



**Asia-Pacific
Economic Cooperation**

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Agenda Item: 10

Practices and Experiences of Competition Assessment in China

Purpose: Information
Submitted by: China



**Competition Policy and Law Group Meeting
Moscow, Russia
12-13 February 2012**



Practices and Experiences of Competition assessment in China

Feb 13, 2012
Moscow, Russia



Framework

I. Practical Effects by Merger Review

II. Development of Competition Culture



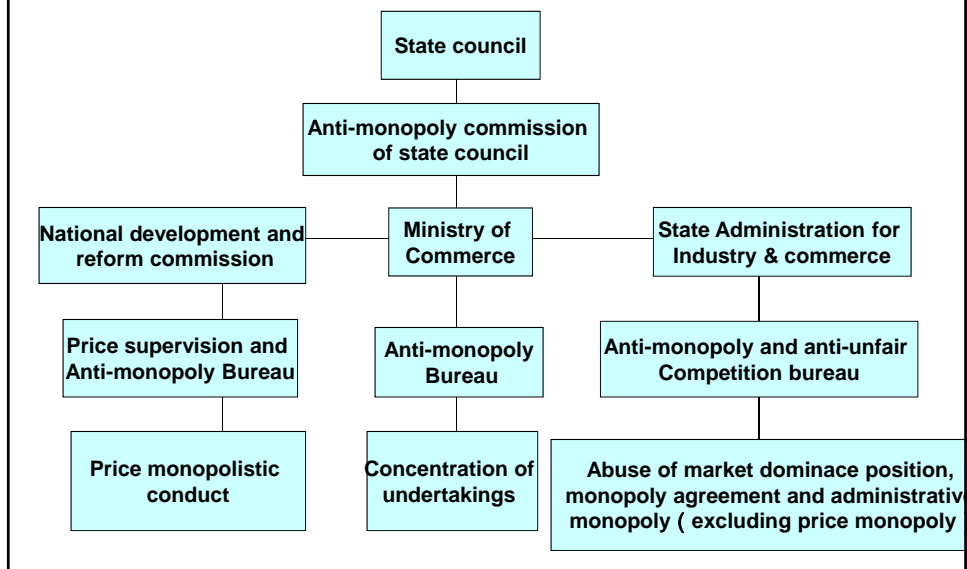
I. Practical Effects by Merger Review

1. Goals set out in Anti-monopoly law

- ◆ Preventing and restraining monopolistic conducts
- ◆ Protecting fair market competition
- ◆ Enhancing economic efficiency
- ◆ Safeguarding interests of consumers
- ◆ Safeguarding public interest
- ◆ Promoting the healthy development of socialist market economy



China's anti-monopoly enforcement agencies





I. Practical Effects by Merger Review

2. Achievement of abovementioned goals through individual cases

- ◆ Inbev / AB (2008)
- ◆ Mitsubishi Rayon / Lucite International (2009)
- ◆ GE / Delphi (2009)
- ◆ Pfizer / Wyeth (2009)
- ◆ Panasonic / Sanyo (2009)



◆ Inbev / AB



- approval with condition: no more shareholding of domestic beer manufacturer

- effects of the case decision
 - safeguard effective competition in beer market
 - promote sound development of beer industry



◆ Mitsubishi Rayon / Lucite International

- approval with condition:
 - divestiture of 50% production capacity of Lucite
 - no more new investment in relevant market within 5 years
- effects of the case decision
 - eliminate the possibility of the undertakings obtaining market dominance position
 - enable consumers to have more options of MMA products (Methylmethacrylate)



◆ GE / Delphi



- approval with condition:
 - assurance of supplying automotive parts and components
 - no disclosure of confidential information of other automotive manufacturers
- effects of the case decision
 - help Delphi revitalize after the deal
 - ensure fair competition in automotive industry



◆ Pfizer / Wyeth

- approval with condition:
 - divestiture of Respisure and Respisure one
 - technical support to the buyer of divested business for 3 years
- effects of the case decision
 - eliminate the possibility of the undertakings obtaining market dominance position
 - maintain efficiency benefit of the acquisition, save 4 billion USD of transaction cost



◆ Panasonic / Sanyo



- approval with condition:
 - divestiture of some battery business
- effects of the case decision
 - eliminate the possibility of the undertakings obtaining market dominance position
 - ensure fair competition in relevant market



II. Development of Competition Culture

1. Annual meeting of Anti-Monopoly of Ministry of Commerce

- ◆ keynote speeches by Vice Commerce Minister and DG of Anti-Monopoly Bureau
- ◆ training for DG-level officials from provincial commerce departments
- ◆ information exchange among different provinces



II. Development of Competition Culture

2. Technical training (domestic)

- ◆ Regular training for local officials (4 times annually in south, northwest, northeast and east China respectively)
- ◆ lectures by renowned academic personnel
- ◆ lectures by case handlers, focusing on practice and key concepts



II. Development of Competition Culture

2. Technical training (International)

- ◆ study tour abroad
- ◆ attending International meetings, e. g, OECD, APEC
- ◆ International seminars and workshops held in China



Conclusion

- ◆ successful so far
- ◆ challenges exist
- ◆ optimistic for the future

中华人民共和国商务部反垄断局
Ministry of Commerce of the People's Republic of China
Anti-monopoly Bureau



Thank you!

Anti-monopoly Bureau, MOFCOM