

China Competition Bulletin

The China Competition Bulletin summarises the latest developments of competition and regulatory policy in the People's Republic of China, covering laws and policies, cases, agency and other relevant news, and selected publications.

中国竞争简报

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Highlights

Before and after the Chinese New Year break, there have been a number of Anti-Monopoly Law (AML) related enforcement activities, both by the antitrust enforcement authorities and the courts.

The Ministry of Commerce (MOFCOM) has conditionally approved Thermo Fisher Scientific's acquisition of Life Technologies, requiring structural and behavioural remedies. It has also issued the long-awaited implementing regulations relating to the classification of simple cases, which are expected to be the first step towards establishing a "fast-track" merger review process. The local authorities of both the National Development and Reform Commission (NDRC) and the State Administration for Industry and Commerce (SAIC) in Guangdong handed down enforcement decisions. The NDRC has also confirmed that it is investigating Qualcomm and InterDigital for possible abuse of dominance conduct. In private enforcement, there have been court decisions that, for the first time, found a breach of the AML relating to an abuse of dominance involving intellectual property rights and another involving price fixing. We also outline some of the proposed reforms to come out of the Third Plenum of the 18th Congress of China's Communist Party.

1. Laws and Policies

1. MOFCOM Issues Interim Regulation for Identifying "Simple" Cases

On 11 February 2014, MOFCOM issued the Interim Regulation on the Applicable Standards for Simple Cases of Concentrations Between Business Operators (关于经营者集中简易案件适用标准的暂行规定). This interim regulation is effective from 12 February 2014 onwards.

Under the interim regulation, the following mergers will be classified as "simple cases":

- horizontal mergers where the parties' combined market share in the overlap markets is below 15%
- vertical mergers where the parties' market share in the relevant upstream and downstream markets is below 25%
- conglomerate mergers where the parties' market share is below 25% in their respective markets

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- offshore joint ventures that will not engage in any economic activities in China
- reduction in the number of controlling shareholders in a joint venture that results in the joint venture being controlled by one or more of the remaining shareholder/s

However, even where a merger satisfies one of these conditions, it will not be deemed a simple merger if:

- the number of controlling shareholders in a joint venture is reduced and the joint venture is controlled by one or more of the remaining shareholder/s, the remaining controlling shareholder/s competes with the joint venture in the same relevant market
- the relevant market is difficult to define
- the merger may have an adverse effect on market entry or technological progress, consumers or other business operators, Chinese economic development, or, in MOFCOM's view, otherwise adversely affect competition

The simple case classification may be revoked by MOFCOM where:

- the applicant conceals important information or provides false and misleading information
- a third party alleges that the merger has the effect of eliminating or restricting competition and provides relevant evidence
- MOFCOM discovers that there has been a material change in the circumstances surrounding the merger or competition in the relevant market

The interim regulation, however, does not go further to specify what the consequences of such "simple" classification may be. For example, whether simple cases will be subject to a fast-track merger review process and/or required to submit fewer notification materials. A previous draft of the regulations had provided that simple cases would be reviewed within the first 30 days except in special circumstances.

In practice, the merger review process can be very lengthy and many reviews can go into Phase 2 and beyond, even for mergers that do not raise competition concerns. We expect the interim regulation to be the first step in establishing a genuine fast-track merger review process and lessening the notification burden for mergers that do not merit an in-depth investigation, and that additional regulations will follow.

Source: <http://fldj.mofcom.gov.cn/article/ztxx/201402/20140200487001.shtml>

2. The NDRC Promulgates the Amended Regulation on the Handling of Complaints of Price-related Violations

On 15 January 2014, the NDRC published the amended *Regulation on the Handling of Complaints of Price Violations* (价格违法行为举报处理规定), which will take effect on 1 May 2014. The regulation governs the acceptance, handling, and notice of complaints of price-related violations filed with the NDRC.

