

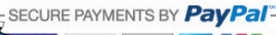



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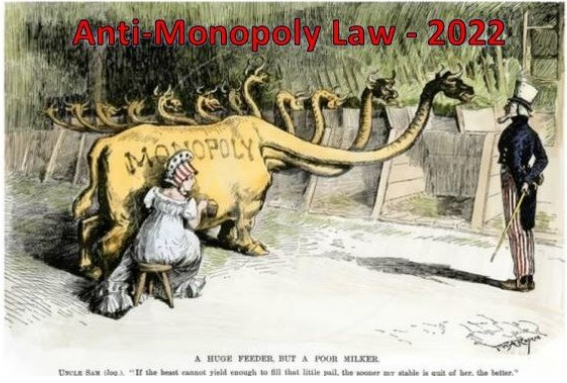
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Anti-Monopoly Law (2022 Edition)

2022/06/27 China Law Translate NPC

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(Adopted at the 29th Session of the Standing Committee of the 10th National People's Congress on August 30, 2007; amended in accordance with the Decision on Amending the Anti-Monopoly Law of the People's Republic of China by the 35th Session of the Standing Committee of the 13th National People's Congress on June 24, 2022)

Chapter I: General Provisions

- Article 1:** This Law is formulated to prevent and restrain monopolistic practices, protect fair market competition, encourage innovation, enhance economic efficiency, safeguard consumers' interests and the public interest, and promote the healthy development of the socialist market economy
- Article 2:** This Law applies to monopolistic practices in economic activities within the mainland territory of the People's Republic of China; and applies to monopolistic practices outside the mainland territory of the People's Republic of China that eliminate or restrict competition in China's domestic market.
- Article 3:** The monopolistic practices provided by this Law include:
- (1) conclusion of monopoly agreements by undertakings;
 - (2) abuse of dominant market positions by undertakings;
 - (3) concentrations of undertakings that have or may have the effect of eliminating or restricting competition.
- Article 4:** Anti-monopoly work upholds the leadership of the Communist Party of China.
- The State adheres to the principles of marketization and the rule of law, strengthens the foundational status of competition policies, as well as formulates and implements competition rules that are compatible with the socialist market economy, so as to improve macroeconomic regulation and perfect an integrated, open, competitive, and orderly market system.
- Article 5:** The State establishes and improves a fair competition review system.
- When formulating rules involving the economic activities of market entities, administrative organs, and organizations authorized by laws or regulations to administer public affairs shall carry out fair competition review.
- Article 6:** Undertakings may, through fair competition and voluntary association, carry out concentrations in accordance with law, so as to expand the scale of their operations and increase their market competitiveness.
- Article 7:** Undertakings holding a dominant market position shall not abuse the dominant market position to eliminate or restrict competition.
- Article 8:** For industries in which State-owned economy dominates and that are vital to the national economy and national security, as well as industries that exercise a monopoly over production and sales in accordance with law, the State protects the lawful business activities of the undertakings in those industries and conducts supervision and regulation of their business activities and the prices of their

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accordance with law, so as to safeguard consumers' interests and promote

tries provided in the previous paragraph shall operate in accordance with law, conduct strict self-regulation, and accept public supervision, and shall not use monopolistic positions to harm consumers' interests.

shall not use data or algorithms, technology, capital advantages, or platform monopolistic practices prohibited by this Law.

organs and organizations authorized by laws or regulations to administer public administrative authority to eliminate or restrict competition.

lishes and improves anti-monopoly rules and systems, strengthens anti-monopoly law enforcement, increases regulatory capability and the level of modernization of the anti-monopoly law enforcement and judicial administration, adjudicates anti-monopoly cases efficiently in accordance with law, improves the mechanisms for linking anti-monopoly law enforcement and judicial administration, and preserves the fair competition order.

ncil establishes an Anti-Monopoly Committee to be in charge of organizing, coordinating, and performing anti-monopoly work and to perform the following duties:

the relevant policies on competition:

(2) organizing the investigation and assessment of the overall level of competition in the market and publishing assessment reports;

(3) formulating and publishing anti-monopoly guidelines;

(4) coordinating administrative anti-monopoly law enforcement;

(5) other duties prescribed by the State Council.

