

## [导师王晓晔教授点评]

争的一种重要方式, 但我国目前对此深入研究的论文极少, 因此我大力向贵刊推荐此文。

我读过叶高芬同学的论文“欧共体竞争法中的忠实折扣”, 觉得这篇文章观点明确, 结构清晰, 语言流畅, 而且引用了大量的外文资料, 理论性和实践性都很强。“忠实折扣”是市场竞

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## Loyalty Rebate in EC Competition Law

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**Abstract:** Loyalty rebate is conditioned on the customers' engaging in loyal purchasing behavior and it is a common business activity involved price competition. However, in a certain case, loyalty rebate provided by a dominant firm is probably the abuse of its market dominant position. Therefore, how to distinguish legal or pro-competitive loyalty rebates from anti-competitive or exclusionary ones is not only the hot issue among the scholars, but also the difficulties in law enforcement in the world. EC competition law which treats loyalty rebate more and more prudently is a developed legal system, in which loyalty rebate is given an overall evaluation of both its possible foreclosure impact on competition and its possible positive effects in terms of efficiency. The preceding analyses are guided by an effects-based approach in which the price-cost tests and the standard of the equally efficient competitors are applied. The relevant legislation and enforcement experience of loyalty rebate in EC competition law is worth learning.

**Key words:** loyalty rebate; EC competition law; anti-monopoly; effects-based approach

### 观点选萃

## 论企业的生命管理

蒲德祥

肇庆学院教育学院副教授蒲德祥说, 企业组织内外环境变化, 要求企业应该从生命有机体的视角来分析管理问题。对企业作为一个生命有机体的历程进行探索, 并将企业视为一个生命系统, 其目标是为生命意义而发展, 以最终实现终极之善的快乐与幸福。为此, 企业必须进行生命管理。

企业组织类似生命, 具有自己的生命特征属性。企业应该以生命有机体的视角构建生命型企业。生命型企业是为了企业的生命意义而发展, 以此获得终极之善的快乐与幸福。生命管理就是通过系统代谢作用与环境进行物质能量交换使其生命有机体的潜力和优势获得生命意义的机制运行过程。企业生命管理的基本策略, 是企业健康和持续发展的保证, 也是企业获得生命力的保障。