Highlights

The Chinese antitrust authorities have been quite active during the last two months. The Ministry of Commerce (MOFCOM) conditionally approved Microsoft's acquisition of Nokia’s Devices & Sales business, and unconditionally approved 42 mergers during the first quarter of 2014. MOFCOM has also released guiding opinions that set out the materials required to be provided in the review of “simple” mergers and the simple case procedure, and announced that it will publish decisions relating to its investigations of mergers that were potentially not notified to MOFCOM in breach of the Anti-Monopoly Law (AML). The local authorities of the National Development and Reform Commission (NDRC) in Xiamen and Jiangsu have also been investigating price-related antitrust violations in the courier and pharmaceutical industries, respectively.

On the private enforcement front, an intermediate people’s court in Shanghai has begun to hear an abuse of dominance case against the Shanghai branch of China Mobile. The courts also recently disclosed two abuse of dominance civil litigation cases that were handled in 2013. One case concerned Microsoft, whereas the other involved a 4S auto shop.

We also provide a brief overview of the 2014 meetings of the National People’s Congress (NPC) and the Chinese People’s Political Consultative Congress (CPPCC).

1. Laws and Policies

1. MOFCOM Publishes Guidance on the Notification of “Simple” Mergers

On 18 April 2014, MOFCOM released the Guiding Opinions on the Notification of Simple Cases of Concentrations Between Business Operators (Trial) (《关于经营者集中简易案件申报的指导意见(试行)》). The guidance document applies to mergers that are classified as “simple cases” according to the Interim Regulation on the Applicable Standards for Simple Cases of Concentrations Between Business Operators that were issued in February 2014.
Parties can approach MOFCOM prior to making a notification to ascertain whether their merger satisfies the criteria to be considered a simple case, although this step is not mandatory. They must formally apply to MOFCOM to have their merger be treated as a simple case.

Notification Materials for Simple Cases

The materials required to be provided for simple case notifications include:

- information as to the names, residence, and scope of operations of the merging parties; the expected closing date of the merger; proof of identification or certificate of registration of the notifying party (foreign notifying parties must submit notarised and certified documents issued by local authorities); and power of attorney where an agent submits the notification
- a description of the competitive impact of the merger on the relevant market/s, including merger overview, definition of the relevant market/s, market shares of the merging parties and their main competitors, and competition assessment
- a copy of the merger agreement, together with relevant documents
- the merging parties’ audited financial statements for the previous financial year
- other materials as required by MOFCOM

The above information can be provided by completing the Notification Form for Anti-Monopoly Review of Simple Cases of Concentrations Between Business Operators. Both the non-confidential and confidential versions of the notification form should be submitted, and business secrets should be clearly marked in the notification materials.

Notifying parties must also complete and submit the Public Notice for Simple Cases of Concentrations Between Business Operators which contains a summary description of certain key parts of the notification materials.

Determination and Revocation of Simple Case Classification

MOFCOM will review the notification materials to determine whether the merger satisfies the criteria to be classified as a simple case. If the criteria are satisfied, MOFCOM will initiate a simple case procedure.

After a simple case procedure is initiated, the public notice will be published on MOFCOM’s website. The public consultation period is 10 days. During this time, any third party can submit written comments to MOFCOM on whether the merger should be treated as a simple case. If a third party believes that the merger should not be deemed a simple case, it must raise its objections during this 10-day period and provide relevant evidence and contact details. MOFCOM will not consider third parties’ comments if contact details are not provided or are false.

If MOFCOM finds that the merger should not be classified as a simple case, whether before or after formally initiating a simple case, it will require that the notifying party re-submit the notification as a standard case and the merger will undergo review according to the standard procedures for merger review. Prior to making that determination, MOFCOM will consider the views of the notifying parties and verify their facts, reasons, and evidence.

If the notifying parties conceal important information or provide false or misleading information, MOFCOM can require them re-submit the notification as a standard case and seek administrative sanctions pursuant to Article 52 of the AML.

The new guidance reduces the notification burden for simple merger cases. Whilst the guidance does not set in place a system whereby simple cases are necessarily subject to a fast track merger review process, MOFCOM’s case practice will hopefully evolve in this way.

2. MOFCOM to Publicise Cases where Parties Failed to Comply with Merger Notification Requirements

MOFCOM announced that it would publish on its website decisions relating to investigations of parties failing to notify concentrations that meet the merger notification thresholds where administrative sanctions are imposed. It also announced a fax number through which whistle-blowers and third parties can report cases of concentrations that were potentially not notified to MOFCOM in breach of the law.

