



# NEWSLETTER

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## Weekly Competition Law News

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By Lifang & Partners

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Gansu AMR Deals with Three Authorities Abusing Administrative Power to Eliminate and Restrict Competition

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Competition Commission Fines ICAP EUR 6.45 Million for Facilitating Several Cartels in the Yen Interest Rate Derivatives Trading Market

Commission Publishes Findings of Evaluation on the Motor Vehicle Block Exemption Regulation

## Domestic News

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### **Gan Lin Attends the Video Conference of BRICS Antitrust Policy Coordination Committee**

On June 3, 2021, the State Administration for Market Regulation (“SAMR”) released a statement, stating that the deputy director of SAMR, Gan Lin, attended the video conference of BRICS Antitrust Policy Coordination Committee on May 27. On the meeting, opinions on further deepening the BRICS countries’ cooperation in the field of competition were exchanged and the *Model Template for the Application of Waiver Statements by the BRICS Competition Agency in the Review of Global Mergers and Acquisitions* were also discussed and approved. ([More](#))

### **Gansu AMR Deals with Three Authorities Abusing Administrative Power to Eliminate and Restrict Competition**

On June 2, 2021, the Gansu Provincial Administration for Market Regulation (“Gansu AMR”) announced the decisions regarding the Human Resources and Social Security Bureau of Ganzhou District, Zhangye City, the Finance Bureau of Tianshui City and the Finance Bureau of Jiayuguan City abusing administrative power to eliminate and restrict competition. According to investigation, all these three administrative authorities had set discriminative qualification requirements in the administrative documents to exclude and restrict foreign operators from participating in the bidding activities. The behaviors of these three authorities violated Art. 34 of the *Anti-monopoly Law* and the relevant provisions of the *Detailed Rules for the Implementation of the Fair Competition Review System (Interim)*. During the investigation, three authorities realized the illegality of their behaviors and corrected timely. Therefore, Gansu AMR concluded the investigation in accordance with the procedures. ([More](#))

### **SAMR: Promoting the Anti-Monopoly Law Enforcement and Assisting the Development of Individual Businesses**

On June 11, 2021, the Information Office of the State Council held a policy briefing regarding supporting the development of small and micro enterprises and individual businesses. On the meeting, relevant officers from SAMR stated that it will further promote the enforcement of antitrust and anti-unfair competition, strictly prohibit the companies with dominant positions from conducting unfair competition behaviors for seizing market shares and squeezing the living space of various market entities and prohibit and regulate platforms’ “either-or” behaviors. ([More](#))

### **Zhejiang AMR Holds an Administrative Guidance Meeting for Provincial Platform Companies**

On June 1, 2021, the Zhejiang Provincial Administration for Market Regulation (“Zhejiang AMR”) held an administrative guidance meeting for provincial platform companies. The officers in charge of platform companies across the province and the main directors of relevant provincial bureaus and local administrations for market regulation attended the meeting. On the meeting, Zhejiang AMR notified recent typical investigated cases of platform companies and proposed to promote more than 310 platform companies across the province to conduct comprehensive self-inspections according to the 116 rectification items in 14 different aspects. The companies are required to submit a written report of the inspections and correct immediately once the problems are found. Zhejiang AMR also required all local

agencies to establish evaluation and supervision teams, strengthen the territorial responsibilities of the regulating departments and ensure that the companies complete the rectification. ([More](#))

## Overseas News

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### **Competition Commission Fines ICAP EUR 6.45 Million for Facilitating Several Cartels in the Yen Interest Rate Derivatives Trading Market**

On May 28, 2021, the European Commission released a statement, stating that it had re-adopted a cartel decision against ICAP (now called NEX) for having breached EU antitrust rules by facilitating several cartels in the area of the Yen Interest Rate Derivatives trading market and corrected former procedural error, including a detailed reasoning on the fine calculation. According to the latest decision, the European Commission imposed a total EUR 6.45 million fine on three ICAP entities. ([More](#))

### **Commission Publishes Findings of Evaluation on the Motor Vehicle Block Exemption Regulation**

On May 28, 2021, the European Commission published the Evaluation Report and Staff Working Document summarizing the findings of its evaluation of the *Motor Vehicle Block Exemption Regulation*. The Commission analyzed the competitive landscape in vehicle distribution market, vehicle repair and maintenance market and sale of spare parts market. The evaluation shows that, overall, the competitive environment in the motor vehicle markets has not significantly changed since the Commission last evaluated in 2010, but that the sector is now under intense pressure to adapt in line with the green and digital transformation. The current regime has shown itself to be suitable and adapted to diverse situations. Nevertheless, some provisions and policy objectives may need updating in the light of the report. Next, the Commission will start the policy-making stage of the review, in order to decide by 31 May 2023 whether to renew the current *Motor Vehicle Block Exemption* regime, revise it or let it lapse. ([More](#))

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