**附件2**

**公平竞争审查表**

年

日

月

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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 政策措施  名称 | | | |  | | | | | | | |  | | |
| 涉及行业  领域 | | | |  | | | | | | | |  | | |
| 性质 | | | | 规范性文件□其他政策措施□ | | | | | | | |  | | |
| 起草  机构 | | | | 名称 | |  | | | | | |  | | |
| 联系人 | |  | 电话 |  | | | |  | | |
| 审查  机构 | | | | 名称 | |  | | | | | |  | | |
| 联系人 | |  | 电话 |  | | | |  | | |
| 征求意见  情况 | | | | 向社会公开征求意见□ | | | | | | | |  | | |
| 具体情况(时间、对象、意见反馈和采纳情况)  (可附相关报告` | | | | | | | |  | | |
| 专家咨询  意见(可  选) | | | | (可附专家意见书 | | | | | | | |  | | |
| 竞争影响评估 | | | | | | | | | | | |  | | |
| **一、是否违反市场准入与退出标准** | | | | | | | | | | 是/否 | |  | | |
| 1.设置不合理和歧视性的准入和退出条件 | | | | | | | | | |  | |  | | |
| 2.未经公平竞争授予经营者特许经营权 | | | | | | | | | |  | |  | | |
| 3.限定经营、购买、使用特定经营者提供的商品和服务 | | | | | | | | | |  | |  | | |
| 4.设置没有法律法规依据的审批或者事前备案程序 | | | | | | | | | |  | |  | | |
| 5.对市场准入负面清单以外的行业、领域、业务设置审批程序 | | | | | | | | | |  | |  | | |
| **二、是否违反商品要素自由流通标准** | | | | | | | | | | 是/否 | |  | | |
| 1.对外地和进口商品实行歧视性价格或补贴政策 | | | | | | | | | |  | |  | | |
| 2.限制外地和进口商品进入本地市场或阻碍本地商品运出 | | | | | | | | | |  | |  | | |
| 3.排斥或限制外地经营者参加本地招标投标活动 | | | | | | | | | |  | |  | | |
| 4.排斥限制或强制外地经营者在本地投资或设立分支机构 | | | | | | | | | |  | |  | | |
| 5.对外地经营者在本地投资或设立的分支机构实行歧视性待遇 | | | | | | | | | |  | |  | | |
| **三、是否违反影响生产经营成本标准** | | | | | | | | | | 是/否 | |  | | |
| 1.违法给予特定经营者优惠政策 | | | | | | | | | |  | |  | | |
| 2.将财政支出安排与企业缴纳的税收或非税收入挂钩 | | | | | | | | | | |  |  | | |
| 3.违法免除特定经营者需要缴纳的社会保险费用 | | | | | | | | | | |  |  | | |
| 4.违法要求经营者提供各类保证金或扣留经营者保证金 | | | | | | | | | | |  |  | | |
| **四、是否违反影响生产经营行为标准** | | | | | | | | | | | 是/否 |  | | |
| 1.强制经营者从事《反垄断法》规定的垄断行为 | | | | | | | | | | |  |  | | |
| 2.违法披露或者要求经营者披露生产经营敏感信息 | | | | | | | | | | |  |  | | |
| 3.超越定价权限进行政府定价 | | | | | | | | | | |  |  | | |
| 4.违法干预实行市场调节价的商品服务价格水平 | | | | | | | | | | |  |  | | |
| **五、是否违反兜底条款** | | | | | | | | | | | 是/否 |  | | |
| 1.没有法律法规依据减损市场主体合法权益或者增加其义务 | | | | | | | | | | |  |  | | |
| 2.违反《反垄断法》制定含有排除限制竞争内容的政策措施 | | | | | | | | | | |  |  | | |
| 是否违反相关标准的结论(如违反，请详细说明情况) | | | (可附相关报告' | | | | | | | | |  | | |
| 适用例外规定 | | | 是口否口 | | | | | | | | |  | | |
|  | | 选择  “是”时详细说明理由 | | | |  | | | | | | | |  | | |
| 法规机构意见 | | 签字：  年月日 | | | | | | | | | | | |  | | |
| 政策制  定机关  主要负  责人意  见 | | 签名： | | | | | | | | | | | |  | | |
| ★起草机构与审查机构为同一机构的，审查机构信息可以不填 | | | | | | | | | | | | | |  | | |