MOFCOM's new policy will apply to investigations initiated after 1 May 2014. Decisions for investigations initiated prior to 1 May 2014 will not be automatically publicised.

The Provisional Measures on the Investigation and Handling of Concentrations between Business Operators Not Notified in Accordance with the Law have been in effect since 1 February 2011. As of October 2013, MOFCOM has reportedly investigated nine cases where parties had not complied with the notification requirements, two of which have been completed, and fines and warnings were imposed on the relevant parties. Information on these investigations has not been made public.

Sources:

2. Cases

1. MOFCOM Conditionally Approves Microsoft’s Acquisition of Nokia’s Devices & Sales Business

On 8 April 2014, MOFCOM announced that it had conditionally approved Microsoft’s acquisition of Nokia’s Devices & Sales Business. It also held a press conference to explain its decision. MOFCOM’s review process went into phase 2 and lasted 180 days in total.

**Competition Assessment**

MOFCOM’s review centred on three product markets: smartphones, smart mobile device operating systems (OS), and smart mobile device patent licensing. With respect to the smart mobile device patent licensing market, MOFCOM focused its analysis on communications technology standard essential patents (SEPs), Microsoft’s program of patents that allegedly relate to Android (which include SEPs and non-SEPs), and 26 categories of Microsoft’s non-SEPs relating to smart mobile devices.

MOFCOM found that the acquisition would eliminate or restrict competition in the Chinese smartphone market.

First, Microsoft may be able to rely on its claimed Android-related patents to eliminate or restrict competition in the Chinese smartphone market. According to Microsoft, its Android-related patents are essential to the Android OS and Android smartphone production, and a substantial majority of the smartphone manufacturers in China are unable to avoid using Microsoft’s Android-related patents. Hence Microsoft has the ability to, through its Android licensing program, restrict competition in the smartphone market. Further, Microsoft would acquire smartphone manufacturing capabilities as a result of the acquisition, and has incentives to raise its smartphone manufacturing rivals’ costs by increasing its patent licensing fees. MOFCOM also noted that cross-licensing acts to restrict market dominant players from abusing their patent rights, but that the vast majority of Chinese smartphone manufacturers (more than 90%) do not have technologies to cross-license with Microsoft and therefore have low countervailing power.

Second, the acquisition may result in the abuse of Nokia’s patents. Post-acquisition, Nokia will exit the mobile phone market but retain all communications and smartphone related patents. MOFCOM was concerned that the acquisition would change Nokia’s behavior and incentives and result in Nokia relying on its SEPs to eliminate or restrict competition in the Chinese smartphone market. Nokia possesses thousands of communications-related SEPs and is the leader in that field. All smartphone manufacturers need to use these
SEPs, and Nokia, through these SEPs, has control over the supply of these patents in the smartphone market. As Nokia will exit the downstream equipment and services market, Nokia no longer needs to obtain cross licenses for its mobile phone business. MOFCOM believed that this decreases the incentive for Nokia to maintain a relatively low level of patent licensing fees for mobile phones and increases Nokia’s incentives to rely on patent licensing to increase its profits. This also means that smart mobile device manufacturers, who would have been counterparties to those cross licenses, will no longer have countervailing power.

MOFCOM also found that patent licenses are the main barrier to entry into the smartphone market. As China is both the world’s largest producer (accounting for 75% of global production of smartphones) and consumer of mobile phones (accounting for 34% of global consumption), MOFCOM concluded that Microsoft’s and Nokia’s refusal to grant patent licenses or increase of patent licensing fees would eliminate and restrict competition in China’s smartphone market.

In contrast, MOFCOM did not find that the vertical relationship between Microsoft’s smart mobile device OS and Nokia’s smart mobile device (which is acquired as a result of the acquisition) would lead to the elimination or restriction of competition. It found that neither Microsoft nor Nokia has a dominant position in the upstream smart mobile device OS market or the downstream smartphone market. It would be difficult for Microsoft to block smart mobile device OSs by refusing authorisation, increasing smart mobile device OS licensing fees, or engaging in discriminatory licensing practices, or rely on Nokia branded smartphones to block OS developers.

