

## 730-725 Law and Economics of Access Regulation

<b>Credit Points:</b>	12.500
<b>Level:</b>	Graduate/Postgraduate
<b>Dates &amp; Locations:</b>	2008, This subject commences in the following study period/s: Semester 1, - Taught on campus.
<b>Time Commitment:</b>	Contact Hours: 24 - 26 contact hours per subject. Total Time Commitment: The time commitment for this subject depends on the candidate's background and experience.
<b>Prerequisites:</b>	None
<b>Corequisites:</b>	N.A.
<b>Recommended Background Knowledge:</b>	None
<b>Non Allowed Subjects:</b>	None
<b>Core Participation Requirements:</b>	N.A.
<b>Coordinator:</b>	Richard York
<b>Subject Overview:</b>	<p><b>Objectives:</b></p> <p>A candidate who has successfully completed the subject should:</p> <ul style="list-style-type: none"> <li># Understand the policy intentions underpinning third party access regimes in Australia;</li> <li># Have a clear understanding of the economic theory and principles behind the regulation of third party access regimes;</li> <li># Be aware of and understand the current legislation relevant to third party access regimes in Part IIIA and XIC of the <i>Trade Practices Act 1974</i> (the TPA);</li> <li># Be able to understand the economic and legal meaning of key considerations and legislative criteria associated with access regimes (eg. promotion of competition; economically efficient use and operation of facilities and infrastructure; legitimate business interests of an access provider etc.);</li> <li># Have a firm understanding of the relevant regulatory and case law history associated with the declaration of services; and the setting of prices in relation to declared services associated with third party access regimes in Australia;</li> <li># Be able to compare and contrast the regimes as they operate under Part IIIA and Part XIC of the TPA;</li> <li># Understand the practice and procedure associated with declaration application considerations, access price undertaking assessments and arbitration determinations; and</li> <li># Be able to understand and form views on arguments relating to gaming of third party access regimes and whether the existing legislation in the TPA is capable of achieving the underlying policy intentions of third party access regimes.</li> </ul> <p><b>Syllabus:</b></p> <ul style="list-style-type: none"> <li># Underlying economic principles and policy intention behind third party access regimes in Australia</li> <li># Outline of third party access regimes in Part IIIA and Part XIC of the <i>Trade Practices Act 1974</i> (the TPA)</li> <li># Consideration of previous and ongoing examples of the application of access regimes in Australia</li> <li># Legal and economic meaning of key terms and expressions in access regimes (e.g. promotion of competition; efficient use/operation of infrastructure/facilities; legitimate business interests of access provider etc);</li> <li># Assessment of whether current legislation is well-designed to achieve the objectives of third party access regimes in Australia.</li> </ul>
<b>Assessment:</b>	Class participation (10%) Take-home examination (50%) (4-7 July) Research paper 4,000 words (40%) (11 August) (topic approved by the subject coordinator)

<b>Prescribed Texts:</b>	Core subject materials will be provided free of charge to all students. Some subjects require further texts to be purchased. Please visit the subject homepage on the Melbourne Law Masters website by following the link at the bottom of this subject entry.
<b>Breadth Options:</b>	This subject is not available as a breadth subject.
<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>	Please see the Subject Objectives for this information.
<b>Links to further information:</b>	For the latest information on this subject, please visit: <a href="http://www.masters.law.unimelb.edu.au/subject/730725">http://www.masters.law.unimelb.edu.au/subject/730725</a>