



SEMINAR ON EXPERIENCES OF COMPETITION LAW FROM AROUND THE WORLD

CPS.07

Jointly organised by:

CUTS Institute for Regulation & Competition (CIRC); Society of Indian Law Firms (SILF); and
Federation of Indian Chambers of Commerce & Industry (FICCI)



Wednesday, March 21, 2007
Federation House, Tansen Marg, New Delhi, India

Background

India has enacted a new competition law, "Competition Act 2002" to replace the Monopolies and Restrictive Trade Practices (MRTP) Act, 1969. Implementation of the new law has been held up for quite sometime. Nevertheless, with an amendment bill tabled in the Parliament, it is expected that the new law and the Competition Commission of India would soon become fully operational.

While the Competition Act is set to become operational, there is a need to understand the contours of this new piece of legislation that has been enacted to suit the modern and emerging times. Further, given the differences between the MRTP Act and the Competition Act (in their language and approach), even the experience of MRTP Act would be of little use.

It is in this context that CUTS Institute for Regulation and Competition (CIRC), Society of Indian Law Firms (SILF) and Federation of Indian Chambers of Commerce & Industry (FICCI) are organising this seminar to discuss the contours of a Competition Law by showcasing experiences from both developed and developing countries delivered by experts from foreign jurisdictions.

Objectives

- Develop an understanding on:
- Compliance and procedural issues as existing in other jurisdictions
 - Jurisprudence that exists in other competition jurisdictions
 - Case laws that discuss adjudication in relation with the Indian Competition Law

Content

- *Brief History of Competition Law in India*
MRTP Act vs Competition Act 2002, key provisions of the Competition Act, enforcement issues
- *Merger Regulation*
Interpretation of key terms e.g. relevant market, nature of information required to analyse a proposed merger, constraints faced, dealing with cross-border M&As
- *Anti-competitive Agreements*
Nature of evidence required, investigation tools used, constraints faced, information asymmetry, per se vs rule of reason, public interest dimension
- *Abuse of Dominance*
Nature of evidence required, investigation tools used, constraints faced
- *Competition-Regulation Interface*
Areas of conflict/complementarity in the interface, how is the conflict resolved, constraints faced etc

Resource Persons

Shri Vinod Dhall, Member, Competition Commission of India will deliver the Keynote Address at the Seminar, while experienced competition practitioners from abroad will share their experiences along with Indian resource persons in a panel format.

Eduardo Perez Motta

President, Federal Commission on Competition, Mexico

Eleanor Fox

Professor, New York University School of Law, USA

Frederic Jenny

Judge, French Cour de Cassation (Supreme Court, France)
Former Vice-chairman, Conseil de la concurrence

Mariana Tavares de Araujo

General Coordinator, Merger Division
Ministry of Justice, Brazil

Michal S. Gal

Senior Lecturer and Director of Law and MBA Programme
University of Haifa, Israel

Thula G Kaira

Director, Merger & Acquisition, Division
Zambia Competition Commission, Zambia

R S Khemani

Advisor, Competition Policy
Private Sector Development-Vice Presidency
The World Bank Group USA
Former Chief Economist, Canadian Competition Bureau

Santiago Roca T

Professor Principal, ESAN University, Peru
Former Chairman, Peruvian Competition Authority

Eminent Indian resource persons will also be speaking, whose details and the latest programme schedule will be available at www.circ.in/agenda-cps-07.htm

Who Should Attend

Lawyers in law offices, business houses, regulatory agencies and academicians

Course Fee

The fee will be Rs 1,250 per participant. The fee will cover seminar kit, lunch, tea/coffee and several CUTS publications. It is non refundable, though, substitution is permissible on prior intimation.

Venue

Federation of Indian Chambers of Commerce & Industry
Federation House, Tansen Marg, New Delhi 110001

How to Apply

Registration is open till Saturday, March 15, 2007 (1600 hours), however the seats are limited and available on a first come basis.

The application form (CPS.07) is available on www.circ.in/forms.htm

The application form, duly filled, along with bank draft in the name of **Consumer Unity & Trust Society** should reach:

CUTS
International
Since 1984

CUTS International

62, Qutab View Apartments, Katwaria Sarai, New Delhi 110016
Ph: +91-11-2653 7791 • Fx: +91-11-2685 6288
Web: www.circ.in • Em: delhi@cuts.org; circ@circ.in

circ
Enhancing Knowledge,
Strengthening Capacity

