

Enactment of the Bill to Amend the Antimonopoly Act

December 9, 2013
Japan Fair Trade Commission

The bill to amend the Act Concerning Prohibition of Private Monopolization and Maintenance of Fair Trade (Antimonopoly Act), which was submitted to the National Diet on May 24th, 2013 for necessary amendments including abolition of the JFTC's hearing procedure for administrative appeals, was approved by the House of Councilors and enacted on December 7th, 2013. The act is scheduled to be promulgated on December 13th, 2013.

I Deliberation at the National Diet

The 185th Diet Session

The deliberation at the House of Representatives

Nov. 20th, 2013	Explanation of the bill before the Committee on Economy, Trade and Industry Discussion and vote at the Committee
Nov. 21st	Vote at the plenary meeting of the House of Representatives

The deliberation at the House of Councilors

Dec. 6th, 2013	Explanation of the bill before the Committee on Economy, Trade and Industry Discussion and vote at the Committee
Dec. 7th	Vote at the plenary meeting of the House of Councilors

II Outlines of the Enacted Act (See Attachments)

1. To abolish the JFTC's hearing procedure for administrative appeals; as well as to eliminate the provision which stipulates that the jurisdiction of the first instance over any appeal suits pertaining to decisions of the JFTC shall lie in the Tokyo High Court.
2. To introduce a system in which any appeal suits pertaining to cease and desist orders, etc. shall be subject to the exclusive jurisdiction of the Tokyo District Court, and a panel of three or five judges in the Tokyo

District Court hears the cases, with a view to ensuring expertise in the court.

3. To ensure procedural fairness, among others, by i) providing a defendant with an explanation on the contents of expected cease and desist order, etc., and ii) allowing them to inspect and photocopy evidence use by the JFTC, during the procedure for hearing prior to issuing the cease and desist order, etc.

III Date to become effective

The act shall be put into force on the day provided by the Cabinet Order no later than one and a half years after the date of the promulgation.