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## 国内要闻 Domestic News

### 三部委通知：清理违反《反垄断法》的地方性车辆通行费减免政策

2019年7月24日至8月2日，2019年8月6日，交通运输部、国家发展和改革委员会和财政部公布了《关于全面清理规范地方性车辆通行费减免政策的通知》（“《通知》”）。《通知》要求各省有关部门全面清理违反《反垄断法》关于不得设定歧视性收费项目、实行歧视性收费标准、规定歧视性价格，不得排除、限制竞争等相关规定，针对本地企业、本地货物等特定市场主体出台的、妨碍全国统一市场和公平竞争的地方性车辆通行费减免政策。（[查看更多](#)）

### China to Clean-up Local Vehicle Toll Reduction Policies that Violate the Anti-Monopoly Law

On 6 August 2019, China's Ministry of Transport, National Development and Reform Commission and Ministry of Finance jointly released the *Notification on the Comprehensive Clean-up of Local Vehicle Toll Reduction Policies* (“**Notification**”). The Notification demands all relevant provincial departments to comprehensively clean-up the provisions related to discriminatory charge subjects, standards and prices which are in violation of the *Anti-Monopoly Law* (“**AML**”), and also clean-up the local vehicle toll reduction policies which (i) result in unfair competitive advantage to local enterprises, goods and other specific market entities and (ii) impede the national unified market and fair competition. ([More](#))

### 市场监管总局将加大原料药、建材等民生领域反垄断执法力度

2019年8月5日，国家市场监督管理总局（“市场监管总局”）发布新闻称，市场监管总局反垄断局将以民生领域为重点开展反垄断执法，进一步畅通投诉举报渠道，及时回应民生关切，切实加大原料药、建材等民生领域反垄断执法力度；注重研究行业共性问题，探索行业监管规律，达到查办一个案件、规范一个行业的效果；注重建章立制强化执法的法治保障，进一步完善反垄断法律制度，针对不同行业特点有针对性制定监管办法。（[查看更多](#)）

### SAMR to Strengthen Antitrust Enforcement in the Fields of APIs and Construction Materials

On 5 August 2019, China's State Administration for Market Regulation (“**SAMR**”) released a news saying that it will strengthen the antitrust enforcement in the field of people's livelihood, such as APIs and construction materials; smooth the ways for complaints and reports; respond to people's livelihood concerns in a timely manner. Meanwhile, SAMR will focus on the common problems in different industry, conduct researches on supervision principles in different industries and try to achieve the effect of “investigating a case, standardizing an industry”, formulate supporting regulations to strengthen law enforcement, further improve the antitrust legal system and stipulate targeting supervision methods in consideration of the characteristics of different industries. ([More](#))

## 北京整治楼宇宽带垄断问题

近日，北京市通信管理局召集北京地区基础电信企业，就楼宇宽带垄断专项整治工作进行座谈。自相关文件印发以来，各基础电信企业迅速落实文件要求，对代理商不规范经营行为、排他性垄断条款等问题进行了全面的梳理清查。特别是依法对北京金诚网信通信技术有限公司等企业进行行政处罚，产生了明显的震慑作用，有效推动了基础电信企业的楼宇宽带资源接入工作。（[查看更多](#)）

### Beijing to Rectify the Broadband Monopoly in Buildings

Recently, the Beijing Communications Administration convened local basic telecommunication operators to had a discussion on the specific rectification of broadband monopoly in buildings. Since the relevant regulatory documents were issued, local basic telecommunication operators have quickly implemented the requirements of the documents by conducting a comprehensive review of their agents' non-standard business operation and exclusive monopoly clauses. Administrative penalties that imposed on enterprises such as Beijing Jincheng Netcom Communication Technology Co., Ltd. have produced an obvious deterrent effect and have effectively promoted the access of broadband resources of basic telecommunications operators. ([More](#))

## 海外动态 Overseas News

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### 美国司法部关注劳动力市场竞争问题，研讨会将于9月下旬召开

2019年8月8日，美国司法部发布新闻称，司法部反垄断局将于今年9月23日举行一场公开研讨会，讨论反垄断执法在劳动力市场及促进针对美国劳动者的激烈竞争中的作用。研讨会将讨论各种涉及劳动力市场的竞争问题，话题包括“互不挖角”及薪资固定协议、劳动力市场的定义方法、并购中的劳动力买方垄断、雇主之间就员工竞争的合作与合同安排、集体谈判和其他工会活动的反垄断豁免等。（[查看更多](#)）

### DOJ to Hold Workshop on Competition in Labor Markets

On 8 August 2019, the Department of Justice (“DOJ”) announced that it will hold a public workshop on September 23, 2019, to discuss the role of antitrust enforcement in labor markets and promoting robust competition for the American worker. The workshop will cover a variety of labor competition issues, including, among other topics: anticompetitive no-poach and wage-fixing agreements, approaches to labor market definition, the role of employer collaboration and contractual arrangements between employers on competition for workers, labor monopsony in merger enforcement, and antitrust exemptions for collective bargaining and other labor union activity. ([More](#))

### 卡巴斯基投诉“见效”，俄罗斯对苹果启动反垄断调查

2019年8月8日，据路透社报道，俄罗斯联邦反垄断局（Federal Antimonopoly Service, “FAS”）表示，在接到网络安全公司卡巴斯基（Kaspersky）的投诉后，FAS已决定对苹果公司涉嫌滥用

市场地位的行为启动反垄断调查。FAS表示，其正在调查卡巴斯基的家长控制应用程序Safe Kids的新版本被苹果操作系统拒绝上架的原因。据了解，苹果已发布了自家应用程序Screen Time的第12版，该应用程序具有与Safe Kids类似的功能。（[查看更多](#)）

