

C. S. Rouse
No. 1044

EC ANTITRUST
PROCEDURE

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Ec Antitrust Procedure

Hanns Peter Nehl



Ec Antitrust Procedure:

EU Antitrust Procedure Ekaterina Rousseva,2020 This book provides a comprehensive account of EU antitrust procedure exploring the powers of the EU Commission and the observance of fundamental rights during antitrust proceedings judicial review exercised by the EU Courts the role played by national authorities and courts and the mechanisms for cooperation in the EU and internationally

Kerse & Khan on EU Antitrust Procedure Nicholas Khan,Christopher Stephen Kerse,2012 This volume provides a concise explanation of how the European Commission investigates infringements of EU competition law It deals with topics such as the Commission s investigative powers procedural rights of the parties concerned and the methods for setting fines and judicial review against Commission decisions

EU Competition Enforcement and Human Rights A. Andreangeli,2008-01-01 Arianna Andreangeli s book can be strongly recommended Academics and practitioners active in the field of competition law EU law and human rights will certainly find much of interest in this book Volker Soyez *European Competition Law Review* This book is well structured and well written The volume represents an important contribution to the existing legal literature on fundamental rights protection in the EU legal order from a competition law perspective Giacomo Di Federico *Common Market Law Review* This book discusses the procedural rights enjoyed by those being investigated under Articles 81 and 82 of the EC Treaty and of the Merger Control Regulation and their right to challenge the Commission s decision in the Community Courts It further assesses how their rights to due process in competition proceedings before the European Commission comply with the notion of administrative fairness enshrined in the European Convention on Human Rights in accordance with the case law of the European Court of Human Rights In this study Arianna Andreangeli takes into account key developments such as modernisation and its impact on competition proceedings before the Commission the debate on the principles of legal professional privilege the protection against self incrimination the rule of ne bis in idem and the possibility of establishing an EU competition court It offers an examination of the right to be heard the right to have access to the Commission held evidence and to legal professional privilege and the right to silence and to seek judicial review of Commission decisions and assess them in the light of the Strasbourg court s case law Academics active in the area of competition law EU law and human rights as well as practitioners active in the area of competition law will find much to interest them in this book

Eu Antitrust Procedure: Digital Pack Ekaterina Rousseva,2020-03-26 The EU antitrust enforcement system for several decades has been one of the most mature antitrust enforcement systems in the world The European Commission has been recognised as a leading antitrust agency internationally and a role model for enforcers This would not have been possible without effective procedural rules This volume provides a comprehensive and practically oriented account of EU antitrust procure After setting out the institutional design and legal framework of the EU antitrust enforcement system it explores the EU Commission s investigative powers the possible outcomes of its investigations the types of decisions it adopts and the

remedies and fines it imposes This volume looks closely at the rights of defences enjoyed by the investigated parties and how the EU Commission strike a balance between their full observance on the one hand and the effectiveness of its enforcement on the other Particular attention is given to the judicial review of the EU Commission s acts and the role of the EU Courts in providing judicial protection and ensuring compliance with fundamental rights and principles Recognising cooperation as a key feature of the EU antitrust enforcement system the volume explores the mechanisms for cooperation between national antitrust enforcers and the EU Commission between national courts and the EU Court of Justice as well as the mechanisms for international cooperation It also provides an in depth review of the ECN Directive and explains how it contributes to making national competition authorities more effective enforcers Written primarily with enforcers and practitioners in mind it is essential reading for anyone with an interest in EU antitrust procedure

EU Antitrust Procedure Digital Pack includes a digital app with enhanced user functionalities that ensure that you have access to the text and all your accompanying notes wherever you are The app is available on PC Mac Android devices iPad or iPhone

Procedural Rights in Competition Law in the EU and China Caroline Cauffman, Qian Hao, 2016-03-23 The book examines the rights of defendants in infringement procedures and those of the notifying parties in merger proceedings before the European Commission and the Chinese competition authorities The initial chapters offer a general introduction to EU and Chinese competition law respectively paying particular attention to the substantive rules of competition law Subsequent chapters present an overview of the procedural rights of the notifying parties in merger cases in both legal systems surveyed address the procedural rights of defendants in infringement cases and provide an international perspective on differences in the notification and enforcement procedures between legal systems The final chapter draws comparative conclusions and includes a number of suggestions for improvement

