

## The Study Group on the Antimonopoly Act Released the Report

April, 25, 2017

Japan Fair Trade Commission

### 1. Report of the Study Group on the Antimonopoly Act

About 40 years have passed since the administrative surcharge system under the Antimonopoly Act was introduced in 1977 as an administrative measurement to prevent infringements by imposing pecuniary disadvantage. While the several amendments of this system has carried out over that period, there is an increased need to review the modality of a surcharge system that would be capable of adapting to unceasing changes in economic and social conditions, because there are some cases in which the current surcharge system sometimes makes it difficult for the Japan Fair Trade Commission (hereinafter the “JFTC”) to properly deal with the business activities and corporate structures that are getting globalized, diversified and complicated.

Based on the recognition as described above, the JFTC has convened meetings of “Study Group on the Antimonopoly Act” (hereinafter the “Study Group”), which consists of experts from various sectors, in order to reconsider the surcharge system from professional views. The Study Group has held 15 meetings since its first meeting in February, 2016.

The JFTC releases the report which the Study Group submitted today. The main points of the report are described in the attachment.

### 2. Request for Public Comments

Based on the Study Group’s report, the JFTC will consider specific proposals of system revisions including ones on the surcharge system. As a reference for its consideration, the JFTC launches a public consultation on the matters addressed in the Study Group’s report to seek specific ideas and useful information from the various interested parties, as follows.

#### (1) How to obtain related materials:

Related materials are available at:

- a. The official web portal of government of Japan (e-Gov);
- b. The website of the JFTC; or
- c. The Head Office, Policy Planning Office, Economic Affairs Bureau (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 person who submits a comment. Submitting a comment by phone cannot be accepted.

a. By e-mail:

The subject of the e-mail should be “Comments on reviewing the surcharge system.”

E-mail: [kachokin\\_at sign\\_jftc.go.jp](mailto:kachokin_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.

b. By fax:

Clearly indicate “The Reviewing the Surcharge System Unit, Planning Office, Economic Affairs Bureau” as the addressee, and write “Comments on reviewing the surcharge system” as the subject of the fax cover sheet. Please note that comments sent without the addressee will not be accepted.

Fax number: +81-(0)3-3581-1945

c. By postal mail:

Send to:

The Reviewing the Surcharge System Unit,  
Planning Office, Economic Affairs Bureau, Japan Fair Trade Commission.  
1-1-1, Kasumigaseki, Chiyoda-ku, Tokyo 100-8987 Japan

(3) Due date

June 30th, 2017, no later than 6 p.m. (GMT+9)

(4) Notes regarding the submission of comments

Submitted comments and the name (a corporation, an association, a person) at the point of submission may be made public. Also, the JFTC will not reply respectively to submitted comments.

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

\*The attachment of English edition will be uploaded by the end of May.