

CLPNZ Directors' Report 2016

In 2015 the Competition Law and Policy Institute of New Zealand was honoured to have Professor Robert (Bobby) Willig from Princeton University in New Jersey as our key note speaker. Professor Willig is one of the world's leading anti-trust economists. He is also particularly well known in New Zealand, having given evidence in a number of leading New Zealand competition law cases and being co-author of the famous (or infamous!) Baumol-Willig rule.

It was a pleasure to have Professor Willig's participation, not only as an informative and very entertaining keynote speaker but also as an insightful contributor to discussion in a number of other workshop sessions.

Professor Willig's keynote address was on new methods of merger analysis. Lilla Csorgo, Chief Economist at the Commerce Commission was the commentator.

The second session on the first day of the workshop was led by Professor Brent Fisse from Sydney. Professor Fisse is truly extraordinary in the way he can put together a comprehensive, detailed and well researched and referenced paper. His topic this year was on the wide ranging Australian Harper review. That review had proposed extensive reform to Australian competition law. Our commentator for this session was Andrew Peterson, Barrister, who considered the New Zealand implications.

The second day of the workshop commenced with a session on regulatory prosecutions and criminalisation of cartels having regard to the proposals in the Cartel Bill currently before Parliament. Our speakers were Paul O'Neil, acting director of enforcement and investigations for the Financial Markets Authority and David Blacktop, Principal Counsel (Competition), Commerce Commission.

The fourth session of the workshop was a session on vertical restraints and exclusive dealing. The speaker for this session was Troy Pilkington of Russell McVeagh and our commentator David Shahrudin from the Commerce Commission.

In the fifth session of the workshop was a session on unconscionable conduct and supermarkets. Sarah Court, ACCC commissioner spoke about the Coles case in Australia while Jenny Stevens discussed New Zealand's experience with the New Zealand Commission's investigation of Progressive.

Finally, the sixth session of the workshop was a session on broadcasting and whether it is ripe for regulation. Our speaker was Tony Dellow from Buddle Findlay and our commentator economist was Dr John Small of Covec.

The workshop was hosted at the offices of Simpson Grierson in Auckland. We are very grateful to that firm for again making space at their premises available enabling lower costs and a reduced registration fee for those attending the workshop, as well as providing a great view from the 28th floor of the Lumley building!

The venue for Friday night's dinner was Kitchen the restaurant at de Brett hotel in High street. Our after-dinner speaker, the Hon Minister Paul Goldsmith gave a most enjoyable speech. However, little were we to know that not long after the dinner that the minister would announce that the government was dropping plans for cartel criminalisation!

This year has seen CLPNZ modernise through the development of a Linked-In page. Many thanks to Laura Meriluoto for leading this initiative. We have also for the first time allowed for online registrations for the workshop.

We now look forward to the 2016 workshop at which our keynote speaker will be leading economist, Dr Jorge Padilla from Spain. Dr Padilla's key note address will discuss European misuse of market power law. The reform of New Zealand misuse of market power law is currently on the reform agenda. We hope that the workshop will help those present assess what form of misuse of market power law will be suitable for New Zealand going forward.

Our 2016 workshop will be held at the offices of Chapman Tripp in Wellington.. Many thanks to the current advisory board members, James Craig, Ben Gerritsen, Alan Lear, Glenn Shewan, Laura Meriluoto, Troy Pilkington, Neil Anderson and (until his recent departure overseas) Peter Taylor for their efforts , to Simon Peart of Chapman Tripp for his valuable assistance, and to our efficient secretary/ treasurer Val Browning for keeping us all in line!

John Land
Director, Competition Law and Policy Institute of New Zealand