

# LA9C2-20 Global Competition Law

**22/23**

**Department**

School of Law

**Level**

Taught Postgraduate Level

**Module leader**

Kathryn McMahon

**Credit value**

20

**Module duration**

9 weeks

**Assessment**

100% coursework

**Study location**

University of Warwick main campus, Coventry

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## Description

### Introductory description

This module critically examines competition law from the perspective of laws operating in the European Union, the United States and internationally. An emphasis will be placed on an understanding of the objectives and underlying economic principles which guide the interpretation and enforcement of these laws.

Specific topics will be studied within the general themes of the legal framework, institutions and approaches to the regulation of specific anti-competitive conduct and merger regulation. A special emphasis will be placed on recent developments in the competition regulation of digital platforms. The institutional design of competition law and the application of competition law in developing and least developed jurisdictions will be also be examined. The operation of competition law will be examined within the context of the global economy, specifically: the extraterritorial reach of competition laws; the co-ordination of international competition investigations through bilateral and multilateral agreements and; attempts to harmonise competition law enforcement through a 'global competition law'.

[Module web page](#)

### Module aims

Provide students with the knowledge and understanding of competition law from the perspective of

laws operating internationally with particular emphasis on those in the United States and European Union.

Critical evaluation of the economic principles and political objectives which guide the interpretation and enforcement of these laws in a global context.

Understanding of the legal framework, institutions and approaches to the regulation of specific anti-competitive conduct and merger regulation; the ability to evaluate complex legal and policy problems and to conduct independent research.

Critical evaluation of the operation of competition laws in least developed, developing and transition economies.

Critical evaluation of the content and operation of competition laws in the global economy, the operation of international agreements and international efforts towards the harmonisation of competition laws.

## **Outline syllabus**

This is an indicative module outline only to give an indication of the sort of topics that may be covered. Actual sessions held may differ.

A selection of the following topics will be covered. It is not possible to cover all of these topics in depth in a 9 week module.

The economics of competition law and goals of competition law, including welfare and distributional issues; Markets and competition; Agreements in restraint of trade, cartels; vertical agreements; The regulation of monopoly power; the competition regulation of digital platforms; The regulation of structure: merger control; Competition law in developing countries, transition and least developed countries; Competition Law and Institutional Design; Enforcement; Internationalisation: extraterritoriality and 'global competition laws'.

## **Learning outcomes**

By the end of the module, students should be able to:

- Identify and critically evaluate the law and economics of competition laws operating in the US, EU and internationally
- Understand the historical context, legal framework, institutions and approaches to the regulation of specific anti-competitive conduct and merger regulation
- Critically evaluate the economic principles and political objectives which guide the interpretation and enforcement of these laws in an international context
- Critically evaluate the operation of these laws in developing, transition and least developed economies
- Apply conceptual and doctrinal legal knowledge to complex factual situations in the field of competition law and formulate policy solutions
- Present a coherent oral argument concerning a policy question or solving a complex legal problem
- Conduct independent research and present a coherent and critical written argument to a high standard of analysis

- Work collaboratively, independently and to set deadlines

## **Indicative reading list**

There is no set textbook. All the required readings and other materials can be found on the module moodle.

Further references:

Elhauge, E., and D. Geradin, Global Competition Law and Economics (Hart)

Fox, E., & Geradin, D., EU Competition Law: Cases Text Context (Edward Elgar)

Jones, Sufrin & Dunne, EU Competition Law (Oxford University Press).

Lianos, I., V. Korah and P. Siciliani, Competition Law: Analysis, Cases & Materials (Oxford University Press).

Van Den Bergh, R., Comparative Competition Law and Economics (Edward Elgar)

Whish and Bailey, Competition Law (Oxford University Press)

[View reading list on Talis Aspire](#)

## **Research element**

### **Interdisciplinary**

Law and economics

### **International**

Critically examines competition law from a comparative and international perspective. The institutional design and application of competition law in developing and least developed jurisdictions is also examined.

### **Subject specific skills**

No subject specific skills defined for this module.

### **Transferable skills**

No transferable skills defined for this module.

