

### HEADLINES

- All authorities remain open, but most are working remotely.
- Some authorities have put in place measures officially to delay merger control processes, whereas others do so implicitly.
- From a substantive point of view, some jurisdictions, including the UK and Germany, are relaxing antitrust rules to allow co-operation in order to address supply issues (e.g., among retailers).
- As an aside, the enforcement of state aid rules is likely to be appreciably relaxed in sectors that are materially affected by Covid-19 (e.g., airlines, travel, tourism, and hospitality).

<p>United States (FTC and DOJ)</p>	<ul style="list-style-type: none"> <li>• Authority Status:             <ul style="list-style-type: none"> <li>◦ Working remotely, operational.</li> <li>◦ Agencies have transitioned HSR filings to a temporary e-filing system.</li> <li>◦ No early termination will be granted for new or existing filings so long as the emergency procedures are in effect.</li> <li>◦ DOJ has requested that merging parties add an additional 30 days to timing agreements after the parties have complied with document requests. DOJ may revisit this timing as the COVID-19 pandemic evolves.</li> <li>◦ DOJ has indicated that all scheduled depositions are temporarily postponed and will be rescheduled using video conference.</li> </ul> </li> <li>• Relevant Links:             <ul style="list-style-type: none"> <li>◦ <a href="https://www.ftc.gov/enforcement/premerger-notification-program/guidance-filing-parties">https://www.ftc.gov/enforcement/premerger-notification-program/guidance-filing-parties</a></li> <li>◦ <a href="https://www.justice.gov/opa/pr/justice-department-announces-antitrust-civil-process-changes-pendency-covid-19-event">https://www.justice.gov/opa/pr/justice-department-announces-antitrust-civil-process-changes-pendency-covid-19-event</a></li> </ul> </li> </ul>
<p>European Commission (EC)</p>	<ul style="list-style-type: none"> <li>• Authority status:             <ul style="list-style-type: none"> <li>◦ Working remotely, operational.</li> <li>◦ Notifications of mergers are encouraged to be delayed where possible. It is unclear to what extent the EC can or will enforce this recommendation but they have flexibility to do so.</li> <li>◦ Ongoing complex cases being delayed.</li> </ul> </li> <li>• Relevant links:             <ul style="list-style-type: none"> <li>◦ <a href="https://ec.europa.eu/competition/mergers/information_en.html">https://ec.europa.eu/competition/mergers/information_en.html</a></li> <li>◦ <a href="https://www.mlex.com/GlobalAntitrust/DetailView.aspx?cid=1170655&amp;siteid=190&amp;rdir=1">https://www.mlex.com/GlobalAntitrust/DetailView.aspx?cid=1170655&amp;siteid=190&amp;rdir=1</a></li> </ul> </li> </ul>

UK (CMA)	<ul style="list-style-type: none"> <li>• Authority status:             <ul style="list-style-type: none"> <li>◦ Working remotely, operational.</li> <li>◦ CMA is committed to maintaining all applicable deadlines, but has stated "<i>at the same time, it will continue to monitor timetables including, as permitted, extending statutory timeframes where necessary.</i>"</li> <li>◦ New notifications are delayed (but no formal policy)</li> <li>◦ The CMA has launched a taskforce to tackle negative impacts within its remit of the COVID-19 pandemic. Will scrutinize market developments to identify harmful sales and pricing practices as they emerge.</li> </ul> </li> <li>• Relevant links:             <ul style="list-style-type: none"> <li>◦ <a href="https://www.gov.uk/government/news/covid-19-cma-working-arrangements">https://www.gov.uk/government/news/covid-19-cma-working-arrangements</a></li> <li>◦ <a href="#">COVID-19: CMA open letter to pharmaceutical and food and drink industries.</a></li> <li>◦ <a href="https://www.gov.uk/government/news/cma-launches-covid-19-taskforce?utm_source=99a4cddc-813a-43ed-989c-b5072e864fdc&amp;utm_medium=email&amp;utm_campaign=govuk-notifications&amp;utm_content=immediate">https://www.gov.uk/government/news/cma-launches-covid-19-taskforce?utm_source=99a4cddc-813a-43ed-989c-b5072e864fdc&amp;utm_medium=email&amp;utm_campaign=govuk-notifications&amp;utm_content=immediate</a></li> </ul> </li> </ul>
Germany (FCO)	<ul style="list-style-type: none"> <li>• Authority status:             <ul style="list-style-type: none"> <li>◦ Working remotely, operational.</li> <li>◦ No delays to statutory deadlines.</li> <li>◦ It will be decided on a case-by-case basis whether hearings of the federal public procurement tribunals are to take place.</li> </ul> </li> <li>• Relevant links:             <ul style="list-style-type: none"> <li>◦ <a href="https://www.bundeskartellamt.de/SharedDocs/Meldung/EN/AktuelleMeldungen/2020/17_03_2020_Communication_Bundeskartellamt.html?nn=4136442">https://www.bundeskartellamt.de/SharedDocs/Meldung/EN/AktuelleMeldungen/2020/17_03_2020_Communication_Bundeskartellamt.html?nn=4136442</a></li> <li>◦ <a href="https://www.mlex.com/User/Login.aspx">https://www.mlex.com/User/Login.aspx</a></li> </ul> </li> </ul>
France (ADLC)	<ul style="list-style-type: none"> <li>• Authority status:             <ul style="list-style-type: none"> <li>◦ Working remotely, operational.</li> <li>◦ The FCA has asked companies to delay their non-urgent merger plans as it "<i>won't be able to guarantee the usual deadlines</i>" due to the measures taken to deal with the coronavirus pandemic. "<i>The mergers already notified and the ones to be notified in the coming weeks may see their usual processing time delayed.</i>"</li> </ul> </li> <li>• Relevant links:             <ul style="list-style-type: none"> <li>◦ <a href="https://www.autoritedelaconcurrence.fr/en/article/adaptation-merger-control-procedures-due-coronavirus-covid-19">https://www.autoritedelaconcurrence.fr/en/article/adaptation-merger-control-procedures-due-coronavirus-covid-19</a></li> </ul> </li> </ul>

