

Partial Amendments of the “Guidelines Concerning Distribution Systems and Business Practices Under the Antimonopoly Act”

May, 27, 2016

Japan Fair Trade Commission

1. On the basis of the “Implementation Plan for Regulatory Reform” (June 30, 2015, The Cabinet Decision) (hereinafter the “Plan”), the Japan Fair Trade Commission (hereinafter the “JFTC”) has conducted a review on the criteria or requisite as to so-called safe harbor in the “Guidelines Concerning Distribution Systems and Business Practices Under the Antimonopoly Act” (hereinafter the “Distribution Guidelines,” July 11, 1991, Secretariat of the JFTC), which the JFTC is supposed to review in the Plan, and concluded that the JFTC should revise the Distribution Guidelines. The JFTC published the draft of the Distribution Guidelines on March 28, 2016, to request public comments from various interested parties, which was due on April 26, 2016.
2. In response to the call for comments, 22 comments were submitted. After having carefully considered these comments, the JFTC eventually decided to maintain the original draft (see the attachment).
3. The JFTC will adequately inform about the revised Distribution Guidelines, to help enterprises and trade associations prevent from violating the Act on Prohibition of Private Monopolization and Maintenance of Fair Trade (Act No. 54 of 1947, hereinafter the “AMA”) and help them pursue their appropriate business activities. The JFTC will also continue to appropriately apply the AMA.

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