

FY 2015 Japan Fair Trade Commission Performance Evaluation Report (Standard Format)

(The Japan Fair Trade Commission 27-(4))

Name of Activity	Public relations and public hearings on competition policy, etc. Creating a competitive market environment					
Outline of Activity	(i) Supporting and promoting activities for the prevention of bid-rigging, etc. by public agencies through the implementation of training, (ii) distributing information about the importance of competition policy and the key points at issue in recent discussions regarding competition policy through activities such as implementation of open seminars, and (iii) supporting and promoting activities for competition assessment implemented by each of the government offices and ministries in their efforts to conduct ex-ante evaluations of regulations.					
Goal	Creating a competitive market environment by promoting the establishment of competition policy among public agencies and enterprises through such means as (i) improving public agencies' awareness of and approaches to preventing bid-rigging, etc. related to orders placed by such organizations, (ii) enhancing understanding of competition policy among enterprises, practitioners in legal communities and other areas, and staff of public agencies, and (iii) promoting the establishment of competition assessments to be implemented by each of the government offices and ministries in their efforts to conduct ex-ante evaluations of regulations and improving the quality of such assessments.					
Budget-Related Activity	Breakdown of Budget	FY 2013	FY 2014	FY 2015	Amount requested for FY2016	
	Amount Allocated (thousand yen)	Initial budget (a)	41,357	43,557	43,747	/
		Supplementary budget (b)	0	0		
		Budget Carried (c)	0	0		
		Total (a+b+c)	41,357	43,557		
Executed amount (thousand yen)	34,443	35,208				
Important Cabinet Policy Related to the Activity (Main Administrative Policy Speeches, etc.)	August 9, 2011 Guidelines Concerning Measures for Promoting the Optimization of Bids and Contracts for Public Works (Cabinet decision) January 26, 2007 Administrative policy speech to the 166th Diet session					

Evaluation Index	Frequency of training sessions on the Act on Elimination and Prevention of Involvement in Bid Rigging, etc. and Punishments for Acts by Employees that Harm Fairness of Bidding, etc. for public agencies (times)	/	Actual Results					Year in this evaluation	Target achievement
			FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2013 FY 2014	Achieved
			165	178	235	312	318	/	
			Target Figures for Each Fiscal Year						
	-	108+	128+	160+	201+				
	Frequency of holding open seminars (number of times)	/	Actual Results					Year in this evaluation	Target achievement
			FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2013 FY 2014	Achieved
			3	4	3	3	3	/	
			Target Figures for Each Fiscal Year						
3+									
State of the establishment of a competition policy among public agencies by improving public agencies' awareness and approaches to preventing bid-rigging, etc., related to orders placed by such organizations	/	State of progress of the activity (actual results)					Year in this evaluation	Target achievement	
		FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2013 FY 2014	Achieved	
		See Attachment 1					/		
		Target Figures for Each Fiscal Year							

State of the establishment of a competition policy among enterprises, practitioners in legal communities and other areas, and staff of public agencies by enhancing the understanding of a competition policy among enterprises, etc.	State of progress of the activity (actual results)					Year in this evaluation	Target achievement
	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2013 FY 2014	Achieved
Target Figures for Each Fiscal Year	See Attachment 2						
State of the establishment of a competition policy among the government offices and ministries by establishing competition assessments to be implemented by each of the government offices and ministries in their efforts to conduct ex-ante evaluations of regulations and improving the quality of such assessments	State of progress of the activity (actual results)					Year in this evaluation	Target achievement
	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2013 FY 2014	Considerable progress has been made
Target Figures for Each Fiscal Year	See Attachment 3						

