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国务院发布《深化医药卫生体制改革2021年重点工作任务》

2021年6月17日，国务院办公厅发布关于印发《深化医药卫生体制改革2021年重点工作任务》（“《任务》”）的通知，指出要严格监督管理，完善医疗卫生行业综合监管督察体制，制定原料药领域的反垄断指南。《任务》明确了各项改革任务的负责部门，强调各地各有关部门要切实加强组织领导，持续深化医改，加强宣传引导，凝聚改革共识。（[查看更多](#)）

The State Council Issues the Key Tasks for Deepening the Reform of the Medical and Health System in 2021

On June 17, 2021, the General Office of the State Council issued a circular on the issuance of the Key Tasks for Deepening the Reform of the Medical and Health System in 2021 (“Tasks”), stating that it is necessary to strictly monitor and manage, improve the comprehensive regulation and inspection system of the medical and health industry, and formulate the antitrust guideline for APIs industry. The Tasks clarifies the departments responsible for the various reform tasks, and emphasizes that all relevant departments in all regions should effectively strengthen the organization and leadership, continue to deepen the medical reform, strengthen publicity and guidance, and build consensus on the reform. ([More](#))

《医疗保障法（征求意见稿）》发布，医药企业不得以限制竞争方式竞标

2021年6月15日，国家医疗保障局发布《医疗保障法（征求意见稿）》（“《征求意见稿》”），就其内容向社会公开征求意见。《征求意见稿》中规定参加投标的医药企业不得以低于成本的报价竞标，不得以欺诈、串通投标、滥用市场支配地位等方式竞标，并指出有必要加大违规招采的处罚力度。（[查看更多](#)）

The Medical Security Law (Draft for Comments) Issued to Prohibit Pharmaceutical Enterprises from Bidding through Anti-competitive Ways

On June 15, 2021, the National Healthcare Security Administration issued the Medical Security Law (Draft for Comments) (“Draft for Comments”) and invite comments on the document. The Draft for Comments stipulates that pharmaceutical enterprises shall not bid at quotation lower than cost or bid through fraud, collusion or abuse of dominant market position. The Draft for Comments also points out that it is necessary to intensify the punishment for illegal tendering and procurement. ([More](#))

海外动态 Overseas News

美国众议院司法委员会通过六项反垄断法案

2021年6月24日，美国众议院司法委员会通过了六项一揽子两党反垄断法案，以加强反垄断执法，重塑线上竞争秩序。这六项法案包括：1、《合并申报费用现代化法案》，旨在增加反垄断合并执法的预算；2、《州反垄断审判地法案》，旨在确保向联邦法院提起反垄断诉讼的州检察

官不会因此类案件转移到另一个审判地而面临延误和更高费用；3、《通过启用服务交换增强兼容性与竞争法案》，该法案赋予联邦贸易委员会更多权限与执法工具来建立针对在线互操作性和数据可移植性的竞争规则；4、《平台竞争和机会法案》，该法案禁止大型在线平台公司进行可能会消除其（潜在）竞争对手或加强其垄断地位的合并交易；5、《美国选择和创新在线法案》，旨在防止具有支配地位的在线平台企业利用其市场力量扭曲竞争；6、《终结平台垄断法案》，该法案授权执法机构采取行动防止具有支配地位的在线平台通过垄断势力杠杆性延伸扭曲或破坏对其有依赖性的相关市场竞争。（[查看更多](#)）

U.S. House Judiciary Committee Passes Six Antitrust Acts

On June 24, 2021, the U.S. House Judiciary Committee passed a package of bipartisan legislation to enhance antitrust enforcement and restore competition online. The six acts include: (1) the *Merger Filing Fee Modernization Act of 2021*, which ensures higher merger fees; (2) the *State Antitrust Enforcement Venue Act of 2021*, which ensures that state attorneys general who bring antitrust cases in federal court do not face delays or higher costs due to the transfer of such cases to a different venue; (3) the *Augmenting Compatibility and Competition by Enabling Service Switching (ACCESS) Act of 2021*, which gives the Federal Trade Commission new authority and enforcement tools to establish pro-competitive rules for interoperability and data portability online; (4) the *Platform Competition and Opportunity Act of 2021*, which prohibits the largest online platforms from engaging in mergers that would eliminate competitors, or potential competitors; (5) the *American Choice and Innovation Online Act*, which prevents dominant online platforms from using their market power to distort the marketplace; (6) the *Ending Platform Monopolies Act*, which authorizes authorities to take action preventing dominant online platforms from leveraging their monopoly power to distort or destroy competition in markets that rely on that platform. ([More](#))