The composition and working rules of the State Council Anti-Monopoly Committee are to be prescribed by the State Council.

Article 13: The State Council anti-monopoly law enforcement agency is responsible for unified anti-monopoly law enforcement.

According to the needs of its work, the State Council anti-monopoly law enforcement agency may authorize the corresponding bodies of the people's governments of the provinces, autonomous regions, or directly governed municipalities to take charge of the relevant anti-monopoly law enforcement work in accordance with the provisions of this Law.

Article 14: Trade associations shall strengthen industrial self-regulation, guide the undertakings in their respective industries to compete lawfully, operate in compliance with regulations, and maintain the competitive order in the market.

Article 15: "Undertakings" as used in this Law refers to natural persons, legal persons, and unincorporated organizations that engage in the manufacture of or trade in goods or in the provision of services.

A "relevant market" as used in this Law refers to the range of goods or territories in which undertakings compete for specific goods or services (hereinafter collectively referred to as "goods") during a certain period of time.

Chapter II: Monopoly Agreements

Article 16: "Monopoly agreements" as used in this Law refers to agreements, decisions, or other concerted actions that eliminate or restrict competition.

Article 17: Competing undertakings are prohibited from concluding the following monopoly agreements:

(1) those that fix or change the price of goods;

(2) those that limit the quantity of goods manufactured or marketed;

(3) those that divide the sales markets or markets for raw materials;

(4) those that restrict the purchase of new technology or new equipment or restrict the development of new technology or new product;

(5) those that jointly boycott transactions;

(6) other monopoly agreements as determined by the State Council anti-monopoly law enforcement agency.

Article 18: Undertakings are prohibited from concluding the following monopoly agreements with trading counterparties:

(1) those that fix the price of goods resold to a third party;

(2) those that limit the lowest price of goods resold to a third party;

(3) other monopoly agreements as determined by the State Council anti-monopoly law enforcement agency.

In the case of an agreement under item (1) or (2) of the previous paragraph, where the undertaking can demonstrate that the agreement does not have the effect of eliminating or restricting competition, it is not prohibited.

Where an undertaking can demonstrate that its market share in the relevant market is below the threshold prescribed by the State Council anti-monopoly law enforcement agency, and that it meets other conditions prescribed by the State Council anti-monopoly law enforcement agency, an agreement under paragraph 1) is not prohibited.

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are prohibited from organizing other undertakings to conclude monopoly agreements or providing material assistance to the conclusion of monopoly agreements by other undertakings.

Undertakings can demonstrate that a monopoly agreement concluded has one of the following purposes:

(1) to improve the quality, lower cost, or increase efficiency by unifying the specifications or implementing specialized division of labor;

(2) to improve the efficiency of small and medium-sized undertakings or to increase their competitiveness;

(3) to protect national security, conservation, environmental protection, disaster relief, and such other public interests;

(4) to address a decline in sales volume or obvious overproduction due to an economic downturn;

(5) to protect legitimate interests in foreign trade or in foreign economic cooperation;

(6) other circumstances prescribed by laws or the State Council.

Where the provisions of Article 17, Article 18, paragraph 1, and Article 19 of this Law do not apply in the circumstances under items (1) through (5) of the previous paragraph, the undertakings shall additionally demonstrate that the agreement concluded will not seriously restrict competition in the relevant market and that it will enable the consumers to share in the resulting benefits.

Article 21: Trade associations shall not organize undertakings in their own industries to engage in the monopolistic practices prohibited by this Chapter.

