

LAWS70347 Merger Regulation Under Competition Law

Credit Points:	12.50
Level:	7 (Graduate/Postgraduate)
Dates & Locations:	2010, Parkville This subject commences in the following study period/s: June, Parkville - Taught on campus.
Time Commitment:	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: Visit the Melbourne Law Masters website for more information about this subject.
Prerequisites:	Visit the Melbourne Law Masters website for more information about this subject.
Corequisites:	Visit the Melbourne Law Masters website for more information about this subject.
Recommended Background Knowledge:	Visit the Melbourne Law Masters website for more information about this subject.
Non Allowed Subjects:	Visit the Melbourne Law Masters website for more information about this subject.
Core Participation Requirements:	Visit the Melbourne Law Masters website for more information about this subject.
Contact:	For the most up-to-date information about this subject, contact the Melbourne Law Masters Office by email at law-masters@unimelb.edu.au or phone 8344 6190 or alternatively visit the subject website: www.masters.law.unimelb.edu.au
Subject Overview:	<p>Drawing on Australian, United States and European Union competition law and cases, principal topics will include:</p> <ul style="list-style-type: none"> # The theory of merger review: Why and how mergers may harm competition, 'theories of harm' involving unilateral and coordinated effects of mergers # An overview of the processes for merger review in Australia, the US and EU # The analytical framework for merger review - market definition, concentration, entry barriers, countervailing power, imports and new sources of competition, counterfactual analysis # An analysis of the ACCC merger guidelines, drawing on US and other jurisprudence # Analysing special cases - failing firms, vertical and conglomerate mergers, complementary products, 'creeping' acquisitions, joint ventures, strategic and minority stakes # Economic models - predicting competitive effects # The role of 'efficiencies' in merger analysis - different approaches in Australia and the US # Regulatory responses to anticompetitive mergers, including structural and behavioural remedies # Advocacy in merger review - by merger proponents, customers, suppliers and competitors; drawing on economic, legal and business inputs; the regulators' investigative tools and responses to submissions # International mergers - special issues where mergers are reviewed in several jurisdictions.
Objectives:	<p>A student who has successfully completed this subject should:</p> <ul style="list-style-type: none"> # Understand the ways in which acquisitions of shares or assets (mergers) are assessed under competition laws in Australia and elsewhere # Understand the substantive analysis of mergers by competition regulators # Be able to analyse coherently the likely competitive impact of merger proposals from their terms and context # Understand the likely regulatory responses to merger proposals, and the steps by which mergers may be blocked or altered by competition regulators, especially the Australian Competition and Consumer Commission (ACCC).
Assessment:	Class participation (10%) Take-home examination (50%) (30 July-2 August) 4,000 word research paper (40%) (20 September) on a topic approved by the subject coordinator
Prescribed Texts:	Visit the subject website for more information

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:	Visit the Melbourne Law Masters website for more information about this subject.
Links to further information:	http://www.masters.law.unimelb.edu.au/