

PROCEDURAL FAIRNESS IN COMPETITION PROCEEDINGS



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PAUL NIHOUL
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Sudhanshu Kumar

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Regulating Cartels in India Sudhanshu Kumar,2022-11-23 This book presents a comprehensive assessment of anti cartel enforcement and investigative procedures in India It makes a case for enhanced sanctions for cartel conduct in India Cartels are considered the most pernicious violation of competition law referred to as cancer to the free market economy While competition laws in most jurisdictions prescribe strict sanctions against cartels Indian Competition Law provides only civil penalties with an upper ceiling for proven cartel conduct This volume assesses the effectiveness of anti cartel enforcement of the Competition Commission of India CCI It explores investigative procedures of the CCI through multiple qualitative and quantitative indicators and the extent to which enforcement of anti cartel laws in India has led to cartel deterrence Further it also examines the priorities and processes of the CCI in terms of anti cartel enforcement their sanctioning mechanism and their dependency of computation of penalty on varied factors Featuring detailed case law studies and engaging data this book will be an essential read for students and researchers of law and legal studies competition law corporate law intellectual property law and business law *Anti-Cartel Enforcement in a Contemporary Age* Caron

Beaton-Wells,Christopher Tran,2015-09-24 Leniency policies are seen as a revolution in contemporary anti cartel law enforcement Unique to competition law these policies are regarded as essential to detecting punishing and deterring business collusion conduct that subverts competition at national and global levels Featuring contributions from leading scholars practitioners and enforcers from around the world this book probes the almost universal adoption and zealous defence of leniency policies by many competition authorities and others It charts the origins of and impetuses for the leniency movement captures key insights from academic research and practical experience relating to the operation and effectiveness of leniency policies and examines leniency from the perspectives of corporate and individual applicants advisers and authorities The book also explores debates surrounding the intersections between leniency and other crucial elements of the enforcement system such as compensation compliance and criminalisation The rich critical analysis in the book draws on the disciplines of law regulation economics and criminology It makes a substantial and distinctive contribution to the literature on a topic that is highly significant to a wide range of actors in the field of competition law and business regulation generally From the Foreword by Professor Fr d ric Jenny fundamental questions are raised and thoroughly discussed in this book which is undoubtedly the most comprehensive scholarly work on leniency policies produced so far the book should be required reading for all seeking to acquire a deeper insight into the issues related to leniency policy It is a priceless contribution *Competition Law in Croatia* Jasmina Pecotić Kaufman,Vlatka Butorac Malnar,Dubravka

Akšamović,2019-07-10 Derived from the renowned multi volume International Encyclopaedia of Laws this practical analysis of competition law and its interpretation in the Croatia 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 Croatia will welcome this very useful guide and academics and researchers will appreciate its value in the study of international and comparative competition law

Consumer Involvement in Private EU Competition Law Enforcement

Maria Ioannidou,2015-09-03 Despite the growing importance of consumer welfare in EU competition law debates there remains a significant disconnect between rhetoric and reality as consumers and their interests still play only an ancillary role in this area of law Consumer Involvement in Private EU Competition Law Enforcement is the first monograph to exclusively address this highly topical and much debated subject providing a timely and wide ranging examination of the need for more active consumer participation in competition law Written by an expert in the field it sets out a comprehensive framework of policy implications and arguments for greater involvement positioning the debate in the context of a broader EU law perspective It outlines pragmatic approaches to remedial and procedural measures that would enable consumer empowerment Finally the book identifies key institutional and political obstacles to the adoption of effective measures and suggests alternative routes to enhance the role of consumers in private competition law enforcement The book's innovative approach combining normative analysis and practical solutions make it invaluable for academics policy makers and practitioners in the field

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