印度竞争委员会对谷歌在智能电视市场的垄断行为开展调查

2021年6月22日，印度竞争委员会发布命令对谷歌（Google）在该国智能电视市场中的垄断行为开启调查。经初步分析，委员会认为本案的相关市场是印度的可获许可的智能电视设备操作系统市场与安卓智能电视操作系统的应用商店市场，谷歌在两个市场中分别占有超过65%和90%的市场份额。委员会将对谷歌利用其市场力量从事拒绝交易、搭售等行为展开进一步的调查。（[查看更多](#)）

CCI Orders an Investigation into Google's Monopoly in Smart Television Market

On June 22, 2021, The Competition Commission of India (“CCI”) ordered an investigation into Google's monopoly in the country's smart television market. After preliminary analysis, CCI concluded that the relevant markets in this case were the market for licensable smart TV device operating systems in India and the market for app store for Android smart TV operating systems in India. Google has more than 65% and 90% market share in the two markets respectively. Further investigation will focus on Google's conduct of “refusal to deal” and “compulsory tying” by abusing its market power. ([More](#))

欧盟对谷歌在线广告业务开展反垄断调查

2021年6月22日，欧盟委员会对谷歌在线展示广告业务开展正式的反垄断调查，以评估其是否违反欧盟竞争法，在所谓的“广告技术”供应链中存在自我优待。在线广告服务是谷歌和流量主在线业务盈利的核心。谷歌收集数据用于投放定向广告，其出售广告位，又充当在线广告媒介，因此几乎出现于在线广告供应链的各个环节。谷歌的行为可能对与其具有竞争关系的广告技术服务提供商、广告主和流量主造成损害。委员会将重点审查谷歌涉及限定交易、自我优待等6项具体行为，如果属实，这些行为有可能违反《欧盟运行条约》第101条垄断协议和第102条滥用市场支配地位的规定。（[查看更多](#)）

EU Opens an Antitrust Investigation into Google's Monopoly for its Online Displaying Advertising Business

On June 22, 2021, the European Commission has opened a formal antitrust investigation to assess whether Google has violated EU competition rules by favouring its own online display advertising technology services in the so called “ad tech” supply chain. Online advertising services are at the heart of how Google and publishers monetise their online services. Google collects data to be used for targeted advertising purposes, it sells advertising space and also acts as an online advertising intermediary. So Google is present at almost all levels of the supply chain for online display advertising. What Google has done may cause the detriment of competing providers of advertising technology services, advertisers and online publishers. The Commission will focus on reviewing six specific acts involving Google, including exclusive dealing and self-preference, if proven, the practices may breach EU competition rules on anticompetitive agreements between companies (Article 101 TFEU) and/or on the abuse of a dominant position (Articles 102 TFEU). ([More](#))

德国联邦卡特尔局依据数字新规对苹果启动反垄断调查

2021年6月21日，根据针对大型公司的竞争法新规，德国联邦卡特尔局对科技公司苹果（Apple）开展调查。此前，联邦卡特尔局已根据该新规对Facebook、亚马逊（Amazon）和谷歌发起反垄断调查。联邦卡特尔局在新规授权下能够更早更有效地对数字公司进行竞争干预，且在两阶段的调查程序中，能够禁止具有显著跨市场影响力的公司从事反竞争行为。目前，联邦卡特尔局对苹果的调查尚处于第一阶段，在本阶段中将评估苹果的跨市场竞争影响；同时，一个调查重点是苹果的应用商店是否会影影响第三方主体的经营活动。（[查看更多](#)）

Bundeskartellamt Starts Apple Antitrust Probe on New Rules for Large Digital Players

June 21, 2021, the Bundeskartellamt has today initiated a probe against the technology company Apple based on the new competition law rules for large digital companies. Previously, the Bundeskartellamt has already initiated similar investigations against Facebook, Amazon and Google. A new provision enables the authority to intervene earlier and more effectively against the practices of large digital companies, and in a two-step procedure the Bundeskartellamt can prohibit companies which are of paramount significance for competition across markets from engaging in anti-competitive practices. Currently, the Bundeskartellamt has initiated the first step against Apple to determine whether the company is of para-

mount significance across markets. A main focus of the investigations will be on whether the App Store of Apple would influence the business activities of third parties. ([More](#))

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