

Rules for Processing of Complaints
as
Authorized Personal Information
Protection Organization
(Version 0. 3)

Japan Information Processing Development Corporation

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I. Concepts

1-1: Basic Principle

Based on the Act on the Protection of Personal Information (hereafter, the Act) Article 37, the Japan Information Processing Development Corporation (hereafter JIPDEC), as an Authorized Personal Information Protection Organization, will strive, by following the principles laid out below on complaints, enquiries, and questions about the protection of personal information (hereafter complaints), and from a position of fairness, to reach rapid and transparent decisions on claims in order to maintain confidence.

- i) Fairness
- ii) Transparency
- iii) Simple/Rapid/Inexpensive
- iv) Ensuring Effectiveness

1-2: Clarification of the Causes of Complaints and Preventing Reoccurrences

Regarding reported complaint, JIPDEC will determine the causes of said claims, and will provide information on them to consumers and Accredited Private Enterprises (hereafter Target Business Operator) through JIPDEC and which agree to be subject to accreditation in accordance with the regulations in Article 41 of the Act, in order to prevent reoccurrences of similar complaints, to mitigate complaints and to prevent new complaints.

II. System for Processing of Complaints

A Personal Information Protection Consultation Service Office (hereafter Consultation Service Office) will be established in PrivacyMark Office of JIPDEC.

In the Consultation Service Office, there will be for the purpose of processing complaints, a consultation service manager, a training manager and an information provision manager. In addition to this, an auditor will be established inside the JIPDEC in order to evaluate the effectiveness of the Office's work.

2-1: Consultation Service Manager

The Consultation Service Manager will, in accordance with these rules, be responsible for such tasks as receiving complaints, sending notifications and reports to Target entities and other parties involved, providing answers and solutions to the complainants and cooperating with other grievance machinery.

The Manager serves as secretary general of the PrivacyMark Office.

2-2: Training Manager

The Training Manager is appointed by the chairman of JIPDEC, and, in accordance

with the “Training Procedure Manual for Consultation Service” is responsible for creating a consultation service training schedule every year, implementing training programs, and gathering the results into a Consultation Service Training Execution Report, and reporting to and receiving approval from the chairman.

2-3: Information Provision Manager

The Information Provision Manager is appointed by the chairman of JIPDEC, and is responsible for widely providing information on accidents and incidents involving personal information, reoccurrence prevention measures, and external grievance machinery to consumers, target entities and organizations.

2-4: Consumer Consultation Services

A Consumer Consultation Services is to be established in the Consultation Service Office to process complaints for personal information protection from consumers and others. However, this office is separated from the Contact for PrivacyMark System, and so the contact information (email, address, etc.) should be different.

2-5: Auditor

The Auditor is appointed by the chairman of JIPDEC in accordance with the “Training Procedure Manual for Consultation Service” and is responsible for creating an Audit Plan every year on consultation service by the Office, for appointing auditors and implementing audits, for compiling the results into a Consultation Service Internal Audit Report, and reporting to and receiving approval from the chairman. In addition, if the Auditor receives improvement instructions from the chairman, it would be responsible for informing the Consultation Office, receiving reports on corrective measures, and reporting those to the chairman.

III. Procedures for Processing of Complaints

Consultation service about the protection of personal information by the Consultation Office is to be implemented in accordance with the consultation service Procedures.

IV. Processing of Complaints

The following rules have been established for implementing personal information protection in accordance with the “Procedures for Processing Complaints”.

4. General Provisions

4-1: Purpose

These Rules have been enacted to allow simple and rapid process of complaints, with

the intention of protecting the legitimate rights of users.

4-2: Duties and Tasks of the Consultation Service Office

1. The Consultation Service Office will accept all complaints in good faith and will endeavor to resolve them fairly, rapidly and transparently.
2. To this end, the office will give the complainant a full hearing and provide any necessary advice, and will investigate and confirm all facts concerning the Target entities.
3. The Office will give full consideration to the protection of privacy, implementing recurrence prevention measures based on past complaint cases.

4-3: Public Relations

1. JIPDEC and Target entities will make all efforts to be sure that the existence of the Consultation Service Office is widely recognized.
2. JIPDEC will clearly specify instructions on how to make complaint and contact information for the Office on its web-site and brochures.

4-4: Guarantee of Complainants' Options

1. JIPDEC will provide complainants with a variety of contact methods, including telephone, FAX and e-mail.
2. If a Target entities belong to several Authorized Personal Information Protection Organizations, it is allowed to change its organizations in response to the circumstances of the complainant.
3. If unable to provide a resolution to a complaint in processing of complaints, JIPDEC will provide information on other grievance machinery.