Chapter III: Abuse of Dominant Market Positions

Article 22: Undertakings holding dominant market positions are prohibited from engaging in the following practices that abuse dominant market positions:

- (1) selling goods at unfairly high prices or buying goods at unfairly low prices;
- (2) selling goods at below-cost prices without legitimate reasons;
- (3) refusing to trade with trading counterparties without legitimate reasons;
- (4) limiting trading counterparties to trading solely with themselves or with undertakings designated by them without legitimate reasons;
- (5) conducting tie-in sales of goods without legitimate reasons, or attaching other unreasonable trading conditions to transactions;
- (6) applying dissimilar treatment to trading counterparties with respect to prices and other trading conditions without legitimate reasons;
- (7) other practices abusing dominant market positions as determined by the State Council anti-monopoly law enforcement agency.

Undertakings holding dominant market positions shall not use data or algorithms, technology, or platform rules, etc., to engage in the practices that abuse dominant market positions provided for in the previous paragraph.

A "dominant market position" as used in this Law refers to the market position held by an undertaking that enables it to control the prices or quantities of goods or other trading conditions in the relevant market, or to hinder or affect the ability of other undertakings to enter the relevant market.

Article 23: A determination that an undertaking holds a dominant market position shall be based on the following factors:

- (1) the undertaking's market share in the relevant market and the level of competition in the relevant market;
- (2) the undertaking's ability to control the sales markets or the procurement markets for raw materials;
- (3) the undertaking's financial resources and technical capabilities;
- (4) the extent to which other undertakings rely on the undertaking for trading;
- (5) the level of difficulty for other undertakings to enter the relevant market;
- (6) other factors relevant to determining the undertaking's dominant market position.

Article 24: In any of the following circumstances, it may be presumed that undertakings hold dominant market positions:

- (1) where one undertaking's market share amounts to one-half of a relevant market;
- (2) where two undertakings' joint market share amounts to two-thirds of a relevant market;
- (3) where three undertakings' joint market share amounts to third-fourths of a relevant market.

In the circumstances provided in item (2) or (3) of the previous paragraph, if one of the undertakings has a market share of less than one-tenth, it shall not be presumed that said undertaking holds a dominant market position.

Where an undertaking that is presumed to hold a dominant market position has evidence that it does not hold a dominant market position, it shall be not determined to hold a dominant market position.

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Concentrations of Undertakings

A concentration of undertakings means any of following circumstances:

1) where

undertakings of the right to control other undertakings by acquiring their shares or

undertakings of the right to control other undertakings or the ability to exert a decisive influence over other undertakings by contract or other means.

A concentration of undertakings meets the declaration criteria prescribed by the State Council anti-monopoly law enforcement agency shall declare in advance to the State Council anti-monopoly law enforcement agency the concentration without such a declaration.

If a concentration of undertakings does not meet the declaration criteria prescribed by the State Council anti-monopoly law enforcement agency, the State Council anti-monopoly law enforcement agency may require the undertakings to make a

declaration consistent with the provisions of the previous two paragraphs. The State Council anti-monopoly law enforcement agency shall investigate in accordance

Article 27: In any of the following circumstances, a concentration of undertakings need not be declared to the State Council anti-monopoly law enforcement agency:

- (1) where one of the undertakings participating in the concentration owns fifty percent or more of the voting shares or assets of each of the other undertakings;
- (2) where fifty percent or more of the voting shares or assets of each of the undertakings participating in the concentration are owned by the same undertaking that does not participate in the concentration.

Article 28: Undertakings that declare a concentration to the State Council anti-monopoly law enforcement agency shall submit the following documents and materials:

- (1) a written declaration;
- (2) an explanation of the effect of the concentration on competition in the relevant market;
- (3) the concentration agreements;
- (4) the financial statements of the undertakings participating in the concentration for the previous accounting year that have been audited by accounting firms;
- (5) other documents and materials specified by the State Council anti-monopoly law enforcement agency.

The written declaration shall clearly state the names of the undertakings participating in the concentration, their domiciles, the scope of their businesses, their scheduled date for implementing the concentration, and other matters specified by the State Council anti-monopoly law enforcement agency.

