

Request for Public Comments on the revised “Guidelines to Application of the Antimonopoly Act Concerning Review of Business Combination” (draft) and the revised “Policies Concerning Procedures of Review of Business Combination” (draft)

October 4, 2019
Japan Fair Trade Commission

The Japan Fair Trade Commission (JFTC) has established the “Guidelines to Application of the Antimonopoly Act Concerning Review of Business Combination” (published on May 31, 2004. Hereinafter referred to as the “Business Combination Guidelines”). And to clarify the examination procedures for the business combination plan, “Policies Concerning Procedures of Review of Business Combination” (published on June 14, 2011. Hereinafter referred to as the “Business Combination Procedures Policies”).

Due to increased necessity of properly dealing with business combinations in the digital market in recent years and other reasons, based on Action Plan of the Growth Strategy (June 21 2019 Cabinet Decision) , etc., the JFTC has published the draft amendments to Business Combination Guidelines and the draft amendments to Business Combination Procedure Policies as shown in Attachment 1 and 2.

The JFTC hereby has concluded that it seeks public comments from various stakeholders on the draft amendments [Attachments 1 and 2] as follows.

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), Local Offices (Sapporo, Sendai, Nagoya, Osaka and Fukuoka) and Branches (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 methods, identifying your name, address, and contact information (telephone number, fax number, or e-mail address). If you submit as a corporation or an association, please identify the location of its 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.

(a) Through the submission form on the e-Gov

Please submit your comments through the submission form on the e-Gov. (the webpage is only available in Japanese.)

(b) By e-mail:

The subject of the e-mail should be “Opinions on draft of Business Combination Guidelines, etc.”

E-mail: kiketsukaisei2019_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.

(c) By fax:

Clearly indicate “Person in Charge of Business Combination Guidelines(draft)etc. at the Mergers and Acquisitions Division” as the addressee, and write “Opinions on draft of Business Combination Guidelines, etc.” as the subject of the fax cover sheet. Please note that comments sent without the addressee will not be accepted.

Fax number: +81-(0)3-3581-5771

(d) By postal mail:

Send to:

Person in Charge of Business Combination Guidelines(draft), etc.

Mergers and Acquisitions Division, Economic Affairs Bureau, Secretariat,

Japan Fair Trade Commission.

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

3. Due date

November 5th, 2019, no later than 6 p.m. (GMT + 9)

4. Notes regarding the submission of comments

Submitted comments may be made public except for full name, affiliated group or company name, address, and contact information 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.