Conceptualising Procedural Fairness in EU Competition Law Haukur Logi Karlsson, 2020-09-17 What constitutes a fair procedure when it comes to EU competition law This innovative book seeks to understand the philosophical considerations at the core of conflicting procedural fairness arguments in EU competition law practice The author argues for a conceptualisation of procedural fairness as a distributional issue that can be solved by a practical fairness theory and a comprehensive methodology To illustrate the usefulness of the conceptualisation three procedural fairness problems from recent EU competition law practice are analysed the KME Chalkor cases the Groupe Gascogne cases the regulatory question about using a collective redress mechanism for private enforcement of EU competition law This unique approach provides a robust philosophical and methodological foundation for arguing about a wide range of procedural fairness dilemmas The book is a must read for academics and practitioners seeking an imaginative perspective on the philosophical foundations of arguments about procedural fairness in EU competition law and beyond

Jones and Sufrin's EU Competition Law Alison Jones, B. E. Sufrin, Niamh Dunne, 2019 The most comprehensive resource for students on EU competition law extracts from key cases academic works and legislation are paired with incisive critique and commentary from an expert author team

Principles of Administrative Procedure in EC Law Hanns Peter Nehl, 1999 Recoge 1 Introduction 2 Procedural good administration in EC law 3 Expansion access to information and the right to be heard 4 Expansion The principle of care diligence 5 Conclusion

A comparative analysis of EU and US transnational mergers regulation Dimitris Liakopoulos, 2017-12-22 Document from the year 2017 in the subject Law Civil Private Trade Anti Trust Law Business Law grade A language English abstract The major problem associated with the regulation of transnational mergers which affect several national markets is the allocation of jurisdiction Each country concerned may wish to exert jurisdiction and apply its national competition law to regulate the anti competitive effects a merger may have in its territory However this approach may lead to risks of inconsistent decisions regarding the legality of mergers Indeed the national competition laws applied by the regulating authorities may diverge in several aspects which raise the likelihood of inconsistency The authors advocates the creation of an international merger control framework IMCF for the regulation of transnational mergers This framework will rest on an informal and a formal pillar The former includes non legally binding competition principles Consistency of these principles with the concepts of legitimacy and efficiency as well as the presence of peer reviews and assistance programmes should lower the risk of non implementation The formal pillar includes bilateral cooperation agreements which apply to merger affecting the countries which have concluded the agreements As essential pre condition for the application of bilateral agreements the level of cooperation achieved by such agreements should be at least equal to that ensured by the informal pillar The last part of the study addresses and examines the long and complex processes in merger and acquisition M A transactions M A arbitration faces certain difficulties during the transaction Such difficulties the author seeks to underline Two main problems of arbitration in M A transactions particularly have been covered Firstly the problem of consent in consolidation of parallel proceedings during M A transactions and secondly parties consent that validate arbitration agreements clauses in assignment or succession after M A transactions have been completed The author also tries to clarify the content of consent of parties to a transaction Finally a criticism of parallel proceedings is enhanced

EU Competition Procedure Luis Ortiz Blanco, 2013 This third edition fully updates the work to reflect recent legislative developments and a wealth of recent case law in particular in relation to merger control and state aid Consideration is given as to how EC Regulation 1 2003 antitrust rules have been applied and reviews their enforcement Coverage also includes discussion of the fining practice of the European Commission and the judicial review of this practice by the Community Courts There is also a new Part dedicated to the procedural aspects of arbitration as an efficient alternative means of dispute resolution in the private enforcement of EU competition law claims As a practical guide to procedure focusing on the implementation of the regulatory framework by the Commission and the relevant case law of the European Courts this is an indispensable resource for all practitioners involved in competition proceedings before the European Commission and national competition authorities Provided by Publisher

