

Memorandum of Understanding
Between
the Federal Antimonopoly Service
(Russian Federation)
and
the State Administration for Industry and Commerce
of the People's Republic of China
for the implementation of the Agreement between the Government of the
Russian Federation and the Government of the People's Republic of China on
Cooperation in the Fields of
Countering Unfair Competition and Antimonopoly Policy
(2016-2017)

Regarding the implementation of the Agreement between the Government of the Russian Federation and the Government of the People's Republic of China and Cooperation in the Fields of Countering Unfair Competition and Antimonopoly Policy of April 25 1996 for 2016-2017,

the Federal Antimonopoly Service (Russian Federation) (FAS Russia) and the State Administration for Industry and Commerce of the People's Republic of China (SAIC), hereinafter referred to as Parties, have reached an understanding on the following:

1. During the period of validity of the present Memorandum, regular annual high-level working meetings shall be held in Russia and China respectively. Besides consulting and discussing on issues of common interest, the Parties shall review and evaluate cooperation for the last two years as well as sign the Memorandum of Understanding for the next two years during the final meeting.

2. In 2016 a bilateral meeting on competition enforcement and advertising regulation shall be held in Russia.

3. In 2017 a bilateral meeting on competition enforcement and advertising regulation shall be held in China. During the meeting, the Parties shall review and evaluate the cooperation in 2016-2017 and sign the Memorandum of Understanding for 2018-2019.

4. Subject to the laws and interests of their respective states, the parties shall carry

out, within their jurisdiction, interaction in the following directions:

- exchange of regulatory legal acts and other information in the field of countering unfair competition, control over the observance of the antimonopoly and advertising legislation;
- exchange of information on the concluded cases of unfair competition, monopolistic activity and illegal advertising that affect the interests of economic entities of the state of other Party:
- exchange of information on frontier regional bodies of the Parties;
- exchange of information on state policy concerning public enterprises and subjects of natural monopolies within the limits of competence of the Parties;
- providing assistance by request when the other Party, including its regional bodies, is investigating the transactions of unfair competition, which infringe the rights and interests of the economic entities in the requesting Party's country;
- providing information on economic entities which realize economic activity at the territory of the state of the other Party under the request of the Parties, including their regional bodies, not violating the confidentiality rules stipulated by the legislation of the States of the Parties;

5. Informational exchange between the Parties shall be mainly carried out during the annual working meetings.

If needed, the information exchange may also be carried out at the request of the Parties (regional bodies of the Parties), by mail or e-mail.

Provision of information is carried out in accordance with the laws of the state of the submitting Party.

The information is provided within the terms agreed by the Parties, but not later than 45 days from the day of receipt of the request. The party which has received the request, shall inform the other Party on circumstances, which can result in a failure to submit the requested information or failure to comply with this deadline.

The party which has received information observes the confidentiality rules in accordance with the instructions of the Party submitting the information, but not less, than it is stipulated by the legislation of the state of the Party receiving the information.

6. One of the Parties sends its representatives for participation in events organized by

the other Party, including bilateral consultations, conferences, seminars to share the enforcement experience in the fields of anti-monopoly, countering unfair competition, and advertising regulation.

7. The Parties shall guide and coordinate the regional bodies in frontier regions to intensify cooperation activities and seek better cooperation result.

In order to promptly address issues of cross-border cooperation the Parties authorize to coordinate the implementation of interaction of its regional bodies in border areas

from the FAS Russia' side – Blagoveshchensk, Vladivostok and Khabarovsk Regional offices of the FAS Russia,

from the SAIC' side - Heilongjiang AIC and Jilin AIC China.

8. The parties agreed that all the expenses, including travel expenses, travel within country of stay, meals and accommodation related to the visits of the experts, participation in various events and meetings shall be carried out by the sending Party.

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

The present Memorandum is valid from January 1, 2016 till December 31, 2017.

Memorandum of Understanding is signed on September_23_, 2015 in Moscow in two original copies each in Russian and Chinese.

For the Federal Antimonopoly Service
of the Russian Federation

For the State Administration for
Industry and Commerce
of the People's Republic of China

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