Remedies

MOFCOM imposed behavioural conditions on the acquisition to address its concerns. Microsoft is required to:

• license its SEPs for smartphones on a fair, reasonable, and non-discriminatory (FRAND) basis, not seek injunctive relief against any willing licensee in China, not require licensees to license their patents to Microsoft except for SEPs reading on the same standard, and not transfer its SEPs to third parties without them agreeing to these commitments. This commitment continues until MOFCOM agrees to amend or terminate it
• continue to make non-exclusive licenses available for its non-SEPs relating to the manufacture, sale, and use of smartphones as per existing terms and arrangements. These include Microsoft’s existing Android licensing program and EAS, RDP, and exFAT patent licensing programs. This commitment continues for 8 years (until 8 April 2022)
• not transfer specified non-SEPs to third parties for 5 years, and afterwards these patents can only be transferred if the transferees commit to adhere to Microsoft’s prior commitments related to these patents

Microsoft’s commitments terminate if it no longer controls Nokia’s Devices & Sales Businesses. It can also apply to MOFCOM to vary or terminate the commitments due to change in market conditions.

Nokia is required to:

• continue to license its SEPs on a FRAND basis
• with respect to good faith licensees, not seek to prevent the implementation of SEPs by enforcing injunctions
• not tie the licensing of FRAND SEPs to the licensing of other patents
• ensure that transferees of Nokia’s SEPs comply with the FRAND obligations
• not to deviate from the current FRAND licensing rates, other than reasonable adjustment based on certain factors

Nokia’s commitments are effective indefinitely, but its reporting requirements to MOFCOM last for 5 years (until 8 April 2019).

MOFCOM has the power to supervise compliance with the remedies, and to appoint a monitoring trustee.
The acquisition was subject to merger review in 16 countries, including the United States, European Union, and Canada, and had already been unconditionally approved by the US Department of Justice, the European Commission, and a number of other competition authorities. The Taiwan Fair Trade Commission also imposed conditions to its approval. There were also reports that the Korea Fair Trade Commission would approve the transaction subject to conditions, but Microsoft changed the scope of the transaction by carving out a Korean factory from the acquisition and closed the amended transaction without waiting for the Korea Fair Trade Commission’s suspensory approval.

Sources:

2. MOFCOM’s Unconditional Merger Clearance Decisions in the First Quarter of 2014
On 4 April 2014, MOFCOM released the list of 42 merger cases that it unconditionally cleared in the first quarter of 2014.

3. Xiamen Price Bureau Investigates Xiamen Courier Industry Association’s Price Self-Discipline Convention
On 3 April 2014, the Xiamen Price Bureau held a meeting for 14 courier companies and major media outlets to call for the end of the “Xiamen Courier Industry Price Self-Discipline Convention”.

The convention was organised by the Xiamen Courier Industry Association in Xiamen, Fujian Province, and set the minimum shipping fees to be implemented from 1 April onwards. The convention was organised in response to a portion of e-commerce operators to jointly force lower prices, leading the courier companies to “maliciously” compete at low prices and resulting in nearly 60% of the companies operating at a loss.

The Xiamen Price Bureau found that the convention breached the price collusion and price monopoly provisions of the Price Law and the AML. The courier companies are required to stop implementing the convention, conduct internal investigations, and report on the result of those investigations to the Xiamen Price Bureau.

4. Jiangsu Investigates Nine Pharmaceutical Companies for Price-Related Monopoly Conduct
Reports indicate that the NDRC recently authorised the Anti-Price Monopoly Bureau of Jiangsu Province to investigate nine pharmaceutical companies in Jiangsu, Anhui, Shanghai, Zhejiang, Hebei, and Liaoning for potential price-related antitrust violations. According to the report, this is the first cross-province antitrust investigation undertaken by a provincial price regulator.
Source: http://jsfzb.xhby.net/html/2014-04/25/content_996776.htm

5. Microsoft Abuse of Dominance Suit Ends in Settlement
The Guangzhou Intermediate People’s Court recently issued its yearly report on the top 10 intellectual property cases that it handled in 2013. Among the 10 cases disclosed, one was an antitrust lawsuit against Microsoft brought by a Chinese garment company. The case was ultimately settled.
Initially, Microsoft sued Guangzhou Kam Hing Textile & Dyeing Company for copyright infringement. In response, Guangzhou Kam Hing filed a counterclaim against Microsoft in November 2012, alleging that Microsoft had abused its dominant market position in China by selling its software at unfairly high prices. Guangzhou Kam Hing also alleged that Microsoft had engaged in geographic discrimination and unreasonable pricing in Mainland China. The Guangzhou Intermediate People’s Court’s press release indicates that the court examined issues such as Microsoft’s abusive practices, its discriminatory practices against Chinese companies, and its monopoly power in the industry.