Article 29: Where the documents and materials submitted by undertakings are incomplete, they shall submit the remaining documents and materials within the period of time prescribed by the State Council anti-monopoly law enforcement agency. Where the undertakings fail to submit the remaining documents and materials within that period, they are deemed to have made no declaration.

Article 30: Within 30 days of receiving documents and materials submitted by undertakings that comply with the provisions of Article 28 of this Law, the State Council anti-monopoly law enforcement agency shall conduct a preliminary review of the declared concentration of undertakings, decide whether to conduct a further review, and notify the undertakings in writing. The undertakings shall not implement the concentration before the State Council anti-monopoly law enforcement agency makes such a decision.

Where the State Council anti-monopoly law enforcement agency decides not to conduct a further review or fails to make a decision within the time limit, the undertakings may implement the concentration.

Article 31: Where the State Council anti-monopoly law enforcement agency decides to conduct a further review, it shall complete the review within 90 days of that decision, decide whether to prohibit the concentration of undertakings, and notify the undertakings in writing. Where it decides to prohibit the undertakings from concentrating, it shall explain the reasons. During its review, the undertakings shall not implement the concentration.

In any of the following circumstances, after notifying the undertakings in writing, the State Council anti-monopoly law enforcement agency may extend the period for review prescribed by the previous paragraph, but not to exceed 60 days:

- (1) where the undertakings consent to extending the period for review;
- (2) where the documents or materials submitted by the undertakings are inaccurate and need further verification;
- (3) where the relevant circumstances have materially changed after the undertakings made the declaration.

Where the State Council anti-monopoly law enforcement agency fails to make a decision within the time limit, the undertakings may implement the concentration.

Article 32: In any of the following circumstances, the State Council anti-monopoly law enforcement agency may decide to suspend calculating the period for reviewing a concentration of undertakings, and notify the undertakings in writing:

- (1) where the undertakings have failed to submit documents or materials in accordance with provisions, making it impossible for the review to proceed;

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ces or new facts that have a major impact on the review of the concentration of undertakings and, if unverified, will make it impossible for the review to proceed;

to further evaluate the additional restrictive conditions imposed on the undertakings, and the undertakings request suspension.

If the circumstances that suspended calculating the period for review are eliminated, the period shall continue to be calculated, the State Council anti-monopoly law enforcement agency shall suspend undertakings in writing.

The following factors shall be considered in the review of a concentration of undertakings:

(1) the undertakings participating in the concentration in the relevant market and the nature of the concentration;

(2) the effect of the concentration on the relevant market;

(3) the effect of the concentration on market access and technological progress;

(4) the effect of the concentration on consumers and other relevant undertakings;

(5) the effect of the concentration on the development of the national economy;

(6) other factors. The effect on market competition that the State Council anti-monopoly law enforcement agency deems shall be considered.

Article 34: If a concentration of undertakings has or may have the effect of eliminating or restricting competition, the State Council anti-monopoly law enforcement agency shall make a decision to prohibit the concentration of undertakings. However, if the undertakings can demonstrate that the concentration's positive effect on competition clearly outweighs its negative effect thereon, or that the concentration is in the public interest, the State Council anti-monopoly law enforcement agency may make a decision to not prohibit the concentration of undertakings.

Article 35: The State Council anti-monopoly law enforcement agency may decide to impose on a concentration of undertakings that is not prohibited, additional restrictive conditions that reduce the concentration's negative effect on competition.

Article 36: The State Council anti-monopoly law enforcement agency shall timely release to the public its decisions prohibiting concentrations of undertakings or imposing additional restrictive conditions on concentrations of undertakings.

Article 37: The State Council anti-monopoly law enforcement agency shall improve the system for conducting categorized and tiered review of concentrations of undertakings, strengthen review of concentrations of undertakings that concern the national economy, the people's livelihood, or such other important areas in accordance with law, and increase the quality and efficiency of review.

