

DATA PRIVACY LAWS AND REGULATIONS

What laws apply to the collection and use of individuals' personal information?

Data privacy laws have become more prominent in recent years. As the amount of personal information available online has grown substantially, there has been an enhanced focus on the processing of personal data, as well as the enforcement of such laws.

Japan has recently made changes to its data privacy laws through the Amended Act on the Protection of Personal Information (2016), which went into effect in May 2017. There are also four guidelines relating to the Act (General, Cross-Border Transfer, Records of Transfer, Anonymous Data).



The Act separates personal information into two categories. Personal information, is defined as data relating to a living individual which can be used to:

- identify the individual; or,
- identify the individual in conjunction with easy reference to other information.



The second category, is defined as “special care-required personal information” sometimes referred to in other countries as sensitive personal information. Special care-required personal information includes data relating to a subject's race, creed, social status, medical history, criminal record, fact of having suffered damage by a crime and other categories (defined by the government) which require special care so as not to cause unfair discrimination, prejudice or other disadvantages to the individual. This includes mental/physical disorders, health examination results, and criminal procedures.

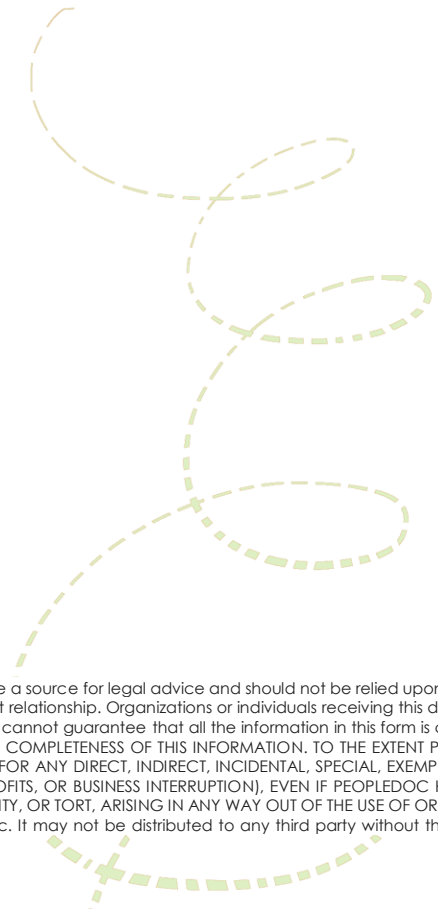
When processing special care-required personal information, there are additional requirements and protections that must be followed, including obtaining consent (with a few exceptions).

The authority responsible for enforcement of data privacy law and regulations in Japan is the:

Personal Information Protection Commission

個人情報保護委員会

<https://www.ppc.go.jp/en/>



Last updated February 2018.

DISCLAIMER: The information contained in this form is for general information purposes only and is not intended to be a source for legal advice and should not be relied upon as such. This information is not intended to create, and the receipt of it by the reader does not constitute, an attorney-client relationship. Organizations or individuals receiving this document should always seek the advice of competent counsel in their home jurisdiction. Laws may change and PeopleDoc cannot guarantee that all the information in this form is current or correct. PEOPLEDOC DOES NOT GIVE ANY EXPRESS OR IMPLIED WARRANTIES OF MERCHANTABILITY, SUITABILITY, OR COMPLETENESS OF THIS INFORMATION. TO THE EXTENT PERMITTED UNDER APPLICABLE LAW, NEITHER PEOPLEDOC, NOR ITS AGENTS, OFFICERS, EMPLOYEES, OR AFFILIATES, ARE LIABLE FOR ANY DIRECT, INDIRECT, INCIDENTAL, SPECIAL, EXEMPLARY, OR CONSEQUENTIAL DAMAGES (INCLUDING PROCUREMENT OF SUBSTITUTE GOODS OR SERVICES, LOSS OF USE OR PROFITS, OR BUSINESS INTERRUPTION), EVEN IF PEOPLEDOC HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES, ON ANY THEORY OF LIABILITY, WHETHER IN CONTRACT, STRICT LIABILITY, OR TORT, ARISING IN ANY WAY OUT OF THE USE OF OR INABILITY TO USE THIS INFORMATION. The content of this document is proprietary and confidential information of PeopleDoc. It may not be distributed to any third party without the written consent of PeopleDoc. © 2018 PeopleDoc Inc. Do not reproduce without the written permission of PeopleDoc Inc.

PeopleDoc HR Compliance Assist

HR Compliance Assist helps PeopleDoc clients proactively and effectively manage compliance of their HR files and employees' data with foreign laws and regulations. Led by PeopleDoc's Chief Compliance Officer, the HR Compliance Assist team relies on a network of internal and external lawyers to provide clients with best practices and recommendations on topics such as HR document retention, employee data privacy, electronic signature and electronic archiving. HR Compliance Assist also provides local compliance monitoring and alert services in select countries where PeopleDoc's customers have employees. HR Compliance Assist is a service available to PeopleDoc customers.

PeopleDoc is on a mission to make the difficult job of HR easier. The PeopleDoc HR Service Delivery platform helps HR teams more easily answer employee requests on demand, automate employee processes, and manage compliance across multiple locations. PeopleDoc cloud solutions include case management, process automation and employee file management.

100% software as a service, PeopleDoc solutions integrate with existing HR systems, can be implemented in 8-12 weeks, and are designed for agile ongoing use by HR teams serving diverse workforces. More information is available at www.people-doc.com.



HR Compliance Assist

www.hrcomplianceassist.com - hrcomplianceassist@people-doc.com