

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

March, 28, 2016
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.

The JFTC has conducted a review on the criteria or requisite as to so-called safe harbor in the Distribution Guidelines, which the JFTC is supposed to review in the “Implementation Plan for Regulatory Reform” (Cabinet approval on June 30, 2015). The JFTC has hereby concluded that the JFTC publishes the revised Distribution Guidelines (Draft) (see attachment) to request public comments from various interested parties on it as below.

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 submit your comments in Japanese by either of the following three methods, identifying your name, address and contact information (telephone number, facsimile number or e-mail address). If you submit as a corporation or an association, please identify the location of main office, the name of a corporation or an association and the

name of a liaison person. Submitting a comment by phone cannot be accepted.

(1) By e-mail:

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

E-mail: ryuutori_at sign_jftc.go.jp

(Please replace “_at sign_” with “@”, when you send an e-mail.)

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 “the Distribution Guidelines Unit, 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 the addressee will not be accepted.

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

(3) By postal mail:

Send to:

The Distribution Guidelines Unit,
Trade Practices Division, Economic Affairs Bureau, Secretariat,
Japan Fair Trade Commission.
1-1-1, Kasumigaseki, Chiyoda-ku, Tokyo 100-8987 Japan

3. Due date

April 26th, 2016, no later than 6 p.m. (GMT+9)

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 JFTC asks for your identification and contact information, for the communication purpose where any clarifications may be needed on your comments. The information provided will not be used for any other purposes.