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No. 96

2019.09

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市场监管总局披露最新反垄断执法数据

2019年9月4日，据《中国市场监管报》报道，市场监管总局近日公布了《反垄断法》实施以来我国反垄断执法机构的成果。据介绍，反垄断执法机构审结经营者集中案件2792件，其中附条件批准41件，禁止2件；查处垄断协议案件179件，滥用市场支配地位案件61件，累计罚款金额超过120亿元人民币；查处滥用行政权力排除限制竞争案件229件，有力保护了市场公平竞争。

([查看更多](#))

SAMR Updates Antitrust Enforcement Statistics

On 4 September 2019, the *China Market Regulation News* reported that the State Administration for Market Regulation (“SAMR”) recently released the updated antitrust enforcement statistics. Since the *Anti-Monopoly Law* came into effect in 2008, SAMR and its predecessors have closed 2,792 merger review cases, including 41 conditional approvals and 2 prohibitions. 179 cases of monopoly agreement and 61 cases of abuse of market dominance have been concluded, with fines totaling more than CNY 12 billion being imposed. Punishment also was meted out in 229 cases of abuse of administrative power to eliminate or restrict competition. Thereby, the fair market environment has been well protected. ([More](#))

涉嫌联合高校垄断校园市场，宁夏电信遭信管局约谈

2019年9月2日，宁夏回族自治区通信管理局约谈了宁夏电信公司，通报了该公司涉嫌与中国矿业大学银川学院联合垄断校园市场，侵害用户权益的问题，要求该公司坚决取消与校方合作中涉嫌排他部分，保证校内用户公平选择权，在尽快完成问题整改的同时，加强对全区各级公司的督查考核，杜绝将参与的校园网络建设、信息化合作项目与校园营销活动捆绑，变相进行电信业务垄断，限制、干扰其他电信企业入校开展电信业务营销活动等行为。([查看更多](#))

China Telecom's Ningxia Branch Warned by Local Communications Authority for Suspected Monopoly

On 2 September 2019, China Telecom's Ningxia Branch was summoned by the Communications Administration of Ningxia Hui Autonomous Region for allegedly monopolizing the campus telecom market in a local college. The company was required to cease the exclusive practices in its cooperation with the college and to ensure that consumers in the campus have the fair selection right. Meanwhile, the company was required to strengthen supervision and assessment of its subsidiaries and prevent from bundling the campus network construction and/or informatization cooperation projects with campus marketing activities, which will monopolize telecom business and prevent competitors from launching marketing activities of telecom business in the campus. ([More](#))

三部反垄断新规开始施行

2019年9月1日，国家市场监督管理总局（“市场监管总局”）制定的《禁止垄断协议暂行规定》《禁止滥用市场支配地位行为暂行规定》和《制止滥用行政权力排除、限制竞争行为暂行规定》正式开始施行。为做好制度衔接，国家发展和改革委员会决定废止《反价格垄断规定》等2件规章和《国家发展改革委关于反价格垄断执法授权的决定》等2件规范性文件。（[查看更多](#)）

China's Three New Antitrust Rules Come into Force

On 1 September 2019, the *Interim Provisions on Prohibition of Monopoly Agreements*, the *Interim Provisions on Prohibition of the Abuse of Market Dominance* and the *Interim Provisions on Curbing Abuse of Administrative Power to Eliminate or Restrict Competition* that promulgated by SAMR came into force. For the purpose of the legal systems' convergence; the National Development and Reform Commission, one of the former antitrust authorities in China, decided to abolish the *Provisions on Anti-Price Monopoly* and three other rules related to antitrust enforcement. ([More](#))

海外动态 Overseas News

美国司法部首次就反垄断问题签署仲裁协议

2019年9月4日，美国司法部发布新闻称，其于当日就诺贝丽斯（Novelis）收购爱励铝业（Aleris）的计划向俄亥俄州北部地区法院提起反垄断民事诉讼，以阻止这项收购案的推进，维护北美地区铝制汽车车身板市场的竞争。据悉，美国司法部反垄断局已与被告达成协议，同意在特定情况下通过仲裁来解决相关产品市场界定问题。这是美国司法部反垄断局第一次采用仲裁的方式来解决相关问题。（[查看更多](#)）

