



LAWS8020

Competition Law

Session 1, Online-scheduled-weekday 2023

Macquarie Law School

Contents

<u>General Information</u>	2
<u>Learning Outcomes</u>	3
<u>General Assessment Information</u>	3
<u>Assessment Tasks</u>	4
<u>Delivery and Resources</u>	5
<u>Unit Schedule</u>	6
<u>Policies and Procedures</u>	8

Disclaimer

Macquarie University has taken all reasonable measures to ensure the information in this publication is accurate and up-to-date. However, the information may change or become out-dated as a result of change in University policies, procedures or rules. The University reserves the right to make changes to any information in this publication without notice. Users of this publication are advised to check the website version of this publication [or the relevant faculty or department] before acting on any information in this publication.

General Information

Unit convenor and teaching staff

Unit Coordinator

Adrian Coorey

adrian.coorey@mq.edu.au

Contact via N/A

N/A

Please email unit coordinator to arrange for consultation time

Tutor

Sophie Wong

sophie.wong@mq.edu.au

Contact via N/A

N/A

Please email tutor to arrange for consultation time.

Sophie Wong

sophie.wong@mq.edu.au

Credit points

10

Prerequisites

Admission to LLM or MIntTrdeComLaw or (Admission to JD and LAWS600 or LAWS8001)

Corequisites

Co-badged status

Unit description

The unit introduces students to the principal areas of law in Australia which aim to preserve competition in the economy and to ensure consumer protection. Attention will focus on the competition law provisions in the *Competition and Consumer Act 2010* and their theoretical underpinnings. Topics include cartels; anticompetitive agreements and concerted practices; misuse of market power; mergers; warranties and guarantees; misleading or deceptive conduct; unconscionable conduct and unfair contract terms; remedies and enforcement of both consumer and competition law.

Important Academic Dates

Information about important academic dates including deadlines for withdrawing from units are available at <https://www.mq.edu.au/study/calendar-of-dates>

Learning Outcomes

On successful completion of this unit, you will be able to:

ULO1: Apply the economic concepts used in competition law to examine the effects of anticompetitive practices.

ULO2: Analyse the development of competition law in Australia and various parts of the world and appraise the objective(s) of competition law in the economy.

ULO3: Critically assess the powers of the courts, regulatory bodies, and private individuals to evaluate the role of different enforcement methods in competition and consumer law.

ULO4: Apply the Competition and Consumer Act, case law, and soft law to solve problems in competition and consumer law.

General Assessment Information

QUIZZ (25%)

The quiz will be open at 9am, Monday 27 March 2023 (Week 6) and closed at 5pm, Monday 3 April 2023 (Week 7).

The quiz consists of 25 multiple choice questions. Each multiple choice question is worth 1 mark.

Topics for each quiz and the amount of time given to complete each quiz will be provided in a separate document on iLearn. There is no need for research for the quiz. All quiz questions are based on information in the prescribed textbook.

HYPOTHETICAL PROBLEM QUESTIONS (50%)

There will be two hypothetical problem questions worth 25% each. More details will be provided on iLearn. There is no need for research for the hypothetical problem questions. Both questions will be based on information in the prescribed textbook.

FINAL EXAM (TIME LIMITED) (25%)

There will be one hypothetical problem question worth 25%. More details will be provided on iLearn.

There is no need for research for the final exam. The question will be based on information provided on iLearn and the prescribed text. Late Submission Unless a Special Consideration request has been submitted and approved, (a) a penalty for lateness will apply – 5 marks out of 100 credit will be deducted per day for assignments submitted after the due date – and (b) no assignment will be accepted seven days (incl. weekends) after the original submission deadline.

Assessment Tasks

Name	Weighting	Hurdle	Due
Quiz	25%	No	Week 7 (3/04/2023)
Hypothetical Problem Question	50%	No	Week 10 (8/05/2023)
Take-Home Exam	25%	No	Exam Period (12/06/2023)

Quiz

Assessment Type ¹: Quiz/Test

Indicative Time on Task ²: 3 hours

Due: **Week 7 (3/04/2023)**

Weighting: **25%**

Students will be required to complete a multiple choice quiz.

On successful completion you will be able to:

- Apply the economic concepts used in competition law to examine the effects of anticompetitive practices.
- Analyse the development of competition law in Australia and various parts of the world and appraise the objective(s) of competition law in the economy.
- Critically assess the powers of the courts, regulatory bodies, and private individuals to evaluate the role of different enforcement methods in competition and consumer law.
- Apply the Competition and Consumer Act, case law, and soft law to solve problems in competition and consumer law.

