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SANDRA MARCO COLINO

China’s new legal framework for vertical price restraints: aspirations and limitations 278

This article explores, and critically discusses, the revised legal framework for vertical price fixing and minimum resale price maintenance under Chinese competition law from a comparative perspective. In recent years, the Supreme People’s Court (SPC) and China’s legislature have attempted to close the gap in the administrative and judicial readings of the Anti-Monopoly Law (AML). The clarifications made in the recent AML reform largely resolve long-standing interpretative tensions. Nonetheless, they raise new doubts with regard to the standard of proof required to show the absence of effects. Moreover, the modus operandi of the exemptions remains unclear, since they have rarely been successfully invoked in practice. The article questions the true extent of the flexibility afforded by the modified policy, and proposes ways to enhance effective competition law enforcement.

DR GÖNENÇ GÜRKAYNAK, ESQ., O.  
ONUR ÖZGÜMÜŞ, S. BUĞRAHAN  
KÖROĞLU, EFE OKER AND SU AKGÜL

Still debatable, yet inevitable—increasing antitrust focus on labour markets and adapting to the new normal 287

The scope of applicability of antitrust law to labour markets remains uncertain, and potential theories of harm for labour markets are still vague. The issue lacks a much-needed framework, although the emerging global trend of scrutiny over labour markets continue. Antitrust bodies need to take action to prioritise identifying the principles on this front to provide guidance and certainty/visibility.

DR VITTORIO BACHELET

The abuse of economic dependence “digitalization”: the Italian novella in context 300

This article comments on the new rules on abuse of economic dependence introduced in Italy in 2022 to better protect companies from abuses by large digital platforms and to address the difficulties in enforcing competition law at the global level. The analysis considers EU and national legislation (e.g., the German Digitalization Act) and focuses on the relationship between the Italian amendment and the DMA.

FATMA CEREN MORBEL

Pricing algorithms: algorithmic discrimination and collusive practices under EU competition law 313

In recent years, technological advancements have made it possible for companies to collect and utilise data in order to increase profitability. The use of algorithmic pricing has become an integral part of the operation of global markets. Pricing algorithms, although they have several advantages, are also associated with concerns regarding their potential role in facilitating collusion within the digital marketplace. This article addresses the main concerns regarding use of online pricing algorithms and possible collusions in the competitive market. It aims to assist in identifying potential routes for critical questions concerning the effectiveness of competition enforcement in addressing algorithmic discrimination.

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