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| Chapter 6 | Legal Work | / |
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1. Business activities and Law

It is a matter of course as a citizen to abide by the Constitution of Japan, and the Constitution serves as a foundation to protect citizens' lives. We have a free and open society, and at the same time we aim to build and support a more just and equal society as its members. There is diversity in every society and we should live our lives respecting the different ways of living and thinking of society's diverse peoples. Respecting one another allows us to live and work in harmony with everyone in the community. Therefore, good communication among society's members is paramount. Each individual must be genuinely concerned with their society's welfare and demonstrate a sense of strong responsibility and commitment to positively participate in their community.

The activities of all business organizations, which include companies, are regulated by law. Various laws, as well as business contracts in accordance with the laws, are necessary, though each company may be affected differently according to their type of business. Knowledge of legal matters is essential in business.

▼a part of Business activities and Law

| The activities | The Situation | Act & Cord |
|------------------|--|---|
| company start-up | company start-up commercial registration organizational management | Commercial Code, Companies Act Commercial Registration Act Taxation Law |
| business | trading system draft transactions check transactions prevention of fair trade and fraudulent transactions Arrangements for freebies and advertisements patent | Commercial Code Civil Code Commercial Registration Act, Negotiable Instrument Act Act on Prohibition of Private Monopolization and Maintenance of Fair Trade Unfair Competition Prevention Act Trademark Act Patent Act |
| contract | Contract and breach of contract Product defects, product accidents | Code of Civil Procedure Code of Criminal Procedure Product Liability Act |
| Worker | work safety accident compensation human resources management labor union | Health Insurance Act Industrial Safety and Health Act Employment Insurance Act Employees' Pension Insurance Act Labor Contracts Act Labor Relations Adjustment Act Labor Union Act |

*These laws are part of it.

*These codes and acts are only a part of related laws.
Japanese Law Translation <http://www.japaneselawtranslation.go.jp>
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2. P Mark

Personal data is often handled during business activities. When you begin working for a company, you will likely have opportunities to participate in training workshops about how to deal with personal information. All the employees, regardless of their status or type of work, must have knowledge about dealing with personal information.



The Personal Information Protection Law took effect in 2005 and since then awareness about protecting personal information has gradually increased. The definition of personal information comprises the following:

- ① Information about individuals
- ② Information that can identify specific individuals

For example, as specified in the Act on the Protection of Personal Information (December 2016),

a person's name is a piece of personal information by itself.

Privacy Mark (P Mark) was set up by JIPDEC (the formal English name for the Japan Information Processing and Development Center). Established in 1967, JIPDEC has been engaging in a variety of activities geared toward the resolution of technical and constitutional issues to advance computer technologies and insure the security of information systems. In compliance with Japan Industrial Standards (JIS Q 15001: Personal Information Protection Management System—Requirements), the Privacy Mark system assesses private enterprises that take appropriate measures to protect personal information and grants the right to display "Privacy Mark" in the course of their business activities.

(http://privacymark.jp/privacy_mark/about/outline_and_purpose.html)

To obtain Privacy Mark, all the employees are required to have full knowledge about it. In general, employees learn about it in a training workshop after joining the company as a permanent or temporary worker, and take an examination to ensure they have acquired the necessary knowledge about handling personal information.

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Q1 : Which of the following must be checked to distinguish between a fake email and real one?

- a. Detailed header information
- b. Autograph of the body text
- c. Address of the sender
- d. Presence or absence of e-signature

Q2 : Outline the details of the case in July 2014 when customers had personal information leaked by Benesse Corporation?

Q3 : Why does this kind of incident happen? Consider in a group.

Q4 : What kind of things do you think an individual should be careful about in order to prevent information leaks?

Q5 : How would you feel if your personal information was leaked in the following examples?

1. You attended a party, and later your photo appeared on the website of the company that organized the party.
2. You applied for a job-hunting seminar, and received a direct mail of so-called 'recruit suits' from a clothing company unknown to you.
3. A company sent you an email with an unknown quotation file attached by error.
4. You mailed an application form for a seminar organized by a certain company within the designated period, but you haven't heard from the company. When you asked about it, and the company told you the form had been lost.

🎵 points of note 🎵

Pay attention to the following points when providing personal information.

- ① Purpose of use
- ② The company or the organization that will use your personal information
- ③ Presence or absence of third party organizations that handle personal information
- ④ Contact point for the handling of personal information
- ⑤ Whether or not the Privacy Policy is made public
- ⑥ Whether or not a safety management system is set up to prevent personal information leaks and illegal access

3. Knowledge about contract

For some people, dealing with a contract may feel like a big challenge, but knowledge of a contract can offer you protection in various situations.

For example, some of you may have already started working in a part-time position. Have you exchanged an employment contract with your employer? If so, the contract is categorized as an important document.

In business, actions such as undertaking work, hiring employees, borrowing or lending money, selling or buying a product, etc., occur with the mutual consent of the interested parties. A contract is a promise to implement such consented actions. Oral commitment is legally regarded as a contract, but in business situations a written contract is created to avoid potential future problems. This applies even to part-time employment. As it is important, you should confirm with your employer or job agency whether there is an employment contract when you take up a part-time position.