4-5: Personnel Training

JIPDEC will train personnel in charge of processing of complaints through such methods as training in processing of complaints and study of past complaint cases.

4-6: Preservation of Records and Announcement of Results of Processing of Complaints, Consideration for Privacy. (Required)

1. JIPDEC will record the details and results of complaints, and will preserve them for a certain period.
2. JIPDEC will periodically make public statistics concerning the details and results of complaints and major case summaries. Depending on the circumstances, there is a fear that publicizing a complainant's information could violate his rights or other legitimate interests, and in this case the information may not be published. Information about the Target entities that are the subject of the complaint also may

not be published.

3. Before announcement of summaries of processing of complaints, if it would be possible that the complainant may be identified, the complainant's permission must be sought.

4-7: Standard Consultation Service Period

1. Taking into account the need to terminate processing of complaints and introduce complainants to other grievance machinery the standard period of processing will be set at 3 months.
2. In cases that have not been resolved by the end of the standard period, JIPDEC will inform the complainant of status quo of the processing.
3. If the complaint has not been resolved by the end of the standard period, JIPDEC would inform and introduce the complainant of other grievance machinery as possible.

5. Acceptation

5-1: Scope of Processing of Complaints

1. The Consultation Service Office will process complaints related to the law, the Personal Information Protection Policy of JIPDEC and Target entities.
2. Even if the complaint falls within the scope of processing of complaints to be handled by the Office, it would not be accepted unless brought by the person affected or a legal representative.
3. If the competent minister asks JIPDEC to process the complaint, it would be processed whether or not it meets the above provisions.

5-2: In Cases Complaints are not Processed

1. In cases complaints would be not processed, the complainant or the complainant's legal representative should be notified and the reason why clearly explained.
2. In following cases, processing of complaints would be rejected.
 - i) Outside the scope of acceptation;
 - ii) Complainant does not meet the requirements;
 - iii) Cases in litigation or has been litigated (including civil arbitrations)
 - iv) Complainants with an obviously unreasonable objective;
 - v) Barred by prescription;
 - vi) Repeated requests;

5-3: The Scope of Complainants

1. The complainant must be the person concerned or a legal representative.

2. Scope of the legal representative are as follows;
 - i) A dependent child under joint custody, either the mother or the father, or a person with parental authority;
 - ii) An adopted child, the adoptive parents;
 - iii) One of the parents has been granted full custody, the person with parental authority.
 - iv) No one with parental authority, a legal guardian
 - v) Otherwise, someone who has been granted authority by the person affected

6. The Consultation Service Office

6-1: Impartiality/Expertise of the Office

1. Details on the Office are below.
 - i) Name
A Personal Information Protection Consultation Service Office
PrivacyMark Office, PrivacyMark Promotion Center
Japan Information Processing Development Corporation(JIPDEC)
 - ii) Address
Kikai-Shinko Kaikan, 3-5-8 Shibakoen, Minato-ku, Tokyo 105-0011
 - iii) Scope of Target
PrivacyMark Accredited Private Enterprises
2. Personnel working at the Office should have two years of experience in consultation service including general inquiries and questions.
3. There will be one Complaint Processing Manager at the Office
4. In order to guarantee the impartiality of the Office, periodic inspections will be conducted under the orders of the Auditor.

6-2: Confidentiality Obligations of the Office Personnel's

1. Personnel or former personnel of the Office must not reveal any confidential information without good cause.
2. Personnel appointed to the Office must give a written oath to the JIPDEC.

7. Relations between Grievance Machineries

7-1: Communication between Organizations

1. JIPDEC must maintain a List of all other Authorized Personal Information Protection Organizations that process complaints regarding personal information protection.
2. When complaints or questions are outside the scope of JIPDEC, referring the List prescribed paragraph 1 of this article, it would confirm the acceptability of the

grievance machinery and introduce it to the complainant.

8-1: Responsibilities and Code of Conduct of Target entities

1. Target entities must resolve all complaints quickly and in good faith when so directed by JIPDEC.
2. The target entities must cooperate by investigating and confirming all facts, reporting and filing documents on countermeasures and solutions for consultation requested by JIPDEC.
3. The target entities must cooperate by resubmitting the reports, etc., requested by JIPDEC if the originals would be deemed inadequate.
4. The target entities must respond the request for processing of complaints by JIPDEC unless there is good cause not to do so.
5. The target entities must accept the complaints in good faith and take the necessary measures to prevent reoccurrences.

