit a plan including all the required information.</b></p> </div>	The contractor's <b>name</b> and <b>its representative's name</b> (if the contractor is an individual, only their <b>name</b> )	<ul style="list-style-type: none"> <li>The contractor's name: <b>Material change</b></li> <li>The representative's name: <b>Change to be reported after the fact</b></li> </ul>
	The contractor's <b>address</b>	<ul style="list-style-type: none"> <li>Change of the country: <b>Material change</b></li> <li>Other changes: <b>Minor change</b></li> </ul>
	The contractor's <b>country with jurisdiction over incorporation</b> (if the contractor is an individual, their <b>nationality</b> )	<b>Material change</b>
	<b>The names, countries with jurisdiction over incorporation or nationalities, and proportions of voting rights held</b> of the direct holders of <b>5% or more</b> of the contractor's voting rights * If there is a <b>new</b> director holder of <b>5% or more</b> of the voting rights, that person must be <b>reported after the fact</b> as a <b>change to the names</b> of the voting rights holders.	<ul style="list-style-type: none"> <li>Information other than the proportion of voting rights held: <b>Change to be reported after the fact</b></li> <li>Proportion of voting rights held               <ul style="list-style-type: none"> <li>➤ New direct holder (1) to (3) below: <b>Change to be reported after the fact</b></li> <li>Other new direct holder: <b>Minor change</b></li> </ul> </li> <li>(1) Direct holder of <b>25%</b> or more but less than <b>one-third</b> of the voting rights</li> <li>(2) Direct holder of <b>one-third</b> or more but less than <b>50%</b> of the voting rights</li> <li>(3) Direct holder of <b>50%</b> or more of the voting rights</li> </ul>
	<b>The names, dates of birth, and nationalities</b> of the contractor's officers	<b>Change to be reported after the fact</b>
	If the contractor's annual sales from transactions with a foreign government, etc. accounted for 25% or more of its total annual sales in the last three years: <b>the relevant business years, the name of the foreign country, and the percentage of the sales from the foreign government, etc.</b>	<b>Change to be reported after the fact</b>
Information on the subcontract work (Art. 52, para. (2), item (iii)(c))	<b>(The same information as the information on the contractor of the critical maintenance and management, etc.)</b>	<b>Same as at left</b>
Other information (Art. 52, para. (2), item (iv))	<u>The implementation status of the required risk management measures</u>	<b>Material change</b>

\* The underlined information can be provided directly to the competent minister, bypassing the specified essential infrastructure service provider. For the required risk management measures, however, the implementation status of only some of the measures can be provided directly.



## General information on the specified critical facility

Required information	Instructions
◎ <b>Type</b>	Indicate which of the specified critical facilities listed in the Ministerial Orders the facility falls under.
◎ <b>Name</b>	Provide information about the facility that can distinguish it from other specified critical facilities of the same type, such as the product name and model number.
◎ <b>Functions</b>	Describe the functions unique to the facility necessary for the stable provision of the specified essential infrastructure service.
◎ <b>Place of installation</b>	Provide the place of installation and the place of use or operation of the facility. Provide the prefecture's name at least (if the facility is located outside Japan, the name of the administrative district equivalent to a Japanese prefecture (such as a state of a federal nation)).
◎ <b>Place of use</b>	

## Details and date of introduction

Required information	Instructions
◎ <b>Purpose</b>	Provide the purpose of introduction (e.g., “periodic replacement” and “changing the scope of services”).
◎ Information on <b>the parties involved in introduction</b>	Provide <b>the names and representative's names, addresses, countries or territories with jurisdiction over incorporation or nationalities, and relationship with the introduction (roles)</b> of those involved in introduction*. Provide the information of all the parties involved. If there is no such a party, state “N/A.” * Persons who fall under (1) or (2) below. In the “relationship with introduction” section, state which category the party falls under. (1) Person who manages the supply network of the facility or plays other important roles in introduction of the facility as an intermediary between the specified essential infrastructure service provider and the supplier (2) Person who checks the implementation status of measures to prevent disruptions to the facility, including cybersecurity measures, and may bring changes to the facility's functions
○ <b>Date</b>	Specify when (date) a series of the necessary processes for the installation of the facility will be completed and the facility will be available for the provision of infrastructure services.

## Information on the supplier of the specified critical facility

Required information	Instructions
◎★ The supplier's <b>information</b>	Provide the supplier's <b>name and representative's name, address, and country or territory with jurisdiction over incorporation.</b> <b>[Necessary accompanying document: a certificate of registered information]</b>
○★ Information on <b>the direct holders of 5% or more of the voting rights</b> of the supplier	Provide <b>the names, countries or territories with jurisdiction over incorporation or nationalities, and proportions of voting rights held*</b> of the direct holders of 5% or more of the supplier's voting rights. * The proportion of voting rights held is the proportion of the voting rights held in the total voting rights of the supplier as of a day within two months before the date of notification.
○ Information on the supplier's <b>officers</b>	Provide <b>the names, dates of birth, and nationalities</b> of the supplier's officers (as defined in the Ministerial Order; for example, directors and executive officers if the supplier is a company with nominating committee, etc.). <b>[Necessary accompanying documents: a certificate of registered information and copies of their passports, etc.]</b> * Any one of a passport copy, a family register transcript, a certificate of family register information, or a copy of the resident record containing the registered domicile (or any equivalent document showing the name, date of birth, and nationality for foreigners)
○ If the supplier's annual sales from <b>transactions with a foreign government, etc.</b> account for 25% or more of its total annual sales	If the supplier's annual sales from transactions with a foreign government, etc. (the national government, a governmental organization, a local government, the central bank, or a political party or other political organization of a foreign country or territory) accounted for 25% or more of its total annual sales for a business year within the last three business years ending on or before the day two months before the date of notification, provide the relevant <b>business years, the name of the foreign government, etc., and the percentage of the sales.</b>
◎★ Facility's <b>place of manufacture</b>	Provide the name of the country or territory where the plant or place of business that will manufacture the facility is located. Confirm that the supplier will manufacture the facility on its own and will meet the functional requirements of the facility.