The NDRC has also published the *Guiding Opinions on the Online Handling of Cases Involving Administrative Penalties for Price-related Violations* (价格行政处罚案件网上办理指导意见), the Model Text for Documents Relating to Complaints of Price-related Violations (价格举报文书示范文本) and the amended *Measures for the Rewards for Complaints of Price-related Violations* (价格违法行为举报奖励办法).

Sources:

- http://jjs.ndrc.gov.cn/zcfg/t20140121_576448.htm
- http://jjs.ndrc.gov.cn/zcfg/t20140122_576670.htm
- http://jjs.ndrc.gov.cn/zcfg/t20140122_576672.htm
- http://jjs.ndrc.gov.cn/zcfg/t20140129_578175.htm

2. Cases

1. MOFCOM Conditionally Approves Thermo Fisher Scientific's Acquisition of Life Technologies

MOFCOM conditionally approved Thermo Fisher Scientific's acquisition of Life Technologies, both US-based global biotechnology companies, on 14 January 2014. MOFCOM's review period went into Extended Phase 2 and lasted 140 days.

Competition assessment

MOFCOM identified 59 products across 3 main sectors (molecular biology, protein biology, and cell culture technology) where the merging parties have competitive overlaps. It concluded that the relevant geographic market is China, although it also considered the effect of the merger on the global market.

MOFCOM's competition analysis consisted of 3 stages. First, it narrowed down the scope of its enquiry to 13 products by calculating the Herfindahl-Hirschman Index (HHI) for the 59 product markets. Second, it forecast the post-merger price of these 13 products, and found that prices would increase by more than 5% in 12 of those products. Finally, it conducted an in-depth competition assessment of these 12 product markets, and found that competition would be eliminated or restricted in 8 products within 3 product categories (cell culture products, SSP kits, and SDS-PAGE protein standards). It also conducted an in-depth competition assessment of siRNA reagents, as the merging parties are 2 of the 4 companies worldwide that are authorised to manufacture the product.

MOFCOM concluded that the merger would have the effect of eliminating or restricting competition in cell culture products, SSP kits, SDS-PAGE protein standards, and siRNA reagents.

An interesting facet of the case is the use of a "3-stage approach" to filter and reduce the number of relevant markets that are relevant for the competition assessment, and it is a first among MOFCOM's public decisions. This approach may well be a template for future transactions with overlaps in dozens of potentially affected relevant markets.

Remedies

To address its concerns, MOFCOM imposed a combination of structural and behavioural conditions. Thermo Fisher Scientific is required to:

- divest its global cell culture business, global gene modulation business, and 51% equity interest in Lanzhou National Hyclone Bio-Engineering Co., Ltd.
- for the next 10 years, lower the list prices for SSP kits and SDS-PAGE protein standards by 1% each year in China and retain the same level of discounts offered to Chinese distributors, and commit to either supplying these products to third parties on an original equipment manufacturer basis or grant them a perpetual and non-exclusive licence to use the technology relating to these products

The merger was also reviewed by competition authorities in other countries, including the United States, European Union, and Australia, and New Zealand, and Japan, who also required divestitures and behavioural remedies.

Source: <http://fldj.mofcom.gov.cn/article/ztxx/201401/20140100461603.shtml>

2. MOFCOM's Unconditional Merger Clearance Decisions in the Fourth Quarter of 2013

On 11 January 2014, MOFCOM released the list of 56 merger cases that it unconditionally cleared in the fourth quarter of 2013.

Source: <http://fldj.mofcom.gov.cn/article/zcfb/201401/20140100457358.shtml>

3. Guangdong Price Bureau Fines Driving School Associations for Price Fixing

On 14 January 2014, the Guangdong Price Bureau announced that it had fined three driving school associations in Guangzhou, Shenzhen, and Foshan each RMB 350,000 for price fixing.

Each driving school association organised meetings in 2012 where its members discussed and set “industry guidance prices”, whereby a minimum price or an acceptable range of prices was specified. This conduct was found to have breached Article 16 of the AML and Article 9 of the NDRC’s Anti-Monopoly Price Regulation. In determining the quantum of the fine, the Guangdong Price Bureau took into account the fact that the associations had no malicious intent, cooperated with the investigation, and actively rectified their illegal conduct.

