

**FSA *Kinkan* 1853: Submission of Documents to FSA  
on IT Computer System Failures**

**SAMPLE ONLY**

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**The International Bankers Association prepared this translation with the intention of having the content accurately represent the Japanese original as much as possible. However, there are differences in layout and pagination from the Japanese original.**

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**Kinkan 1853**

September 1, 2006

To: Representative of \_\_\_\_\_ Bank in Japan

From: Hirofumi Gomi, Commissioner, Financial Services Agency

Subject: *Submission of Documents on Computer System Failures, etc.*

Regarding this topic, given the growing number of transactions in which computer systems are used, failures in these have a significant impact on customers and business operations, and therefore on settlement systems, etc. In addition, at the Information Security Policy Council of April 28, 2006, "Details of Implementation Regarding Communication and Provision of Information for "Action Plan on Information Security Measures for Critical Infrastructure"" was reported and approved. The Information Security Policy Council requires that the public and private sectors cooperate to accelerate the smooth sharing of information and that they strengthen the structures for communication and coordination between the public and private sectors in relation to information security policies, centering on the National Information Security Center. Accordingly, in view of the recognized need to secure the sound and appropriate operation of your bank's services, under the provisions of Article 24.1 of the Banking Law (Law No. 59 of 1981), which require you to report the items on the Attached Form, you are requested to lodge your reports in accordance with the main points listed below.

Please note that, while it is the rule that the FSA share information with the National Information Security Center with regard to information on computer system failures, etc., about which the FSA has received information. The FSA shall share information as appropriate with other businesses, etc., having first contacted the financial institution, etc., that was the source of the information, where the need to do so is deemed to be great, as in failures, etc., resulting from cyber terrorism.

Also, please note that Kinkan 624 of February 28, 2002 ("Submission of Documents on Computer System Incidents etc." is now abolished).

#### Description

##### 1. Computer System Failures, etc., to be Reported

This refers to failures that have occurred in systems or equipment (either hardware or software) actually used by the bank, etc., regardless of the cause, where:

- ① the failure has delayed or stopped or that may delay or stop the settlement function of foreign exchange, etc., and the repayment of deposits;
- ② the failure has affected or may affect matters such as the ascertainment of cash flow or financial position, etc.;

- ③ the failure is additional to the above, and is considered similar to the above as far as operations are concerned.

However, cases are excluded where these effects occur in some systems and equipment but do not occur to a material degree as a result of prompt replacement with other systems and equipment. (For example, when it is possible to get a response from the ATM or teller of the same or a nearby branch even though some ATMs have ceased to function).

Reports shall be required even when a failure has not occurred, if there is a warning of a cyber attack, or if the detection, etc., of a cyber attack makes it highly likely that the above kinds of incidents will occur.

## 2 Main Points in Report

- (1) As soon as the occurrence of a computer system failure, etc., is recognized, immediately phone the FSA and report the incident.
- (2) From the perspective of immediate ascertainment of the situation, etc., email or fax the Attached Form to the FSA as needed. Use the official document separately provided to make the final report. When using email to make a report, as a rule, take appropriate measures for the electronic file such as adding a password and using encryption.
- (3) Report when the system is recovered and when the cause of the failure is known. Report the current situation within one month even if the cause is unknown.

3 Report to: Banks Division I, Supervisory Bureau, Financial Services Agency

4 Reporting period: Immediately as from September 1, 2006

Note: An additional report may be required as the need arises, and an order such as an operations improvement order could be issued