

The JFTC’s criminal accusation on bid-rigging concerning the outsourcing contracts of planning test events, etc. regarding the Olympic and Paralympic Games Tokyo 2020 ordered by the Tokyo Organizing Committee of the Olympic and Paralympic Games

February 28, 2023
Japan Fair Trade Commission

The Japan Fair Trade Commission (hereinafter referred to as the “JFTC”), having investigated into a bid-rigging case concerning the “outsourcing contracts of planning test events, etc.”(*) regarding the Olympic and Paralympic Games Tokyo 2020 ordered by the Tokyo Organizing Committee of the Olympic and Paralympic Games (hereinafter referred to as the “Organizing Committee”), believed a criminal violation of the Antimonopoly Act (hereinafter referred to as the “AMA”) and filed today, in accordance with Article 74 (1) of the AMA, a criminal accusation with the Prosecutor General against 6 companies including Dentsu Group Inc., 6 individuals of the 6 companies who were engaged in work related to winning the outsourcing contracts of planning test events, etc., and 1 individual in charge of work related to ordering the outsourcing contracts of planning test events, etc. as an operations executive at the Organizing Committee.

(*) “outsourcing contracts of planning test events, etc.” means the outsourcing contracts of planning the test events being ordered sequentially by the Organizing Committee in each athletics field and stadium regarding the Olympic and Paralympic Games Tokyo 2020, and of managing the test events and main events which were planned to be signed with the companies that won the contracts of planning the test events.

1. Accused companies and individuals

(1) Accused companies

Names	Addresses and Representatives
Dentsu Group Inc.	1-8-1 Higashi-shimbashi, Minato-ku, Tokyo Hiroshi IGARASHI, President and Representative Director
Hakuhodo Incorporated	5-3-1 Akasaka, Minato-ku, Tokyo Masayuki MIZUSHIMA, President and Representative Director

Tokyu Agency INC.	1-1-1 Nishishinbashi, Minato-ku, Tokyo Naoyuki SHIBUTANI, President and Representative Director
Fuji Creative Corporation	1-1-20 Aomi, Koto-ku, Tokyo Kazuya MAEDA, President and Representative Director
CERESPO CO.,LTD.	1-21-5 Kitaotsuka, Toshima-ku, Tokyo Tsuyoshi TASHIRO, President and Representative Director
Same Two Inc.	2-4-3 Nagatacho, Chiyoda-ku, Tokyo Masao UMINO, President and Representative Director

(2) Accused individuals

- (A) 6 individuals of the accused companies who were engaged in work related to winning the outsourcing contracts of planning test events, etc.
- (B) 1 individual engaged in work related to ordering the outsourcing contracts of planning test events, etc. as an operations executive at the Organizing Committee.

2. Grounds for the Criminal Accusation

The 6 accused companies run advertising business or event planning and management business. The 6 accused individuals described in 1(2)(A) above were engaged in work related to winning the outsourcing contracts of planning test events, etc. as employees of the accused companies. The accused individual described in 1(2)(B) above was engaged in work related to ordering the outsourcing contracts of planning test events, etc. as an operations executive at the Organizing Committee.

By having meetings, etc. at the Organizing Committee's office, etc. located in Tokyo from around February to July 2018, the 7 accused individuals, in conspiracy with the employees who were engaged in work related to winning the outsourcing contracts of planning test events, etc. in the other advertising agency (the other advertising agency and 6 accused companies are hereinafter collectively referred to as the "7 companies") and other employees who belonged to the 7 companies, predetermined winners of the outsourcing contracts of planning test events, etc. with considering each company's

request and agreed that basically only predetermined winners would place a bid. And in accordance with the above-mentioned agreement, they determined winners of the biddings.

Therefore, the 7 companies, in concert with each other, substantially restrained competition in the business field of the outsourcing contracts of planning test events, etc., by mutually restricting or conducting their business activities, contrary to the public interest.

3. Applicable Provisions

Article 89(1)(i), Article 3, Article 95(1)(i), of the AMA and Article 60 of the Penal Code

This announcement is a tentative translation.

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