

## 730-324 Competition Law

<b>Credit Points:</b>	12.50
<b>Level:</b>	4 (Undergraduate)
<b>Dates &amp; Locations:</b>	2009, This subject commences in the following study period/s: Semester 2, - Taught on campus.
<b>Time Commitment:</b>	Contact Hours: One 3-hour seminar per week Total Time Commitment: Estimated total time commitment of 144 hours.
<b>Prerequisites:</b>	Legal Method & Reasoning; Principles of Public Law; Contracts or their equivalents
<b>Corequisites:</b>	None
<b>Recommended Background Knowledge:</b>	None
<b>Non Allowed Subjects:</b>	None
<b>Core Participation Requirements:</b>	<p>&lt;p&gt;For the purposes of considering request for Reasonable Adjustments under the Disability Standards for Education (Cwth 2005), and Student Support and Engagement Policy, academic requirements for this subject are articulated in the Subject Overview, Learning Outcomes, Assessment and Generic Skills sections of this entry.&lt;/p&gt; <p>&lt;p&gt;It is University policy to take all reasonable steps to minimise the impact of disability upon academic study, and reasonable adjustments will be made to enhance a student's participation in the University's programs. Students who feel their disability may impact on meeting the requirements of this subject are encouraged to discuss this matter with a Faculty Student Adviser and Student Equity and Disability Support: &lt;a href="http://services.unimelb.edu.au/disability"&gt;http://services.unimelb.edu.au/disability&lt;/a&gt;&lt;/p&gt;</p> </p>
<b>Coordinator:</b>	Mr Arlen Duke
<b>Contact:</b>	Semester 1 Coordinator: Dr Caron Beaton-Wells Semester 2 Coordinator: Mr Arlen Duke
<b>Subject Overview:</b>	<p>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; (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. Parts XIB and XIC contain provisions specific to the telecommunications industry that are not studied in this subject. 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.</p>
<b>Objectives:</b>	<p>On completion of this subject, students should be able to: · 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.</p>
<b>Assessment:</b>	Final written open book examination of three hours, plus 30 minutes reading time (100%).

<b>Prescribed Texts:</b>	Duns, Davison & Beaton-Wells, Competition Law Cases and Materials . Butterworths, 2006 Supplementary materials may be issued by the Law School Trade Practices Act 1974 (available online)
<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>	Information Not Available