8-2: Report by Target Business Enterprises on Response Results

1. The target entities must report to JIPDEC on the response results related to JIPDEC's recommendations.
2. If the target entities do not fulfill their obligations prescribed in above paragraph, JIPDEC could direct them to take appropriate measures.
3. If the target entities do not follow the recommendations prescribed in above paragraph, a report must be made to the competent ministers and their qualifications will be revoked.

8-3: Obligation of the Target Entities to Promote Processing of Complaints

1. When JIPDEC requests Target Entities to process the complaints, they must promote honest and quick processing.
2. In addition, in order to promote processing of complaints, JIPDEC could require periodical reports on the response results of processing of complaints from the target entities.

9. Procedures

9-1: Reception of and Response of Complaints

1. The Consultation Service Office must inform complainants of the following when a complaint is filed.
 - i) Procedures of Processing of Complaints
 - ii) Standard Period of Processing of Complaints
 - iii) Procedures after Standard Period

2. For the complainant's convenience, JIPDEC will accept Complaints by telephone, FAX, e-mail or documents.
3. Before processing begins, the procedures should be explained to the complainant and the complainant's agreement should be obtained.

9-2: Deciding of Processing of Complaints

1. In accordance with 5-1 (Scope of Processing of Complaints) and 5-2 (In Cases Complaints are not Processed above), the Consultation Service Office will decide whether complaints received can be processed or not.
2. If further processing would be impossible, the Consultation Service Office should refer the complainant to other grievance machinery, such as the Bar Association Arbitration Center.

9-3: Investigations / Cooperation From Target Business Enterprises and Other Involved Parties

1. When a consultation can be processed, the Consultation Service Office will inform Target Entities, as well as any other involved parties. However, an exception is made if the processing does not wish to inform the Target Entities or office or other involved parties.
2. When Target Entities are informed by JIPDEC that a processing of complaints has been received, they must cooperate with the investigation (including providing documents). However, an exception is made if there is good cause.
3. Target Entities must provide JIPDEC with documents that include an explanation of the situations, claim and response guidelines, and the results of an investigation of all facts.

9-4: Response to the Complainant

1. The Consultation Service Office will check the documents provided by Target Entities, including the explanation of situations and claim and response guidelines, in accordance with the acts, the Personal Information Protection Policy established by JIPDEC and the policy of Target Entities, and if these documents are found to be inadequate, will as necessary direct the Enterprises to take corrective measures and require that the documents be resubmitted.
2. The Consultation Service Office will communicate the contents of the documents submitted by Target Entities to the complainant, and ascertain whether the complainant is in agreement with the response of the Enterprises.

9-5: Presentation of Solutions and Solicitous Obligation

The Consultation Service Office will, based on interviews with both the complainants

and Target Entities and on documents provided, present either a solution or a possible direction toward a solution, and confirm the complainant's intention.

9-6: Acceptance/Non-acceptance of Results

If the complainant does not accept the solution, the Consultation Service Office must respond with one of the options below.

1. The Consultation Service Office will notify Target Entities of this decision, and urge them to come up with another solution.
2. The Office will come up with an alternate solution.
3. If the processing of complaints ends due to a disagreement, the Office will introduce other grievance machinery to the complainant.

9-7: Consultation Service Procedure in the Case of Unsolved Complaints

The Consultation Service Office must have consideration to introduce other grievance machinery such as the Bar Association Arbitration Center to the complaint.

9-8: Measures/Counsel

1. If Target Business Enterprises are confirmed to have violated the articles of the Consultation Service Regulations or to have caused other problems, JIPDEC will take the necessary measures and provide the necessary counsel.
2. JIPDEC will explain to the Target Entities about the measures and counsel in paragraph 1 where these are necessary, and the enterprises must be provided with a chance to defend the validity of their own position.

9-9: Reporting of Past Consultation Service Results

JIPDEC must periodically report past results related to consultation service to the Competent Ministers.

9-10: Complaints Filed to the Competent Ministers

1. The Consultation Service Office must report to the Competent Ministers about the complaints filed to the ministers and process the complaints in cases requested by the ministers.
2. The Office must inform the complainants of the processing of complaints subscribed in the previous paragraph.

9-11: Detailed Regulations (Required)

In addition to the above regulations, necessary information on more detailed items concerning the administration of these the Rules has been established separately in the details.