



**COMMERCE
COMMISSION**

NEW ZEALAND

Te Komihana Tauhokohoko

New Zealand Commerce Commission Merger Guidelines

Caron Beaton-Wells



New Zealand Commerce Commission Merger Guidelines:

Competition Law in New Zealand Anna Kingsbury, 2019-07-10 Derived from the renowned multi volume International Encyclopaedia of Laws this practical analysis of competition law and its interpretation in the New Zealand covers every aspect of the subject the various forms of restrictive agreements and abuse of dominance prohibited by law and the rules on merger control tests of illegality filing obligations administrative investigation and enforcement procedures civil remedies and criminal penalties and raising challenges to administrative decisions Lawyers who handle transnational commercial transactions will appreciate the explanation of fundamental differences in procedure from one legal system to another as well as the international aspects of competition law Throughout the book the treatment emphasizes enforcement with relevant cases analysed where appropriate An informative introductory chapter provides detailed information on the economic legal and historical background including national and international sources scope of application an overview of substantive provisions and main notions and a comprehensive description of the enforcement system including private enforcement The book proceeds to a detailed analysis of substantive prohibitions including cartels and other horizontal agreements vertical restraints the various types of abusive conduct by the dominant firms and the appraisal of concentrations and then goes on to the administrative enforcement of competition law with a focus on the antitrust authorities powers of investigation and the right of defence of suspected companies This part also covers voluntary merger notifications and clearance decisions as well as a description of the judicial review of administrative decisions Its succinct yet scholarly nature as well as the practical quality of the information it provides make this book a valuable time saving tool for business and legal professionals alike Lawyers representing parties with interests in the New Zealand will welcome this very useful guide and academics and researchers will appreciate its value in the study of international and comparative competition law **Merger Control**

Worldwide Maher M. Dabbah, Paul Lasok QC, 2012-05-31 Merger control has emerged as a growing area of competition law within the last decade Merger operations can impact on a number of jurisdictions and may require regulatory notification and approval in more than one Merger Control Worldwide provides practitioners and policy makers with a clear point of reference that will prove invaluable when making decisions and delivering sound and accurate advice in merger cases The chapters set out the details of every jurisdiction where a mechanism for merger control is in place and make use of flowcharts and diagrams to provide a concise and practical account of the relevant law in each jurisdiction **Merger**

Control Porter Elliott, 2011 A new book on merger control edited by Van Bael Bellis partners Jean Francois Bellis and Porter Elliott was published on 14 September 2011 The 820 page book which is part of the European Lawyer Reference Series provides an overview of the jurisdictional procedural and substantive merger control rules in over 40 major jurisdictions worldwide Leading firms from across the globe contributed to this book which is among the most comprehensive of its kind on the market **The Evolution of Competition Law in New Zealand** Rex Ahdar, 2020-08-21 The modern era of

competition law in New Zealand began with the Commerce Act 1986. Since then a steady and impressive corpus of case law had traversed all the usual major areas of antitrust law: cartels, resale price maintenance, exclusive dealing, tying, group boycotts, monopolization, mergers and acquisitions, exempted sectors and the role of economic evidence. This volume explains the rationale for the various major reforms, the ongoing contestation between the Harvard and Chicago Schools of antitrust and traces the developments of key concepts over the last 34 years. This title also explores systemic issues such as how well has New Zealand moulded its own competition law whilst nonetheless selectively drawing upon the policies, case law and wisdom of foreign jurisdictions; how effectively has it faced the challenge of adapting its fledgling competition law to the reality of being a small deregulated open and distant economy; and how successful was the application of competition law to utilities in the experimental era of light handed regulation. Written by a New Zealand competition expert, this detailed original and comprehensive chronicle of New Zealand's competition law and policy draws together the common threads that mark the modern era and offers some predictions about how the next decades of New Zealand competition law might unfold.

International Merger Policy Julie Clarke, 2014-04-25. *International Merger Policy* offers a compelling comparative assessment of domestic and regional merger laws and procedures. Identifying important areas of convergence and emerging best practice, it considers existing levels of international cooperation.

Competition Policy for Small Market Economies Michal S. Gal, Michal S. Gal, 2009-06-30. Michal Gal's thorough analysis shows the effects of market size on competition policy, ranging from rules of thumb to more general policy prescriptions such as goals and remedial tools. Competition policy in small economies is becoming increasingly important since the number of small jurisdictions adopting such policy is rapidly growing. Gal's focus extends beyond domestic competition policy to the evaluation of the current trend toward the worldwide harmonization of policies.

Competition Law Richard Whish, David Bailey, 2012-01-12. The authors describe the potential scope and application of the various legal provisions which regulate competition in the UK. This book also examines the results of the convergence of UK and EC law with regard to competition in business.

Global Merger Control Manual David J. Laing, Luis A. Gómez, 2007. The Oxford Handbook of International Antitrust Economics Roger D. Blair, D. Daniel Sokol, 2015. The Handbook examines the most important issues that arise in antitrust economics. Leading scholars in the field provide detailed critical analysis of developments across a number of different antitrust topics along with a detailed review of the literature. The Handbook is invaluable as a research and teaching tool.

Proof of Antitrust Markets in Australia Caron Beaton-Wells, 2003. This book examines the evidence involved in proving the existence of an antitrust market under the Australian Trade Practices Act 1974. An antitrust market is a complex economic/legal concept. Proof of such a market is a critical issue that must be tackled in assessing whether business conduct is anti-competitive for the purposes of the Act. It is an issue that arises in most jurisdictions in which competition legislation exists, including New Zealand, the United States and the European Community. *Proof of Antitrust Markets in Australia* is the first comprehensive

analysis of the evidentiary dimensions of this important issue. It provides significant practical insights for lawyers, economists, judges, regulators and business people concerning the evidence required to establish antitrust markets to the satisfaction of the courts. The challenges involved in presenting evidence from industry, consumers, statistical studies and expert witnesses are each explored in detail. The insights conveyed in the book indicate that while the approach taken by Australian courts to the evidence on this issue may be correct in principle, it lacks rigour in practice. The author makes a range of recommendations as to how the approach could be improved. This particular aspect of the book should be of interest to scholars in the field of competition law generally.

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