Source: <http://www.gdpi.gov.cn/zwdt/420844.jhtml>

4. Guangdong AIC Fines Huizhou Daya Bay Yiyuan Water Company for Illegal Bundling

On 16 December 2013, the Guangdong Administration for Industry and Commerce (Guangdong AIC) found that Huizhou Daya Bay Yiyuan Water Company (Yiyuan) breached Article 17(5) of the AML and Article 6(4) of the SAIC’s *Regulation on Prohibiting Abuse of Dominance Conduct* for unreasonably bundling residential water meter services to its temporary water supply services and thereby abusing its dominant position.

The Guangdong AIC found that Yiyuan had a dominant market position for the supply of water in the given locality and that it had, since December 2009, imposed unreasonable conditions to its provision of temporary water supply services to construction sites. It required that property developers sign agreements that engaged Yiyuan for both temporary water supply services and residential water meter projects. Where the property developer objected to this, the property developer was required instead to execute a commitment letter stating that it would sign a residential water meter project agreement with Yiyuan and acknowledged that Yiyuan could stop the water supply in event of breach of the letter. In areas where Yiyuan was not authorised to provide services, it required that property developers sign temporary water supply and residential water meter agreements with designated third parties.

The Guangdong AIC found that these conditions were not reasonably justified because they were not common business practices, imposed against the will of the property developers, and went beyond the scope of the relevant local government regulations. It also rejected Yiyuan’s claim that such conditions were imposed to ensure the safety and quality of water supply. Instead, it found that Yiyuan’s conduct adversely affected competition.

The Guangdong AIC ordered that Yiyuan stop the illegal activities, confiscated illegal gains (RMB 860,239.09), and imposed a fine of RMB 2,363,597.45 (2% of Yiyuan’s annual revenue in the previous year).

Source: http://www.saic.gov.cn/zwgk/gggs/jzzf/201401/t20140106_140960.html

5. Guangdong High People’s Court Decision on *Huawei v InterDigital*

On 28 October 2013, the Guangdong High People’s Court handed down its decision on the abuse of dominance case between Huawei and InterDigital that was on appeal from the Shenzhen Intermediate People’s Court.

In December 2011, Huawei filed a case before the Shenzhen Intermediate People’s Court, alleging that InterDigital had abused its dominance in breach of the AML by charging an unfairly high royalty rate for its standard essential patents (SEPs) for 2G, 3G, and 4G wireless communications and tying the licensing of non-SEPs to SEPs. In April 2013, the Shenzhen Intermediate People’s Court found that InterDigital had abused its dominance by charging Huawei excessive royalties and tying the licensing of non-SEPs to SEPs. The court found that the fact that InterDigital sued Huawei for patent infringement and lodging complaints to the US International Trade Commission, while still in licensing negotiations with Huawei was to exercise undue pressure aimed at allowing InterDigital to obtain excessive royalties. The court awarded RMB 20

million in damages to Huawei and, in a separate judgment of the same day, ordered that InterDigital license the SEPs to Huawei at a court-determined royalty rate of 0.019%. Both Huawei and InterDigital appealed to the Guangdong High People's Court.

The Guangdong High People's Court upheld the Shenzhen Intermediate People's Court's finding that InterDigital had breached Article 17(1) of the AML by charging Huawei excessive royalties for SEPs. It rejected Huawei's bundling claim, finding that InterDigital's bundling of non-SEPs with SEPs was justified on efficiency grounds. The court upheld the order upon InterDigital to pay Huawei RMB 20 million in damages.

We believe that this is the first known case in China where a court found an abuse of dominance through the exercise of intellectual property rights. It does not appear that the courts considered Article 55 of the AML, which provides that the AML does not apply to the exercise of intellectual property rights in accordance with intellectual property laws and regulations, only the abuse of such rights, in reaching their decision.