\* Changes to the information marked with a “◎” must be notified in advance as material changes, while changes to the information indicated by “○” must be reported after the fact. The symbol indicates that the information includes information whose changes may be treated differently (for example, the marks “◎★” includes refer to information whose changes are treated as either minor changes or changes to be reported after the fact.)

**Green underlines** indicate the information that the supplier can provide directly to the competent minister.

Information on each component facility

Required information	Instructions
<b>General information on each component facility</b>	
◎ <b>Type</b>	Indicate which of the component facilities listed in the Ministerial Orders the facility falls under.
◎ <b>Name</b>	Provide information on the facility that can distinguish it from other component facilities of the same type, such as the product name and model number.
◎ <b>Functions</b>	Describe the functions unique to the facility necessary for the stable provision of the specified essential infrastructure service.
<b>Information on the supplier of each component facility</b>	
◎★ The supplier's <b>information</b>	Provide the supplier's <b>name and representative's name, address, and country or territory with jurisdiction over incorporation.</b> <b>[Necessary accompanying document: a certificate of registered information]</b>
◎★ Information on <b>the direct holders of 5% or more of the voting rights</b> of the supplier	Provide <b>the names, countries or territories with jurisdiction over incorporation or nationalities, and proportions of voting rights held*</b> of the direct holders of 5% or more of the supplier's voting rights. * The proportion of voting rights held is the proportion of the voting rights held in the total voting rights of the supplier as of a day within two months before the date of notification.
◎ Information on the supplier's <b>officers</b>	Provide <b>the names, dates of birth, and nationalities</b> of the supplier's officers (as defined in the Ministerial Order; for example, directors and executive officers if the supplier is a company with nominating committee, etc.). <b>[Necessary accompanying documents: a certificate of registered information and copies of their passports, etc.]</b> * Any one of a passport copy, a family register transcript, a certificate of family register information, or a copy of the resident record containing the registered domicile (or any equivalent document showing the name, date of birth, and nationality for foreigners)
◎ If the supplier's annual sales from <b>transactions with a foreign government, etc.</b> account for 25% or more of its total annual sales	If the supplier's annual sales from transactions with a foreign government, etc. (the national government, a governmental organization, a local government, the central bank, or a political party or other political organization of a foreign country or territory) accounted for 25% or more of its total annual sales for a business year within the last three business years ending on or before the day two months before the date of notification, provide the relevant <b>business years, the name of the foreign government, etc., and the percentage of the sales.</b>
◎★ Facility's <b>place of manufacture</b>	Provide the name of the country or territory where the plant or place of business that will manufacture the facility is located. Confirm that the supplier will manufacture the facility on its own and will meet the functional requirements of the facility.

Information on measures to prevent specified disruptive actions (risk management measures)

◎ <b>Examples of the required risk management measures</b> *For some measures, documentation supporting the implementation may be provided directly to the competent minister.
✓ Each specified essential infrastructure service provider must confirm that they have inspection arrangements for the specified critical facility in place, including an acceptance inspection to check for any malicious code and other security problems, and will conduct vulnerability tests of the specified critical facility before its introduction.
✓ Each specified essential infrastructure service provider must confirm that the supplier of the specified critical facility guarantees a sufficient after-sales service (such as responses to failures and vulnerabilities).
✓ Each specified essential infrastructure service provider must confirm the compliance of the supplier of the specified critical facility with domestic laws and international standards (including each country's regulations based on the international standards), including its compliance for the three years before the date of notification.
✓ Each specified essential infrastructure service provider must ensure, under the contract with the supplier of the specified critical facility, that the supplier reports to the service provider any possible breaches of the contract that may result from the legislation of a foreign country or an external entity's instructions (including both explicit and tacit ones).
* Each measure requires the submission of <b>[necessary accompanying documents: documentation supporting the implementation of the measure]</b> .

\* Changes to the information marked with a "◎" must be notified in advance as material changes, while changes to the information indicated by "○" must be reported after the fact. The symbol indicates that the information includes information whose changes may be treated differently (for example, the marks "◎★" includes refer to information whose changes are treated as either minor changes or changes to be reported after the fact.)

