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COMPARATIVE ANALYSIS OF MERGER CONTROL POLICY

Lessons for China

Jingyuan MA



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Jingyuan Ma

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- Council Regulation (EEC) No 4064/89 of 21 December 1989 on the Control of Concentrations between Undertakings [1989] OJ L 395/1
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- Clayton Act §7, 15 U.S.C §18
- The Federal Trade Commission Act of 1914 (codified as amended at 15 U.S.C. §§41–58)

US MERGER GUIDELINES

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- US Department of Justice, 1982 Merger Guidelines
- US Department of Justice, 1984 Merger Guidelines
- US Department of Justice and the Federal Trade Commission, 1992 Horizontal Merger Guidelines (revised in April 1997)
- US Department of Justice and the Federal Trade Commission, 2010 Horizontal Merger Guidelines

LIST OF ABBREVIATIONS

| | |
|--------|---|
| AAG | Assistant Attorney General |
| AIDS | Almost Ideal Demand System |
| AML | Anti-Monopoly Law |
| AMC | Anti-Monopoly Commission |
| CJV | Contractual Joint Venture |
| CCP | Chinese Communist Party |
| CLB | Cylindrical Lithium Batteries |
| CNPC | China National Petroleum Corporation |
| CPCC | China Petroleum & Chemical Corporation |
| CR | Concentration Ratio |
| DOJ | Department of Justice |
| ECMR | European Community Merger Regulation |
| EU | European Union |
| ECJ | European Court of Justice |
| ECSC | European Coal and Steel Community |
| EEA | European Economic Area |
| EEC | European Economic Community |
| EJV | Equity Joint Venture |
| FDI | Foreign Direct Investment |
| FIJSC | Foreign Invested Joint-Stock Company |
| FTC | Foreign Trade Commission |
| HDD | Hard Disk Drive |
| HHI | Herfindahl-Hirschman Index |
| HMT | Hypothetical Monopolist Test |
| ICN | International Competition Network |
| M&A | Merger and Acquisitions |
| MOFCOM | Ministry of Commerce |
| MOFTEC | Ministry of Foreign Trade and Economic Cooperation |
| MII | Ministry of Information and Industry |
| NDRC | National Development and Reform Commission |
| NiMH | Nickel Metal Hydride |
| NPC | National People's Congress |
| OECD | Organization for Economic Cooperation and Development |
| O.J. | Official Journal of the European Communities |
| PCAIDS | Proportionality-Calibrated AIDS |

| | |
|--------|--|
| PRC | People's Republic of China |
| R&D | Research and Development |
| RMB | Renminbi (Chinese currency) |
| SAIC | State Administration of Industry and Commerce |
| SASAC | State Assets Supervision and Administration Commission |
| SAT | State Administration of Taxation |
| SAFE | State Administration of Foreign Exchange |
| SCP | Structure-Conduct-Performance |
| SETC | State Economic and Trade Commission |
| SME | Small and Medium-Sized Enterprises |
| SSNIP | Small but Significant and Non-Transitory Increase in Price |
| SOE | State-Owned Enterprises |
| TEU | Treaty on the European Union |
| TEC | Treaty on the European Community |
| TFEU | Treaty on the Functioning of the European Union |
| TVE | Township and Village Enterprises |
| USD | US Dollar |
| US | United States of America |
| UPP | Upward Pressure on Price |
| UNCTAD | United Nations Conference on Trade and Development |
| WFOE | Wholly Foreign-Owned Enterprises |
| WTO | World Trade Organization |

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