Measurements of target achievement rates	Administrative organization common classification	Considerable progress has been made
	Basis of judgment	<p>With respect to the “frequency of training sessions on the Act on Elimination and Prevention of Involvement in Bid Rigging, etc. and Punishments for Acts by Employees that Harm Fairness of Bidding, etc. for public agencies (times)” and the “frequency of holding open seminars (number of times),” specific target figures have been achieved.</p> <p>Moreover, as for the “state of the establishment of a competition policy among public agencies by improving public agencies' awareness and approaches to preventing bid-rigging, etc., related to orders placed by such organizations” and the “state of the establishment of a competition policy among enterprises, practitioners in legal communities and other areas, and the staff of public agencies by enhancing understanding of competition policy among enterprises, etc.,” a certain degree of strong understanding and effectiveness are evident, and it is possible to consider that the targets have been met.</p> <p>With respect to the “state of the establishment of a competition policy among the government offices and ministries by establishing competition assessments to be implemented by each of the government offices and ministries in their efforts to conduct ex-ante evaluations of regulations and improving the quality of such assessments,” because there were cases in which there was room for improvement in the details concerning responses and other matters, it is not necessarily possible to consider that the target of establishing a competition policy among the government offices and ministries has been achieved. However, with the evidence of certain actual results, it is believed that considerable progress has been made.</p>
Analysis of activity	<p>Evaluating the overall evaluation index, it is possible to assess that these initiatives were necessary and effective in improving the order placing operations of public agencies, distributing information about the competition policy and the key points at issue in recent discussions regarding the competition policy, and promoting the establishment of competition assessments to be implemented by each of the government offices and ministries in their efforts to conduct ex-ante evaluations of regulations among other activities, and the activities were effective.</p> <p>Moreover, of six open seminars that were held in FY2013 and FY2014, looking at the two open seminars that showed, in particular, the strong satisfaction rate of participants (in the 36th open seminar: 97.4% and in the 37th open seminar: 97.2%), for a question in the participants' surveys, (“reasons for participating in the open seminar”), the ratio of respondents who chose the “theme” was higher compared with other seminars. Therefore, it is necessary to continue to focus on selecting themes that enterprises, practitioners, and other parties have a strong interest in and themes that are important from the perspective of the competition policy in the future.</p>	

Evaluation results	<p>Policy</p> <p>Aiming at the creation of a competitive market environment, maintaining the existing targets, and continuing to promote these initiatives (providing training sessions on the Act on Elimination and Prevention of Involvement in Bid Rigging, etc. and Punishments for Acts by Employees that Harm Fairness of Bidding, etc. for public agencies, holding open seminars and supporting and promoting activities for competition assessment implemented by each of the government offices and ministries in their efforts to conduct ex-ante evaluations of regulations.)</p> <p>Evaluation Index</p> <p>It is possible to evaluate that these initiatives are necessary, as well as effective and efficient to a certain extent in improving order placing operations at public agencies, distributing information about the competition policy and the key points at issue in recent discussions regarding the competition policy, and promoting the establishment of competition assessments to be implemented by each of the government offices and ministries in their efforts to conduct ex-ante evaluations of regulations. As a result, in each index, maintaining the concept of the establishment of the existing targets and continuing to promote these initiatives is important. Moreover, with respect to an evaluation index, the “state of the establishment of the competition policy among public agencies by improving public agencies' awareness of and approaches to preventing bid-rigging, etc., related to orders placed by such organizations,” in light of the fact that parties subject to training sessions are mainly staff members in charge of placing orders, the target rates of understanding and effectiveness should be each maintained at 90% or higher, and the target rate of the schedule of the notification of the details of training sessions should also be maintained around 90% or higher in the future, in light of the expanding impact through the sharing of the details among public agencies and other factors. In addition, from the next fiscal year, the revision of the evaluation index will be examined by considering the possibility of establishing quantitative targets. Moreover, with respect to the “The state of the establishment of the competition policy among enterprises, practitioners in legal communities, and other areas, and staff of public agencies by enhancing understanding of the competition policy among enterprises, etc.,” although open seminars and international symposiums announce specific themes in advance, they do not set out conditions for participation. As a result, parties other than those who possess a certain degree of knowledge appear to be participating in such open seminars and international symposiums. Considering this and other factors, while putting out a future target of maintaining a satisfactory rate of 80% or higher, the revision of the evaluation index will be examined from the next fiscal year by considering the possibility of establishing quantitative targets.</p> <p>In addition, in selecting the themes of open seminars, including the FY2014 administrative operations review, the direction of improvements have indicated that focus will be placed on selecting themes that enterprises, practitioners, and other parties have a strong interest in and themes that are important from the perspective of the competition policy. Accordingly, to enhance understanding of the competition policy among enterprises, practitioners in legal communities and other areas, and staff of public agencies in an efficient manner, a focus will continue to be placed on the selection of themes and the scale of venues, the details of seminars, the length of seminars, and other matters should be appropriately determined.</p> <p>As for supporting and promoting initiatives related to competition assessments to be implemented by each of the government offices and ministries in their efforts to conduct ex-ante evaluations of regulations, in an effort to establish competition assessments, there is a need for the distribution of checklists and guidelines for competition assessments and other materials, and each initiative has also been efficiently carried out. Consequently, it is necessary to continue to carry out these activities. In addition to these initiatives, it is important to continue to analyze and examine in a consistent manner the details of competition assessments that are implemented by each of the government offices and ministries.</p>
Directions to be reflected in next-term targets	

