

Guide for the Design and Implementation of an Effective Antimonopoly Act  
Compliance Program: Focusing on Responses to Cartels and Bid-rigging

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Japan Fair Trade Commission

In order to promote fair and free competition in Japan, it is necessary to achieve an environment where competitive business activities are conducted autonomously by eliminating the Antimonopoly Act (hereinafter referred to as “AMA”) violations through strict enforcement of the law and promoting compliance related to the AMA in individual companies.

From the viewpoint of supporting companies’ efforts to comply with the AMA, the Japan Fair Trade Commission (hereinafter referred to as “JFTC”) has made and published reports to understand and analyze the status of companies’ efforts to comply with the AMA through questionnaires and interviews, to clarify current problems and issues, and to propose various measures for further improvement. In addition, competition authorities in other jurisdictions, international organizations and an international network have published guides for companies to design and implement compliance programs regarding competition law.

Based on these efforts, the JFTC has made and published the “Guide for the Design and Implementation of an Effective Antimonopoly Act Compliance Program” (hereinafter referred to as “Guide”) that outlines best practices to help individual companies design and implement an effective AMA compliance programs mainly related to cartels and bid-rigging.

The Guide has the characteristic in that it comprehensively and systematically organizes the components of an effective AMA compliance program, its significance, its essence, and its points of attention. Another characteristic of the Guide is that it introduces the real opinions of companies, etc. which are actively engaged in the AMA compliance, as seen in the questionnaires and interviews conducted in the JFTC’s past fact-finding surveys, as examples of good practices.

The JFTC will continue to actively engage in activities to support and advocate companies’ efforts to comply with the AMA through the dissemination of the Guide, and to collect and provide information on trends in foreign competition law compliance by competition authorities in other jurisdictions, international organizations and an international network.

\*This announcement is tentative translation.

Please refer to the original text written in Japanese for more details.