### **Apple Faces Investigation for Suspected Unfair Competition in Russia**

On 8 August 2019, Russia's Federal Antimonopoly Service ("FAS") announced that it has opened an official probe of Apple — following a complaint from cybersecurity company Kaspersky Lab. FAS said it was investigating why a new version of Kaspersky Lab's Safe Kids application had been declined by Apple's operating system, resulting in a significant loss in functionality for the parental control app. It said Apple had released version 12 of its own parental control app, Screen Time, which had similar functions to the Kaspersky program. ([More](#))

### **JFTC约见日本四大建筑公司主席，要求加强反垄断合规**

2019年8月7日，据日本时报报道，日本公平贸易委员会（Japan Fair Trade Commission, "JFTC"）委员长杉本和行近期分别约见了日本四大建筑公司（大林组、鹿岛建设、大成建设和清水建设）主席，要求四大建筑公司采取措施防止出现违反反垄断法的行为。JFTC表示，2016年以来，涉及四大建筑公司旗下企业的垄断案件至少已有6起。（[查看更多](#)）

### **JFTC Demands Action from Four Big Contractors Who Keep Cropping Up in Anti-trust Cases**

On 7 August 2019, *The Japan Times* reported that the Japan Fair Trade Commission ("JFTC") Chairman Kazuyuki Sugimoto has separately summoned the presidents of four major general contractors to demand action to prevent behavior in violation of antitrust rules within their groups. The apparently unprecedented move by the JFTC followed a spate of antitrust violations by companies linked to the four — Obayashi Corp., Kajima Corp., Taisei Corp. and Shimizu Corp. According to the JFTC, there have been at least six antitrust violation cases involving companies of the four groups since 2016. ([More](#))

### **爱尔兰纸业巨头Smurfit Kappa因垄断行为在意大利被罚1.24亿欧元**

2019年8月6日，据爱尔兰时报报道，意大利反垄断监管机构竞争和市场管理局就爱尔兰纸业巨头Smurfit Kappa集团参与固定价格的垄断行为开出1.24亿欧元（约合人民币9.8亿元）罚单。执法机构表示，有证据证明，通过在2015年和2016年间的一系列会议（不少于8次），多家瓦楞纸板制造商协调了产品销售政策；至少从2012年开始，涉案企业即开始使用一份非正式的价格表，对提供给独立纸箱制造商的产品适用相同的销售价格。（[查看更多](#)）

### **Smurfit Kappa Fined EUR 124m after Italian Cartel Investigation**

On 6 August 2019, *The Irish Times* reported that the Italian Market Competitiveness Protection Authority ("AGCM") has fined the Italian unit of the Irish cardboard box maker Smurfit Kappa Group EUR 124m over price-fixing. The AGCM claimed that there was evidence a number of vertically

integrated corrugated cardboard manufacturers – including Smurfit Kappa, DS Smith, Pro-Gest, Laveggia, International Paper and others – co-ordinated sales policies of products in a series of at least eight meetings between 2015 and 2016. The antitrust authority alleged that companies under investigation used an informal price list, going back to at least 2012, to apply the same sales prices on products offered to independent box makers. ([More](#))

### 日媒：苹果涉嫌压榨供应商遭JFTC反垄断调查

2019年8月5日，路透社援引日本《每日新闻》报道称，JFTC正在调查苹果公司对日本零部件制造商施加压力的行为，以及该公司是否存在违反反垄断法滥用市场支配地位的行为。日本《每日新闻》称，JFTC调查显示，苹果曾与供应商签订合同，迫使供应商向其子公司免费提供零部件生产所需的技术及技术诀窍（know-how）；当一家公司指出这种行为是对知识产权的侵犯并要求作出改变时，苹果便以终止业务关系作为威胁。 ([查看更多](#))

### JFTC Investigating Apple over Pressure on Parts Makers

On 5 August 2019, *Reuters* quoted the *Mainichi* as saying that the JFTC is investigating Apple over its pressure on Japanese parts makers and whether it abused its power in violation of antimonopoly rules. The JFTC survey of companies showed that Apple had signed contracts forcing firms to provide free technology and know-how to its affiliates for parts manufacturing. When a company called it an infringement of intellectual property rights and demanded a revision, Apple threatened to end their business relationship. ([More](#))

### 韩国对日本四大汽车零部件厂商开出920亿韩元反垄断罚单

2019年8月4日，据韩国先驱报报道，韩国公平贸易委员会（Korea Fair Trade Commission，“KFTC”）官员当天表示，KFTC已就日本四大汽车零部件厂商（三菱电机、日立汽车系统、电装公司和金刚石电机）的固定价格行为开出总计920亿韩元（约合人民币5.3亿元）的反垄断罚单。KFTC表示，这四家公司就其向当地汽车生产商销售的交流发电机和点火线圈的固定价格行为长达10年之久。 ([查看更多](#))

### KFTC Fines Japan's Four-largest Automobile Parts Makers KRW 92bn over Price-fixing

On 4 August 2019, *The Korea Herald* reported that Japan's four-largest automobile parts makers were fined a combined total of KRW 92bn (USD 76m) by the Korea Fair Trade Commission (“KFTC”) for fixing the prices of auto parts, officials said Sunday. According to the KFTC, four Japanese car parts firms had fixed prices in collusion when selling alternators and ignition coils to local automakers for 10 years. The four companies included Mitsubishi Electric, Hitachi Automotive Systems, Denso Corporation and Diamond Electric Mfg. ([More](#))

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