**Green underlines** indicate the information that the supplier can provide directly to the competent minister.

## General information of the critical specified facility (subject to critical maintenance and management, etc.)

Required information	Instructions
◎ <b>Type</b>	Indicate which of the specified critical facilities listed in the ministerial orders the facility falls under.
◎ <b>Name</b>	Provide information on the facility that can distinguish it from other specified critical facilities of the same type, such as the product name and model number.
◎ <b>Functions</b>	Describe the functions unique to the facility necessary for the stable provision of the specified essential infrastructure service.
◎ <b>Place of installation</b>	Provide the place of installation and the place of use or operation of the facility. Provide the prefecture's name at least (if the facility is located outside Japan, the name of the administrative district equivalent to a Japanese prefecture (such as a state of a federal nation)).
◎ <b>Place of use</b>	

## Details and date or duration of the contract work

Required information	Instructions
◎ <b>Purpose</b>	Provide the purpose of the critical maintenance and management, etc. to be contracted out (e.g., "periodical maintenance and inspection is necessary").
◎ <b>Scope</b>	Provide the scope of the contract work (e.g., "maintenance and inspection and replacement of parts").
◎ <b>Place</b>	Provide the place where the contract work will be performed.
◎ <b>*Date or duration</b>	If the contract work is one-time and non-continuous, specify the date of the work. If the contract work is recurring and continuous, specify the duration of the work.

## Information on the contractor for the contract work

Required information	Instructions
◎ <b>*The contractor's information</b>	Provide the contractor's <b>name and representative's name, address, and country or territory with jurisdiction over incorporation.</b> <b>[Necessary accompanying document: a certificate of registered information]</b>
◎ <b>*5% or more of the voting rights of the contractor</b>	Provide <b>the names, countries or territories with jurisdiction over incorporation or nationalities, and proportions of voting rights held*</b> of the direct holders of 5% or more of the contractor's voting rights. * The proportion of voting rights held is the proportion of the voting rights held in the total voting rights of the contractor as of a day within two months before the date of notification.
◎ <b>Information on the contractor's officers</b>	Provide <b>the names, dates of birth, and nationalities</b> of the contractor's officers (as defined in the Ministerial Order; for example, directors and executive officers if the contractor is a company with nominating committee, etc.). <b>[Necessary accompanying documents: a certificate of registered information and copies of their passports, etc.]</b> * Any one of a passport copy, a family register transcript, a certificate of family register information, or a copy of the resident record containing the registered domicile (or any equivalent document showing the name, date of birth, and nationality for foreigners)
◎ <b>If the contractor's annual sales from transactions with a foreign government, etc. account for 25% or more of its total annual sales</b>	If the contractor's annual sales from transactions with a foreign government, etc. (the national government, a governmental organization, a local government, the central bank, or a political party or other political organization of a foreign country or territory) accounted for 25% or more of its total annual sales for a business year within the last three business years ending on or before the day two months before the date of notification, provide the relevant <b>business years, the name of the foreign government, etc., and the percentage of the sales.</b>

\* Changes to the information marked with a "◎" must be notified in advance as material changes, while changes to the information indicated by "○" must be reported after the fact. The symbol indicates that the information includes information whose changes may be treated differently (for example, the marks "◎\*" includes refer to information whose changes are treated as either minor changes or changes to be reported after the fact.)

**Green underlines** indicate the information that the contractor can provide directly to the competent minister.

## Information on the subcontract work

Required information	Instructions
<b>Details and period or duration of the subcontract work</b>	
◎ <b>Purpose</b>	Provide the purpose of the critical maintenance and management, etc. to be subcontracted (e.g., “periodical maintenance and inspection is necessary”).
◎ <b>Scope</b>	Provide the scope of the subcontract work (e.g., “maintenance and inspection and replacement of parts”).
◎ <b>Place</b>	Provide the place where the subcontract work will be performed.
◎★ <b>Date or duration</b>	If the subcontract work is one-time and non-continuous, specify the date of the work. If the subcontract work is recurring and continuous, specify the duration of the work.
<b>Information on each subcontractor</b>	
◎★ The subcontractor’s <b>information</b>	Provide the subcontractor’s <b>name and representative’s name, address, and country or territory with jurisdiction over incorporation</b> . <a href="#">[Necessary accompanying document: a certificate of registered information]</a>
◎★ Information on <b>the direct holders of 5% or more of the voting rights</b> of the subcontractor	Provide <b>the names, countries or territories with jurisdiction over incorporation or nationalities, and proportions of voting rights held*</b> of the direct holders of 5% or more of the subcontractor’s voting rights. * The proportion of voting rights held is the proportion of the voting rights held in the total voting rights of the subcontractor as of a day within two months before the date of notification.
○ Information on the subcontractor’s <b>officers</b>	Provide <b>the names, dates of birth, and nationalities</b> of the subcontractor’s officers (as defined in the Ministerial Order; for example, directors and executive officers if the contractor is a company with nominating committee, etc.). <a href="#">[Necessary accompanying documents: a certificate of registered information and copies of their passports, etc.]</a> * Copies of passports and any of family register transcripts, certificates of family register information, or copies of resident records containing the registered domicile (or equivalent documents for foreigners)
○ If the subcontractor’s annual sales from <b>transactions with a foreign government, etc.</b> account for 25% or more of its total annual sales	If the subcontractor’s annual sales from transactions with a foreign government, etc. (the national government, a governmental organization, a local government, the central bank, or a political party or other political organization of a foreign country or territory) accounted for 25% or more of its total annual sales for a business year within the last three business years ending on or before the day two months before the date of notification, provide the relevant <b>business years, the name of the foreign government, etc., and the percentage of the sales</b> .

