



COMPETITION LAW AND PRACTICE

A REVIEW OF MAJOR JURISDICTIONS

Edited by Marjorie Holmes

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The current financial crisis continues to illustrate how our economies are interlinked and how competition law is a necessary tool in a mixed economy. The growing realisation of the importance of effective competition has also been illustrated in over one hundred countries now having adopted legislation to protect their consumers and markets such as China which has recently adopted anti-monopoly legislation in August 2008. All these factors serve to illustrate that competition is an important and evolving topic.

Each country chapter is written by experienced legal experts in the relevant jurisdiction and provides a thorough examination of the competition framework in each country. Each jurisdiction is introduced with an assessment of its competition authority explaining its responsibilities and scope. In addition to dealing with mergers, the book also looks at the lateral arrangements which each jurisdiction has with other jurisdictions emphasising the importance the International Competition Network and the European Competition Network place on coordinating and sharing experiences to overcome obstacles in the implementation of their respective competition rules. The book gives further insight into the enforcement and investigation powers of these authorities in the context of cartels and abuse of a dominant position which is also topical given the use of these powers by the European Union to conduct a sector inquiry of the pharmaceutical industry at the beginning of 2008. Private national damages actions are also addressed.

This book will be useful to legal practitioners, judges, policy makers, international organisations, academics, research institutions and consumer groups worldwide who want to acquire or enhance their knowledge in this field of law. This book will also be useful to postgraduate students of competition law and policy, students of EU law as well as any undergraduate who wishes to find out more on competition law in these key jurisdictions, and who wants to analyse the similarities and differences of the competition regimes.

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Philip Lowe - Director General, European Commission's Directorate General for Competition

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About the Editor & Contributing Authors

Editor: *Marjorie Holmes* is a Partner at Reed Smith and specialises in competition law in several sectors including aviation, marine, insurance, construction, sport and telecoms. Marjorie has represented companies in a number of important investigations by the European Commission and the UK Competition Authorities. She also acts as legal adviser to several trade associations, and covers Mergers & Acquisitions.

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A particular mention must be made for the author of the China Chapter, *Zhenguo Wu*. He is deputy head of the Department of Treaty and Law of the Ministry of Commerce, and deputy head of the Anti-Monopoly Office of the Ministry which is an organ for the review of anti-monopoly in foreign mergers and acquisitions. His experience also involves the drafting work of anti-monopoly law since 1994 and he was the only committee member who worked on the proposed anti-monopoly legislation through its inception to the promulgation of the law in August 1997. His contribution is invaluable to the China Chapter.

Special thanks go to *Philip Lowe* for having written the foreword. Philip Lowe has been Director General of the European Commission's Directorate General for Competition since September 2002. As such he is the most senior Commission official responsible for competition matters.

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