

LAWS40012 Competition Law

Credit Points:	12.50
Level:	4 (Undergraduate)
Dates & Locations:	2011, Parkville This subject commences in the following study period/s: Semester 1, Parkville - Taught on campus.
Time Commitment:	Contact Hours: One 3-hour seminar per week. Total Time Commitment: 144 hours.
Prerequisites:	Legal Method and Reasoning; Torts; Principles of Public Law; Obligations; Contracts; Property; or their equivalents.
Corequisites:	None.
Recommended Background Knowledge:	None.
Non Allowed Subjects:	None.
Core Participation Requirements:	For the purposes of considering requests for Reasonable Adjustments under the Disability Standards for Education (Cwth 2005), and Students Experiencing Academic Disadvantage Policy, academic requirements for this subject are articulated in the Subject Description, Subject Objectives, Generic Skills, and Assessment Requirements of this entry. The University is dedicated to providing support to those with special requirements. Further details on the disability support scheme can be found at the Disability Liaison Unit website: http://www.services.unimelb.edu.au/disability/ .
Coordinator:	Mr Arlen Duke
Contact:	Melbourne Law School Student Centre Email: law-studentcentre@unimelb.edu.au (mailto:law-studentcentre@unimelb.edu.au) Tel: +61 3 8344 4475
Subject Overview:	Competition Law examines the way in which anti-competitive practices are regulated under the <i>Trade Practices Act 1974</i> (Cth). The substantive law of relevance is found in Part IV of the Act. The provisions in Part IV seek to promote competition and regulate market power. These objectives are pursued through the regulation of (i) anti-competitive arrangements (cartels); (ii) misuse of market power; (iii) exclusive dealing; (iv) resale price maintenance; and (v) mergers and acquisitions. Part IIIA establishes an “access” regime that will be mentioned but is not considered in detail. Economic principles and concepts are an integral part of the <i>Trade Practices Act</i> , but no prior knowledge of economics is assumed or required for the purposes of this subject. While it canvasses the policy objectives and challenges of competition regulation, the subject is applied in its orientation.
Objectives:	On completion of this subject, students should be able to: <ul style="list-style-type: none"> # Appreciate the relationship between the disciplines of law and economics in the context of competition law; # Distinguish between common law and statutory regulation of anti-competitive practices; # Articulate the policy objectives in legislating to control anti-competitive practices; # Distinguish between the roles played by regulatory authorities and the courts in enforcing the provisions of the <i>Trade Practices Act</i>; # Critically assess the practical advantages and disadvantages of legal regulation of business practices; # Examine different forms of business behaviour with a view to identifying competition law issues; # Undertake statutory interpretation with greater facility through the experience of construing the provisions of the <i>Trade Practices Act</i>; # Analyse and apply case law with greater facility through the experience of reading and applying competition law cases;

	# Construct and communicate in writing an argument based on understanding the facts, identifying the issues, analysing the applicable law and applying the law to the facts.
Assessment:	Final written open book examination of three hours duration, plus 30 minutes reading time (100%).
Prescribed Texts:	Duns, Davison, and Duke, <i>Competition Law Cases and Materials</i> (3rd ed, 2011 Lexis Nexis Butterworths); Supplementary printed materials will be available from the Melbourne Law School; Trade Practices Act 1974 (available online).
Recommended Texts:	Bruce, <i>Restrictive Trade Practices Law in Australia</i> (2010, Lexis Nexis Butterworths).
Breadth Options:	This subject is not available as a breadth subject.
Fees Information:	Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees
Generic Skills:	On completion of the subject, students should have developed the following generic skills: <ul style="list-style-type: none"> # The capacity for close reading and analysis of a range of sources; # The capacity for critical and independent thought and reflection; # The capacity to solve problems, including through the collection and evaluation of information; # The capacity to communicate, both orally and in writing; and # The capacity to plan and manage time.
Notes:	This subject has a quota of 80. Please contact the Law Student Centre for enrolment information.