## Information on measures to prevent specified disruptive actions (risk management measures)

Examples of the required risk management measures <small>*For some measures, documentation supporting the implementation may be provided directly to the competent minister.</small>	
✓	Each specified essential infrastructure service provider must confirm that the contractor and each subcontractor have clarified procedures to keep and check operational logs, work histories, and other records of the specified critical facility and will periodically or as necessary check for any unauthorized changes to the facility with such records.
✓	Each specified essential infrastructure service provider must confirm the business stability of the contractor and each subcontractor based on their business plans (e.g., medium-term business plans), financial health, and service records.
✓	Each specified essential infrastructure service provider must confirm the compliance of the contractor and each subcontractor with domestic laws and international standards (including each country’s regulations based on the international standards), including their compliance for the three years before the date of notification.
✓	Each specified essential infrastructure service provider must ensure, under the contract with the contractor and each subcontractor, that they report to the service provider any possible breaches of the contract that may result from the legislation of a foreign country or an external entity’s instructions (including both explicit and tacit ones).
* Each measure requires the submission of <a href="#">[necessary accompanying documents: documentation supporting the implementation of the measure]</a> .	

\* Changes to the information marked with a “◎” must be notified in advance as material changes, while changes to the information indicated by “○” must be reported after the fact. The symbol indicates that the information includes information whose changes may be treated differently (for example, the marks “◎★” includes refer to information whose changes are treated as either minor changes or changes to be reported after the fact.)

[Green underlines](#) indicate the information that the subcontractor can provide directly to the competent minister.

# List of Required Risk Management Measures (for introducing a specified critical facility [1])

- ✓ To effectively reduce the risk that the specified critical facility to be introduced is misused as a means for specified disruptive actions, the specified essential infrastructure service provider should assess the risk and take risk management measures proportionate to the extent and level of the risk (they are not required to take all the listed measures).
  - ✓ To submit an introduction, etc. plan, **the checkboxes for the risk management measures that have already been taken must be checked**. Even if the service provider has not taken a listed measure, as long as it is considered to have taken equivalent measures to manage risk, it can check the checkbox for the measures by describing the action in the notes section.
- \* Since each ministry may require different risk management measures under its ministerial order, check the ministerial orders before submitting a plan.

Category of risk management measures	Risk management measures
<p>(1) Ensure, under the contract with the supplier of the specified critical facility and the supplier of each component facility, that the supplier manages the facility to prevent unauthorized changes to the facility in its manufacturing and other processes and that the specified essential infrastructure service provider can check its management status</p>	<p><b>(1)-1</b> The specified essential infrastructure service provider has confirmed that the service provider and other parties concerned have inspection arrangements for the specified critical facility in place, including an acceptance inspection to check for any malicious code and other security problems, and will conduct vulnerability tests of the specified critical facility before its introduction.*                      * Excluding inspections and vulnerability tests conducted by the supplier of the facility or the supplier of each component facility</p>
	<p><b>(1)-2</b> The specified essential infrastructure service provider*1 has confirmed that the service provider or the supplier of the specified critical facility has inspection arrangements for the component facilities in place, including an acceptance inspection to check for any malicious code and other security problems, and will conduct vulnerability tests of the component facilities before their introduction.*2                      *1 Including the supplier of the specified critical facility                      *2 Excluding inspections and vulnerability tests conducted by the supplier of each component facility</p>
	<p><b>(2)-1</b> The specified essential infrastructure service provider has confirmed that the supplier of the specified critical facility will meet the information security requirements (e.g., applying the latest security patches to the facility and updating the anti-malware software) specified by the service provider at the time of contracting before its introduction.</p>
	<p><b>(2)-2</b> The specified essential infrastructure service provider* has confirmed that the supplier of each component facility will meet the information security requirements (e.g., applying the latest security patches to the facility and updating the anti-malware software) specified by the service provider or the supplier of the specified critical facility at the time of contracting before its introduction.                      * Including the supplier of the specified critical facility</p>
	<p><b>(3)-1</b> The specified essential infrastructure service provider has confirmed that the supplier of the specified critical facility has a reliable quality assurance system in place for the manufacturing process (including the development process).</p>
	<p><b>(3)-2</b> The specified essential infrastructure service provider* has confirmed the supplier of each component facility has a reliable quality assurance system in place for the manufacturing process (including the development process).                      * Including the supplier of the specified critical facility</p>
	<p><b>(4)-1</b> The specified essential infrastructure service provider has confirmed that the supplier of the specified critical facility will periodically or as necessary check for any unauthorized changes to the manufacturing process (including the development process).</p>
	<p><b>(4)-2</b> The specified essential infrastructure service provider* has confirmed that the supplier of each component facility will periodically or as necessary check for any unauthorized changes to the manufacturing process (including the development process).                      * Including the supplier of the specified critical facility</p>
	<p><b>(5)-1</b> The specified essential infrastructure service provider has confirmed that the supplier of the specified critical facility will apply appropriate physical (e.g., access control using security cameras) and logical (e.g., control of access to data and systems) access control to the manufacturing environment (including the development environment) to prevent unauthorized access.</p>
	<p><b>(5)-2</b> The specified essential infrastructure service provider* has confirmed that the supplier of each component facility will apply appropriate physical (e.g., access control using security cameras) and logical (e.g., control of access to data and systems) access control to the manufacturing environment (including the development environment) to prevent unauthorized access.                      * Including the supplier of the specified critical facility</p>