The Application of Articles 85 & 86 of the EC Treaty by

National Courts in the Member States European Commission. Directorate-General IV--Competition,1997 To assist with the application of Articles 85 and 86 by national courts the 1993 Notice proposes different methods of cooperation with the Commission while always respecting the independence of the judiciary and the prerogatives of the European Court of Justice National courts put questions to the Commission on factual procedural or even legal issues But apart from information on a case by case basis the Commission also hopes to develop a more general information policy The present book has been designed with that end in view The book provides a description following a standard format of the way in which Articles 85 and 86 are applied by the courts of each of the twelve countries being Member States on 31 December 1994 The contributions covering the different countries have been drawn up under the auspices of the Commission by specialist lawyers in the country in question selected by Ma tre August J Braakman partner of the law firm Nauta Dutilh at Rotterdam who is also director of studies at the business law department of the International Association of Lawyers The introduction is the joint work of Ma tre Braakman and Helmuth Schr ter Head of Division in Directorate General Competition of the European Commission *EU Competition Law: General Principles* David Vaughan,2006-03 This work provides authoritative and comprehensive coverage of competition law in the EU It includes a detailed analysis of core Treaty articles and case law on the fundamental principles affecting commercial agreements abuse of dominant position and state involvement and its effect under competition law

Procedural Law of the European Union Koenraad Lenaerts,Dirk Arts,Robert Bray,1999 Recoge 1 The judicial organisation of the European Union 2 Enforcement of community law 3 protection against acts of the institutions 4 Special forms of procedure *World Competition* ,2004 **EC Law** Stephen Weatherill,P. R. Beaumont,1995

Annual Proceedings of the Fordham Corporate Law Institute ,2004 **Regulation 1/2003 and EU Antitrust**

Enforcement Luca Prete,Kris Dekeyser,Celine Gauer,Johannes Laitenberger,Nils Wahl,2022-11-22 For nearly twenty years EU antitrust enforcement has been governed by Regulation 1 2003 which ushered in a sweeping reform of the procedures for the application of Articles 101 and 102 TFEU This systematic article by article expert commentary on the Regulation with additional perspectives and critical views by particularly experienced and qualified authors provides an in depth examination of the Regulation s legal achievements implications and promise for the future Analysis of each of the Regulation s articles covers such aspects as legislative history rationale and context practice of the Commission and where relevant of the national competition authorities case law of the Court of Justice of the European Union international aspects and outstanding and problematic issues Along with many of the article commentaries boxes have been added on specific issues of particular salience The critical reflections of the book s second part include perspectives from members and staff of the Court of Justice of the European Union and of the European Commission s Directorate General for Competition and Legal Service heads of national competition authorities and of national courts counsel economists consumer organisations and academics There are also comparisons with various aspects of antitrust enforcement in France Germany the Netherlands and the United States

With this unparalleled book practitioners and in house counsel as well as case handlers and policymakers will approach any competition case before the Commission with full awareness of the applicable procedural rules They will gain a clear understanding of the enforcer s powers and duties as well as of the various options available to the undertakings involved in antitrust proceedings and their rights

The Consistent Application of EU Competition Law Adriana Almășan, Peter Whelan, 2017-01-04 In recent years there has been a decentralisation of the enforcement of the EU competition law provisions Articles 101 and 102 of the Treaty on the Functioning of the European Union TFEU Consequently the national application of these provisions has become increasingly more common across the European Union This national application poses various challenges for those concerned about the consistent application of EU competition law This edited collection provides an in depth analysis of the most important limitations of and the challenges concerning the applicability of Articles 101 and 102 TFEU at national level Divided into five parts the book starts out by examining how the consistent enforcement of Articles 101 and 102 TFEU operates as a general EU competition policy It then discusses several recent landmark cases of the European Court of Justice on Articles 101 and 102 TFEU before proceeding to analyse certain additional unique jurisdictional challenges to the uniform application of the EU competition law provisions Subsequently it focuses on one of the most important instruments that can help to achieve the uniform application of EU competition law in cases handled by the national courts preliminary rulings Finally it provides selective examples of how Articles 101 and 102 TFEU are effectively applied at national level thereby providing additional input into how problematic the issue of consistent application of EU competition law is in practice

The Competition Law of Central and Eastern Europe Marjo Ojala, 1999 This text provides a comprehensive and highly practical explanation of the law relevant to the increasingly important business areas of sponsorship endorsement and merchandising It synthesises a variety of current practices to provide clear guidance on all aspects of negotiating contracts

Eu Competition Procedure Luis Ortiz Blanco, 2020-09 This new edition of this key analytical commentary on the competition procedures of the EU provides in depth coverage of the relevant rules It discusses in detail the Commission s package of regulations and guidelines and their interaction in practice as well as the relevant case law of the European Courts

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