

Chapter 11 Competition

Article 116 Anticompetitive Activities

Each Party shall, in accordance with its laws and regulations, take measures which it considers appropriate against anticompetitive activities, in order to facilitate trade and investment flows between the Parties and the efficient functioning of its market.

Article 117 Definitions

For the purposes of this Chapter, the term "competition laws and regulations" means:

- (a) for India, the Competition Act, 2002, No. 12 of 2003, as amended by the Competition (Amendment) Act, 2007, and its implementing regulations as well as any amendment thereto; and
- (b) for Japan, the Law Concerning Prohibition of Private Monopoly and Maintenance of Fair Trade (Law No. 54 of 1947) and its implementing regulations as well as any amendment thereto.

Article 118 Cooperation on Controlling Anticompetitive Activities

The Parties shall, in accordance with their respective laws and regulations, endeavour to cooperate in the field of controlling anticompetitive activities subject to their respective available resources.

Article 119 Non-Discrimination

Each Party shall apply its competition laws and regulations in a manner which does not discriminate between persons in like circumstances on the basis of their nationality.

Article 120
Procedural Fairness

Each Party shall implement administrative and judicial procedures in a fair manner to control anticompetitive activities, pursuant to its relevant laws and regulations.

Article 121
Transparency

Each Party shall promote transparency of the implementation of its competition laws and regulations and its competition policy.

Article 122
Non-Application of Chapter 14

The dispute settlement procedures provided for in Chapter 14 shall not apply to this Chapter.