Hypothetical Problem Question

Assessment Type ¹: Problem set

Indicative Time on Task ²: 35 hours

Due: **Week 10 (8/05/2023)**

Weighting: **50%**

Students will be required to solve two hypothetical problem questions.

On successful completion you will be able to:

- Apply the economic concepts used in competition law to examine the effects of

anticompetitive practices.

- Apply the Competition and Consumer Act, case law, and soft law to solve problems in competition and consumer law.

Take-Home Exam

Assessment Type ¹: Quiz/Test

Indicative Time on Task ²: 15 hours

Due: **Exam Period (12/06/2023)**

Weighting: **25%**

Students will be required to solve a hypothetical problem question in a time-limited take home exam.

On successful completion you will be able to:

- Apply the economic concepts used in competition law to examine the effects of anticompetitive practices.
- Apply the Competition and Consumer Act, case law, and soft law to solve problems in competition and consumer law.

¹ If you need help with your assignment, please contact:

- the academic teaching staff in your unit for guidance in understanding or completing this type of assessment
- the [Writing Centre](#) for academic skills support.

² Indicative time-on-task is an estimate of the time required for completion of the assessment task and is subject to individual variation

Delivery and Resources

Delivery

Lectures

Each week will consist of a 2 hour lecture that is uploaded to Echo 360 on iLearn. Lectures will be available in weeks 1 to 12. It is advised that you listen to the weekly lecture in advance of your corresponding weekly tutorial.

Tutorials

For face-to-face students, each week consists of a 1 hour tutorial. Each student is expected to attend the tutorial that they are enrolled in. Due to privacy issues, the tutorials are not recorded.

For online students, the tutorials consists of a 2 hour tutorial each fortnight. There is 6 classes in total. Class 1 will commence in Week 3 (7pm to 9pm, Monday 6 March), Class 2 will commence

in Week 5 (7pm to 9pm, Monday 20 March), Class 3 will commence in Week 7 (7pm to 9pm, Monday 3 April), Class 4 will commenced Week 9 (7pm to 9pm, Monday 1 May), Class 5 will commence in Week 11 (7pm to 9pm, Monday 15 May), and Class 6 will commence in Week 13 (7pm to 9pm, Monday 29 May). A Zoom link is available on iLearn for all online tutorials.

Resources

Prescribed Textbook

Adrian Coorey, *Australian Consumer Law - The Comprehensive Guide* (Jurisprudencia, Sydney, 2021). The prescribed textbook is required for this course. The textbook can be purchased online at <https://www.jurisprudencia.com.au/>. Please do not pay the full price for the textbook. There is a student discount for the textbook when you enter the shopping cart. Please enter the following code 'STD2023'.

Recommended Material

Jurisprudencia, *Consumer Law I, II and III* (Student Guide Cards, Sydney, 2023) and *Competition Law I, II and III* (Student Guide Cards, Sydney, 2023). The Guide Cards can be purchased online at <https://www.jurisprudencia.com.au/>.

A Bruce, *Australian Competition Law* (4th Edition, LexisNexis, Sydney 2021). This textbook is optional (as detailed notes and other materials for the Competition Law topics will be uploaded on iLearn). This textbook can be purchased online from LexisNexis or from other online suppliers, e.g. Booktopia

Unit Schedule

Reading List

Prescribed text: Adrian Coorey, *Australian Consumer Law – The Comprehensive Guide* (Jurisprudencia, Sydney, 2021) (**Coorey**).

Additional Materials: Student Guide Cards, *Consumer Law I, II and III* (Jurisprudencia, Sydney, 2023) (**SGC Consumer Law I, II and III**) and *Competition Law I, II and III* (Jurisprudencia, Sydney, 2023) (**SGC Competition Law I, II and III**). A Bruce, *Australian Competition Law* (4th edition) (LexisNexis, Sydney 2021) (**A Bruce**).

Please **note** that Additional Reading (as listed below) is not mandatory reading. Students who wish to specialise in Australian Consumer Law and/or Australian Competition Law are encouraged to undertake the Additional Reading.