Article 38: Where the acquisition of domestic enterprises by foreign capital or its participation in a concentration of undertakings in other means implicates national security, in addition to a review of the concentration of undertakings in accordance with the provisions of this Law, a national security review shall also be conducted in accordance with the relevant provisions of the State.

Chapter V: Abuse of Administrative Authority to Eliminate or Restrict Competition

Article 39: Administrative organs and organizations authorized by laws or regulations to administer public affairs shall not abuse their administrative authority to require or covertly require units or individuals to trade in, purchase, or use only the goods supplied by the undertakings designated by them.

Article 40: Administrative organs and organizations authorized by laws or regulations to administer public affairs shall not abuse their administrative authority to obstruct undertakings from entering the relevant market or apply unequal treatment to undertakings, thereby eliminating or restricting competition, by means such as signing cooperation agreements or memoranda with other undertakings.

Article 41: Administrative organs and organizations authorized by laws or regulations to administer public affairs shall not abuse their administrative authority to carry out the following acts, thereby obstructing the free flow of goods among different regions:

- (1) setting discriminatory fee items, implementing discriminatory fee rates, or setting discriminatory prices for non-local goods;
- (2) imposing on non-local goods technical requirements or inspection standards different from those imposed on similar local goods, or taking discriminatory technical measures, such as repeated inspections or repeated certifications, against non-local goods, so as to restrict non-local goods from entering the local market;
- (3) implementing administrative licenses specifically targeting non-local goods to restrict non-local goods from entering the local market;
- (4) setting up checkpoints or taking other measures to prevent non-local goods from entering or local goods from exiting;
- (5) other acts obstructing the free flow of goods among different regions.

Article 42: Administrative organs and organizations authorized by laws or regulations to administer public affairs shall not abuse their administrative authority to exclude or restrict undertakings from participating in bid-inviting and bidding activities or other business activities, by means such as setting discriminatory qualification requirements or evaluation standards or not publishing information in accordance with law.

Article 43: Administrative organs and organizations authorized by laws or regulations to administer public affairs shall not abuse their administrative authority to exclude or restrict non-local undertakings from investing locally or establishing local branch offices, or to compel or covertly compel them to do so, by means such as treating them unequally as compared to local undertakings.

Article 44: Administrative organs and organizations authorized by laws or regulations to administer public affairs shall not abuse their administrative authority to compel or covertly compel undertakings to engage in the monopolistic practices provided by this Law.

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organs and organizations authorized by laws or regulations to administer public
 administrative authority to formulate rules with contents that eliminate or

Measures of Suspected Monopolistic Practices

law enforcement agencies are to investigate suspected monopolistic practices

have the right to report suspected monopolistic practices to anti-monopoly law
 anti-monopoly law enforcement agencies shall keep the reports confidential.
 enforcement agencies shall keep the reports confidential.

ing and provide relevant facts and evidence, anti-monopoly law enforcement
 necessary investigations.

law enforcement agencies may take the following measures when
 monopolistic practices:

premises or other relevant premises of the undertakings under investigation to

takings under investigation, interested parties, or other relevant units or
 them to explain the relevant situations;

(3) examining and copying the relevant documents and materials of the undertakings under investigation,
 interested parties, or other relevant units or individuals, such as bills, agreements, books of accounts,
 business correspondence, and electronic data;

(4) sealing and seizing the relevant evidence;

(5) examining the undertakings' bank accounts.

To take the measures specified in the previous paragraph, written reports shall be submitted to the
 principal persons in charge of the Anti-Monopoly Law Enforcement Agencies and their approval
 obtained.

Article 48:When anti-monopoly law enforcement agencies investigate suspected monopolistic
 practices, there shall be no fewer than two law enforcement personnel, who shall present their law
 enforcement documents.

When conducting interviews and investigations, law enforcement personnel shall make written records,
 signed by the persons interviewed or under investigation.

Article 49:Anti-monopoly law enforcement agencies and their employees are obligated to keep
 confidential the trade secrets, personal privacy, and personal information they learn in the course of law
 enforcement.

