

Consent Decision to Noguchi Hodo K.K.

18 September 2003
Japan Fair Trade Commission

The JFTC had decided to initiate hearing procedures against Noguchi Hodo K.K. on 20 June 2003 and has been having examiners conduct the procedures.

The JFTC received a request for consent decision and plans for specific measures from Noguchi Hodo K.K. on 4 September 2003 in accordance with 53 (3) of Antimonopoly Act and Section 81 of Rules concerning Investigation and Hearing by the JFTC. As a result of consideration, the JFTC approved these measures and issued a resulting decision to the company on 12 September 2003 in accordance with Section 53 (3) of Antimonopoly Act.

1. The respondent

Name	Noguchi Hodo K.K. (Fushimi-ku, Kyoto)
Main Business	Contracting business for road pavement etc.

2. Content of decision

(1) Fact of violation

The respondent, since 1 April 2000 at the latest, has restricted competition of the designated competitive bids for paving works(budget: more than 50 million yen) of Kyoto Prefectural government together with other 12 companies contrary to public interest in order to prevent the contracting price from lowering by arranging the winning company in advance.

(2) Application of law

Section 3 of the Antimonopoly Act (unreasonable restraint of trade)

(3) Outline of measures

-) The respondent shall confirm that it ceased the acts above 1.
-) The respondent shall notify above Kyoto Prefectural Government of the following matters:
 - measures taken in accordance with the preceding
 - the company refrain from deciding the winner in advance and behave independently
-) The respondent shall not act the same kind of acts as above in the future.

3. History

Recommendation: 22 May 2003

Decision to initiate hearing	20 June 2003
The first hearing	29 July 2003
Proposal of consent decision	4 September 2003
Consent decision	12 September 2003