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国内要闻 Domestic News

陕西省将加大对原料药垄断的执法力度

2020年8月19日，陕西省卫生健康委员会等16部门联合印发《陕西省短缺药品保供稳价工作分工方案》（“《方案》”）。《方案》提出，加大对原料药垄断等违法行为的执法力度。建立市场监管、公安、税务、药品监管等部门协同联动工作机制，开展多部门联合整治。以最严的标准依法查处原料药和制剂领域垄断、价格违法等行为，坚持从重从快查处。（[查看更多](#)）

Shaanxi Province Takes Actions Against Active Pharmaceutical Ingredients Monopolies

On August 19, 2020, Health Commission of Shaanxi Province together with fifteen other departments jointly issued the *Plan on the Division of Work for Ensuring Supply and Stabilizing Prices of Drugs in Shortage by Shaanxi Province* (“**Plan**”). The Plan pointed out that the law enforcement against unlawful behaviors including monopolies of active pharmaceutical ingredients (“APIs”) shall be further strengthened. It is necessary to establish the coordination working mechanism among the departments of market regulation, public security, taxation and medical products regulation and carry out multi-department collaboration. The antitrust and price-related violations in connection with APIs and drugs will be tracked down and punished under the strictest scrutiny in accordance with laws. ([More](#))

山东在自贸区开展强化竞争政策实施试点工作

2020年8月18日，据山东省市场监督管理局官网消息，山东省近日发布《中国（山东）自由贸易试验区强化竞争政策实施试点方案》（“《方案》”）。《方案》提出，到2022年，建成山东自贸试验区较为完备的竞争政策体系和组织保障体系。要全面清理和废除相关领域中妨碍公平竞争的规定和做法，全面落实公平竞争审查制度；加强和改进反垄断执法，实现执法常态化、宽领域；培育全社会竞争文化意识，促进竞争政策在山东自贸试验区全面落地和有效实施。（[查看更多](#)）

China (Shandong) Free Trade Pilot Zone to Strengthen the Pilot Competition Policy

On August 18, 2020, according to Shandong Administration for Market Regulation’s website, the authority of Shandong Province recently issued the *Implementation Plan on Strengthening the Pilot Competition Policy in the China (Shandong) Free Trade Pilot Zone* (“**Plan**”). The Plan underlines that China (Shandong) Free Trade Pilot Zone will establish a relatively complete competition policy system and organizational supporting system by 2022. The Plan requires that provisions and practices which impede the fair competition in related fields shall be comprehensively cleaned up and abolished, and the fair competition review system shall be comprehensively implemented. It is necessary to strengthen and improve anti-monopoly law enforcement, achieve the normalization and extension of law enforcement, cultivate the culture and consciousness of competition in the whole society and promote the full and effective implementation of competition policies in China (Shandong) Free Trade Pilot Zone. ([More](#))

上海在自贸区开展强化竞争政策的实施试点工作

2020年8月17日，上海市市场监督管理局等部门发布《关于在中国（上海）自由贸易试验区临港新片区开展强化竞争政策实施试点的通知》（“《通知》”）。《通知》重点指出，要试点经营者集中反垄断审查制度。对集成电路、人工智能、生物医药、航空航天、新能源汽车、高端智能装备等战略性新兴产业中发生的经营者集中进一步简化审查程序，推进申报便利化，支持临港新片区及本市战略性新兴产业和重点企业做大做强。（[查看更多](#)）

China (Shanghai) Free Trade Pilot Zone to Strengthen the Pilot Competition Policy

On August 17, 2020, Shanghai Administration for Market Regulation and other departments jointly issued the *Notice on Strengthening the Pilot Competition Policy in the China (Shanghai) Pilot Free Trade Zone Lin-Gang Special Area* (“**Notice**”). The Notice focuses on the pilot review of concentration of undertakings. It is necessary to further simplify the review process for the concentration of undertakings in the strategic emerging industries including integrated circuits, artificial intelligence, biomedicines, aeronautics and space, new-energy automobiles and high-end intelligent equipment, facilitate the notification process and support the expansion and development of the strategic emerging industries and key enterprises in Shanghai and Lin-gang Special Area. ([More](#))

