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市场监管总局等四部门印发公平竞争审查工作部际联席会议2020年工作要点

2020年6月18日，国家市场监督管理总局（“市场监管总局”）网站公布了由市场监管总局、国家发展和改革委员会、财政部与商务部联合印发的《公平竞争审查工作部际联席会议2020年工作要点》，主要涉及五大方面：（一）进一步完善制度规则；（二）全面清理存量政策措施；（三）切实提高增量审查质量；（四）不断强化制度刚性约束；（五）着力加强审查基础支撑。（[查看更多](#)）

China Unveils Five Key Tasks of Fair Competition Review in 2020

On 18 June 2020, China's State Administration for Market Regulation (“SAMR”) unveiled the *Key Tasks of Inter-Ministerial Joint Meeting on Fair Competition Review in 2020* jointly issued by SAMR, the National Development and Reform Commission, the Ministry of Finance and the Ministry of Commerce. The key tasks include: (i) further optimize institutions and rules; (ii) comprehensively review existing policies and measures; (iii) practically improve the quality of review; (vi) consistently strengthen constraining forces by institutions; and (v) particularly strengthen the fundamental support for review. ([More](#))

山东省市监局提醒告诫机动车检测机构不得实施垄断行为

2020年6月17日，山东省市场监督管理局（“山东省市监局”）网站公布了《关于对机动车检测机构收费行为的提醒告诫书》，提醒机动车检测检验机构不得达成垄断协议，不得对汽车检测价格固定或者变更、限制提供汽车检测服务项目，不得分割某一区域内汽车检测市场等。违反规定，将按照《反垄断法》，处上一年度销售额百分之十以下的罚款。（[查看更多](#)）

Shandong AMR Warns Local Vehicle Detection Companies of Antitrust Violations

On 17 June 2020, the Administration for Market Regulation of Shandong Province (“Shandong AMR”) unveiled the *Reminder and Warning Notice on Price Behaviors of the Vehicle Detection Company*. Shandong AMR pointed out that the vehicle detection companies in Shandong Province should not reach any monopoly agreements such as price-fixing, output restriction and market allocation. Such violations will be subject to a fine of less than 10% of the turnover of the preceding year in accordance with the *Anti-Monopoly Law*. ([More](#))

因新设两家合营企业均未依法申报，广东两管桩企业被市场监管总局各罚60万元

2020年6月15日，市场监管总局公布了两起未依法申报案的处罚决定，对广东三和管桩股份有限公司（“广东三和”）与[广东建华管桩有限公司](#)（“广东建华”）分别处以人民币60万元的罚款。市场监管总局查明，广东三和与广东建华先后于2015年、2017年设立了由二者共同控制的两家合营企业，达到了经营者申报标准但均未依法申报。（[查看更多](#)）

SAMR Fines Two Guangdong-based Pipe Pile Companies for Gun-jumping

On 15 June 2020, SAMR unveiled two gun-jumping cases in which Guangdong Sanhe Pipe Pile Co., Ltd. (“Sanhe”) and Guangdong Jianhua Pipe Pile Co., Ltd. (“Jianhua”) were fined CNY 600,000 respectively. SAMR found that Sanhe and Jianhua successively set up two co-controlled joint ventures in 2015 and 2017 without filing any notification before SAMR. ([More](#))

市场监管总局发布2020年度政策研究课题征集公告，含两项反垄断课题

近日，市场监管总局发布了2020年度政策研究课题征集公告，向社会公开征集课题研究单位。本次公布的课题共有24项，其中包含“支持中小企业发展的反垄断监管政策研究”和“强化竞争政策基础地位，加强和改进反垄断和反不正当竞争执法”两项反垄断课题。两项课题的资助金额分别为25万元和10万元，完成时限分别为2020年10月和2020年12月。 ([查看更多](#))

Two Antitrust Topics Included in SAMR’s Policy Research Plan for 2020

Recently, SAMR published the policy research plan for 2020. Two of 24 topics are related to the anti-trust policy. One is the “Research of Antitrust Supervision Policy Supporting the Development of Middle and Small-Sized Companies”. Another one is “Strengthening the Fundamental Position of Competition Policy, Strengthening and Improving Antitrust & Anti-Unfair Competition Enforcement”. The funding amount for the two projects is CNY 250,000 and CNY 100,000 respectively, and the deadline for completion is October and December 2020 respectively. ([More](#))

海外动态 Overseas News

欧盟发布非欧盟国家补贴白皮书

2020年6月17日，欧盟委员会发布新闻称，其已通过了一份关于外国补贴的白皮书，以应对非欧盟国家的补贴对欧盟单一市场竞争造成的扭曲效应。白皮书提出了多种应对方案，包括设立监督外国补贴扭曲效应的一般工具，要求接受非欧盟国家补贴的公司在收购欧盟公司且达到一定的标准时向监管机构申报，监管机构可针对申报采取要求经营者承诺或禁止收购的措施等。目前，该白皮书正处于征求意见期间，时间截止到2020年9月23日。 ([查看更多](#))

EU Commission Adopts White Paper on Foreign Subsidies in the Single Market

On 17 June 2020, the European Commission announced that it had adopted a White Paper dealing with the distortive effects caused by foreign subsidies in the Single Market. The White Paper proposes the establishment of a general market scrutiny instrument to capture all possible market situations in which foreign subsidies may cause distortions in the Single Market. It also proposes that companies benefitting from financial support of a non-EU government would need to notify their acquisitions of EU companies, above a given threshold, to the competent supervisory authority, which could either accept commitments by the notifying party that effectively remedy the distortion or prohibit the acquisition. The public consultation will be open until 23 September 2020. ([More](#))

欧盟宣布对苹果启动两项反垄断调查，涉及App Store和Apple Pay

2020年6月16日，欧盟委员会宣布，其已针对苹果公司启动两项正式的反垄断调查，分别涉及苹果应用商店（App Store）和苹果支付（Apple Pay）。关于前者，调查重点关注苹果公司强制要求使用自家的应用内购买系统和对应用开发者告知iPhone和iPad用户应用程序之外的其他更低廉的购买方式的能力的限制；关于后者，调查重点关注苹果公司将苹果支付整合到iPhone和iPad的商业应用和网站中的各种条款、条件和其他措施，对iPhone的NFC功能的限制以及所谓的对苹果支付的拒绝访问。（[查看更多](#)）

EU Commission Opens Formal Antitrust Investigations into Apple's App Store Rules and Apple Pay

On 16 June 2020, the European Commission announced that it had opened formal antitrust investigations to assess whether Apple's practices regarding App Store and Apple Pay violate EU competition rules. The investigations on App Store concerned the mandatory use of Apple's own proprietary in-app purchase system and restrictions on the ability of developers to inform iPhone and iPad users of alternative cheaper purchasing possibilities outside of apps. In parallel, the investigation on Apple Pay concerned Apple's terms, conditions, and other measures for integrating Apple Pay in merchant apps and websites on iPhones and iPads, Apple's limitation of access to the NFC functionality on iPhones, and alleged refusals of access to Apple Pay. ([More](#))

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