

Country case: The Office for Government Procurement Challenge System in Japan

Description

The Japanese system of complaints concerning government procurement of goods and services (including construction services) aims to ensure greater transparency, fairness, and competitiveness in the government procurement system, under the principle of non discrimination of foreign and domestic sources.

The Government Procurement Review Board (the Board) composed of 7 committee members and 16 special members receives and reviews complaints. The Office of Government Procurement Review (OGPR) headed by the Chief Cabinet Secretary and with administrative vice-ministers or directors from all ministries and agencies as its members is also notified of review procedures. Persons or bodies wishing to file a complaint may do so with the Board within 10 days after the basis of the complaint is known. The Board will examine complaints received within 7 working days of filing and determine whether they will be accepted for review.

If a complaint is accepted for review, the Board will immediately notify the complainant, OGPR, and the procuring entity of this in writing and publicly announce its decision through the Official Gazette, the [Internet](#), and other means, soliciting the attendance of participants interested in the complaint. The procuring entity is required to present a report to the Board; if the complainant or the participants disagree with this report, they may present statements to the Board or request a review by the Board, which the Board will subsequently undertake. Finally, a report on findings will be drawn up within 90 days by the Board in cases of standard review. This period can be shortened if the complainant or the procuring entity so desire. This time limit may also vary according to the type of procurement of the complaint. If the Board finds that procurement has been carried out in a manner inconsistent with any provision of the Agreement on Government Procurement or other applicable measures, it will draw up recommendations with the report. The procuring entity is required, as a rule, to follow the recommendations of the Board.

Since the establishment of the Board in 1995, twelve complaints have been filed, while other inquiries have been resolved through consultation.

Source: OECD (2014), [“Compendium of Good Practices for Integrity in Public Procurement: Meeting of the Leading Practitioners in Procurement”](#), OECD, Paris.

Public Procurement
Principle: **Accountability**

Procurement Stage:
All phases

Audience: **Policy Maker,
Procuring Entity**