Use of Expert Knowledge	<p>- With respect to the Act on Elimination and Prevention of Involvement in Bid Rigging, etc., and Punishments for Acts by Employees that Harm Fairness of Bidding, etc., there is a statement that examinations will be made to review the evaluation index to establish a degree of understanding and other matters as quantitative targets. What kind of index is considered to be established as quantitative targets? (Commission Member Konishi)</p> <p>(The answer offered was that the degree of understanding of the seminars about the Act on Elimination and Prevention of Involvement in Bid Rigging, etc., and Punishments for Acts by Employees that Harm Fairness of Bidding, etc., and other matters is, at present, considered to be factors of a qualitative index, and, because it was thought that the degree of achievements may be able to be measured by figures, the establishment of quantitative targets from the next fiscal year was being examined.)</p> <p>- There is a statement that there were cases of responses to the Competition Assessments Checklist that the evaluation of regulations was not appropriate. What kind of cases were inappropriate? Moreover, what kind of measures were taken to deal with such cases? (Commission Member Wakabayashi)</p> <p>(The answer offered was that the cases in question were, for example, cases lacking adequate analysis in preparing Competition Assessments Checklists. It was also explained that, as a result of examinations about the improvement of checklists that have been carried out to date by taking advantage of venues of examination meetings in an effort to reduce the number of cases of inappropriate evaluation, it was determined that it would be important in the future to forge a structure in which, for example, the details of Competition Assessments Checklists are analyzed and results of such analysis are fed back to the relevant parties.)</p> <p>- With respect to open seminars, because it is considered that there will be a strong demand for seminars related to the competition policy, it is necessary to enlarge the scale of venues and develop better notification methods by using SNS and other media. (Commission Member Tanaka)</p> <p>(The answer offered was that, considering the opinions expressed, examinations would be carried out in the future.)</p>
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Materials and Other Information Used During Policy Evaluation	<p>(i) Survey on the degree of the understanding of the participants of training sessions on the Act on Elimination and Prevention of Involvement in Bid Rigging, etc., and Punishments for Acts by Employees that Harm Fairness of Bidding, etc. Number of participants subject to the survey: 21,730 (in FY2013) and 21,314 (in FY2014) Survey method: Survey with the training session participants Preparer: The Japan Fair Trade Commission Survey period: From April 2013 to March 2015 Number of valid responses: 18,025 (in FY2013) and 19,129 (in FY2014)</p> <p>(ii) Survey on the degree of satisfaction, etc., of the participants of open seminars Number of participants subject to the survey: 309 Survey method: Survey forms were distributed and collected at the venue of the open seminars on the seminar date. Preparer: The Japan Fair Trade Commission Survey period: May, June and November 2013, May and October 2014 and February 2015 Number of valid responses: 281</p> <p>(iii) Survey on the degree of satisfaction, etc., of the participants of international symposiums Number of participants subject to the survey: 153 Survey method: Survey forms were distributed and collected at the venue of the symposium on the symposium date. Preparer: The Japan Fair Trade Commission Survey period: March 2014 and March 2015 Number of valid responses: 131</p> <p>These documents are held by the General Affairs Division, Secretariat, JFTC.</p>