Unfortunately, both the first instance and appeal decisions have not been made publicly available, as they are subject to a confidentiality order.

Since the Guangdong High People's Court's decision, Huawei and InterDigital have settled their patent licensing disputes and agreed to dismiss their ongoing litigation between them (with an exception) and withdraw complaints, including the US International Trade Commission investigation and competition cases.

Sources:

http://news.xinhuanet.com/2013-10/30/c_117928934.htm

<http://www.infzm.com/content/95494>

<http://online.wsj.com/article/BT-CO-20131224-702983.html>

6. Beijing No 2 Intermediate People's Court Rules on Price Fixing and Collective Boycott Case

On 21 November 2013, the Beijing No 2 Intermediate People's Court ruled that the Beijing Seafood Wholesalers Association had organised for its members to reach a horizontal monopoly agreement in breach of the AML. Among the cases in the public domain, this is the first time that a Chinese court found that conduct constituted a horizontal monopoly agreement in breach of the AML.

The Beijing Seafood Wholesalers Association issued a manual to its members. According to the manual, members were prohibited from selling scallops below the price set by the association and from selling scallops to non-members in markets where members participated. Members violating these provisions were fined, whereas members who reported deviations were given a financial reward.

A member of the association brought the action, seeking a declaration that these provisions void, an order to stop the conduct, and damages. The association argued that the provisions were based on the requirements of the upstream scallop suppliers, that members could determine their price based on the minimum price, and that prohibiting members from selling to non-members was to prevent inter-region sales.

The court found that the association intended to control the market and increased the operating costs of non-members, both of which harmed consumer interests and eliminated and restricted competition. It also declared both provisions void as they had fixed prices in breach of the AML. The association has appealed the decision.

Source: <http://bj2zy.chinacourt.org/public/detail.php?id=1152>

7. Shaanxi High People's Court Issues Decision on Bundling

The Shaanxi High People's Court recently released its September 2013 decision which overturned the Xi'an Intermediate People's Court verdict that Shaanxi Broadcast and TV Network Media (Shaanxi Broadcast) had abused its dominance.

Wu Xiaoqin sued Shaanxi Broadcast, alleging that the latter had abused its dominance and breached Article 17(5) of the AML by selling bundled cable TV services without valid justification. In May 2012, Shaanxi Broadcast increased the price of its cable TV service by RMB 5 to RMB 30/month. The price increase included a RMB 15 fee for value-added cable services that were sold with the basic cable TV services. The Xi'an Intermediate People's Court ruled in favour of Wu.

On appeal, the Shaanxi High People's Court upheld the lower court's ruling that Shaanxi Broadcast had a dominant market position, but found that it did not engage in unlawful bundled sales. It found that Shaanxi Broadcast offered both combined cable TV services and basic cable TV services separately, meaning that customers had a choice and that the bundled sales were not forced.

Source: http://www.court.gov.cn/zgcpws/shanxi/zscq/201401/t20140114_222322.htm

8. Supreme People's Court Dismisses Qihoo 360's Unfair Competition Appeal Against Tencent

On 24 February 2014, the Supreme People's Court upheld the Guangdong High People's Court's decision on the unfair competition case between Tencent, an Internet company, and Qihoo 360, a leading Chinese anti-virus software developer. Tencent and Qihoo 360 have been involved in a three-year long legal battle.

Tencent sued Qihoo 360 for engaging in unfair competition in breach of Article 14 of the *Anti-Unfair Competition Law*, alleging that Qihoo 360 had lured and provided tools for users to change the operation mode of Tencent's QQ software. The Supreme People's Court agreed that Qihoo 360's methods were an unfair use of its market strength, and ordered Qihoo 360 to pay Tencent RMB 5 million.

The related AML litigation between Qihoo 360 and Tencent remains pending before the Supreme People's Court.

