

China Revises its Anti-Monopoly Law 14 Years After its Initial Implementation

July 26, 2022 Liza Mark

PRACTICES Asia, Corporate, China, International

On June 24, 2022, China's National People's Congress Standing Committee (the "NPC") amended the Anti-Monopoly Law (《反垄断法》) for the first time since its initial enactment in 2008 (the "2008 AML"), effective August 1, 2022 (the "2022 AML"). The 2022 AML has 70 articles, increased from the 57 articles of the 2008 AML. Immediately thereafter, on June 27, 2022, China's enforcement agency of anti-monopoly – the State Administration for Market Regulations (the "SAMR") – published six draft regulations for public comments, namely: (i) Provisions on Merger Control Review (《经营者集中审查规定 (征求意见稿)》); (ii) Regulations on the Merger Control Filing Thresholds (《国务院关于经营者集中申报标准的规定 (修订草案征求意见稿)》); (iii) Provisions on Prohibition of Abuse of Dominance (《禁止滥用市场支配地位行为规定 (征求意见稿)》); (iv) Provisions on Prohibition of Elimination and Restriction of Competition through Abuse of IP Rights (《禁止滥用知识产权排除、限制竞争行为规定 (征求意见稿)》); (v) Provisions on Prohibition of Elimination and Restriction of Competition through Abuse of Administrative Power (《制止滥用行政权力排除、限制竞争行为规定 (征求意见稿)》); and (vi) Provisions on Prohibition of Monopoly Agreements (《禁止垄断协议规定 (征求意见稿)》) (collectively, the "Draft Implementation Rules"), signaling a new era of anti-monopoly enforcement in China.

Given the complexity of the various revisions brought by the 2022 AML, this article is not intended to be a comprehensive guide to all rules imposed by the new law, but rather a summary of key highlights that justifies due attention from foreign businesses and multinational companies (the "MNC") with operations in China.

[Read the full article here.](#)