# List of Required Risk Management Measures (for introducing a specified critical facility [2])

Category of risk management measures	Risk management measures
<p>(1) Ensure, under the contract with the supplier of the specified critical facility and the supplier of each component facility, that the supplier manages the facility to prevent unauthorized changes to the facility in its manufacturing and other processes and that the specified essential infrastructure service provider can check its management status</p>	<p><b>(6)</b> The specified essential infrastructure service provider will add unauthorized access control functions to the specified critical facility if the facility is connected to the Internet and appropriately establish and observe a manual and guidance on its use.</p>
	<p><b>(7)</b> The specified essential infrastructure service provider has confirmed that the supplier of the specified critical facility and those involved in its introduction have in place a system for preventing unauthorized changes to the facility in the installation process.</p>
	<p><b>(8)-1</b> The specified essential infrastructure service provider has confirmed that the supplier of the specified critical facility is required to cooperate in detailed investigations and on-site inspections if the facility is found or suspected to have any unauthorized changes after its introduction.</p>
	<p><b>(8)-2</b> The specified essential infrastructure service provider* has confirmed that the supplier of each component facility is required to cooperate in detailed investigations and on-site inspections if the facility is found or suspected to have any unauthorized changes after its introduction. * Including the supplier of the specified critical facility</p>
<p>(2) Select suppliers based on whether only they can perform maintenance and inspection work for the specified critical facility or component facility if the facility is expected to need maintenance and inspection</p>	<p><b>(9)-1</b> The specified essential infrastructure service provider has confirmed that the supplier of the specified critical facility guarantees sufficient after-sales service (e.g., responses to failures and vulnerabilities).</p>
	<p><b>(9)-2</b> The specified essential infrastructure service provider* has confirmed that the supplier of each component facility guarantees sufficient after-sales service (e.g., responses to failures and vulnerabilities). * Including the supplier of the specified critical facility</p>
	<p><b>(10)-1</b> The specified essential infrastructure service provider has considered alternatives or taken other necessary actions for the possible unavailability of the guaranteed after-sales service (e.g., responses to failures and vulnerabilities) for the specified critical facility.</p>
	<p><b>(10)-2</b> The specified essential infrastructure service provider has considered alternatives or taken other necessary actions for the possible unavailability of the guaranteed after-sales service (e.g., responses to failures and vulnerabilities) for each component facility. * Including the supplier of the specified critical facility</p>
<p>(3) Ensure that the specified critical facility and each component facility have a system for detecting signs of attempted disruptions and are sufficiently redundant or structured to ensure the provision of infrastructure services during disruptions</p>	<p><b>(11)</b> The specified essential infrastructure service provider has in place arrangements (e.g., backing up data, isolating backups, clarifying recovery procedures, and replacing the specified critical facility with a substitute facility) that ensure the provision of infrastructure services during disruptions, such as ransomware attacks, to the specified critical facility.</p>
	<p><b>(12)</b> The specified essential infrastructure service provider has in place a policy and system for responding to information security incidents, such as information leaks (e.g., establishing manuals and conducting periodic incident drills).</p>
	<p><b>(13)</b> The specified essential infrastructure service provider has confirmed that the service provider or the supplier of the specified critical facility will introduce an access control system for the facility and add unauthorized access monitoring functions to the facility before its introduction.</p>



# List of Required Risk Management Measures (for introducing a specified critical facility [3])

Category of risk management measures	Risk management measures
<p>(4) Confirm the compliance of the supplier of the specified critical facility and the supplier of each component facility with domestic laws and international standards, including their past compliance</p>	<p><b>(14)-1</b> The specified essential infrastructure service provider has confirmed the compliance of the supplier of the specified critical facility with domestic laws and international standards (including each country's regulations based on the international standards), including its compliance for the three years before the date of notification.</p>
	<p><b>(14)-2</b> The specified essential infrastructure service provider* has confirmed the compliance of the supplier of each component facility with domestic laws and international standards (including each country's regulations based on the international standards), including its compliance for the three years before the date of notification.</p> <p>* Including the supplier of the specified critical facility</p>
<p>(5) Confirm that the appropriateness of the supply of the specified critical facility and each component facility will not be affected by foreign legislation</p>	<p><b>(15)-1</b> The specified essential infrastructure service provider ensures, under the contract with the supplier of the specified critical facility, that the supplier reports to the service provider any possible breaches of the contract that may result from the legislation of a foreign country or an external entity's instructions (including both explicit and tacit ones).</p>
	<p><b>(15)-2</b> The specified essential infrastructure service provider* ensures, under the contract with the supplier of each component facility, that the supplier reports to the service provider or the supplier of the specified critical facility any possible breaches of the contract that may result from the legislation of a foreign country or an external entity's instructions (including both explicit and tacit ones).</p> <p>* Including the supplier of the specified critical facility</p>
	<p><b>(16)</b> The specified essential infrastructure service provider has confirmed that if video equipment, such as security cameras and drones, is installed or used at the place of installation or use of the specified critical facility, the appropriateness of handling the video footage obtained from the equipment will not be affected by the legislation governing the location of the head office of the equipment supplier (including the head office of a direct or indirect holder of a majority of the supplier's voting rights).</p>
<p>(6) Ensure, under the contract with the supplier of the specified critical facility and the supplier of each component facility, that the supplier provides its information that helps determine whether and to what extent it is under foreign influence and that it timely notifies any changes to such information after the conclusion of the contract</p>	<p><b>(17)</b> The specified essential infrastructure service provider ensures, under the contract with the supplier of the specified critical facility and the supplier of each component facility, that the supplier provides its information, such as its name, location, officers, capital ties, business plans and records, the location of the plant where the facility or parts will be manufactured, and the departments and qualifications (e.g., qualifications and training records related to information security) of its workers involved. The service provider also ensures, under the contract, that the supplier timely notifies any changes to such information after the conclusion of the contract.</p>

\* For the required risk management measures checked, submit documentation supporting their implementation together with the plan. This documentation can be any documentation that can be considered as ensuring the implementation of the risk management measures, given the reality of the business and other factors.