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Responsible Department	General Affairs Division, Economic Affairs Bureau Economic Research Office, General Affairs Division, Economic Affairs Bureau Coordination Division, Economic Affairs Bureau	Responsible Person	Mr. Yukinari Sugiyama, Director, General Affairs Division, Economic Affairs Bureau Mr. Osafumi Kio, Director, Economic Research Office Mr. Nobuaki Fujii, Director, Coordination Division	Year/Month for Policy Evaluation	April – July, 2015
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Evaluation Index	State of progress of the activity (actual results)				
	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
State of the establishment of a competition policy among public agencies by improving public agencies' awareness and approaches to preventing bid-rigging, etc. related to orders placed by such organizations	Including the initiatives below, efforts were made to establish a competition policy among public agencies by improving the awareness of public agencies and improving approaches for preventing bid-rigging, etc., related to orders placed by such organizations.	Including the initiatives below, efforts were made to establish a competition policy among public agencies by improving the awareness of public agencies and improving approaches for preventing bid-rigging, etc., related to orders placed by such organizations.	Including the initiatives below, efforts were made to establish a competition policy among public agencies by improving the awareness of public agencies and improving approaches for preventing bid-rigging, etc., related to orders placed by such organizations.	Including the initiatives below, efforts were made to establish a competition policy among public agencies by improving the awareness of public agencies and improving approaches for preventing bid-rigging, etc., related to orders placed by such organizations.	Including the initiatives below, efforts were made to establish a competition policy among public agencies by improving the awareness of public agencies and improving approaches for preventing bid-rigging, etc., related to orders placed by such organizations.
	Degree of understanding of participants in the training on the Act on Elimination and Prevention of Involvement in Bid Rigging, etc. and Punishments for Acts by Employees that Harm Fairness of Bidding, etc. implemented for public agencies [See Note 1] [93.2%]	(1) As on the left[94.8%]	(1) As on the left[95.3%]	(1) As on the left[96.3%]	(1) As on the left[95.6%]
	Degree of effectiveness of the training on the Act on Elimination and Prevention of Involvement in Bid Rigging, etc. and Punishments for Acts by Employees that Harm Fairness of Bidding, etc. implemented for public agencies [See Note 2] [91.3%]	(2) As on the left[93.7%]	(2) As on the left[94.0%]	(2) As on the left[95.2%]	(2) As on the left[94.5%]
	Whether or not the participants plan to make the contents of the training on the Act on Elimination and Prevention of Involvement in Bid Rigging, etc. and Punishments for Acts by Employees that Harm Fairness of Bidding, etc. known in their workplace. [See Note 3] [77.3%]	(3) As on the left[80.9%]	(3) As on the left[82.7%]	(3) As on the left[90.6%]	(3) As on the left[88.4%]
Target Figures for Each Fiscal	Strive to establish a competition policy among public agencies by improving the awareness of public agencies and approaches for preventing bid-rigging, etc., related to orders placed by such organizations.				

