



# NEWSLETTER

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## 国内要闻 Domestic News

### 菏泽市汽车行业协会不服反垄断处罚行政诉讼案一审开庭

2020年6月5日，山东省济南市历下区人民法院开庭审理并在线直播了原告菏泽市汽车行业协会（“菏泽汽协”）不服被告山东省市场监督管理局（“山东省市监局”）作出的反垄断行政处罚决定而提起的行政诉讼一案。此前，山东省市监局曾于2019年10月18日对菏泽汽协组织会员单位联合抵制交易的垄断协议行为作出罚款30万元的处罚决定。（[查看更多](#)）

### Heze City Automobile Trade Association Appeals Against Shandong AMR Antitrust Fines

On 5 June 2020, Jinan Lixia District People's Court in Shandong Province heard the Heze City Automobile Trade Association's appeal against a CNY 300,000 antitrust fine from the Administration for Market Regulation of Shandong Province (“Shandong AMR”), which in October 2019 found it had organized its members to implement boycott agreements. ([More](#))

### 海南自贸港建设总体方案：加强和优化反垄断执法，制定公平竞争条例

2020年6月1日，中共中央国务院印发了《海南自由贸易港建设总体方案》（“《方案》”）。《方案》提出，要建立健全公平竞争制度，强化竞争政策的基础性地位；加强和优化反垄断执法，打破行政性垄断，防止市场垄断，维护公平竞争市场秩序。《方案》同时提出要授权海南制定出台公平竞争条例。（[查看更多](#)）

### Hainan Free Trade Port to Strengthen Antitrust Enforcement and Formulate Fair Competition Regulations

On 1 June 2020, China's State Council released the *Master Plan for Hainan Free Trade Port* (“**Master Plan**”). The Master Plan underlines that Hainan will establish a comprehensive fair competition system and strengthen the fundamental position of competition policy. Hainan will strengthen and optimize antitrust enforcement, crack down administrative monopoly, prevent market monopoly and protect the fair competition market order. Besides, the Master Plan points out that Hainan will be authorized to formulate regulations on fair competition. ([More](#))

## 海外动态 Overseas News

### 欧盟委员会就新型竞争工具公开征询意见

2020年6月2日，欧盟委员会发布新闻，就可能的新型竞争工具公开征询意见。执行副主席玛格丽特·维斯塔格指出，竞争规则应当适应世界的变化。玛格丽特称：“当前的规则并未解决竞争存在的某些结构性风险。我们正在征询意见，以探索一种新的、可以解决此类结构性竞争问题的竞争工具的必要性，从而确保整个市场的公平竞争。”欧盟委员会认为，要确保市场的可竞争性和公平运转需要一种整体性的综合方式。（[查看更多](#)）

## European Commission Solicits Public Opinions for New Competition Tool

On 2 June 2020, the European Commission announced that it had published an open public consultation inviting comments on exploring the need for a possible new competition tool. Executive Vice-President Margrethe Vestager said that the world is changing fast and it is important that the competition rules are fit for that change. Margrethe Vestager stated that there are certain structural risks for competition which are not addressed by the current rules and the European Commission is seeking the views of stakeholders to explore the need for a possible new competition tool that would allow addressing such structural competition problems, in a timely and effective manner ensuring fair and competitive markets across the economy. The European Commission concluded that ensuring the contestability and fair functioning of markets across the economy is likely to require a holistic and comprehensive approach. ([More](#))

## 摩根大通与巴克莱银行拟支付2070万美元，就其串通操纵国债市场行为与投资人和解

2020年6月2日，据路透社报道，摩根大通与巴克莱银行提出愿意分别支付1500万美元及570万美元，就其串通操纵墨西哥国债市场的行为与投资人和解。据悉，6月1日，律师已就该行为代表投资者向美国曼哈顿地区法院提起诉讼。以多家养老金为首的投资者认为，被告在2006年1月到2017年4月期间实施了分享定价信息及交易数据等垄断行为，牺牲投资者的利益以实现自身利益最大化。据悉，此前墨西哥经济竞争委员会已对该潜在串通行为展开调查。([查看更多](#))

## JPMorgan and Barclays Pays USD 20.70m to Settle Claims for Conspiracy

On 2 June 2020, it was reported by *Reuters* that JPMorgan will pay USD 15m and Barclays will pay USD 5.7m to resolve investors' claims they conspired to rig the Mexican government bond market. Representing investors, lawyers had filed this case before the U.S. District Court in Manhattan. Investors led by several pension funds accused the defendant banks of operating as a "cartel" from January 2006 to April 2017 by sharing pricing and other transaction data to maximize their profits at investors' expense. The Federal Economic Competition Commission had begun a probe into possible collusion. ([More](#))

## 韩国外卖平台Yogiyo因滥用市场优势地位被罚4.68亿韩元

2020年6月2日，据《韩国先驱报》报道，韩国外卖平台Yogiyo因滥用市场优势地位被韩国公平贸易委员会处罚4.68亿韩元（约合人民币270余万）。调查发现，Yogiyo单方面对入驻其App的餐馆实施“最低价格保证政策”，要求这些餐馆不能通过电话订餐等其他订餐渠道提供更加优惠的订餐价格。2013年6月至2016年12月期间，Yogiyo曾要求144家违反该政策的餐馆纠正其“不当行为”并与43家拒不履行该政策的餐馆解除合同。([查看更多](#))

## Yogiyo Fined KRW 468m for Abusing Its Superior Position

On 2 July 2020, it was reported by *The Korea Herald* that the local delivery platform Yogiyo had been fined KRW 468m for abusing its superior position. Upon investigation, it was found that Yogiyo unilaterally implemented a "minimum price guarantee policy" for restaurants that registered with its delivery

app. It then prohibited the restaurants from selling at lower prices via other sales routes, such as ordering directly by phone or other delivery apps. From July 2013 to December 2016, Yogiyo demanded 144 restaurants, which had violated its minimum price guarantee policies, to correct their actions. It ordered them to lower prices for the Yogiyo app, raise rates for other delivery apps or change delivery prices. It then canceled contracts with 43 restaurants, which did not comply with it. ([More](#))

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