Source: http://china.cnr.cn/gdgg/201402/t20140224_514924261.shtml

Background information:

'Qihoo 360 v Tencent', April 2012 edition of the China Competition Bulletin, pg 4

'High People's Court of Guangdong Hands Down Judgment in Qihoo v Tencent', March/April 2013 edition of the China Competition Bulletin, pg 6–7

3. News of Anti-Monopoly Enforcement Agencies and the Courts

1. Update on MOFCOM's Enforcement Activities

2013 has been the busiest year for MOFCOM since the AML came into effect in August 2008. It received 224 merger filings, which was an increase of 8% from 2012. It unconditionally approved 211 mergers and conditionally approved 4 mergers (Glencore/Xstrata, Marubeni/Gavilon, Baxter/Gambro, and MediaTek/MStar Semiconductor). It has also investigated cases of non-compliance with the merger notification requirements. As at the end of October 2013, it has conducted 9 such investigations, 2 of which were completed, and imposed fines and warnings on the relevant parties.

It should be issuing the *Regulation on the Imposition of Restrictive Conditions on Concentrations Between Business Operators* (关于经营者集中附加限制性条件的规定) very soon. It has finished drafting the regulation (a draft was released for public comment in March 2013) and is currently going through the necessary legal procedures. The new regulation will cover the types and negotiation of "restrictive conditions" (as remedies

are called in China), asset divestiture and buyers, divestiture procedures, and the variation and removal of restrictive conditions. The regulation will replace the interim regulation on implementing asset or business divestitures that were released in July 2010.

In 2014, MOFCOM also plans to look at revising the *Regulation on the Notification of Concentrations Between Business Operators* (经营者集中审查办法) that were issued in July 2009.

Sources:

<http://fldj.mofcom.gov.cn/article/zcfb/201401/20140100457358.shtml>

<http://www.mofcom.gov.cn/article/ae/ai/201312/20131200412789.shtml>

<http://www.mofcom.gov.cn/article/ae/slwf/201402/20140200502174.shtml>

2. Update on the NDRC's Enforcement Activities

The NDRC recently confirmed that it is currently investigating InterDigital and Qualcomm under the AML for possible abuse of dominance.

Its InterDigital investigation was launched in June 2013 and relates to claims that it charged Chinese telecommunications manufacturing businesses discriminatory and excessive patent licensing fees. InterDigital has recently submitted proposed commitments to the NDRC and has applied to have the investigation suspended. The NDRC is currently assessing the commitments.

The investigation into Qualcomm was reportedly initiated in November 2013 in response to complaints from industry associations and businesses, and relates to claims of abuse of dominance and discriminatory fees. According to reports, NDRC officials conducted simultaneous raids on Qualcomm's offices in Beijing and Shanghai in November last year, and also investigated a number of domestic and foreign companies such as mobile phone manufacturers and chip manufacturers. The investigation is said to be still in its initial stages.

With respect to the NDRC's abuse of dominance investigation into China Telecom and China Unicom, which was first announced in November 2011, the regulator is currently assessing whether the parties have fulfilled their commitments and will make a decision based on its assessment in due course.

The NDRC is expanding its anti-monopoly capabilities. In 2014, twenty new staff will join the NDRC Bureau of Price Supervision and Anti-Monopoly, and 150 new staff will work on AML enforcement in its local bureaus.

Sources:

http://www.ndrc.gov.cn/xwfb/t20140219_579522.htm

http://www.china.com.cn/zhibo/2014-02/19/content_31502397.htm

http://usa.chinadaily.com.cn/business/2013-12/12/content_17170067.htm

3. Update on the SAIC's Enforcement Activities

In 2013, the SAIC authorised its provincial AICs to investigate 11 AML cases, and 4 cases were completed. Reportedly, the SAIC's investigation into TetraPak is continuing.

In 2014, with respect to AML work, the SAIC intends to focus on anticompetitive conduct in public enterprises, especially telecommunications services, public transport, and water, electricity, and gas supply. In November 2013, the NDRC had similarly released a list of sectors where its antitrust enforcement is expected to focus, including aviation, customer goods, automobiles, telecommunications, pharmaceuticals, and home appliances.

