

The JFTC Filed a Criminal Accusation on Bid-Rigging Concerning the Disaster Restoration Paving Works for the Great East Japan Earthquake Ordered by the Tohoku Branch of East Nippon Expressway Company Ltd.

February 29, 2016
Japan Fair Trade Commission

The Japan Fair Trade Commission, having investigated into a bid-rigging case concerning the disaster restoration paving works for the Great East Japan Earthquake ordered by the Tohoku Branch of East Nippon Expressway Company Ltd., found a criminal violation of the Antimonopoly Act (AMA) and filed today a criminal accusation with the Public Prosecutor-General against 10 companies including NIPPO Co., Ltd. and 11 individuals of the 10 companies accused who were engaged in the contract such as road construction 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
NIPPO Co., Ltd.	1-2-16 Yaesu, Chuo-ku, Tokyo Hiromi Iwata, President
MAEDA ROAD CONSTRUCTION Co., Ltd.	1-11-3 Oosaki, Shinagawa-ku, Tokyo Ryozo Imaeda, President
THE NIPPON ROAD Co., Ltd.	1-6-5 Shimbashi, Minato-ku, Tokyo Norio Yamaguchi, President
Taisei Rotec Co., Ltd.	8-17-1 Nishishinjuku, Shinjuku-ku, Tokyo Hidetoshi Yabuta, President
OBAYASHI ROAD Co., Ltd.	2-8-8 Sarugaku-cho, Chiyoda-ku, Tokyo Hitoshi Hasegawa, President
TOA ROAD Co., Ltd.	7-3-7 Roppongi, Minato-ku, Tokyo Kenichi Yoshihara, President
WATANABE SATO Co., Ltd.	1-18-4 Minamiazabu, Minato-ku, Tokyo Shinobu Kamikawa, President
gaeart T.K. Co., Ltd.	8-27 Shinogawamachi, Shinjuku-ku, Tokyo Toshihiko Maeyama, President

SUMIKEN MITSUI ROAD Co., Ltd.	13-27 Yochomachi, Shinjuku-ku, Tokyo Takayuki Matsui, President
Kitagawa Hutec Co., Ltd.	1-13-1 Kanda, Kanazawa-shi, Ishikawa Takaaki Kitagawa, President

(2) 11 individuals who were engaged in the contract such as road construction business in the companies above.

2. Grounds for the Criminal Accusation

(1) Facts

Each of 10 companies operate the contract such as road construction business, and the 11 individuals were engaged in the business as employees of these companies respectively. The 11 individuals, in conspiracy with other employees who belong to the same companies concerned and others, during the period of time between around early July 2011 and same year mid-September, by having meetings etc., at Tohoku brunch of accused companies, agree to designate successful bidders and to bid at prices allowing the successful designated bidders to win with respect to the disaster restoration paving works for the Great East Japan Earthquake that put out in order to conditional general competitive bidding by the Tohoku branch of East Nippon Expressway Company Ltd. since July of the same year. The 11 individuals, in accordance with the agreement, designated the successful bidders for each of the works, thereby, 10 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 their business activities.

(2)Applicable Provisions

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