

SPECIFIC UNFAIR TRADE PRACTICES IN THE NEWSPAPER BUSINESS

July 21, 1999

Fair Trade Commission Notification No. 9

In accordance with the provisions of Section 2(9) of the Act Concerning Prohibition of Private Monopolization and Maintenance of Fair Trade (Law No. 54 of 1947), "Specific Unfair Trade Practices in the Newspaper Business (Fair Trade Commission Notification No. 14 of 1964)" shall be totally amended as follows:

Specific Unfair Trade Practices in the Newspaper Business

1. Any person who operates the business of publishing (hereinafter referred to as "the Publisher") a daily newspaper (hereinafter referred to as "Newspaper") who, directly or indirectly, sells Newspapers by assigning different set prices or discounting the set price depending on area or target person, except for the case that such acts are carried out on legitimate and reasonable grounds including that the Newspaper is used as an educational material at schools, that the subscriber is a bulk bloc buyer or the like.
2. Any person, who operates the business of selling Newspapers by house-to-house delivery (hereinafter referred to as "the Distributor"), directly or indirectly, sells Newspapers by discounting set prices depending on area or target person.
3. A Publisher imposes disadvantages on any Distributor by committing any act, which falls under any of the following paragraphs without any legitimate and reasonable reasons:
 - (1) Providing a number of Newspapers to the Distributor exceeding the number that the Distributor actually ordered (including when the Publisher does not accept the Distributor's request to reduce the number) as a means for imposed sales; or
 - (2) Setting the number of Newspapers to be bought by the Distributor, and providing that number of Newspapers to the Distributor.

Recital

"Daily Newspaper" as used in this Notification shall mean a newspaper that uses a fixed title, for which the matters related to current events are printed in the Japanese language, and which is published everyday.

Supplementary Provision

This Notification shall be enforced from September 1, 1999.