



## Receiving Contracts and Broadcast Receiving Fees

### Article 64

- (1) A person that falls under any of the following items must conclude a receiving contract with NHK in accordance with the authorized contract clauses:
  - (i) a person who has installed specified receiving equipment;
  - (ii) a person that has begun to receive specified compulsory distribution
  
- (2) Notwithstanding the provisions of the preceding paragraph, the following persons are not required to conclude a receiving contract with NHK:
  - (i) a person who has carried out installation, etc. in a residence, and who falls under any of the following: (a) a person who has already concluded a receiving contract pursuant to the provisions of the preceding paragraph regarding another installation, etc. in a residence; (b) a person who shares a residence, etc. and a livelihood with that person has already concluded a receiving contract pursuant to the provisions of the preceding paragraph regarding installation, etc. in another residence;
  - (ii) any other person specified in the authorized contract clauses as a person who is not required to conclude a receiving contract under the provisions of the preceding paragraph.
  
- (3) NHK must determine the content of the receiving contract to be concluded by the persons stated in the items of paragraph (1) in a fair manner, taking into account that these persons are considered to be in an equivalent reception environment and are to conclude a receiving contract with NHK pursuant to the provisions of that paragraph.

- (4) NHK must not exempt the broadcast receiving fees to be collected from a person that has concluded a receiving contract, pursuant to the provisions of paragraph (1), unless the exemption is based on the standards for exemption of fees for receiving broadcasts approved in advance by the Minister for Internal Affairs and Communications.
- (5) NHK must specify the following matters and obtain the authorization of the Minister for Internal Affairs and Communications in advance, regarding the clauses of a receiving contract. The same applies if NHK intends to change those clauses:
- (i) the matters concerning the unit of the receiving contract (including the upper limit of the number of communication terminal equipment that can simultaneously receive the distribution by NHK using one set of subscriber identification information, and other matters necessary for ensuring the appropriate use of that subscriber identification information);
  - (ii) the matters concerning the method and time limit for applying for the receiving contract (including the date of installation of the specified receiving equipment or the date of commencement of reception of specified compulsory distribution and other matters to be notified to NHK at the time of the application);
  - (iii) matters related to the timing and methods of the payment of broadcast receiving fees;
  - (iv) the amount of broadcast receiving fees and surcharges that NHK may collect in the cases stated below, and other matters relating to the collection of those broadcast receiving fees and those surcharges:
    - (a) if the payment of broadcast receiving fees is avoided through fraudulent means; or
    - (b) if an application for a receiving contract is not made within the time limit specified in item (ii) without a justifiable reason; and
    - (v) other matters prescribed by Order of the Ministry of Internal Affairs and Communication
- (6) The amount of the broadcast receiving fees provided for in item (iv) of the preceding paragraph is the amount specified in each of the following

items for the category of cases stated in that item, and the amount of the premium provided for in item (iv) of that paragraph is an amount not exceeding the amount obtained by multiplying the amount specified in the relevant of the following items for the category of cases stated in that item by the multiple specified by Order of the Ministry of Internal Affairs and Communications:

- (i) cases that come to fall under cases stated in item (iv),(a) of the preceding paragraph: the amount of receiving fees for which payment was not made; or
- (ii) in cases that come to fall under the cases stated in item (iv),(b) of the preceding paragraph: an amount equivalent to the amount of broadcast receiving fees that should be paid by the day prior the date when the receiving contract was actually executed, if the receiving contract was executed on the day on which the time limit provided for in item (ii) of that paragraph ended.

(7) Any broadcast which receives a broadcast from NHK and simultaneously re-broadcasts the broadcast without changing its content, is deemed to be a broadcast from NHK and the provisions of the preceding paragraphs apply.

(8) In this Article, the meanings of the terms stated in the following items are as prescribed respectively in those items:

- (i) receiving contract: a contract relating to the reception of broadcasts or distribution of NHK;
- (ii) authorized contract clauses: the clauses of the receiving contract authorized under paragraph (5);
- (iii) specified receiving equipment: receiving equipment capable of receiving the broadcasts of NHK other than that stated below:
  - (a) receiving equipment not intended for receiving broadcasts;
  - (b) receiving equipment capable of receiving only radio broadcasts or multiplex broadcasts;

- (iv) residence, etc.: a residence (limited to a person's principal place of daily activity) and any other equivalent place specified by the authorized contract clauses;
- (v) installation, etc. in a residence: an act that falls under any of the following:
  - (a) to install specified receiving equipment in a residence, etc.;
  - (b) to start receiving specified compulsory distribution (excluding the case where NHK finds that it is clear that the purpose is to allow other persons, in light of the standards specified in the authorized contract clauses (excluding persons who share the same residence, etc. and living expenses with that person) to watch or view that specified compulsory distribution);
- (vi) subscriber identification information: codes or other information used to confirm that the persons stated in the items of paragraph (1) have concluded a receiving contract, by which those persons can be identified.