

(Tentative Translation: Only Japanese version is authentic)

Request for Public Comments on “Guidelines on Administrative Investigation
Procedures under the Antimonopoly Act” (Draft)

June 30, 2015

Japan Fair Trade Commission

A report^(Note) compiled by the “Advisory Panel on Administrative Investigation Procedures under the Antimonopoly Act” held in the Cabinet Office from February 2014 (the report was published on December 24, 2014) set out “Draw up and make public guidelines, etc. regarding standard administrative investigation procedures for the JFTC’s investigation on alleged antitrust cases”. In response to this, with the view to further ensuring the appropriateness of administrative investigation procedures, the Japan Fair Trade Commission (“JFTC”) has recently decided to ensure that standard steps and points to note in implementing administrative investigation procedures are clarified in the “Guidelines on Administrative Investigation Procedures under the Antimonopoly Act” (hereinafter referred to as the “Guidelines”), taking the past practices into account and are made well known to personnel engaged in investigation of alleged antitrust cases. In addition, with the same view as above, in order to enhance the transparency of investigation procedures and promote smooth implementation of investigation, the JFTC has decided to formulate and publish the Guidelines so that their content is shared widely among the public.

Thus, we hereby request public comments from various interested parties regarding the draft Guidelines.

Further, the aim of “Overview of Administrative Investigation Procedures for Alleged Antitrust Cases” (the Information Material for Business Enterprises, etc.) shown in “(Note 1)” of the draft Guidelines is to provide business enterprises and other parties with an easy-to-follow explanation about standard steps for implementing administrative investigation procedures, etc. in line with the content of the guidelines. Therefore, the aforementioned information material will be prepared according to the content of the guidelines finalized taking into consideration comments received as a result of this request for public comments.

^(Note) <http://www8.cao.go.jp/chosei/dokkin/finalreport/body.pdf>

1. How to obtain related materials:

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Related materials are available at:

- a. The e-Gov page of e-Government;
- b. The website of the JFTC; or
- c. Senior Planning Officer at 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 draft Guidelines.”

E-mail address: shinsa-shishin-〇-jftc.go.jp

(To prevent e-mail spam, the JFTC uses “-〇-” instead of “@” in the address. When you send an e-mail, replace “-〇-” with “@”).

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 draft Guidelines” as the addressee, and write “Comments on the draft Guidelines” as the subject of the fax cover sheet. Please note that comments sent without an addressee will not be accepted.

Fax number: +81-(0)3-3581-5416

(3) By postal mail:

Send to:

Person in Charge of the draft Guidelines,

Senior Planning Officer of the Management and Planning Division of the Investigation Bureau,

Japan Fair Trade Commission.

Section B, No. 6 Central Joint Governmental Building,

(Tentative Translation: Only Japanese version is authentic)

1-1-1, Kasumigaseki, Chiyoda-ku, Tokyo 100-8987 Japan

3. Submission deadline

Comments must arrive by 18:00 (JST), July 29, 2015.

4. Notes regarding the submission of comments

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.