It appears that the court encouraged the two companies to settle.

Sources:
http://www.gdzf.org.cn/zfyw/201404/t20140421_480573.htm
http://tech.163.com/12/1123/07/8GVQ7RMN00094MOK.html

6. Qingdao Court Publishes Judgment in Auto Abuse of Dominance Case

The Qingdao Intermediate People’s Court recently disclosed its judgment in an abuse of dominance lawsuit brought against an auto 4S shop. The judgment was made public on 23 April 2014, close to one year after the judgment was rendered on 28 April 2013.

In this case, the plaintiff, a customer surnamed Xu, claimed that the defendant, Guangqi Honda Fit, refused to sell engine oil and engine oil filters to the plaintiff unless the plaintiff also allowed the service station to carry out the car maintenance for him. Mr Xu sued Guangqi Honda Fit, alleging that the company had violated the AML and asked it to remove all “unreasonable” conditions attached to the transaction and pay RMB 10,000 (around USD 1,600) as compensation for incurred transportation costs.

The Qingdao court determined that the relevant market was the engine oil and filter market for Guangqi Honda Fit in Qingdao. The court found that there were many other Guangqi Honda auto 4S shops in Qingdao that could all provide engine oil and filters. The court found that the plaintiff failed to prove that engine oil and filters cannot be substituted with alternative products. Hence, the court ruled that the defendant had no dominant position in the relevant market, and dismissed the plaintiff’s claim.

Sources:
http://ipr.court.gov.cn/sd/ld/201312/t20131204_178028.html

7. Shanghai Court Hears Abuse of Dominance Case Against China Mobile

On 10 April 2014, the Shanghai No 2 Intermediate People’s Court began hearing an abuse of dominance lawsuit against the Shanghai branch of China Mobile.

Tong Hua, the plaintiff, sued China Mobile for alleged abuse of dominance, arguing that the company unilaterally cancelled his SIM card and mobile phone number within the 90-day grace period allowed for in the contract between him and China Mobile. Mr Tong initially claimed damages of RMB 10,000 (around USD 1,600). Subsequently however, he increased his claim to RMB 13.34 million (around USD 2.1 million). The Shanghai court adjourned the hearing due to this “material change”.

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

1. Update on the NDRC

The NDRC has provided a brief update about its investigation into Qualcomm, stating that senior executives of Qualcomm met with the NDRC on 3 April 2014 to discuss the issues related to the NDRC’s AML investigation.

Xu Kunlin, the Director-General of the NDRC Price Supervision and Anti-Monopoly Bureau, has commented that the number of AML enforcement actions initiated in 2014 will likely be higher than in 2013. He also revealed that the NDRC is monitoring competition in the taxi-booking software sector and between e-commerce businesses.

The NDRC is leading research into the electricity, oil, natural gas, and resource price reforms, and the mixed ownership reform program for the electricity, finance, and oil sectors. This research is being conducted following a request from the Central Leading Small Group for Comprehensively Deepening Reform, the leading small group established by the Chinese Communist Party to lead and coordinate the reforms outlined in the Third Plenum of the 18th Congress of the Chinese Communist Party (Third Plenum) that was held in November 2013.

The NDRC is also undergoing restructuring. On 6 March 2014, Xu Shaoshi, Chairman of the NDRC, announced that the restructuring plan for the NDRC has been finalised and approved. The plan greatly reduces the NDRC’s review and approval powers and strengthens the NDRC’s macroeconomic and policy coordination authority. The role of the NDRC will shift from micro-level control to macro-level management.

Sources:
http://jingji.21cbh.com/2014/4-19/xOMDA2NTFiMTE0MDxOA.html
http://www.chinadaily.com.cn/business/2014-03/06/content_17325817.htm

2. Update on the SAIC

The State Administration for Industry and Commerce (SAIC) reported that its abuse of dominance investigation into Tetra Pak continues to progress.

