BRICS COMPETITION LAW&POLICY CENTRE

October 4 – 17, 2026

Chinese antitrust.

Review №33 (2026)

QUOTES

"While China's rapid development and active participation in global competition do exert external pressure on Germany, they are not the sole cause of the challenges the country faces. It is misguided to attribute all the structural problems of Germany's industrial sector solely to so-called 'unfair competition' from China. At best, protectionist trade measures can only alleviate the immediate symptoms of the industry's crisis. They do not address the challenges of industrial transformation or structural contradictions…"

Zhao Junjie, research fellow at the Institute of European Studies of the Chinese Academy of Social Sciences, commenting on Germany's decision to block the COSCO Shipping–Zippel deal. [1]

EVENTS

- **First Public Hearing on the Approval of a Digital Economy Transaction**
- **Focus Media–Xinchao Deal Approved Subject to Conditions**
- **Draft Amendments to China's Food Safety Law Introduce Platform Liability Provisions**
- **Average Review Time for Simplified M&A Filings Falls to 18.6 Days**
- **Reuters: SAMR Requires Stable Copper Concentrate Supplies in Exchange for Deal Approval**
- **Draft Measures for the Protection of Gig Workers' Rights and Interests**
- **Germany Blocks COSCO Shipping–Zippel Deal**

[1] Source: China Trade Remedies Information

First Public Hearing on the Approval of a Digital Economy Transaction

SAMR China's State Administration for Market Regulation (SAMR) held its first public hearing as part of the review of a merger and acquisition (M&A) filing. The hearing concerned the Meituan–Maiyatian transaction, which, although it does not meet the thresholds established by the State Council, is nevertheless being reviewed by the antitrust regulator as potentially capable of restricting competition in the market.

Meituan is one of China's leading delivery platforms, while Maiyatian is a logistics platform. In 2024, the two companies' combined share of China's food delivery aggregator market exceeded 50%. As a result, SAMR gave the concentration particular scrutiny and launched an antitrust review.

Following its review, the regulator concluded that the merger could restrict small and medium-sized enterprises' ability to independently choose delivery services and could drive other third-party logistics providers out of the market. In response, the notifying party submitted a draft commitment proposal, and SAMR held a public hearing to determine whether the proposed conditions could address its competition concerns.

Invitations were sent to competing food delivery services, including Taobao Flash Sale and JD.com; logistics companies using the platforms, such as FlashEx and UUpt; industry associations; merchants; couriers; and experts and academics. During the hearing, participants presented their positions and engaged in cross-discussions on the feasibility of the proposed commitments and their ability to protect the legitimate rights and interests of market participants.

Source: WeChat

Focus Media–Xinchao Deal Approved Subject to Conditions

SAMR conditionally approved Focus Media's acquisition of Chengdu Xinchao Media Group. This marks the first time a concentration in China's advertising industry has been approved subject to restrictive conditions.

During its review of the filing, SAMR determined that the transaction could restrict competition in China's elevator advertising market. To mitigate potential adverse effects, the regulator imposed the following conditions:

- Continue to perform existing customer contracts under the same commercial terms and conditions.
- Maintain the quality of customer service.
- Ensure that the combined company's actual service prices do not exceed, without sufficient justification, the prices charged by Focus Media and Xinchao in the respective cities during the 24 months preceding the effective date of the decision.
- Refrain from refusing to provide services or restricting customers' freedom of choice, including by imposing unreasonable transaction conditions.
- Abandon previously established exclusive cooperation requirements and refrain from including exclusivity clauses in new or renewed advertising placement agreements.
- Improve the company's antitrust compliance management systems.

Sources: SAMR 1, SAMR 2

Draft Amendments to China's Food Safety Law Introduce Platform Liability Provisions

SAMR released draft amendments to China's Food Safety Law for public consultation. Chapter IV introduces a new Section 6 entitled "Online Food Trading Activities." The section clarifies food safety requirements for operators of digital platforms offering groceries and prepared meals, as well as for shops and restaurants operating on those platforms.

In particular, platform operators would be required to:

- Clearly specify food safety responsibilities in service agreements and transaction rules.
- Integrate a food safety management department into their corporate structure and appoint responsible personnel, such as a chief food safety officer and relevant specialists.
- Carefully monitor the accuracy and currency of seller information on their platforms, verifying seller details and licences at least once every six months.
- Provide training to ensure that restaurants and shops have the necessary knowledge of food safety, among other requirements.

Requirements for sellers registered on the platforms would include:

- Providing detailed information about the origin of food products and relevant certificates of conformity on product and dish pages.
- Ensuring that food service establishments operating online livestream their food processing and preparation activities, making their operations accessible to public scrutiny, among other obligations.

The draft also introduces rules governing the allocation of food safety responsibilities in marketing livestreams and the delivery of food through cross-border platforms.