Note 1: In terms of the degree of understanding, the ratios of the participants who responded in the questionnaire survey that the level of their understanding of the Act on Elimination and Prevention of Involvement in Bid Rigging, etc. and Punishments for Acts by Employees that Harm Fairness of Bidding, etc. "Deepened" and those who answered that the level of their understanding of the Act "Deepened to some degree" are shown.

Note 2: In terms of the degree of effectiveness, the ratios of the participants who responded in the questionnaire survey that the content of the training would be "Useful" in their duties in the future and those who responded that the content would be "Useful to some extent" are shown.

Note 3: In the survey (multiple answers were permitted from "Holding training sessions," "Reporting to senior managers," "Reporting to colleagues and junior members," "Circulating training documents," "No plan to make the content known in the workplace," and "Others"), the ratio is calculated by subtracting the ratio of the participants who answered questions from 100

Evaluation Index	State of the establishment of a competition policy among enterprises, practitioners in legal communities and other areas, and staff of public agencies by enhancing the understanding of the competition policy among enterprises, etc.	State of progress of the activity (actual results)				
		FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
	<p>Including the initiatives below, efforts were made to establish a competition policy among enterprises, practitioners in legal communities and other areas, and staff of public agencies by enhancing the understanding of the competition policy among enterprises, etc.</p> <p>Degree of satisfaction of participants who attended the open seminars [See Note 1] [74.6%]</p> <p>(1) As on the left [79.6%]</p>	<p>Including the initiatives below, efforts were made to establish a competition policy among enterprises, practitioners in legal communities and other areas, and staff of public agencies by enhancing the understanding of the competition policy among enterprises, etc.</p> <p>Degree of satisfaction of participants who attended the international symposium [See Note 2] [56.8%]</p> <p>(2) As on the left [97.0%]</p>	<p>Including the initiatives below, efforts were made to establish a competition policy among enterprises, practitioners in legal communities and other areas, and staff of public agencies by enhancing the understanding of the competition policy among enterprises, etc.</p> <p>Degree of satisfaction of participants who attended the international symposium [See Note 2] [56.8%]</p> <p>(2) As on the left [87.1%]</p>	<p>Including the initiatives below, efforts were made to establish a competition policy among enterprises, practitioners in legal communities and other areas, and staff of public agencies by enhancing the understanding of the competition policy among enterprises, etc.</p> <p>Degree of satisfaction of participants who attended the international symposium [See Note 2] [56.8%]</p> <p>(2) As on the left [98.5%]</p>	<p>Including the initiatives below, efforts were made to establish a competition policy among enterprises, practitioners in legal communities and other areas, and staff of public agencies by enhancing the understanding of the competition policy among enterprises, etc.</p> <p>Degree of satisfaction of participants who attended the international symposium [See Note 2] [56.8%]</p> <p>(2) As on the left [96.8%]</p>	
Target Figures for Each Fiscal Year	Strive to establish the competition policy among enterprises, practitioners in legal communities and other areas, and staff of public agencies by enhancing the understanding of the competition policy among enterprises, etc.					

Note 1: In terms of the degree of satisfaction, the ratios of the participants who gave ratings of "5" or "4" regarding the content of the open seminars out of all the participants are shown. This is based on five ratings, where the rating for "Was very informative" is "5," that for "Was informative" is "4," and that for "Was not informative at all" is "1."

Note 2: In terms of the degree of satisfaction, the ratios of the participants who gave ratings of "5" or "4" regarding the content of the international symposium out of all the participants are shown. This is based on five ratings, where the rating for "Was very informative" is "5," that for "Was informative" is "4," and that for "Was not informative at all" is "1."

Evaluation Index	State of progress of the activity (actual results)				
	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
	State of the establishment of the competition policy among the government offices and ministries by establishing competition assessments to be implemented by each of the government offices and ministries in their efforts to conduct ex-ante evaluations of regulations and improving the quality of such assessments.	<p>Including the initiatives below, efforts were made to establish competition assessments to be implemented by each of the government offices and ministries in their efforts to conduct ex-ante evaluations of regulations and improving the quality of such assessments.</p> <p>Number of cases of competition assessment implemented using the Competition Assessment Checklist [See Note] by government offices and ministries in their efforts to conduct ex-ante evaluations of regulations [67]</p> <p>Number of examination meetings about competition assessments held [2]</p>	<p>Including the initiatives below, efforts were made to establish competition assessments to be implemented by each of the government offices and ministries in their efforts to conduct ex-ante evaluations of regulations and improving the quality of such assessments.</p> <p>(1) As on the left[82]</p> <p>(2) As on the left[2]</p>	<p>Including the initiatives below, efforts were made to establish competition assessments to be implemented by each of the government offices and ministries in their efforts to conduct ex-ante evaluations of regulations and improving the quality of such assessments.</p> <p>(1) As on the left[42]</p> <p>(2) As on the left[3]</p>	<p>Including the initiatives below, efforts were made to establish competition assessments to be implemented by each of the government offices and ministries in their efforts to conduct ex-ante evaluations of regulations and improving the quality of such assessments.</p> <p>(1) As on the left[143]</p> <p>(2) As on the left[2]</p>
Target Figures for Each Fiscal Year	Strive to establish a competition policy among the government offices and ministries by establishing competition assessments to be implemented by each of the government offices and ministries in their efforts to conduct ex-ante evaluations of regulations and improving the quality of such assessments.				

Note : Competition Assessment Checklist is a prearranged checklist for competition assessment in which the questions are provided. As a method of clarifying the impact on competition of the enactment, revision or abolition of regulations, administrative organs answer the questions on the checklist as part of their efforts to implement competition assessment. The JFTC prepared the Competition Assessment Checklist in collaboration with the Ministry of Internal Affairs and Communications.