US DOJ Sues to Block Novelis's Acquisition of Aleris

On 4 September 2019, the U.S. Department of Justice (“DOJ”) announced that it has filed a civil anti-trust lawsuit seeking to block Novelis Inc.’s proposed acquisition of Aleris Corporation in order to preserve competition in the North American market for rolled aluminum sheet for automotive applications, commonly referred to as aluminum auto body sheet. The DOJ’s Antitrust Division has agreed with defendants to refer the matter to binding arbitration should certain conditions be triggered. This would mark the first time the Antitrust Division is using this arbitration authority to resolve a matter. ([More](#))

瑞士查处建筑行业垄断案，再开1100万罚单

2019年9月3日，据SWI（swissinfo.ch）报道，瑞士联邦竞争委员会已完成对瑞士东南部格劳宾登州（Graubünden）一起建筑行业卡特尔案件的最后两项调查，针对12家公司协议提高道路建设成本报价以及串通投标的行为，开出了1100万瑞士法郎（约合人民币7978万元）的反垄断罚

单。据悉，在2004年至2010年期间，共有40家公司参与实施了固定价格的垄断行为，涉及约650个建筑投标项目。在该起案件中，罚单总额约为2000万至2500万瑞士法郎。（[查看更多](#)）

Swiss Price-fixing Construction Cartels Fined Millions

On 3 September 2019, *SWI* reported that the Swiss Federal Competition Commission (“Comco”) has wrapped up its last two investigations into an illegal price-fixing cartel in the construction industry in the southeastern Swiss canton of Graubünden. The penalty concerns investigations into agreements between 12 companies on inflated road construction costs. Civil engineering firms in the High Engadin region were also found to have colluded over different building sites for private and commercial buildings. The probes resulted in a CHF11m fine. Around 650 construction tenders in Graubünden between 2004 and 2010 were compromised and a total of 40 companies were involved in the price-fixing. The total amount of fines imposed by Comco is around CHF20-25 m. ([More](#))

美国30余州检察长将联手对谷歌发起反垄断调查

2019年9月3日，据华盛顿邮报报道，知情人士称，美国30多个州的检察长正准备对谷歌可能存在的垄断行为展开调查，这一计划预计将于9月9日在华盛顿召开的新闻发布会上正式宣布。目前，尚不清楚这一调查是否会涉及到亚马逊和 Facebook。无论如何，这一行动都标志着美国监管机构对硅谷大型公司反垄断调查的重大升级。（[查看更多](#)）

Google Emerges as Target of a New State Attorneys General Antitrust Probe

On 3 September 2019, the *Washington Post* reported that more than half of the nation’s state attorneys general are readying an investigation into Google for potential antitrust violations, scheduled to be announced at a Monday news conference in Washington, according to three people familiar with the matter, marking a major escalation in U.S. regulators’ efforts to probe Silicon Valley’s largest companies. It is unclear whether some or all of the attorneys general also plan to open or announce additional probes into other tech giants, including Amazon and Facebook, which have faced similar U.S. antitrust scrutiny. ([More](#))

美国参议院将于9月下旬举行听证会，聚焦科技巨头收购行为竞争问题

2019年9月3日，据The Hill报道，美国参议院司法委员会反垄断小组委员会宣布将于9月24日举行听证会，探讨与技术市场竞争有关的问题，以及反垄断机构根除反竞争行为的努力。参议员麦克·李表示，占主导地位的数字平台收购新生的或潜在的竞争对手可能有利于竞争，但这些并购也有消除那些可能会在未来挑战现有公司领先地位的竞争风险，举行听证会的目的即是为了更好地了解这些交易引发的各种担忧，并研究反垄断机构如何分析此类并购。（[查看更多](#)）

Senate Antitrust Panel to Hold Hearing on Tech Mergers

On 3 September 2019, *The Hill* reported that the Senate Judiciary subcommittee on antitrust announced Tuesday that it would hold a hearing on Sept. 24 to “explore issues relating to competition in technolo-



gy markets and the antitrust agencies' efforts to root out anti-competitive conduct". "Acquisitions of nascent or potential competitors by dominant digital platforms can be pro-competitive, but they also run the risk of eliminating the very competition that may challenge the incumbent firm's leading position in the future," Sen. Mike Lee (R-Utah), chairman of the panel, said in a statement. "We are holding this hearing to gain a better understanding of the various concerns raised by these transactions and to examine how the antitrust agencies analyze such mergers." ([More](#))

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