

The JFTC Filed a Criminal Accusation on Bid-Rigging Concerning Snow-Melting Equipment Engineering Works for Hokuriku Shinkansen Ordered by the Japan Railway Construction, Transport and Technology Agency

March 4, 2014

Japan Fair Trade Commission

The Japan Fair Trade Commission, having investigated into a bid-rigging case concerning snow-melting equipment engineering works for Hokuriku Shinkansen (Japanese superexpress train) ordered by the Japan Railway Construction, Transport and Technology Agency (JRCTTA), found a criminal violation of the Antimonopoly Act (AMA) and filed today a criminal accusation with the Public Prosecutor-General against eight companies including Takasago Thermal Engineering Co., Ltd. and eight individuals of the eight companies accused who were engaged in equipment engineering business, in accordance with Article 74 (1) of the AMA.

Outline of the accusation is as follows:

1. Companies and Individuals accused

(1) Companies

Names	Addresses and Representatives
Takasago Thermal Engineering Co., Ltd.	4-2-5 Kanda Surugadai, Chiyoda-ku, Tokyo Atsushi Ouchi, President
DAI-DAN CO., LTD.	1-9-25 Edobori, Nishi-ku, Osaka City, Osaka Shohei Kitano, President and COO
Shin Nippon Air Technologies Co., Ltd.	2-31-1 Nihonbashi Hamacho, Chuo-ku, Tokyo Kaoru Takahashi, President
Taikisha Ltd.	8-17-1 Nishi-Shinjuku, Shinjuku-ku, Tokyo Satoru Kamiyama, Representative Director, President
ASAHI KOGYOSHA CO., LTD.	1-25-7 Hamamatsucho, Minato-ku, Tokyo Yasutomo Takasu, President and Representative Director
SANKO AIR CONDITIONING CO., LTD.	3-13-20 Nishi-temma, Kita-ku, Osaka City, Osaka Akihiro Saito, President
TONETS CORPORATION	2-5-12 Kyobashi, Chuo-ku, Tokyo Katsushi Ota, President

SANKEN SETSUBI KOGYO CO., LTD.	1-17-21 Shinkawa, Chuo-ku, Tokyo Eiichi Matsui, President and COO
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(2) Eight individuals who were engaged in air-conditioning equipment engineering business in the companies above

2. Grounds for the Criminal Accusation

(1) Facts

Each of the eight companies operates air-conditioning equipment engineering business., and the eight individuals were engaged in the business as employees of the eight companies respectively. The eight individuals, in conspiracy with other employees who belong to the same companies concerned and others, during the period of time between around mid-September 2011 and around November 2012, by having meetings at restaurants, etc. in Tokyo with employees of other companies operating the same business and other means, agreed to designate successful bidders and to bid at prices allowing the designated successful bidders to win with respect to snow-melting equipment engineering works for Hokuriku Shinkansen that since October 2011 the JRCTTA put out to conditional general competitive biddings. The eight individuals, in accordance with the agreement, designated the successful bidders for each of the works, thereby, eight companies and other companies, as for the works at issue, in concert with one another, contrary to the public interest, substantially restrained competition in the field of trade on the works by mutually restricting and conducting their business activities.

(2) Applicable Provisions

Article 89 (1) (1), Article95 (1) (1), Article 3 of the AMA and Article 60 of the Criminal Law