

Memorandum of Understanding
on Anti-Monopoly Cooperation between
The Federal Antimonopoly Service of the Russian Federation and
The National Development and Reform Commission
of the People's Republic of China

The Federal Antimonopoly Service of the Russian Federation (FAS Russia) and the National Development and Reform Commission of the People's Republic of China (NDRC) (hereinafter referred to as "the Parties"),

Recognizing the importance of cooperation in the field of antimonopoly for promoting effective implementation of competition law and competition policy in their respective countries,

Based on principles of equality and mutual benefits,

Creating favourable conditions for the development of bilateral relations,

Have reached the following understanding:

1. Purpose of Cooperation

The purpose of this Memorandum of Understanding is to strengthen partnership relationship between the Parties by establishing a mechanism for communication and cooperation on competition law and competition policy.

2. Scope of Cooperation

The Parties will cooperate in the following areas, subject to laws and common interests of the respective countries:

(a) Exchange of information on new competition legislation or competition policies in this sphere;

(b) Comments on the drafts of competition law and regulation and their complementary rules;

(c) Exchange of experiences on implementation of competition law when necessary for both sides;

(d) Exchange of practice and experience on communication and coordination between competition authorities and other government agencies of its States;

(e) Sharing practice and experience with respect to competition advocacy and capacity building for law enforcement staff;

(f) Exchanging views over issues relating to international cooperation on competition law and policy; and

(g) Conducting technical cooperation over issues relating to enforcement on competition law and implementation on competition policy.

3. Format of Cooperation

Unless otherwise agreed, the Parties will meet at least once every year, regularly or irregularly conduct a dialogue at the working level in Russia and China alternately to exchange information of the latest development on competition law and policy, and to exchange opinions over issues of common interest.

The Parties will cooperate on different levels and in different forms, including bilateral dialogues, international symposiums, and training seminars.

The Parties will develop an annual working plan for the specific cooperation activities under this Memorandum in the beginning of each year and update such a working plan when necessary.

4. Contact

In order to ensure effective communication, the Parties will appoint a liaison person from their respective offices.

The Chinese side: The Competition Policy and International Cooperation Division of Price Supervision and Anti-Monopoly Bureau of NDRC

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Fax: +86 (10) 6850-1765

E-mail: xinq@ndrc.gov.cn

The Russian side: The International Economic Cooperation Department of the FAS Russia

Tel: +7 (499) 755-2323 ext.088324

Fax: +7 (499) 755-2323 ext.088275

E-mail: international@fas.gov.ru, semevskaya@fas.gov.ru.

5. Cost

During the meetings and visits under this Memorandum, the host Party shall be responsible for expenses connected with the meeting venue. The visiting Party shall be responsible for expenses incurred for international travel, local transportation, accommodation, meal and subsistence costs of its representatives.

For the purpose of coordination, visit requests from Parties' regional or local offices will be channelled through each Party.

6. Confidentiality

It is understood that either Party does not intend to communicate information to the other Party if such communication is prohibited by laws governing the Party possessing the information, or would lead to conflict of interest.

Subject to complying with any relevant legal requirements and unless otherwise agreed by the other Party in advance, either Party is obliged to keep the information provided by the other according to this Memorandum confidential.

7. Settlement of Disputes

The Parties will resolve any discrepancies or disputes arising out of the interpretation or application of this Memorandum between the Parties through consultations.

8. Entry into Force and Termination

The Present Memorandum shall not be considered as an international treaty and does not establish any rights of obligations, which are regulated by international law.

This Memorandum will be applied from the date of signature. Either Party may terminate this Memorandum of Understanding upon thirty days written notice to the other Party in advance.

Signed on 12 April 2017 in duplicate in Russian, Chinese and English. All texts being equally valid, English is used as reference.

For the Federal Antimonopoly Service
of the Russian Federation

For the National Development and
Reform Commission
of the People's Republic of China