The official statements by Chinese antitrust authorities about the sectors they intend to focus on are important signals for companies, allowing them to reinforce their antitrust compliance on time.

Sources:

http://www.saic.gov.cn/ywdt/gsyw/zjyw/xxb/201401/t20140115_141244.html
http://www.saic.gov.cn/ywdt/gsyw/zjyw/xxb/201401/t20140115_141241.html
http://news.xinhuanet.com/fortune/2013-12/26/c_118723349.htm
http://news.xinhuanet.com/fortune/2013-11/24/c_118270369.htm

4. Central and Local Government News

1. Outcomes of the Third Plenum

The Third Plenum of the 18th Congress of the Chinese Communist Party was held in November 2013. Traditionally, third plenums have been where the new leadership consolidates power and announces major policy initiatives, including economic reforms.

Following the Third Plenum, the Chinese Communist Party released the “Decision on Some Major Issues Concerning Comprehensively Deepening Reforms”, which detailed the party’s plan for reform. There are eleven main issues and initiatives in the reform plan.

Some areas are especially relevant for competition policy. First, markets are now recognised to play a “decisive role” in resource allocation. In particular, there will be price reforms in the water, oil, natural gas, electricity, transportation, and telecommunications industries, and government-determined prices will be limited to important public utilities, public welfare services, and network-based natural monopolies. Financial markets will also be gradually opened up. Second, several SOE reforms were announced, and they focus on allowing more private capital into SOEs and improving corporate governance and enterprise management. State ownership nonetheless continues to play a “leading role” in the economy.

Other key areas of reform include fiscal and taxation reforms, integrating rural-urban development (in particular land reform), strengthening consultative democracy, judicial reforms (improving the professionalism of judges, having trials be open, and abolishing the re-education through labour system), anti-corruption, Internet governance, establishing a National Security Committee, and environmental protection. A new leading small group, led by President Xi Jinping, will be established to lead and coordinate the reforms, which is a strong signal that the Chinese Communist Party is committed to these reforms.

It has been reported that, of the 60 items outlined in the decision, 31 are already being implemented. Such items include improving the management of SOEs, adopting a work program to combat administrative monopolies (see below), and various administrative reforms.

Sources:

http://news.xinhuanet.com/politics/2013-11/15/c_118164235.htm
http://news.xinhuanet.com/politics/2013-11/15/c_118164294.htm
http://epaper.bjnews.com.cn/html/2014-02/24/content_496462.htm?div=-1

2. Various Central Ministries Adopt a Work Program to Fight Administrative Monopolies

In December 2013, the *Work Program to Eliminate Regional Blockades and Break Industry Monopolies* (消除地区封锁打破行业垄断工作方案) was adopted by twelve central ministries (including MOFCOM, the NDRC, and the SAIC). It was adopted in response to the outcomes of the Third Plenum.

The work program sets out 6 main duties: (1) improve consolidated tax policy for inter-regional businesses; (2) resolve discriminatory fees and prices for non-local goods and services; (3) resolve abuses of administrative power that designate the purchase of specific goods and services; (4) resolve barriers or restrictions on the import of non-local products or export of local products; (5) increase support for and

coverage of financial services; and (6) clean up laws and regulations that implement regional blockades and industry monopolies.

Source: http://www.gov.cn/gzdt/2013-12/10/content_2545710.htm

5. News of State-Owned Enterprises

1. Plans for SOE Reforms Expected Soon

In response to the Third Plenum, the State-owned Assets Supervision and Administration Commission (SASAC) is expected to roll out plans for SOE reforms soon.

According to reports, SASAC will distinguish between various types of SOEs and different reform programs will be developed for each type. It is understood that SOEs will be classified into 4 main categories: (1) purely public welfare enterprises whose main aim is to serve society, such as military and salt; (2) purely market enterprises whose main aim is profit, such as automobile and electronics; (3) enterprises that are mainly public welfare-based, with the market as a supplement, such as oil and telecommunications; and (4) enterprises that are mainly market-based, with public welfare as the supplement.

