

The Japan Fair Trade Commission signed Memorandum on Cooperation with the Philippine Department of Justice, and Cooperation Arrangement with the Viet Nam Competition Authority

August 28, 2013
Japan Fair Trade Commission

The Japan Fair Trade Commission (hereinafter, "JFTC") today in Manila, the Philippines, signed Memorandum on Cooperation with the Department of Justice of the Republic of the Philippines (hereinafter, "Philippine DOJ"), which is the competition authority of the Republic of the Philippines, and Cooperation Arrangement with the Competition Authority of the Socialist Republic of Viet Nam (hereinafter, "VCA"), which is the competition authority of the Socialist Republic of Viet Nam, respectively. Those are outlined as follows:

1. Backgrounds

(i) Memorandum on Cooperation with the Philippine DOJ

In September 2006, the "Agreement between Japan and the Republic of the Philippines for an Economic Partnership" was signed. The Agreement has the chapter on "Competition" that contains provisions such that both countries shall cooperate in the field of promoting competition by addressing anti-competitive activities. The JFTC thereafter continues providing the Philippines with its technical cooperation in collaboration with the Japan International Cooperation Agency (hereinafter, "JICA") since 2010. After the Philippine DOJ was designated as the competition authority by the President's Executive Order in June 2011, the JFTC has been providing its technical cooperation mainly to the officials of the Philippine DOJ. Under such circumstances, the JFTC has conducted consultation with the Philippine DOJ for the Memorandum which is designed to further develop cooperation between both competition authorities in the future.

(ii) Cooperation Arrangement with the VCA

In December 2008, the "Agreement between Japan and the Socialist Republic of Viet Nam for an Economic Partnership (hereinafter, "JVEPA") was signed. The JVEPA has the chapter on "Competition" that contains provisions such that both countries shall cooperate in the field of promoting competition by addressing anti-competitive activities. Meanwhile, the JFTC continues its technical cooperation for

Viet Nam in collaboration with JICA since 2008, including repeated dispatches of its staff to the VCA as JICA long-term experts in September 2008 onwards. Under such circumstances, the JFTC has conducted consultation with the VCA for the Arrangement which is formulated as a detailed instruction of the JVEPA, as aiming at further development of cooperation between both competition authorities in the future.

2. Signers

(i) Memorandum on Cooperation with the Philippine DOJ

The JFTC: Chairman Mr. Kazuyuki Sugimoto

The Philippine DOJ: Secretary Ms. Leila M. De Lima

(ii) Cooperation Arrangement with the VCA

The JFTC: Chairman Mr. Kazuyuki Sugimoto

The VCA: Director General Mr. Back Van Mung

3. Contents of the Memorandum etc.

(i) Memorandum on Cooperation with the Philippine DOJ

This Memorandum provides the manners of notification and exchange of information, etc. between the JFTC and the Philippine DOJ. This Memorandum is to contribute to effective enforcement of the competition laws of each country through the development of cooperative relationship between both competition authorities.

(ii) Cooperation Arrangement with the VCA

This Arrangement provides details concerning the implementation of the cooperation set forth in the JVEPA in terms of the manners of notification, exchange of information, coordination of enforcement activities, etc. between the JFTC and the VCA.

MEMORANDUM ON COOPERATION BETWEEN THE FAIR TRADE COMMISSION OF JAPAN AND THE DEPARTMENT OF JUSTICE OF THE REPUBLIC OF THE PHILIPPINES (Outlines)

I. Purpose of Cooperation

The purpose of this Memorandum is to contribute to the effective enforcement of the competition laws of each country through the development of cooperative relationship between the JFTC and the Philippine DOJ.

II. Anti-competitive Activities

The competition authorities will promote competition by addressing anti-competitive activities. The competition authorities take any appropriate measures for such purposes, in conformity with the principles of transparency, non-discrimination and procedural fairness.

III. Notification

Each competition authority will notify the other competition authority of the enforcement activities of the notifying competition authority that the notifying competition authority considers may affect the important interests of the other competition authority.

IV. Exchange of Information

Each competition authority will provide the other competition authority with information (limited to publicly available information) that is relevant to the enforcement activities of the other competition authority.

V. Technical Cooperation

The competition authorities will work together in technical cooperation activities related to strengthening of competition policy and implementation of the competition law of each country.

COOPERATION ARRANGEMENT BETWEEN THE FAIR TRADE COMMISSION OF JAPAN AND THE COMPETITION AUTHORITY OF THE SOCIALIST REPUBLIC OF VIET NAM (Outlines)

I. Purpose of Cooperation

The purpose of this Arrangement is to provide for the details and procedures concerning the implementation of the cooperation set forth in the Agreement between Japan and the Socialist Republic of Viet Nam for an Economic Partnership.

II. Notification

Each competition authority will notify the other competition authority of the enforcement activities of the notifying competition authority that the notifying competition authority considers may affect the important interests of the other competition authority.

III. Exchange of Information

Each competition authority will provide the other competition authority with information that is relevant to the enforcement activities of the other competition authority.

IV. Coordination of Enforcement Activities

Where the competition authorities are pursuing enforcement activities with regard to matters that are related to each other, the competition authorities will consider coordination of their enforcement activities.

V. Technical Cooperation

The competition authorities will work together in technical cooperation activities related to strengthening of competition policy and implementation of the competition law of each country.