

# China Adopts Interim Provisions on the Review of Concentrations of Business Operators for the Anti-Monopoly Law

---

November 30, 2020 Liza Mark

---

**PRACTICES** International, Asia, Export Controls and Trade Compliance

---

The State Administration for Market Regulation (“**SAMR**”) released the *Interim Provisions on the Review of Concentrations of Business Operators* (“**Provisions**”) on October 23, 2020, which will become effective on December 1, 2020. The Provisions provide for certain implementation regulations for the *Anti-Monopoly Law of the People's Republic of China (Standing Committee of the National People's Congress, Aug. 1, 2008)* (the “**Anti-Monopoly Law**”).

Here are a few key points of the Provisions:

## **1. Who is obligated to submit a Concentration of Business Operators (“CBO(s)”) application?**

According to the Provisions, when a transaction that is considered a CBO reaches the declaration threshold stipulated in the *Rules of the State Council on Declaration Threshold for CBOs*<sup>1</sup>, one of the operators participating in the CBO shall submit a declaration to the SAMR in advance. When the CBO does not reach the declaration threshold, but the facts and evidence submitted to the SAMR show that the concentration transaction has or may have the effect of excluding or restricting competition, the SAMR shall conduct an investigation.

The Provisions do not change current practices under the Anti-Monopoly Law.

Read the full article [here](#).