Other reported planned reforms include natural monopoly reforms that will focus on separating government functions from both management and capital, franchises, and government regulation; enterprise performance; and the appointment and compensation of employees.

Sources:

http://www.jjckb.cn/2013-11/15/content_476619.htm

http://www.jjckb.cn/2013-11/20/content_477322.htm

6. Other News/Media Comments

1. Why the Antitrust Investigation Into China Telecom and China Unicom Has Lingered for Three Years Without Any Result

Several experts were asked to weigh in on the NDRC's ongoing abuse of dominance investigation into China Telecom and China Unicom. As noted above, the investigation was made public in November 2011 and has not yet led to any published decision. Instead, China Telecom and China Unicom have provided commitments to the NDRC to improve interoperability, improve Internet connection speeds, and reduce prices.

Experts believe that the outcome of the NDRC's investigation will have an important effect on the telecommunications industry. For example, Professor Huang Yong believes that the investigation against the state-owned enterprises can highlight the role of the AML, increase awareness of competition law, and help industry reform efforts. Professor Cao Fengqi thinks that the investigation will help private companies that wish to enter some monopoly industries.

Source: <http://www.legalweekly.cn/index.php/Index/article/id/4613>

7. Selected Publications in English

1. 'The Chinese Anti-Monopoly Law: New Developments and Empirical Evidence' By Michael Faure and Zhang Xinzhu

This book examines how the Chinese anti-monopoly enforcement authorities deal with cases and use economic reasoning in their decision-making. Topics covered include private enforcement, administrative monopolies, the role of the state, relevant market definition, and regulated industries.

More information is available at: http://www.e-elgar.com/bookentry_main.lasso?currency=US&id=14825

2. CPI Antitrust Chronicle Winter 2014, Volume 2 Number 1: China Update

With the arrival of the New Year of the Horse, the CPI Antitrust Chronicle has released a collection of articles on recent developments in Chinese antitrust law and economics.

More information is available at: <https://www.competitionpolicyinternational.com/feb-14/>

3. 'Competition Law in China: Laws, Regulations, and Cases' By Sebastien J Evrard, Peter J Wang, and Yizhe Zhang

This work is a bilingual (Chinese/English) compilation of all legal texts applicable to the area of competition law in China, including laws, regulations, judicial interpretations, as well as MOFCOM merger decisions.

More information is available at: <http://global.oup.com/academic/product/competition-law-in-china-9780198703822;jsessionid=5A31957031FF5E105C92077DF656C71C?cc=sg&lang=en&>

Editorial Changes

Dr Jessica Su, a founding editor, and Dr Annie Ying Xue have stepped down as editors due to other commitments. We acknowledge their excellent contributions to previous issues of the China Competition Bulletin.

We are pleased to welcome Mr Adrian Emch, Lecturer of Competition Law at Peking University, to the editorial team.

Professor Allan Fels is now at the University of Melbourne and the Competition Law & Economics Network at Melbourne Law School has taken over the production of the China Competition Bulletin.

Major Acronyms

| | |
|--------|---|
| AML | Anti-Monopoly Law 2007, PRC |
| MOFCOM | Ministry of Commerce, PRC (MOFCOM is one of China's three competition enforcement agencies which applies the AML and is responsible for enforcing the merger control regime under the AML) |
| NDRC | National Development and Reform Commission, PRC (NDRC is one of China's three competition enforcement agencies which applies the AML and is responsible for enforcing price-related infringements of the AML in the areas of restrictive agreements and abuse of dominant market position) |
| SAIC | State Administration for Industry and Commerce, PRC (SAIC is one of China's three competition enforcement agencies which applies the AML and is responsible for enforcing non price-related infringements of the AML in the areas of restrictive agreements and abuse of dominant market position) |
| PRC | People's Republic of China |

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