

LAWS70050 Cartels and Competition Law

Credit Points:	12.50
Level:	7 (Graduate/Postgraduate)
Dates & Locations:	2011, Parkville This subject commences in the following study period/s: February, Parkville - Taught on campus.
Time Commitment:	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: Not available
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 more information, contact the Melbourne Law Masters office. Email law-masters@unimelb.edu.au (mailto:law-masters@unimelb.edu.au) or phone +61 3 8344 6190. Alternatively, visit our website: www.masters.law.unimelb.edu.au (http://www.masters.law.unimelb.edu.au/)
Subject Overview:	As in previous years when the subject has been offered (2008 and 2009), several sessions will be run by guest presenters who have kindly agreed to share their expertise. Principal topics will include: <ul style="list-style-type: none"> # The economics of collusion # Collusion as a prime element of the prohibitions against cartel conduct # Fixing, controlling or maintaining a price, reduction of output, allocation of customers, and bid rigging # Exclusionary provisions # Cartel offences (fault elements) # Individual and corporate responsibility and ancillary liability (including liability for being knowingly concerned) # Exceptions (including related corporations, joint ventures, collective bargaining, intellectual property and export arrangements) # Enforcement and investigation (enforcement policy and guidelines, powers of investigation, immunity and cooperation, concurrent and sequential criminal and civil proceedings, and offences relating to powers of investigation) # Procedure and evidence in criminal trials # Damages and class actions # Civil and criminal sanctions against corporate and individual defendants, and compliance and liability control.
Objectives:	A student who has successfully completed this subject should: <ul style="list-style-type: none"> # Understand the current law on the prohibitions of cartel conduct under the <i>Competition and Consumer Act 2010</i> (Cth) (price fixing, restriction of output, allocation of customers, bid rigging, and exclusionary provisions) # Be familiar with the main legal and economic criticisms of the prohibitions relating to cartel provisions and exclusionary provisions in Australia when compared with models from other jurisdictions # Be familiar with the elements and limitations of the main exceptions available to negate liability for cartel conduct

	<ul style="list-style-type: none"> # Understand the powers of investigation that may be used to investigate possible cartel conduct and the enforcement policies of the Australian Competition and Consumer Commission (ACCC) and the Commonwealth Director of Public Prosecutions (CDPP) # Have a clear grasp of the main procedural and evidentiary issues that are likely to arise in criminal proceedings # Be able to advise corporations and their employees on liability and related issues, including applications for immunity and submissions on sentences and penalties.
Assessment:	Visit the Melbourne Law Masters website for more information about this subject.
Prescribed Texts:	Core subject materials will be provided free of charge to all students. Some subjects require further texts to be purchased. Visit the Melbourne Law Masters website for more information about this subject.
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