Article 50:The undertakings under investigation, interested parties, or other relevant units or individuals
 shall cooperate with anti-monopoly law enforcement agencies in their lawful performance of duties and
 shall not refuse or obstruct investigations by anti-monopoly law enforcement agencies.

Article 51:The undertakings under investigation and interested parties have the right to state their
 opinions. Anti-monopoly law enforcement agencies shall verify the facts, reasons, and evidence
 presented by the undertakings under investigation or by interested parties.

Article 52:Where, after investigating and verifying the suspected monopolistic practices, anti-monopoly
 law enforcement agencies deem them to constitute monopolistic practices, they shall make decisions on
 how to handle them in accordance with law and may release the decisions to the public.

Article 53:Where, for a suspected monopolistic practice under investigation by an anti-monopoly law
 enforcement agency, the undertaking under investigation commits to taking specific measures to
 eliminate the consequences of said practice within a period of time accepted by the anti-monopoly law
 enforcement agency, the anti-monopoly law enforcement agency may decide to suspend the
 investigation. A decision to suspend an investigation shall clearly state the specific contents of the
 commitment of the undertaking under investigation.

Where an anti-monopoly law enforcement agency decides to suspend an investigation, it shall supervise
 the undertaking's fulfillment of its commitment. Where an undertaking fulfills its commitment, the anti-
 monopoly law enforcement agency may decide to terminate the investigation.

In any of the following circumstances, the anti-monopoly law enforcement agency shall resume the
 investigation:

(1) where the undertaking fails to fulfill its commitment;

(2) where the facts on whose basis the decision to suspend the investigation have materially changed;

(3) where the decision to suspend the investigation was based on incomplete or untruthful information
 provided by the undertaking.

Article 54:The relevant units and individuals shall cooperate with anti-monopoly law enforcement
 agencies that investigate suspected abuse of administrative authority to eliminate or restrict competition
 in accordance with law.

Article 55:Where undertakings, administrative organs, or organizations authorized by laws or regulations
 to administer public affairs are suspected of violating the provisions of this Law, anti-monopoly law
 enforcement agencies may speak to their legal representatives or persons in charge and require them to
 put forward ameliorative measures.

Chapter VII: Legal Responsibility

Article 56:Where an undertaking concludes and implements a monopoly agreement in violation of the
 provisions of this Law, anti-monopoly law enforcement agencies are to order it to cease the violation,
 confiscate its unlawful gains, and impose a fine of at least 1 percent but up to 10 percent of its turnover
 from the previous year; where an undertaking has no sales from the previous year, a fine of up to RMB

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...d, where it has yet to implement the monopoly agreement concluded, a fine of ... be imposed. Where the legal representatives, principal persons in charge, or ... of an undertaking bear personal responsibility for concluding the monopoly ... RMB 1,000,000 may be imposed.

...nize other undertakings to conclude monopoly agreements or provide material ... on of monopoly agreements by other undertakings, the provisions of the ... apply.

...ntarily reports to anti-monopoly law enforcement agencies the relevant ... clusion of a monopoly agreement and offers important evidence, the anti- ... nt agencies may, at their discretion, mitigate or waive the penalties imposed on

...organizes the undertakings in its own industry to conclude a monopoly ... the provisions of this Law, anti-monopoly law enforcement agencies are to ... ion and may impose a fine of up to RMB 3,000,000; where the circumstances ... tive organs for the registration of social groups may revoke its registration in

...rtaking abuses its dominant market position in violation of the provisions of this ... nforcement agencies are to order it to cease the violation, confiscate its ... se a fine of at least 1 percent but up to 10 percent of its turnover from the

Article 58:Where undertakings concentrate in violation of the provisions of this Law and have or may have the effect of eliminating or restricting competition, the State Council anti-monopoly law enforcement agency is to order them to cease implementing the concentration, dispose of their shares or assets within a set period of time, transfer their businesses within a set period of time, or take other necessary remedial measures to return to the state before the concentration, and impose a fine of up to 10 percent of their turnovers from the previous year; where the concentration does not have the effect of eliminating or restricting competition, a fine of up to RMB 5,000,000 is to be imposed.