The SAIC has also reportedly launched an investigation into the conduct of Shankai Sports International, the exclusive hospitality sales agent for the FIFA World Cup 2014 in Greater China, for potentially breaching the AML. Consumers have complained that Shankai Sports bundles the sales of tickets with other services such as hotel accommodation.

Sources:
http://gb.cri.cn/42071/2014/03/05/6071s4449236.htm
http://www.chinanews.com/ty/2014/03-20/5973762.shtml
3. Eighth EU-China Competition Week Held in Beijing

The Eighth EU-China Competition Week, held pursuant to the EU-China Trade Project (II), took place in Beijing on 10–14 March 2014. Workshops were held on behavioural remedies in merger cases, case studies on the automotive sector and online retail industry, and basic concepts and principles in competition law enforcement. Representatives from MOFCOM, the NDRC, the SAIC, and the European Union presented at these workshops.

Sources:
http://www.euchinacomp.org/index.php/competition-weeks
http://www.saic.gov.cn/jgzf/fldyfbzljz/201403/t20140319_143102.html

4. Supreme People’s Court Publishes 10 “Innovative” IP Dispute Rulings

On 21 April 2014, China’s Supreme People’s Court (SPC) announced the top 10 innovative intellectual property law cases handled by Chinese courts in 2013. The list includes antitrust and antitrust-related cases. The “pure” antitrust case included in the list is the Johnson & Johnson case, where the Shanghai courts examined resale price maintenance under the AML. The antitrust-related case is Baidu v Qihoo, an unfair competition matter.

Jin Kesheng, the deputy chief justice of the intellectual property tribunal of the SPC, commented on each of 10 cases in the magazine Legal Daily.

Sources:
http://www.legaldaily.com.cn/index_article/content/2014-04/21/content_5467665.htm

4. Central and Local Government News

1. 2014 National People’s Congress and Chinese People’s Political Consultative Congress

The 2nd session of the 12th NPC was held in Beijing during 5–13 March 2014. The 2nd session of the 12th CPPCC was held in parallel, from 3–12 March 2014. These two meetings are two of China’s most important political events. In particular, these 2014 meetings are the first held since President Xi Jinping announced a wide range of reforms at the Third Plenum. The meetings provide important information and detail about how the government will implement those reforms.

At the meeting, Premier Li Keqiang, in his Government Work Report, announced that the targeted increase in GDP for 2014 is about 7.5%, with the targeted increase in CPI to be kept at around 3.5%. He also announced that the government would create 10 million urban jobs and keep the registered urban unemployment rate at below 4.6%.

Premier Li emphasised the importance of deepening reforms and ensuring that the market plays a decisive role in the allocation of resources. The focus of the reforms is on the administrative system, fiscal and taxation system, financial sector, and state-owned enterprises (SOEs). In particular, with respect to SOE reforms, the government has committed to improving the distribution and structure of the state-owned sector, accelerating the development of mixed-ownership economic entities, and establishing a modern corporate structure and corporate governance. Measures will be also formulated to allow private capital to participate in investment projects of central SOEs and in areas such as banking, oil, electricity, railway, telecommunications, resources development, and public utilities. Reforms will also be made with respect to railway investment and the financing system.
Other major tasks for the government in 2014 include advancing a new round of opening up to the international market; making domestic demand the main engine for growth; advancing agricultural modernisation and rural reform and development; embarking on people-centred urbanisation; making innovation the core of China’s economic and social development; reforming education, health, culture, and other social programs; improving people’s wellbeing; and strengthening environmental protection and control.

Regarding antitrust issues in particular, during the meeting sessions, many representatives of the NPC and members of the CPPCC voiced their opinions on the role that antitrust can play. Among them, Yuan Yafei, a member of the CPPCC, proposed that the de facto restriction of anti-monopoly review of mergers involving variable interest entities (VIEs) should be abolished, and that MOFCOM should formulate a more flexible policy. A few media outlets have reported that MOFCOM is indeed considering a policy change with regard to VIEs.

Sources:
http://news.12371.cn/2014/03/08/ARTI1394230485087414.shtml

2. State Council Issues Opinions to Improve the Institutional and Policy Environment for Mergers and Reorganisations

On 7 March 2014, the State Council adopted the Opinions of the State Council on the Further Optimisation of the Market Environment for Corporate Mergers and Reorganisations (《国务院关于进一步优化企业兼并重组市场环境的意见》). These opinions aim to improve the institutional and policy environment for mergers and reorganisations so as to strengthen industrial competitiveness, improve the efficiency of resource allocation, resolve the problem of excess capacity, and optimise the industrial structure.