Austria (FCA)	<ul style="list-style-type: none"> <li>• Authority status:             <ul style="list-style-type: none"> <li>◦ Working remotely, operational.</li> <li>◦ No delays to statutory deadlines announced but delays likely in practice.</li> </ul> </li> <li>• Relevant links.             <ul style="list-style-type: none"> <li>◦ <a href="https://www.bwb.gv.at/en/news/detail/news/further_measures_by_the_austrian_federal_competition_authority/">https://www.bwb.gv.at/en/news/detail/news/further_measures_by_the_austrian_federal_competition_authority/</a></li> </ul> </li> </ul>
Italy (AGCM)	<ul style="list-style-type: none"> <li>• Authority status:             <ul style="list-style-type: none"> <li>◦ Working remotely, operational.</li> <li>◦ The Italian Competition Authority has suspended all deadlines (including for mergers) from 23 February until 15 April; the clock will restart on Monday, 16 April.</li> </ul> </li> <li>• Relevant links.             <ul style="list-style-type: none"> <li>◦ <a href="https://en.agcm.it/en/media/press-releases/2020/3/ICA-Coronavirus-the-Authority-intervenes-in-the-sale-of-sanitizing-products-and-masks">https://en.agcm.it/en/media/press-releases/2020/3/ICA-Coronavirus-the-Authority-intervenes-in-the-sale-of-sanitizing-products-and-masks</a></li> </ul> </li> </ul>
Spain (CNMC)	<ul style="list-style-type: none"> <li>• Authority status:             <ul style="list-style-type: none"> <li>◦ Working remotely, operational.</li> <li>◦ The government has legislated for suspensions of merger control deadlines, but "<i>if the interested party requests it, it may be agreed that a certain period is not suspended and adopt the appropriate measures in order to avoid serious damage to the rights and legitimate interests of the administered companies.</i>"</li> </ul> </li> <li>• Relevant links.             <ul style="list-style-type: none"> <li>◦ <a href="https://www.cnmc.es/en/node/379630">https://www.cnmc.es/en/node/379630</a></li> </ul> </li> </ul>
South Korea (KFTC)	<ul style="list-style-type: none"> <li>• Authority Status             <ul style="list-style-type: none"> <li>◦ Fully operational.</li> <li>◦ No delays to merger filings announced.</li> <li>◦ Only announced activity regarding coronavirus concerns KFTC investigation into bundling of face masks.</li> </ul> </li> <li>• Relevant links:             <ul style="list-style-type: none"> <li>◦ <a href="https://www.mlex.com/GlobalAntitrust/DetailView.aspx?cid=1167315&amp;siteid=202&amp;rdir=1">https://www.mlex.com/GlobalAntitrust/DetailView.aspx?cid=1167315&amp;siteid=202&amp;rdir=1</a></li> </ul> </li> </ul>

China (SAMR)	<ul style="list-style-type: none"><li>• Authority Status<ul style="list-style-type: none"><li>◦ Fully operational.</li><li>◦ In fact, SAMR has stepped up its activity on both investigation and merger control fronts. SAMR has only halted in-person contact with merging parties – applications and correspondence must be electronic or by post. This has led to minor delays but mergers are being processed much as usual.</li><li>◦ Notifying parties will now submit applications or responses to information requests by email or by post, instead of submitting materials in person.</li></ul></li><li>• Relevant links:<ul style="list-style-type: none"><li>◦ <a href="https://www.mlex.com/GlobalAntitrust/DetailView.aspx?cid=1161347&amp;siteid=202&amp;rdir=1">https://www.mlex.com/GlobalAntitrust/DetailView.aspx?cid=1161347&amp;siteid=202&amp;rdir=1</a></li><li>◦ <a href="https://www.mlex.com/GlobalAntitrust/DetailView.aspx?cid=1164330&amp;siteid=202&amp;rdir=1">https://www.mlex.com/GlobalAntitrust/DetailView.aspx?cid=1164330&amp;siteid=202&amp;rdir=1</a> (in Chinese – need to google translate)</li><li>◦ <a href="https://www.mlex.com/GlobalAntitrust/DetailView.aspx?cid=1168575&amp;siteid=202&amp;rdir=1">https://www.mlex.com/GlobalAntitrust/DetailView.aspx?cid=1168575&amp;siteid=202&amp;rdir=1</a></li></ul></li></ul>
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