Article 59:For the fines prescribed by Articles 56, 57, and 58 of this Law, when determining the specific amount of fines to be imposed, anti-monopoly law enforcement agencies shall consider factors such as the nature, extent, duration of the violations and the circumstances of eliminating the consequences of the violations.

Article 60:Where an undertaking causes losses to others by engaging in monopolistic practices, it is to bear civil liability in accordance with law.

Where undertakings engage in monopolistic practices and harm the public interest, the people's procuratorates at or above the level of districted cities may initiate civil public interest litigation in the people's courts in accordance with law.

Article 61:Where administrative organs and organizations authorized by laws or regulations to administer public affairs abuse their administrative authority to engage in practices that eliminate or restrict competition, their superior organs are to order them to make corrections; their directly responsible persons in charge and other directly responsible persons are to be given sanctions in accordance with law. Anti-monopoly law enforcement agencies may submit recommendations on how to handle them in accordance with law to the relevant superior organs. Administrative organs and organizations authorized by laws or regulations to administer public affairs shall report the relevant circumstances of the corrections to their superior organs and anti-monopoly law enforcement agencies in writing.

Where laws or administrative regulations have other provisions for handling the abuse of administrative authority by administrative organs and organizations authorized by laws or regulations to administer public affairs to engage in practices that eliminate or restrict competition, follow those provisions.

Article 62:Where, during a review or an investigation lawfully conducted by an anti-monopoly law enforcement agency, one refuses to provide the relevant materials or information, or provides false materials or information, or conceals, destroys, or transfers evidence, or otherwise refuses or obstructs the investigation, the anti-monopoly law enforcement agency is to order it to make corrections, and, in the case of a unit, is to impose a fine of up to 1 percent of its turnover from the previous year, or where the unit has no turnover or the turnover is difficult to calculate, a fine of up to RMB 5,000,000; and in the case of an individual, is to impose a fine of up to RMB 500,000.

Article 63:Where a violation of the provisions of this Law has especially serious circumstances, has an especially heinous impact, and causes especially serious consequences, the State Council anti-monopoly law enforcement agency may determine the specific amount of fines based on at least twice but up to five times the amount of fines prescribed by Article 56, 57, 58, and 62 of this Law.

Article 64:Administrative punishments imposed on undertakings for violating the provisions of this Law are to be listed in their credit records in accordance with the relevant provisions of the State Council and be made public.

Article 65: Where an undertaking is dissatisfied with a decision made by an anti-monopoly law enforcement agency in accordance with Article 34 or 35 of this Law, it may first petition for administrative reconsideration in accordance with law; where it is dissatisfied with the administrative reconsideration decision, it may initiate administrative litigation in accordance with law.

Where an undertaking is dissatisfied with a decision made by an anti-monopoly law enforcement agency other than a decision specified in the previous paragraph, it may petition for administrative reconsideration or initiate administrative litigation in accordance with law.

Article 66:Where the employees of anti-monopoly law enforcement agencies abuse their authority, derelict their duties, show favoritism for personal gain, or divulge the trade secrets, personal privacy, or personal information they learn in the course of law enforcement, they are to be sanctioned accordance with law.

Article 67:Where a violation of the provisions of this Law constitutes a crime, criminal responsibility is to be pursued in accordance with law.

Chapter VIII: Supplementary Provisions

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not apply to undertakings' exercise of intellectual property rights in accordance with laws and administrative regulations concerning intellectual property rights; (2) not apply to undertakings' abuse of intellectual property rights to eliminate or restrict

not apply to the joint or concerted actions taken by agricultural producers and processors in business activities such as the production, processing, sale, distribution or promotion of agricultural products.

in force from August 1, 2008.

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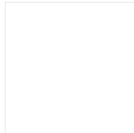
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