**Report on Fraudulent Practices**

Month/Day/Year

Submitted by:

Name:

Address:

Title and Name of Representative:

Signature:

Name of Division for contact：

Address:

Title and Name of the Person in Charge:

TEL:

FAX:

E-mail:

We hereby make a report on fraudulent practices pursuant to the Leniency Program.

Without justifiable reason, we shall not disclose to third parties the fact that we have made the following report.

1. **Summary of fraudulent practices to be reported**

|  |  |
| --- | --- |
| 1. **Type of fraudulent practices** | Name of fraudulent practices |
| 1. **Other companies that have jointly conducted the fraudulent practices** | **YES** (→ Go to **2**) |
| **NO** (→ Go to **3**) |
| **(3)The time of the first implementation of the fraudulent practices(The time of termination)** | Month/Day/Year ~ Month/Day/Year |

1. **Information of other companies that have jointly conducted the fraudulent practices**

|  |  |  |
| --- | --- | --- |
| **Name** | **Address** | **Details of Involvement** |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

1. **Projects in which the fraudulent practices have been conducted**

|  |  |  |
| --- | --- | --- |
| **Country** | **Year/ Name of the Project** | **Scheme** |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

**4. Details of the implementation of the fraudulent practices/ details of the contacts having made with other companies that jointly conducted the fraudulent practices**

**5. Other reference information**

**6. Materials attached to this application**

|  |  |  |  |
| --- | --- | --- | --- |
| **No.** | **Title of Material** | **Description (Summary)** | **Notes** |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

**Instructions for Completing This Form**

**(*The following items below correspond to the items on the form*.)**

1. **Summary of fraudulent practices to be reported:**
2. **Type of fraudulent practices:**

Indicate the type of fraudulent practices (bribery, violation of the Unfair Competition Prevention Act, bid rigging, etc.) listed in appended tables of “Rules on Measures against Persons Engaged in Fraudulent Practices in Japan’s ODA projects” of MOFA.

1. **Other companies that have jointly conducted the fraudulent practices:**

If other companies are involved in the fraudulent practices that you mentioned in (1), circle **YES,** or **NO** if not.

1. **The time of the first implementation of the fraudulent practices (The time of termination):**

Enter the date the fraudulent practices were arranged or implemented for the first time. If unclear, enter the earliest date the fraudulent practices were recognized.

If the reporting company has already ceased the fraudulent practices, enter the date of termination in the parentheses in this column. For example, if there is a date the company decided to cease the fraudulent practices, enter such a date.

If a joint application is made and the name and the stamp of each applicant appears in the same Report but the time of the first implementation or that of termination of each applicant differs, enter such times respectively.

1. **Information on other companies that have jointly conducted the fraudulent practices**

If other companies are involved in the fraudulent practices, the name, address and details of the involvement of the said companies must be described in this column.

1. **Projects in which the fraudulent practices have been conducted**

Enter the name of the recipient country, grant year, the name of the project (example: FY2010 Highway construction project), and type of ODA schemes (loan aid, grant aid, technical cooperation) in this column.

1. **Details of the implementation of the fraudulent practices/　details of the contacts having made with other companies that jointly conducted the fraudulent practices**

Describe the details of the implementation of the fraudulent practices.

If the government officials of the recipient country are involved in the fraudulent practices, information on those officials (circumstances that led to bribery, development of approaches from those officials, name of executing agencies, department, title, name, etc.) must also be included.

Where a bid rigging is undertaken, details including the following must be described for clarification:

* The process for determining the expected bid winner;
* In the case where you were selected as the expected bid winner, details of communication to other companies on bid prices;
* In the case where other companies were selected as the expected bid winner, details of communication from those companies on bid process;
* The projects for which the expected bid winner was selected and it actually received the order;
* The projects for which the expected bid winner was selected and it actually could not receive the order;
* The situation of the projects for which the expected bid winner could not be selected; and
* Other related information

**5. Other reference information**

Describe other reference information related to the fraudulent practices in detail, for example, the situation in the government of the recipient country, procurement methods of fraud related money, the way of providing money to government officials of the recipient country, division of roles within the company, etc.

**6. Materials attached to this application**

List and submit the materials (photocopies are also acceptable) to prove the above 1.-5.

The applicant is requested to classify the materials so the recipient can understand which material is related to each of the above 1.-5.: For example, write “4-(7)” in the Notes of the seventh material to prove the above matter 4.

**Notes**

1. If applying for leniency, please describe all the information that you have in the Report (includes the content of the project and time of involvement in the fraudulent practices in Japan’s ODA projects.
2. The submission of the Report and related materials can be made by bringing them directly to Consultation Desk on Fraud and Corruption in International Cooperation Bureau (Aid Policy and Management Division), MOFA by post, Fax or E-mail.
3. In principle, the submitted Report and related materials will not be returned.
4. If a Report is prepared by an agent, enter the name and address of the reporting company with the description that the report is prepared by the agent together with the name of the agent. The Report must be stamped (or signed) by the agent in place of the representative of the reporting company. In this case, a power of attorney must be attached to the Report.
5. If the space in the form is not sufficient for the Report, use a separate sheet and attach it to the Report.
6. For application for leniency, the applicant is requested to submit the following documents in addition to the Report (Please see MOFA website for sample of related documents):

- a document to declare that the applicant does not have any information on fraudulent practices other than the reported cases, and that the applicant will not engage in such a practice in the future; and

- a document to declare that the applicant will formulate an improvement measures and submit it (including the time of submission of such document) after the submission of the aforementioned report and that the applicant will submit the report on its implementation status regularly including after leniency is granted.

1. English is acceptable for the language to be used in the Report and related materials. MOFA may request their translation if necessary.