\* For the underlined measures (**(1)-2, (2)-2, (3)-2, (4)-2, (5)-2, (8)-2, (9)-2, (10)-2, (14)-2, and (15)-2**), the supplier of the specified critical facility and the supplier of each component facility can provide such documentation directly to the competent minister, bypassing the specified essential infrastructure service provider.

\* Examples of risk management measures and such documentation are provided in the technical guide (the Guide to the System for Ensuring Stable Provision of Specified Essential Infrastructure Services under the Economic Security Promotion Act).

# List of Required Risk Management Measures (for entrusting critical maintenance and management, etc. [1])

- ✓ To effectively reduce the risk that the specified critical facility whose critical maintenance and management, etc. is to be contracted out will be misused as a means for specified disruptive actions, the specified essential infrastructure service provider should assess the risk and take measures proportionate to the extent and level of the risk (they are not required to take all the listed measures).
- ✓ To submit an introduction, etc. plan, **the checkboxes for the risk management measures that have already been taken must be checked**. Even if the service provider has not taken a listed measure, as long as it is considered to taken equivalent efforts to manage risk, it can check the checkbox for the measure by describing the efforts in the notes section.  
\* Since each ministry may require different risk management measures under its ministerial order, check the ministerial orders before submitting a plan.

Category of risk management measures	Risk management measures
<p>(1) Ensure, under the contract with the contractor (including each subcontractor) of the critical maintenance and management, etc., that the contractor manages the specified critical facility to prevent the contractor (including its employees) from making changes to the facility that are not intended by the specified essential infrastructure service provider and that the service provider can check its management status</p>	<p><b>(1)</b> The specified essential infrastructure service provider* has confirmed that the contractor and each subcontractor have clarified procedures to keep and check operational logs, work histories, and other records of the specified critical facility and will periodically or as necessary use such records to check for any unauthorized changes to the facility. * For the implementation status of each subcontractor, including the case where the contractor has confirmed it</p>
	<p><b>(2)</b> The specified essential infrastructure service provider periodically conducts asset management of the specified critical facility and its component facilities, including taking their inventory and checking whether the latest security patches have applied to them, and will also periodically conduct the same asset management of replacement facilities.</p>
	<p><b>(3)</b> The specified essential infrastructure service provider* has confirmed that the contractor and each subcontractor will apply appropriate physical (e.g., access control using security cameras) and logical (e.g., control of access to data and systems) access control to their design specifications and information of the facility to prevent unauthorized access. * For the implementation status of each subcontractor, including the case where the contractor has confirmed it</p>
	<p><b>(4)</b> The specified essential infrastructure service provider* has confirmed that the contractor and each subcontractor will apply appropriate physical (e.g., access control using security cameras) and logical (e.g., control of access to data and systems) access control to the working environment for the critical maintenance and management, etc. to prevent unauthorized access. * For the implementation status of each subcontractor, including the case where the contractor has confirmed it</p>
	<p><b>(5)</b> The specified essential infrastructure service provider* has confirmed that the contractor and each subcontractor are committed to maintaining and improving the cybersecurity literacy of the workers and supervisor engaged in the critical maintenance and management, etc. by providing them with cybersecurity training periodically (at least once a year). * For the implementation status of each subcontractor, including the case where the contractor has confirmed it</p>
<p>(2) Ensure, under the contract with the contractor of the critical maintenance and management, etc., that when subcontracting the contract work, the contractor provides the specified essential infrastructure service provider with the necessary information to check the subcontractor's cybersecurity measures and that the contractor obtains prior approval from the service provider to subcontract the contract work</p>	<p><b>(6)</b> The specified essential infrastructure service provider has confirmed that the contractor is required to obtain prior approval from the service provider for subcontracting the contract work and that each subcontractor is also required to obtain prior approval from the service provider for subcontracting the subcontract work.</p>
	<p><b>(7)</b> The specified essential infrastructure service provider requires, under the contract with the contractor, that the contractor ensure that the subcontractor implements the same level of cybersecurity measures as the contractor to subcontract the contract work.</p>
<p>(3) Confirm that the contractor is unlikely to suspend or discontinue the critical maintenance and management, etc. in breach of the contract</p>	<p><b>(8)</b> The specified essential infrastructure service provider* has confirmed the business stability of the contractor and each subcontractor based on their business plans (e.g., medium-term business plans), financial health, and service records. * For the business stability of each subcontractor, including the case where the contractor has confirmed it</p>

