

Request for Public Comments on “Guidelines Concerning Distribution Systems and Business Practices Under the Antimonopoly Act” (Draft)

February, 5, 2015
Japan Fair Trade Commission

By issuing and publishing the “Guidelines Concerning Distribution Systems and Business Practices Under the Antimonopoly Act” (hereinafter the “Distribution Guidelines,” July 11, 1991, Secretariat of the Japan Fair Trade Commission (hereinafter the “JFTC”)), which set out specific types of conduct among Japanese distribution systems and business practices that may impede free and fair competition and may violate the Act on Prohibition of Private Monopolization and Maintenance of Fair Trade (Act No. 54 of 1947, hereinafter the “AMA”), the JFTC aims to help enterprises and trade associations prevent from violating the AMA and help them pursue their appropriate business activities.

In accordance with the “Second Report of Recommendations on Regulatory Reform” (June 13, 2014, The Regulatory Reform Council), the Cabinet decided "Implementation Plan for Regulatory Reform" on June 24, 2014.

In order to make necessary clarifications to be implemented within FY 2014 in the Plan, in relation to Chapter 1 and Chapter 2 of Part II of the Distribution Guidelines, we hereby request public comments from various interested parties regarding the revised Distribution Guidelines (Draft) (see attachment).

Further, we will promptly launch a review on criteria or requisite as to so-called safe harbor, which the JFTC is supposed to start to review within the FY 2014 in the Plan.

1. How to obtain related materials:

Related materials are available at:

- a. The e-Gov page of e-Government;
- b. The website of the JFTC; or
- c. The Head Office (Tokyo), Regional Offices (Sapporo, Sendai, Nagoya, Osaka and Fukuoka) and Branch Offices (Hiroshima and Takamatsu) of

the JFTC and the Fair Trade Office of the Okinawa General Bureau, General Affairs Division, Cabinet Office (Naha).

2. How to submit comments

Please clearly state your address, full name (in kana), name of affiliation (organization or company), and contact address (e-mail address, fax or telephone number), and submit your comments in Japanese by either of the following two methods. Please note that comments will not be accepted by telephone.

(1) By e-mail:

The subject of the e-mail should be “Comments on the revised Distribution Guidelines (Draft).”

E-mail address: ryuutori@jftc.go.jp

Note: Please submit your comments in text format. Please understand that we cannot accept comments by attached file or URL.

(2) By fax:

Clearly indicate “Person in Charge of the Distribution Guidelines, Trade Practices Division” as the addressee, and write “Comments on the revised Distribution Guidelines (Draft)” as the subject of the fax cover sheet. Please note that comments sent without an addressee will not be accepted.

Fax number: +81-(0)3-3581-1948

(3) By postal mail:

Send to:

Person in Charge of the Distribution Guidelines,
Trade Practices Division, Economic Affairs Bureau, Secretariat,
Japan Fair Trade Commission.
Section B, No. 6 Central Joint Governmental Building,
1-1-1, Kasumigaseki, Chiyoda-ku, Tokyo 100-8987 Japan

3. Submission deadline

Comments must arrive by 18:00 (JST), March 6, 2015 (30days).

4. Notes regarding the submission of comments

(Tentative Translation: Only Japanese version is authentic)

Submitted comments may be made public without the address, full name, affiliated group or company name and contact address such as e-mail address, fax number and telephone number. Please note that individual responses will not be made to submitted comments.

The address, full name, e-mail address, fax number and telephone number will only be used to contact the author of the comments to clarify ambiguous content if necessary. The personal information that is submitted will not be used for any purpose other than for this contact or clarification.

*All announcements are tentative translations.; please refer to the original text written in Japanese.