海南自由贸易港：建立开放竞争的电力市场体系

2020年8月14日，海南自由贸易港微信公众号公布了《海南能源综合改革方案》（“《方案》”），重点提出建立开放竞争的电力市场体系。《方案》提出，要建立电力辅助服务市场化价格形成及分担机制。加强对电力、油气自然垄断环节的价格监管，加快放开经营性电力用户参与市场，逐步放开非居民天然气价格；在天然气、电力等领域向各类资本公平开放，放宽市场准入。推动油气管网、电网对第三方无歧视公平开放。（[查看更多](#)）

Hainan Free Trade Port to Establish an Open and Competitive Electric Power Market System

On August 14, 2020, Hainan Free Trade Port WeChat official account released the *Hainan Comprehensive Reform Plan of Energy Industries* (“**Plan**”) that focuses on the establishment of an open and competitive electric power market system. The Plan underlines that a mechanism for the formation and allocation on prices deregulation of electric power auxiliary services shall be established. It is necessary to strengthen the price supervision over the natural monopoly sectors of electricity, oil and gas, accelerate the liberalization of participation in market by commercial electric power undertakings, gradually liberalize the price regulation of natural gas in non-residential use, open the sectors of natural gas and electricity to various types of capital equally, ease market access, and promote the fair opening of oil and gas pipe network and power grids to third parties without discrimination. ([More](#))

海外动态 Overseas News

美国司法部反垄断局宣布将重组民事执行部门

2020年8月20日，美国司法部反垄断局宣布，其将成立法令执行与合规办公室（Office of Decree Enforcement and Compliance）以及民事行为专项工作组（Civil Conduct Task Force）。前者主要负责执行民事案件中的判决和同意法令；后者工作范围横跨民事部门和地方办公室，以确定需要投入更多关注和资源的民事行为调查。此外，反垄断局还将对其六个民事部门重新分配工作事宜，以根据目前的经济形势提升专业水平。（[查看更多](#)）

DOJ Antitrust Division Announces Re-Organization of the Civil Enforcement Program

On August 20, 2020, The Department of Justice (“DOJ”) Antitrust Division announced that it is creating the Office of Decree Enforcement and Compliance and a Civil Conduct Task Force. The former will have primary responsibility for enforcing judgments and consent decrees in civil matters. The latter will work across the civil sections and field offices to identify conduct investigations that require additional focus and resources. Additionally, the Antitrust Division will redistribute matters among its six civil sections in order to build expertise based on current trends in the economy. ([More](#))

欧盟委员会附条件批准万事达卡收购Nets的账户对账户支付业务

2020年8月17日，欧盟委员会宣布其已经附条件批准了万事达卡（Mastercard）收购Nets A/S的账户对账户（“A2A”）支付业务，条件是转让Nets A/S A2A核心基础设施服务的“实时 24/7”技术许可以及相关人员和其他资产。审查过程中，万事达卡和Nets A/S提出承诺，向合适的买家转让上述技术的全球许可以及所有必要的人员和服务。该项承诺完全消除了欧盟委员会的竞争担忧，其认定该交易在附加承诺条件后不会在欧洲经济区引发竞争问题。（[查看更多](#)）

European Commission Conditionally Approves Mastercard’s Acquisition of Nets’ Account-to-Account Payment Business

On August 17, 2020, The European Commission announced that it had approved the proposed acquisition of Nets A/S’s account-to-account payment business by Mastercard. The decision was conditional on the transfer of a license for Nets A/S’s “Realtime 24/7” technology for account-to-account core infrastructure services as well as of the relevant personnel and other assets. During the investigation, Mastercard and Nets committed to transfer to a suitable purchaser a global license of the technology above with all necessary personnel and services. The commitments fully addressed the European Commission’s competition concerns and it concluded that the transaction, as modified by the commitments, no longer raises competition concerns in the EEA. ([More](#))

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