# List of Required Risk Management Measures (for entrusting critical maintenance and management, etc. [2])

Category of risk management measures	Risk management measures
(4) Confirm the compliance of the contractor (including each subcontractor) with domestic laws and international standards, including its past compliance	<p><u>(9)-1</u> The specified essential infrastructure service provider has confirmed the compliance of the contractor with domestic laws and international standards (including each country's regulations based on the international standards), including its compliance for the three years before the date of notification.</p> <p><u>(9)-2</u> The specified essential infrastructure service provider* has confirmed the compliance of each subcontractor with domestic laws and international standards (including each country's regulations based on the international standards), including its compliance for the three years before the date of notification. * Including the contractor</p>
(5) Confirm that the appropriateness of the critical maintenance and management, etc. to be contracted out (including to be subcontracted) will not be affected by foreign legislation	<p><u>(10)-1</u> The specified essential infrastructure service provider ensures, under the contract with the contractor, that the contractor reports to the service provider any possible breaches of the contract that may result from the legislation of a foreign country or an external entity's instructions (including both explicit and tacit ones).</p> <p><u>(10)-2</u> The specified essential infrastructure service provider* ensures, under the contract with each subcontractor, that the subcontractor reports to the service provider or the contractor any possible breaches of the contract that may result from the legislation of a foreign country or an external entity's instructions (including both explicit and tacit ones). * Including the contractor</p> <p><u>(11)</u> The specified essential infrastructure service provider has confirmed that if video equipment, such as security cameras and drones, is installed or used at the place where the critical maintenance and management, etc. work is carried out, the appropriateness of handling the video footage obtained from the equipment will not be affected by the legislation governing the location of the head office of the equipment supplier (including the head office of a direct or indirect holder of a majority of the supplier's voting rights).</p>
(6) Ensure, under the contract with the contractor (including each subcontractor), that the contractor provides its information that helps determine whether and to what extent it is under foreign influence and that it timely notifies any changes to such information after the conclusion of the contract	<p><u>(12)</u> The specified essential infrastructure service provider ensures, under the contract with the contractor and each subcontractor, that they provide their information, such as their name, location, officers, capital ties, business plans and records, the place where the critical maintenance and management, etc. will be performed, and the departments and qualifications (e.g., qualifications and training records related to information security) of their workers involved. The service provider also ensures, under the contract, that they timely notify any changes to such information after the conclusion of the contract.</p>

- \* For the required risk management measures checked, submit documentation supporting their implementation with the plan. This documentation can be any documentation that can be considered as ensuring the implementation of the risk management measures, given the reality of the service/business and other factors.
- \* For the underlined measures ((1), (3), (4), (5), (8), (9)-2, and (10)-2), the contractor and each subcontractor of the critical maintenance and management, etc. can provide such documentation directly to the competent minister, bypassing the specified essential infrastructure service provider.
- \* Examples of risk management measures and such documentation are provided in the technical guide (the Guide to the System for Ensuring Stable Provision of Specified Essential Infrastructure Services under the Economic Security Promotion Act).

- ✓ **If** introducing a specified critical facility or entrusting the critical maintenance and management, etc. of a specified critical facility to a third party **is urgent**, each specified essential infrastructure service provider **may do so without submitting an introduction, etc. plan in advance**. In this case, the service provider **must submit an introduction, etc. notification without delay** after the introduction, etc.
- ✓ Cases of urgency are defined in each Ministerial Order.

## Definition of cases of urgency

**[Article of each Ministerial Order]** The cases specified in the order of the competent ministry under the proviso of Article 52, paragraph (1) of the Act are cases where a specified essential infrastructure service provider **has or is likely to have difficulty in providing the specified essential infrastructure service (unless the service provider has caused the risk of such difficulty in an attempt to evade the application of the main clause of the paragraph)**, has to urgently introduce a specified critical facility or entrust the critical maintenance and management, etc. of a specified critical facility to a third party **in order to remove or prevent such difficulty**, and **has no appropriate alternatives**.

**[This article says that if a specified essential infrastructure service provider meets all the following conditions (1) to (4), it may introduce, etc. a specified critical facility without submitting an introduction, etc. plan in advance.]**

**(1) The service provider has or is likely to have difficulty in providing the specified essential infrastructure service**

⇒ The introduction, etc. of a specified critical facility through the normal procedure may undermine the purpose of the Act (the stable provision of infrastructure services) (Urgent).

**(2) Unless the service provider has caused the risk of such difficulty in an attempt to evade the application of the main clause of the paragraph**

⇒ The service provider has not intentionally caused the risk of such difficulty in an attempt to evade giving prior notification (Unintentional).

**(3) The service provider has to urgently introduce a specified critical facility or entrust the critical maintenance and management, etc. of a specified critical facility to a third party in order to remove or prevent such difficulty**

⇒ The service provider's introduction, etc. is necessary to remove or prevent such difficulty (Necessary).

**(4) The service provider has no appropriate alternatives**

⇒ The service provider has no appropriate alternatives to the introduction, etc. (No alternatives).

**[Information required in an urgent introduction, etc. notification: the information (1) to (4) below must be provided in addition to the information required in an introduction, etc. plan]**

(1) Urgent	Required information: (1) the details of the difficulty in providing the service; (2) the date of occurrence and duration of the difficulty; (3) the impact of the difficulty on the provision of the service; (4) by when the urgent introduction, etc. had to take place; and (5) why an introduction, etc. plan could not be submitted in advance
(2) Unintentional	Required information: (1) the causes of the difficulty; (2) when the difficulty was identified; and (3) why the difficulty was unavoidable
(3) Necessary	Required information: (1) the relationship between the difficulty and the specified critical facility and the details of the problems with the specified critical facility, and (2) the relationship between the difficulty and the urgent introduction, etc.
(4) No alternatives	Required information: (1) what alternatives were considered, and (2) why the alternatives could not be taken

# Exemption from Providing Information on the Subcontractors of Critical Maintenance and Management, Etc.

- ✓ To entrust critical maintenance and management, etc. to a third party, each specified essential infrastructure service provider **must, as a general rule, include information on all the subcontractors in the introduction, etc. plan.**
- ✓ However, **if the service provider satisfies all the exemption requirements specified in the Ministerial Order**, the service provider is **not required to provide some information on the subcontract that meets the requirements and documents related to the officers of the subcontractor** by **stating the satisfaction** in and **attaching documentation supporting the satisfaction** to the introduction, etc. plan.

