

LAWS70347 Merger Regulation Under Competition Law

Credit Points:	12.50
Level:	7 (Graduate/Postgraduate)
Dates & Locations:	2011, Parkville This subject commences in the following study period/s: August, 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:	Drawing on Australian, United States and European Union competition law and cases, principal topics will include: <ul style="list-style-type: none"> # The theory of merger review: Why and how mergers may harm competition, and '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, and 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 United States # Regulatory responses to anti-competitive 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:	A student who has successfully completed this subject should: <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 overseas # 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:	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