



Proactive Cartel Detection From NGAs Viewpoint

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1. Proactive Cartel Detection Inside Company

- Leniency Benefits
- Penalties/Amnesty Plus/Damage Claim/Derivative Suit
- Heavier Penalty
- Fifty percent (50%) Increase in Administrative Surcharge in Japan
- Cooperation to Agencies Providing Benefits to Companies



2. Compliance Program and Compliance Audit

- Training and Education
- Penalties on Individuals Particularly Criminal Penalties
- Audit of Business Units, Particularly Those Categorized as Risky Units
- Watching Activities at Trade Associations
- Internal Reporting System



3. Reporting from Companies Incurring Damages Caused by Anti-Competitive Activities

- Reporting and Consultation Systems inside Agency
- Awareness Training Programs at the Risky Sectors and Industries
- Lawyers Role in Reporting to Agency



4. Recent Amendments to the Antimonopoly Law in Japan

- Frequent Amendments to the AMA (2005, 2009 and 2010)
- Heavier Penalties
 - - Administrative Surcharges'
 - - Criminal Penalties
- Leniency Program
- Compliance Program not included to Mitigate Penalties



5. Conclusion

- Cooperation between Agency and NGAs for Effective Cartel Detection