## Requirement for exemption

A specified essential infrastructure service provider who **satisfies all the requirements** is **not required to provide information on the subcontract that satisfies the requirements other than the subcontractor's name, address, and country with jurisdiction over incorporation** by attaching documentation supporting the satisfaction to the introduction, etc. plan. The service provider is also **not required to submit any documentation other than a certification of registered information.**

**Requirement (1): The service provider has taken action to identify** the scope and date or duration of the subcontract work.

**Requirement (2): The service provider or the contractor subcontracting the contract work has taken action to confirm** that the subcontractor has taken the following measures:

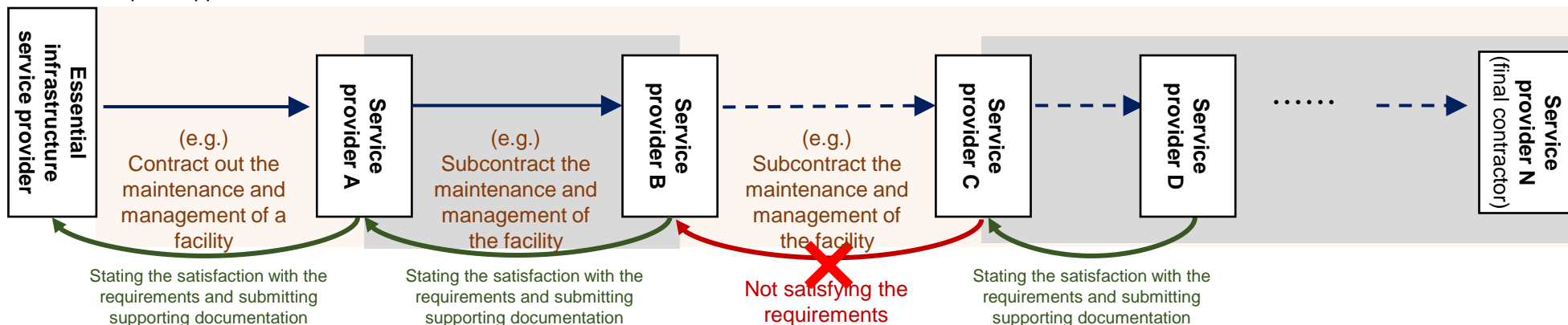
### Subcontractor's measure (1)

Take measures to **prevent authorized access** to the place of the subcontract work, such as controlling access to the place

### Subcontractor's measure (2)

**Periodically or as necessary audit** the specified critical facility whose critical maintenance and management, etc. is to be subcontracted **for any unauthorized operation or activities** by establishing and requiring compliance with procedures to maintain and check the records of work performed by its workers

<How the exemption applies>



⇒ The essential infrastructure service provider must provide all the required information on the contract with service provider A and the subcontract between service providers B and C. For the subcontract between service providers A and B, the subcontract between service providers C and D, and all other subsequent subcontracts, the essential infrastructure service provider is not required to provide information on the subcontracts other than the names, etc. of subcontractors B and D to N.

# Timeline of the System for Ensuring Stable Provision of Essential Infrastructure Services

**May 18, 2022**

**Promulgation of the Economic Security Promotion Act**



**April 28, 2023**

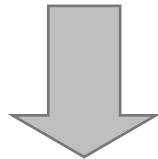
**Cabinet approval and release of the guiding principles\***

\* Guiding Principles on Ensuring Stable Provision of Specified Essential Infrastructure Services by Preventing Specified Disruptive Actions



**August 9**

**Promulgation of the Cabinet Order** (related to specified essential infrastructure business) **and the Ministerial Orders** (related to designation criteria for service providers, specified critical facilities, etc.) (enforced on November 1)



(September 15 to October 14: Public comment process for secondary drafts of ministerial orders)

(October 6: Release of a technical guide\*<sup>1</sup> [provisional] and bidding guidelines\*<sup>2</sup>)

\*1: Guide to the System for Ensuring Stable Provision of Specified Essential Infrastructure Services under the Economic Security Promotion Act

\*2: Guidelines on the Consistent Operation of the Bid Contract System with the System for Ensuring Stable Provision of Specified Essential Infrastructure Services under the Economic Security Promotion Act

**November 1**

**Partial enforcement of the Act** (related to specified essential infrastructure business, designation criteria for specified essential infrastructure service providers, specified critical facilities, etc.)



**November 16**

**Designation of specified essential infrastructure service providers** (a total of 210 designated service providers)

(Note) Nine specified essential infrastructure service providers were designated and four was canceled its designation afterwards (a total of 215 designated service providers, as of March. 1, 2025).

**Promulgation of the Ministerial Orders** (related to critical maintenance and management, etc., information to be provided, recommendation procedures, etc.) (enforced on November 17)



**November 17**

**Partial enforcement of the Act** (related to critical maintenance and management, etc., information to be provided, recommendation procedures, etc.)

**Public announcement of designation of specified essential infrastructure service providers** (listed in the official gazette)



\* Six-month transition period (from November 17, 2023 to May 16, 2024)

- Activities to raise the public awareness of the system (including holding explanatory meetings in eight cities and releasing explanatory material on the website of the Cabinet Office)
- Creation and release of technical guides

**May 17, 2024**

**System begins operating (start date of the obligation to notify)**