Source: SAMR

Average Review Time for Simplified M&A Filings Falls to 18.6 Days

SAMR reported on the operation of its merger control filing review system at a dedicated press conference. According to the regulator, the simplified review procedure has been operating successfully for 12 years. The average review time has fallen from 39.9 days in 2014 to 18.6 days in 2026.

The simplified review procedure is designed to encourage investment activity and allow limited administrative resources to be focused on priority cases. Compared with cases handled under the standard procedure, the number of information items required for simplified cases has been reduced from 53 to 44, and was further streamlined to 38 items in 2024. According to estimates, the average costs of preparing and submitting documents under the simplified procedure are more than 50% lower than those associated with the standard procedure.

Source: SAMR

Reuters: SAMR Requires Stable Copper Concentrate Supplies in Exchange

for Deal Approval

The proposed merger between UK mining company Anglo American and Canadian miner Teck Resources is currently under review by China's SAMR. According to sources cited by Reuters, the regulator has set a condition for approving the $54 billion transaction: ensuring stable supplies of copper concentrate to China and guaranteeing certain sales volumes through traders.

The report cites analysts' forecasts that Chinese smelters are competing for raw materials, slowing the growth of refined copper production. "We have made significant progress towards completing the transaction and are engaging constructively with the Chinese regulator as part of the established review process," an Anglo American spokesperson said.

Announced in 2025, the deal has already received regulatory approval in all jurisdictions where the companies operate, with China the sole exception. As a major consumer of copper produced by both companies, China effectively has veto power over the merger. Historically, the country has used its antitrust powers in major transactions to secure stringent behavioural commitments aimed at protecting supplies to its domestic industrial market, the report notes.

Source: Reuters

Draft Measures for the Protection of Gig Workers' Rights and Interests

Министерство China's Ministry of Human Resources and Social Security (MOHRSS) published draft Measures for the Protection of the Rights and Interests of Workers in New Forms of Employment for public consultation. Once adopted, the document would become the first regulatory instrument at this level to extend labour law protections to workers whose employment arrangements do not fully meet the criteria for traditional employment relationships.

New forms of employment refer to work performed through internet platforms, including delivery couriers, drivers and livestream marketing hosts.

The draft establishes more specific requirements for protecting these workers' rights and interests. For example, it explicitly stipulates that remuneration—calculated taking into account the costs of production equipment and materials supplied by workers themselves—must not fall below the applicable minimum wage.

To address abuses involving fines, the draft encourages the use of positive incentives and prohibits the improper imposition of punitive measures. It guarantees workers' right to rest through mechanisms such as transparent scheduling and designated breaks. In addition, given that a substantial proportion of such work takes place outdoors, the draft explicitly requires occupational safety protections in adverse weather conditions.

The draft also provides for institutional mechanisms to facilitate access to social insurance schemes and vocational training. A separate chapter addresses the content and implementation of employment agreements.

Furthermore, the document establishes the principle of algorithmic fairness, requiring companies to explain the basic principles and mechanisms underlying their algorithms to workers and prohibiting algorithmic discrimination. It explicitly states that decisions significantly affecting workers' interests—for example, suspending the allocation of orders or blocking accounts—may not be made automatically by algorithms and must be subject to mandatory human review.

Huang Kun, a researcher at the Chinese Academy of Labour and Social Security, believes that the draft fully embodies a people-centred development philosophy by

encouraging internet platforms to strengthen their accountability, ensure fair remuneration and enhance occupational safety protections.

Source: MOHRSS

Germany Blocks COSCO Shipping–Zippel Deal

On October 7, the German government blocked COSCO Shipping's proposed acquisition of an 80% stake in Hamburg-based logistics company Zippel, citing "national security" concerns. The transaction had previously received clearance from German antitrust authorities.

According to Zhao Junjie, a researcher at the Institute of European Studies of the Chinese Academy of Social Sciences, the administration of Friedrich Merz is facing domestic political pressure and has been compelled to adopt an increasingly hard-line stance towards China in an effort to ease political tensions and divert attention from social problems, despite the new risks this approach entails.

Germany's policy towards China is shifting away from pragmatic cooperation driven by economic considerations towards containment and restrictions shaped by political sentiment, a course Zhao considers misguided and risky.

Although China's rapid development and active participation in global competition do exert external pressure on Germany, they are not the sole cause of the challenges facing the country. Attributing all the structural problems of Germany's industrial sector exclusively to so-called "unfair competition from China" is misguided. Protectionist trade measures may, at best, alleviate the immediate symptoms of the industry's crisis. They do not address the challenges of industrial transformation or structural imbalances, nor do they contribute to the development of Germany's innovation system, its energy transition or institutional reform.

Sources: MOFCOM, WeChat