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## **Study**

### **Study time**

<b>Type</b>	<b>Required</b>
Seminars	27 sessions of 1 hour (14%)
Private study	173 hours (86%)
Total	200 hours

### **Private study description**

No private study requirements defined for this module.

### **Costs**

No further costs have been identified for this module.

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### **Assessment**

You must pass all assessment components to pass the module.

#### **Assessment group A1**

	<b>Weighting</b>	<b>Study time</b>
4000 word essay	100%	
Research essay of 4,000 words on an approved topic.		

#### **Feedback on assessment**

Feedback via Tabula

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### **Availability**

#### **Courses**

This module is Optional for:

- Year 1 of TIMA-L981 Postgraduate Social Science Research
- Year 1 of TLAA-M3PJ Postgraduate Taught Advanced Legal Studies
- Year 1 of TLAS-M3P7 Postgraduate Taught International Economic Law
- Year 1 of TLAS-M221 Postgraduate Taught LLM in International Corporate Governance and Financial Regulation

This module is Core option list B for:

- Year 1 of TLAA-M3PJ Postgraduate Taught Advanced Legal Studies

- Year 1 of TLAA-M223 Postgraduate Taught International Commercial Law
- Year 1 of TLAS-M3P7 Postgraduate Taught International Economic Law
- Year 1 of TLAS-M221 Postgraduate Taught LLM in International Corporate Governance and Financial Regulation

This module is Option list B for:

- Year 1 of TLAA-M223 Postgraduate Taught International Commercial Law

This module is Option list C for:

- TPOS-M9PE Double MA in Politics and International Studies (with NTU Singapore)
  - Year 1 of M91F Globalisation and Development (Double Degree - NTU)
  - Year 1 of M91L International Development (Double Degree - NTU)
  - Year 1 of M91B International Political Economy (Double Degree - NTU)
  - Year 1 of M91C International Politics and East Asia (Double Degree - NTU)
  - Year 1 of M91D International Politics and Europe (Double Degree - NTU)
  - Year 1 of M91G International Security (Double Degree - NTU)
  - Year 1 of M91K Political and Legal Theory (Double Degree - NTU)
  - Year 1 of M91J United States Foreign Policy (Double Degree - NTU)
  - Year 2 of M91L International Development (Double Degree - NTU)
  - Year 2 of M91B International Political Economy (Double Degree - NTU)
  - Year 2 of M91C International Politics and East Asia (Double Degree - NTU)
- TPOS-M9PP Double MA in Politics and International Studies (with Universität Konstanz, Germany)
  - Year 1 of M92L International Development (Double Degree - Konstanz)
  - Year 1 of M92B International Political Economy (Double Degree - Konstanz)
  - Year 1 of M92C International Politics and East Asia (Double Degree - Konstanz)
  - Year 1 of M92D International Politics and Europe (Double Degree - Konstanz)
  - Year 1 of M92E International Relations (Double Degree - Konstanz)
  - Year 1 of M92G International Security (Double Degree - Konstanz)
  - Year 1 of M92K Political and Legal Theory (Double Degree - Konstanz)
  - Year 1 of M92H Public Policy (Double Degree - Konstanz)
  - Year 2 of M92B International Political Economy (Double Degree - Konstanz)
  - Year 2 of M92C International Politics and East Asia (Double Degree - Konstanz)
  - Year 2 of M92D International Politics and Europe (Double Degree - Konstanz)
  - Year 2 of M92E International Relations (Double Degree - Konstanz)
  - Year 2 of M92G International Security (Double Degree - Konstanz)
  - Year 2 of M92K Political and Legal Theory (Double Degree - Konstanz)
  - Year 2 of M92H Public Policy (Double Degree - Konstanz)
- Year 2 of TPOS-M9PT MA in International Development
- Year 2 of TPOS-M1P8 Postgraduate Taught International Politics and East Asia
- Year 2 of TPOS-M9PS Postgraduate Taught Political and Legal Theory
- Year 2 of TPOS-M9PQ Postgraduate Taught United States Foreign Policy