3.1 Points to note when creating a contract

Based on the principle of the freedom of contract (the content of a contract can be determined freely by the parties involved), there is no specific written form for a contract required by law. It is possible to freely create a contract, but if the contract contravenes the law or is offensive to public order and morals, it becomes invalid.

For example, a contract including the profit that exceeds the upper limit specified by law, a contract with content that favors one party, a content about people trafficking, etc. are invalid or, in some cases, could even result in criminal penalties.

How to create a contract.

First, create a title of the contract so you can be clear about what kind of contract it is.

Then, at least nine points should be included in the contract as follows:

- ① Content of the contract
- ② Date for when the contract is signed
- ③ Date for when the contract is executed
- ④ Number of contract documents created
- ⑤ Names of contractors
- ⑥ Description on cancellation of contract
- ⑦ Description on liability (guarantor)
- ⑧ Description on settling disputes
- ⑨ Interest rate if interest is paid

Points of note

Consider the difference between name and signature.

- Signature→
- Name→

3.2 Types of Seals

▼Types of Seals on Business



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|--------------|---|
| Jitsu-in | A seal registered at the local government office; Inkan shomeisho (certificate of a seal registration) can be obtained at a ward office, if necessary. |
| Mitome-in | A seal used for informal acknowledgement or acceptance in daily life. |
| Daihyosha-in | A seal registered at the Legal Affairs Bureau when a company is established; An official seal of the representative of the company; one seal per company. |
| Ginko-in | A seal registered at a bank; used to seal checks and bills or to withdraw money, etc. |
| Ko-in | An official seal of governments, companies and organizations. |
| Fu-in | A stamp for sealing a document to show whether it has been opened. |
| Kei-in | Stamped on the joints of pages to confirm that a document consists of more than two pages and to avoid missing or replacement pages. |
| Wari-in | A seal over the edges of adjacent documents to indicate the two documents are linked (tally impression). |
| Teisei-in | A seal of an author affixed to indicate a correction in an official document. |
| Sute-in | A marginal seal affixed in case a correction arises; not recommended to use it unless the other party is credible as it can be abused. |
| Keshi-in | A seal affixed over the revenue stamp and the written document. However, the document is effective without the seal |

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Q6 : Learn about 'certification of contents' and 'notarized document' as they are often used in business. In what situations are they used?

Q7 : What kind of points should you keep in mind when creating such documents?



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Q8 : Outline your opinion about 'legal compliance' .



【Post-learning Task】

◆ Regarding the Personal Information Protection Law, write your comment within 1000 characters about how you should respond to it by considering everyday issues around you.

<How to write>

1. Use a PC. Submit a Word document.

2. Formatting: 40 letters×30 lines

3. Font: MS Mincho, 10.5 point

MS Gothic, etc., can be used if necessary.

4. Margin setting: Normal

5. Number of characters: 350 to 400

*In business scenarios, when explaining the current situation or summarizing your talk orally, you should complete it in about one minute. If you put it into writing, about 400 characters should be sufficient.

If the number of characters is specified:

① Don't exceed that number.

② Write more than 80 percent of the specified number (in this case, more than 350 characters).

6. Others:

Read over what you have written to avoid typos and omissions.

If there is anything you don't understand, confirm definitions and meanings by consulting a dictionary, etc.

You will not obtain points if you appear to have deviated from ethical practices such as copying and pasting text from other literature, or copying a friend's work.

*Focus on creating an excellent and well-organized document.

【Pre-learning Task】

◆ Study about the importance of 'reporting, communication and consulting' and summarize it in your notebook.

♪♪♪ Honoric Sheet ② ♪♪♪

Honorific expressions are easy to forget unless you use them. Be sure to learn them and use them whenever possible. Using the appropriate language earns you credit in a business world.

| | Everyday expressions | Polite and appropriate expressions |
|----|---|------------------------------------|
| 1 | dou/どう | |
| 2 | doudesuka/どうですか | |
| 3 | ~shitemoiidesuka/～してもいいですか | |
| 4 | acchi, kocch, socchi/あっち、そっち、こっち | |
| 5 | chotto/ちょっと | |
| 6 | sakki/さっき | |
| 7 | sguni/すぐに | |
| 8 | atode/あとで | |
| 9 | kino, kyo, ashita/きのう、きょう、あした | |
| 10 | ototoi, asatte/おととい、あさって | |
| 11 | konomae こ/のまえ | |
| 12 | wakatta/わかった | |
| 13 | jya/じゃあ | |
| 14 | watashi, boku, ore/わたし、ぼく、おれ | |
| 15 | watashitachi, wareware/わたしたち、われわれ | |
| 16 | dare/だれ | |
| 17 | jibun no kaisha/自分の会社 | |
| 18 | aite(torihikisaki, houmonnsaki/相手(取引先・訪問先)の会社 | |
| 19 | jibun no chichi, sumima/自分のお父さん、お母さん | |
| 20 | sumimasen/すみません | |

* Pass 20 out of 20 correct answers !

Your Score ?

/20