Some of the measures outlined in the opinions include reforming the administrative review and approvals process, increasing the role of capital markets, implementing various fiscal and taxation policies, improving land management and staff relocation policies, strengthening industrial policy, strengthening service and management, improving the market system, removing barriers to cross-regional mergers and reorganisations, relaxing market access restrictions to private capital, and deepening SOE reforms.

Source: http://www.gov.cn/zhengce/content/2014-03/24/content_8721.htm

3. China Securities Regulatory Commission Requires Brokerage Businesses to Conduct Self-Examination for Antitrust Compliance

On 25 April 2014, the China Securities Regulatory Commission issued a notice requiring that securities companies and securities associations conduct a self-examination of their brokerage activities before June 2014. One of the goals of the self-examination is to ensure that brokerage commissions are determined and imposed in compliance with the AML and the Anti-Unfair Competition Law. According to reports in March 2014, several local securities associations had reportedly colluded to fix brokerage commission fees. One of the reports suggested that one securities company in Shanxi had already been fined by the NDRC in late 2013, but there is no public information shared by the NDRC.

Sources:
http://www.csrc.gov.cn/pub/newsite/zjhxwfb/xwdd/201404/t20140425_247817.htm
5. News of State-Owned Enterprises

1. SOE Reform is Moving Ahead Quietly

SOEs are often mentioned as one of the biggest stumbling blocks for economic reform in China. However, recent reports indicate that the SOE reforms are moving ahead quietly in large SOEs and in some local governments. Huang Shuhe, Vice Chairman of the State-owned Assets Supervision and Administration Commission (SASAC), has indicated that diversified-ownership is the general direction of this new round of SOE reform. Local provincial governments in Guangdong, Hunan, Chongqing, and Guizhou have put forward experimental reform plans. One economist reportedly expects that SASAC will be converted into an investment arm with a degree of independence similar to Singapore’s Temasek over time.

Sources:
http://news.xinhuanet.com/politics/2014-04/01/c_126340727.htm
http://cn.reuters.com/article/CNAnalysesNews/idCNCNEA3L09K20140422?pageNumber=2&virtualBrandChannel=0
http://money.21cbh.com/2014/4-25/4NMDEwMTZfMTE0OTE4Ng.html

2. NDRC Changes Policy for Salt Monopoly

On 21 April 2014, the NDRC reportedly announced the cancellation of the Measures on the Exclusive Licensing of Table Salt (《食盐专营许可证管理办法》), which confer exclusive rights for the production, distribution, and sales of table salt.

The China National Salt Industry Corporation, which is the exclusive table salt dealer in China, clarified that the cancellation of the measures was only to delegate the supervisory power to local authorities, rather than to abolish the salt monopoly. Nevertheless, the abrogation of the measures puts the China National Salt Industry Corporation under increased antitrust scrutiny.

Sources:
http://www.chinasalt.com.cn/xwzx/zyyw/5ea3c866452016b5014583b86d0700af.html

6. Other News/Media Comments

1. The Price of Auto Spare Parts Subject to Increasing Scrutiny

In early April 2014, the China Insurance Industry Association and the China Automotive Maintenance and Repair Trade Association released the results of their research comparing the cost to buy all the auto spare parts for a car with the price of a new car. They found that, for 10 of the 18 car models that are typically seen in China, the cost to buy all the auto spare parts would be more than 4 times the cost of a new car. A number of reports in the media have alleged that the high prices of auto spare parts are due to monopoly practices.
In its February 2014 AML press conference, the NDRC clarified that, whilst it is aware of the anti-monopoly complaints and issues related to the auto spare parts industry and has conducted some external investigations, it had not officially initiated an investigation into the auto spare parts industry.

Sources:
http://www.ndrc.gov.cn/xwzx/xwfb/201402/t20140219_579522.html

2. Insurance Sector Antitrust Compliance Seminar Held

On 14 March 2014, the Insurance Association of China held a seminar on antitrust compliance in the insurance sector. Participants included representatives from the NDRC and the China Insurance Regulatory Commission and a number of academics, and they discussed the antitrust issues related to property insurance, automobile insurance, and antitrust immunity in the insurance sector.

Source: http://www.iachina.cn/content_0b2c768c-adb5-11e3-8572-adccf566216f.html
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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