Week	Topic	Prescribed Reading	Additional Reading (Optional)
Australian Consumer Law			

1	Introduction - Definitions and Key Concepts	Coorey – Ch 1 Coorey – Ch 2 (excluding pg 42-58)	Coorey – Ch 2 (pp 42-58)
2	Misleading or Deceptive Conduct – General Principles	Coorey – Ch 3 SGC Consumer Law I	
3	Misleading or Deceptive Conduct and Advertising	Coorey – Ch 4	Coorey - Ch 6
4	Misleading or Deceptive Conduct and the Internet	Coorey - Ch 5	Coorey - Ch 7
5	False or Misleading Representations	Coorey – Ch 8 SGC Consumer Law I	-
6	Unconscionable Conduct	Coorey - Ch 9 SGC Consumer Law II	
7	Unfair Contract Terms Specific Unfair Practices	Coorey – Ch 10 SGC Consumer Law II Coorey – Ch 11 SGC Consumer Law II	
8	Consumer Guarantees (and Remedies)	Coorey – Ch 12 Coorey – Ch 13 SGC Consumer Law III	-
Australian Competition Law			
9	Cartels	Materials will be provided on iLearn	SGC Competition Law I and II
10	Anti-competitive contract, arrangements or understandings and concerted practices	Materials will be provided on iLearn	SGC Competition Law I and II
11	Misuse of market power and Exclusive Dealings	Materials will be provided on iLearn	SGC Competition Law I and II
12	Resale Price Maintenance and Mergers and Acquisitions	Materials will be provided on iLearn	SGC Competition Law III
13	Revision	Sample Question(s) to be provided on iLearn	

Policies and Procedures

Macquarie University policies and procedures are accessible from [Policy Central \(https://policies.mq.edu.au\)](https://policies.mq.edu.au). Students should be aware of the following policies in particular with regard to Learning and Teaching:

- [Academic Appeals Policy](#)
- [Academic Integrity Policy](#)
- [Academic Progression Policy](#)
- [Assessment Policy](#)
- [Fitness to Practice Procedure](#)
- [Assessment Procedure](#)
- [Complaints Resolution Procedure for Students and Members of the Public](#)
- [Special Consideration Policy](#)

Students seeking more policy resources can visit [Student Policies \(https://students.mq.edu.au/support/study/policies\)](https://students.mq.edu.au/support/study/policies). It is your one-stop-shop for the key policies you need to know about throughout your undergraduate student journey.

To find other policies relating to Teaching and Learning, visit [Policy Central \(https://policies.mq.edu.au\)](https://policies.mq.edu.au) and use the [search tool](#).

Student Code of Conduct

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: <https://students.mq.edu.au/admin/other-resources/student-conduct>

Results

Results published on platform other than [eStudent](#), (eg. iLearn, Coursera etc.) or released directly by your Unit Convenor, are not confirmed as they are subject to final approval by the University. Once approved, final results will be sent to your student email address and will be made available in [eStudent](#). For more information visit ask.mq.edu.au or if you are a Global MBA student contact globalmba.support@mq.edu.au

Academic Integrity

At Macquarie, we believe [academic integrity](#) – honesty, respect, trust, responsibility, fairness and courage – is at the core of learning, teaching and research. We recognise that meeting the expectations required to complete your assessments can be challenging. So, we offer you a range of resources and services to help you reach your potential, including free [online writing and maths support](#), [academic skills development](#) and [wellbeing consultations](#).

Student Support

Macquarie University provides a range of support services for students. For details, visit <http://students.mq.edu.au/support/>

The Writing Centre

The [Writing Centre](#) provides resources to develop your English language proficiency, academic writing, and communication skills.

- [Workshops](#)
- [Chat with a WriteWISE peer writing leader](#)
- [Access StudyWISE](#)
- [Upload an assignment to Studiosity](#)
- [Complete the Academic Integrity Module](#)

The Library provides online and face to face support to help you find and use relevant information resources.

- [Subject and Research Guides](#)
- [Ask a Librarian](#)

Student Services and Support

Macquarie University offers a range of [Student Support Services](#) including:

- [IT Support](#)
- [Accessibility and disability support](#) with study
- Mental health [support](#)
- [Safety support](#) to respond to bullying, harassment, sexual harassment and sexual assault
- [Social support including information about finances, tenancy and legal issues](#)
- [Student Advocacy](#) provides independent advice on MQ policies, procedures, and processes

Student Enquiries

Got a question? Ask us via [AskMQ](#), or contact [Service Connect](#).

IT Help

For help with University computer systems and technology, visit http://www.mq.edu.au/about_us/offices_and_units/information_technology/help/.

When using the University's IT, you must adhere to the [Acceptable Use of IT Resources Policy](#). The policy applies to all who connect to the MQ network including students.