

## BLAW30004 Competition and Consumer Law

<b>Credit Points:</b>	12.5
<b>Level:</b>	3 (Undergraduate)
<b>Dates &amp; Locations:</b>	2015, Parkville This subject commences in the following study period/s: Semester 1, Parkville - Taught on campus.
<b>Time Commitment:</b>	Contact Hours: 36 hours. 2 hour seminar plus 1 hour tutorial per week. Total Time Commitment: 120 hours.
<b>Prerequisites:</b>	100 points of undergraduate study. <b>This is a Level 3 subject but students may complete it in their second year of studies if they have satisfied the necessary prerequisites. The subject level is an indicator as to the difficulty of the subject and expected workload.</b>
<b>Corequisites:</b>	None
<b>Recommended Background Knowledge:</b>	None
<b>Non Allowed Subjects:</b>	None
<b>Core Participation Requirements:</b>	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: <a href="http://www.services.unimelb.edu.au/disability/">www.services.unimelb.edu.au/disability/</a> .
<b>Coordinator:</b>	Mr Arlen Duke
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<b>Subject Overview:</b>	<p>Competition and Consumer Law will explore the statutory regulation of anti-competitive practices under the <i>Competition and Consumer Act 2010</i> (Cth). The subject will also examine the key components of Australia's national consumer protection regime (the <i>Australian Consumer Law</i>). While it canvasses the policy objectives and challenges of competition and consumer protection regulation, the subject is applied in its orientation.</p> <p>Topics will include:</p> <ol style="list-style-type: none"> <li>1 Consumer protection policy;</li> <li>2 Misleading conduct;</li> <li>3 Unconscionable conduct;</li> <li>4 Unfair contract terms;</li> <li>5 Consumer guarantees;</li> <li>6 Competition law policy;</li> <li>7 Key economic concepts;</li> <li>8 Market power and the regulation of its misuse;</li> <li>9 Horizontal restraints (cartels);</li> <li>10 Vertical restraints (exclusive dealing and resale price maintenance);</li> <li>11 Merger regulation under competition law;</li> <li>12 Enforcement and remedies.</li> </ol>
<b>Learning Outcomes:</b>	<p>On completion of this subject, students should be able to:</p> <ul style="list-style-type: none"> <li># Appreciate the relationship between the disciplines of law and economics in the context of competition and consumer law;</li> <li># Explain the policy objectives in legislating to control anti-competitive practices;</li> </ul>

	<ul style="list-style-type: none"> <li># Explain the policy objectives that underpin consumer protection legislation;</li> <li># Examine different forms of business behaviour with a view to identifying competition law and consumer protection law issues;</li> <li># Undertake statutory interpretation;</li> <li># Analyse and apply case law; and</li> <li># Construct and communicate a written legal argument based on understanding the facts, identifying the issues, analysing the applicable law and applying the law to the facts.</li> </ul>
<b>Assessment:</b>	2,000 word answer to one complex hypothetical problem to be completed in student pairs (due in accordance with the assessment schedule) (30%); Final two-hour open-book examination (70%).
<b>Prescribed Texts:</b>	1. Alex Bruce, Australian Competition Law (2nd ed, 2013) (LexisNexis) 2. Alex Bruce, Consumer Protection Law in Australia (2nd ed, 2013) (LexisNexis)
<b>Breadth Options:</b>	<p>This subject potentially can be taken as a breadth subject component for the following courses:</p> <ul style="list-style-type: none"> <li># <b>Bachelor of Arts</b> (<a href="https://handbook.unimelb.edu.au/view/2015/B-ARTS">https://handbook.unimelb.edu.au/view/2015/B-ARTS</a>)</li> <li># <b>Bachelor of Biomedicine</b> (<a href="https://handbook.unimelb.edu.au/view/2015/B-BMED">https://handbook.unimelb.edu.au/view/2015/B-BMED</a>)</li> <li># <b>Bachelor of Commerce</b> (<a href="https://handbook.unimelb.edu.au/view/2015/B-COM">https://handbook.unimelb.edu.au/view/2015/B-COM</a>)</li> <li># <b>Bachelor of Environments</b> (<a href="https://handbook.unimelb.edu.au/view/2015/B-ENVS">https://handbook.unimelb.edu.au/view/2015/B-ENVS</a>)</li> <li># <b>Bachelor of Music</b> (<a href="https://handbook.unimelb.edu.au/view/2015/B-MUS">https://handbook.unimelb.edu.au/view/2015/B-MUS</a>)</li> <li># <b>Bachelor of Science</b> (<a href="https://handbook.unimelb.edu.au/view/2015/B-SCI">https://handbook.unimelb.edu.au/view/2015/B-SCI</a>)</li> </ul> <p>You should visit <a href="http://breadth.unimelb.edu.au/breadth/info/index.html">learn more about breadth subjects (http://breadth.unimelb.edu.au/breadth/info/index.html)</a> and read the breadth requirements for your degree, and should discuss your choice with your student adviser, before deciding on your subjects.</p>
<b>Fees Information:</b>	Subject EFTSL, Level, Discipline & Census Date, <a href="http://enrolment.unimelb.edu.au/fees">http://enrolment.unimelb.edu.au/fees</a>
<b>Generic Skills:</b>	<p>Students studying Competition and Consumer Law will develop the following generic skills:</p> <ul style="list-style-type: none"> <li># The capacity for close reading and analysis of a range of sources;</li> <li># The capacity to communicate, both orally and in writing;</li> <li># The capacity to participate as a member of a team;</li> <li># The capacity to plan and manage time; and</li> <li># The capacity to solve problems, including through the collection and evaluation of information.</li> </ul> <p>In addition, on completion of the subject, students should have developed the following skills specific to the discipline of law:</p> <ul style="list-style-type: none"> <li># Capacity to solve competition and consumer law problems by collecting and evaluating information from a variety of sources;</li> <li># Communicate solutions to competition and consumer law problems both orally and in writing;</li> <li># Ability to work in groups to solve competition and consumer law problems; and</li> <li># Critically analyse materials in a classroom setting.</li> </ul>
<b>Related Breadth Track(s):</b>	Law - Business and Competition and Consumer Law