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因设立合营企业未依法申报，台湾水泥与OYAK遭市场监管总局处罚

SAMR Fines Two Cement Companies for Gun-jumping

安徽省市监局纠正亳州市应急管理局等7部门保险领域行政垄断行为

Anhui AMR Corrects the Administrative Monopolies in the Insurance Industry

黑龙江：加强疫情防控、公用事业、车检、二手车、原料药等领域反垄断执法

Heilongjiang AMR to Strengthen Antitrust Enforcement

海外动态 Overseas News

美国发布2019财年经营者集中反垄断审查年度报告

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国内要闻 Domestic News

工信部要求严肃查处商务楼宇宽带垄断问题

2020年7月9日，工业和信息化部（“工信部”）发布新闻称，就近日媒体报道部分商务楼宇、工业园区宽带被物业、代理商“卡脖子”的问题，工信部高度关注，要求当地通信管理局联合有关部门抓紧调查核实，对存在的违法违规行为要坚决整治、予以严惩。下一步，工信部将联合有关部门组织全国商务楼宇宽带垄断专项整治“回头看”工作，持续保持高压态势，完善长效工作机制，巩固专项整治工作成果。（[查看更多](#)）

MIIT to Crack down on Broadband Monopolies in Commercial Buildings

On 9 July 2020, China's Ministry of Industry and Information Technology (“MIIT”) stated that it was highly concerned about recent media reports that some commercial buildings and industrial parks' broadband Internet services are controlled by property companies and agents. The MIIT required the local communications administration to cooperate with relevant departments to promptly investigate, resolutely rectify, and severely punish the existing violations. Next, the MIIT would work with relevant departments to organize a nationwide special campaign to address the broadband monopolies in commercial buildings, continue to maintain high pressure on unlawful conducts, improve the long-term working mechanism and consolidate the achievements of this special campaign. ([More](#))

因设立合营企业未依法申报，台湾水泥与OYAK遭市场监管总局处罚

2020年7月6日，国家市场监督管理总局（“市场监管总局”）发布了台湾水泥股份有限公司（“台湾水泥”）与Ordu Yardimlasma Kurumu（“OYAK”）设立合营企业未依法申报案的处罚决定书，对两家企业各处30万元罚款。根据调查，台湾水泥与OYAK设立合营企业，形成共同控制，达到经营者集中申报标准，但未提前申报。该行为违反了《反垄断法》的规定，构成未依法申报的经营者集中行为。（[查看更多](#)）

SAMR Fines Two Cement Companies for Gun-jumping

On 6 July 2020, China's State Administration for Market Regulation (“SAMR”) released the sanction decision in which two concrete companies, Taiwan Cement Corporation (“TCC”) and Ordu Yardimlasma Kurumu (“OYAK”), were fined CNY 300,000 respectively for gun-jumping. SAMR found that TCC and OYAK set up a co-controlled joint venture without filing any notification before SAMR and therefore violating the *Anti-Monopoly Law*. ([More](#))

安徽省市监局纠正亳州市应急管理局等7部门保险领域行政垄断行为

近日，安徽省市场监督管理局（“安徽省市监局”）发布新闻称，其已纠正亳州市一起涉及保险行业的行政垄断行为。根据调查，2018年5月，原亳州市安全生产监督管理局会同其他六部门印发工作方案，限定市内2家保险机构为全市安全生产责任保险承保人，实行统一保险条款和固定费率，构成滥用行政权力排除、限制竞争行为。在调查过程中，根据执法机构指出的问题，亳州市应急管理局等七部门联合发布整改文件，对上述违法行为予以纠正。（[查看更多](#)）

Anhui AMR Corrects the Administrative Monopolies in the Insurance Industry

Recently, the Administration for Market Regulation of Anhui Province (“Anhui AMR”) announced that it had corrected the administrative monopolies in Bozhou City’s insurance industry. The Anhui AMR found that the work plan issued by the former Administration of Work Safety of Bozhou and other 6 departments in May 2018 constitutes the abuse of administrative power to eliminate and restrict competition. The work plan designates two insurance companies as the only two work safety liability insurance underwriters in the city and requires uniform insurance terms and fixed rates. During the investigation, the 7 departments jointly published the rectification document to correct the abovementioned illegal behaviors. ([More](#))

黑龙江：加强疫情防控、公用事业、车检、二手车、原料药等领域反垄断执法

近日，黑龙江省市场监督管理局印发了《关于加强反垄断执法工作的通知》（“《通知》”）。《通知》明确了四项主要任务，包括1）规范疫情防控物资领域垄断不合规行为；2）查处公用事业领域滥用市场支配地位行为；3）整治机动车检测、二手车、原料药等民生领域侵害群众利益垄断行为；4）纠正滥用行政权力排除限制竞争行为。（[查看更多](#)）

Heilongjiang AMR to Strengthen Antitrust Enforcement

Recently, the Administration for Market Regulation of Heilongjiang Province (“Heilongjiang AMR”) issued the *Notice on Strengthening Antitrust Enforcement* (“Notice”). The Notice underlines four main tasks, including (i) regulate illegal monopoly behaviors in the field of pandemic prevention and control; (ii) investigate and punish the abuse of dominance in the field of public utilities; (iii) rectify monopoly behaviors in the field of livelihood including vehicle detection, used cars and active pharmaceutical ingredients, etc.; and (iv) correct the abuse of administrative power that eliminate and restrict competition. ([More](#))

海外动态 Overseas News

美国发布2019财年经营者集中反垄断审查年度报告

2020年7月8日，美国联邦贸易委员会（Federal Trade Commission, “FTC”）与司法部反垄断局联合发布了2019财年经营者集中反垄断审查年度报告。报告显示，2019财年，两机构共接到2089起经营者集中申报，比2018财年减少1%。其中，两机构共对38起并购交易发起了挑战，涉及诸多对消费者至关重要的领域，包括日用消费品和消费者服务、医药、医疗卫生、高科技和工业产品、能源。报告还提供了近10个财年的经营者集中案件概况和2019财年案件详细数据。

（[查看更多](#)）

FTC and DOJ Release Fiscal Year 2019 Hart-Scott-Rodino Premerger Notification Report

On 8 July 2020, the Federal Trade Commission (“FTC”) and the Department of Justice (“DOJ”) Anti-trust Division jointly released the agencies’ 42nd Annual Hart-Scott-Rodino Report. As the report explains, companies notified the agencies of 2,089 HSR reportable transactions during fiscal year 2019, which is a one percent decrease from the transactions reported in fiscal year 2018. The agencies brought

38 merger challenges to maintain competition in sectors of great importance to consumers, including consumer goods and services, pharmaceuticals, healthcare, high tech and industrial goods, and energy. The Report also provides a 10-year summary of HSR transactions reported and a detailed statistical profile of transactions reported during fiscal year 2019. ([More](#))

因未按要求剥离业务，加拿大最大便利店运营商及其前子公司被罚350万美元

2020年7月6日，FTC发布新闻称，加拿大加油站和便利店运营商Alimentation Couche-Tard Inc.及其前子公司CrossAmerica Partners LP同意向FTC支付350万美元民事罚金，就其违反FTC在2018年发布的资产剥离命令的行为与FTC达成和解。据悉，这一资产剥离命令要求两公司将一处资产剥离给FTC批准的收购方，以消除一起收购交易造成的反竞争风险，但二者未在指定时间内完成上述事项。 ([查看更多](#))

Canada's Largest Retail Operator and Its Former Affiliate to Pay USD 3.5m Civil Penalty to Settle FTC Allegations That They Violated 2018 Order

On 6 July 2020, the FTC announced that Canada's retail fuel station and convenience store operator Alimentation Couche-Tard Inc. ("ACT") and its former affiliate, CrossAmerica Partners LP ("CAPL"), have agreed to pay a USD 3.5m civil penalty to the FTC to settle allegations that they violated a 2018 order requiring divestitures of 10 retail fuel stations in Minnesota and Wisconsin to Commission-approved buyers no later than 15 June 2018. It is learned that the 2018 order settled FTC charges that ACT's and CAPL's acquisition from Holiday Companies of approximately 380 retail fuel stations with attached convenience stores in 10 states was anticompetitive because it would have increased the risk of both unilateral and coordinated anticompetitive effects in 10 local retail fuel markets. ([More](#))

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 www.lifanglaw.com
 Email: info@lifanglaw.com

 Tel: +8610 64096099
 Fax: +8610 64096260/64096261